by Rep. ————————, they do four offices a day.

"We want to see everyone," says Miss Fonda in her low finishing school voice, "friendlies, marginals, hostiles. We want to see everyone but Henry Kissinger."

"Everyone's very polite around here," says Hayden. "Nobody's turned us down. They're willing to listen to us. No matter how outlandish it sounds, they realize it may be true. We talked for years about murder in the villages, but nobody paid any attention until Mylai. We tell them that Vietnam is going to escalate and become an issue again and they better meet it now. They tell us that military aid is the price they have to pay for not bombing. We tell them that the problem is the same, the Thieu government is unrepresentative and repressive and they can't prop it up forever."

Times have changed so much that Hayden will conduct a school on Capitol Hill for the next three weeks. He will hold seminars in a Judiciary subcommittee room arranged by ——— ——— on the history of Vietnam and U.S. intervention there. At least 60 staff members have signed up. There have been no squawks.

Miss Fonda will attend but will not speak. She is far more sensitive about her notices as a political activist than as a star, and is fearful of being considered a dilettante. She was gratified to be told that a congressman who met her in the hall said later he thought she knew what she was talking about.

"It's kind of ironic to see those two trying the system," said one staffer. "They go around telling people to write to their congressmen. What could be more American than that?"

Hayden grins when asked about his switch to convention. "The situation has changed," he says. "It calls for new tactics. Now a majority of the people are on our side about Vietnam."

HOUSE OF REPRESENTATIVES—*Wednesday, February 13, 1974*

The House met at 12 o'clock noon.

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

The Lord is my Shepherd, I shall not want.—Psalms 23: 1.

O thou seeking Shepherd of our striving souls through all the length of days Thy goodness faileth never. We nothing lack if we are Thine and Thou art ours forever.

In a time filled with fear and frustration save us from hasty decisions and hurried actions. Grant unto us a steadiness of spirit and an inner strength of being which will enable us to be faithful stewards of the trust given to us to lead our Nation in wise ways toward good goals for the benefit of all people.

To this end keep our honor bright, our hearts pure, our hands clean, and our devotion to our country deep and true.

In the spirit of Christ we pray. 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 PRESIDENT

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 37. An act to amend the Budget and Accounting Act, 1921, to require the advice and consent of the Senate for future appointments to the office of Director and Deputy Director of the Office of Management and Budget, and for other purposes.

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

S. 184. An act to authorize and direct the Secretary of the Interior to sell interests of the United States in certain lands located in the State of Alaska to the Gospel Missionary Union;

S. 194. An act to authorize the Secretary of the Interior to convey to the city of Anchorage, Alaska, interests of the United States in certain lands; and

S. 1863. An act to designate the Wominuche Wilderness, Rio Grande and San Juan National Forests, in the State of Colorado.

REMARKS OF THE HONORABLE RICHARD T. HANNA ON HIS ANNOUNCED RETIREMENT

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

Mr. HANNA. Mr. Speaker, I take this opportunity to make some remarks about the announcement in the newspaper this morning that I will not be seeking reelection.

I would like to make three points, if I may, under this 1-minute speech; the first one is directed to the Members. I hope to see each of the Members individually to tell them how badly my decision weighs upon me because I will be leaving so many good friends.

Mr. Speaker, I shall also admonish the Members that in the future what I think they will need more than my presence is their sense of humor. With all the losses we have had in the country, the least we can afford is the loss of our sense of humor which is so finely nurtured and sustained.

Second, I would like to make the point, Mr. Speaker, that I appreciate the efforts of the wonderful people in and about this Capitol who have the responsibility for the care and feeding of Congressmen. I direct this to my own staff, which is a wonderful group of dedicated people, to those in the offices of other Members, and to the many others around here, both in this great room and in the many other places where Congressmen perform their duties. They are a sustaining, helpful group of people who have made being a Congressman worthwhile. They are going to be missed by me, I am sure, even more than some of the individual friends I have made.

The third point, Mr. Speaker, is directed to the new Members who are going to be coming into this House. My announcement is hallmarked by a complete lack of uniqueness, since I anticipate there are going to be a lot of new Members.

I would like to say that when I first came to Congress, I made a prediction in my district that no one would come to me and say, "Thank God, young man, you are here." And that was very true. It is equally predictable now that there are not going to be a lot of people saying, "Please do not leave." So there is a humility about being in service here.

When I came to Washington, I put a lot of time and energy into finding out what was going on and some additional effort into trying to fit in.

To those who will be in the new group next January, they should put all their time and attention into finding out what is going on. If they find out, they will not have to worry about fitting in, because they will have already reached the elite group in this House.

Mr. Speaker, I hope that during the remaining period of my service I can be of some assistance to my fellow Congressmen and to this House and to my district, and it is with great sorrow that I have made the decision not to be one of those who will be sitting here in the next Congress.

SPECIAL ENERGY APPROPRIATION BILL

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

Mr. MAHON. Mr. Speaker, the House today will consider an energy bill; namely, the Solar Heating and Cooling Demonstration Act. Today's bill authorizes the appropriation of $50 million to the National Aeronautics and Space Administration over a 5-year period.

The energy crisis is the most urgent and immediate economic problem confronting the Nation and world today, and it is mandatory that Congress act aggressively and promptly in providing the necessary legislation to move forward with energy research and development programs.

The Committee on Appropriations proposes to bring to the House, immediately after Easter, a special comprehensive appropriation bill for energy research and development programs for the fiscal year beginning July 1. This would allow funding to be in place for energy activities in advance of the new fiscal year and would do much to promote orderly planning and efficient execution of the energy programs of the various Federal agencies.

The Appropriations Committee proposes to move as rapidly as possible to-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

ward the enactment of the energy appropriation bill, but it will be impossible for the committee to take timely action unless the necessary authorizing legislation is enacted at an early date. I make specific reference to the authorizing bills for the Atomic Energy Commission and the National Science Foundation. There are others.

Mr. Speaker, Congress can and must respond to the urgent national energy needs in a timely, efficient way.

Mr. Speaker, the eyes of the country are appropriately on the Congress with respect to the urgent energy problem which confronts us. I am confident the committees of the House will adopt the firm resolve to get all the necessary authorization bills to the floor so that the House may move forward at the earliest possible date.

By all means, the necessary funds must be made available to the appropriate energy agencies of the Government prior to July 1, the beginning of the new fiscal year.

EMBARGO ON FERTILIZER

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

Mr. MATHIS of Georgia. Mr. Speaker, I have today introduced legislation which will place an embargo on all fertilizer and fertilizer products that are being shipped out of this country. I have introduced this bill with some hesitation, because I want the business and agricultural community of this Nation to have free access to sell in the marketplace of nations. But, Mr. Speaker, the situation out there in the country, across the Potomac, is so severe that I strongly feel the time has come for positive action. If we are not able to stem the flow of fertilizer from the United States then our farmers are simply not going to be able to produce the food and fiber necessary to meet our demands this year. It is just that simple.

Secretary Butz has placed an additional 55 million acres in production this year, and has consistently called for American farmers to "go all out" to produce record yields, and yet no assurance has been given that fertilizer—not to mention fuel—will be available to meet the needs of the farmers.

Mr. Speaker, this is not a "farmer's bill." This legislation, I believe, is absolutely necessary to protect the interests of American consumers.

I urge my colleagues to support this legislation and I plan to reintroduce it at an early date, at which time I would welcome any Member of the House as a cosponsor.

REINTRODUCTION OF RESOLUTION TO PROVIDE LIVE TELEVISION AND RADIO COVERAGE OF HOUSE PROCEEDINGS ON IMPEACHMENT

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

Mr. YATES. Mr. Speaker, on February 6, 1974, I introduced House Resolution 832 to provide live television and radio coverage of the proceedings in the Chamber of the House of Representatives on any resolution to impeach the President of the United States.

Because of an error in my office, this resolution bears the name of Congressman CHARLES WILSON of Texas as a cosponsor. The resolution should instead bear the name of Congressman CHARLES H. WILSON of California. I am today reintroducing the resolution with this error corrected and regret any inconvenience resulting from this error to my friend from Texas (Mr. CHARLES WILSON).

A PLEA FOR 20TH CENTURY SANITY

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

Mr. MILFORD. Mr. Speaker, a physics student at a university in my district, Miss Ruth B. Kaplan, has written me with her views about nuclear energy.

The call for rational thinking toward solving our energy problem is so clear, that I felt my colleagues in the Congress should have a chance to read it:

ARLINGTON, TEX., *February 1, 1974.*

Congressman DALE MILFORD,
House of Representatives,
Washington, D.C.

DEAR SIR: In your January, 1974, newsletter, which recently was mailed to me, I notice that you mention that the question of pollution control will be coming before the Congress in the near future. As a senior physics student at the University of Texas at Arlington, and a resident of Arlington, I feel that this is an issue that touches the very fiber of our day-to-day life in the Metroplex. I speak specifically of the proposed nuclear generator at Glen Rose. With the present genuine shortage of electrical power, and the relative shortages of petroleum and natural gas products, which are presently used to produce electrical energy, the time has come to cease in our near-paranoia of the terms "nuclear" and "radioactivity", and so on, and get on with the business of using our twentieth century technology.

Not that I am advocating irresponsible, unlicensed, building of atomic power plants. However, the other extreme of bogging down any more of their large-scale use as an energy source in light-years of red tape is nothing short of the type of mentality that forced Copernicus to recant his theory of a heliocentric solar system. In short, submoronic. I hope that I will not have to live in a society that would prefer to live in the world of the nineteenth century. And I hope that my representatives in Congress will lead the way in preparing by removing some of the ridiculous controls that are presently put on some of our most efficient sources of power—mainly nuclear power plants.

Sincerely yours,

Miss RUTH B. KAPLAN.

PAMPERED POLICIES FOR BIG OIL

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

Mr. VANIK. Mr. Speaker, today's newspapers carry the news of Gulf's oil profits hitting an alltime record of $800 million in 1973. When the information becomes available, if ever, it will disclose that Gulf Oil will pay U.S. Federal income taxes at a lower effective rate in 1973, than ever before in that company's history. The massive accumulation by that company of foreign tax credits will wash out a substantial part of the income tax liability.

In 1972, Gulf conducted a business of $7.7 billion and paid only $12 million in Federal income taxes.

As far as the oil companies are concerned, higher profits and lower effective tax rates are an inevitable combination under present tax laws which prescribe a drip-drop of taxes in an avalanche of profits.

GASOLINE DISTRIBUTION POLICY

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

Mr. PEYSER. Mr. Speaker, after seeing the impact of methods being employed by a number of States in the Northeast, I am convinced more than ever for the need of a national policy dealing with the question of gasoline and its method of distribution to the public. It is nothing more than foolhardy if we continue on the course we are taking. In effect we are rationing by chaos. The country is sputtering along like a car operating on half its cylinders. We are in need of leadership at the national level, which we have not been getting.

I am calling on President Nixon today to direct Mr. Simon to put into being a national alternate day gas purchasing plan. I am also calling for control of the hours gas stations stay open, in order that working people who need their cars to get to and from their jobs will be able to get gas either early in the morning or late in the afternoon when they get home. Finally I want a complete immediate review of the gasoline allocation program to States and within States, using the 1972 level as a base period is unrealistic, particularly in densely populated States and metropolitan areas that have had substantial growth in the past year.

THE ALLEY CAT ORCHESTRA

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

Mr. BUCHANAN. Mr. Speaker, I rise to extend a cordial invitation to all of my colleagues to attend a unique sporting event taking place in Birmingham, Ala., on Sunday, February 24, a benefit basketball game to raise $5,000 in order to send the Alley Cat Orchestra to Washington.

The Alley Cat Orchestra, Mr. Speaker, is composed of a group of mentally retarded and blind persons and includes some 12 mongoloid youths.

The orchestra members will be the featured performers at the annual meeting of the President's Committee on Employment of the Handicapped. The reason I think this will attract and hold the attention of the Members is that this benefit game is to be played between the radio personalities of WERC in Birmingham and the bunnies of the Playboy Club of Atlanta, Ga.

It is my understanding that the radio

team can accept no more substitutes—it is already oversubscribed—and they have more depth on the court than the University of Alabama and Auburn University teams together could ever hope to attract.

I invite you all to attend.

NEGOTIATIONS REGARDING PANAMA CANAL

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

Mr. ARCHER. Mr. Speaker, I am deeply concerned about Secretary of State Kissinger's present negotiations with the Republic of Panama over control of the Canal Zone.

If the reports we are receiving are accurate, it is simply inconceivable that we could consider relinquishing U.S. sovereignty over this waterway that is so vital to the commerce of the free world.

Not only international trade, but also the national security of the United States is at stake in these negotiations. If a group of oil-producing Arab countries can hold the world at bay with an oil embargo, cannot a Panamanian-controlled canal be used in much the same way?

The present absence of traffic on the Suez Canal speaks to this point very clearly.

I am not willing to entrust the economy and security of our Nation to any other country, much less a country with as volatile a political history as that of the Republic of Panama.

None of us can predict with accuracy the turn of international events. One thing is certain. The Panama Canal Zone must remain under U.S. control as a guarantee of our future security.

TERMINATING FOREIGN AID PROGRAM

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

Mr. GROSS. Mr. Speaker, I have today introduced a concurrent resolution, previously introduced in the other body by Senator J. WILLIAM FULBRIGHT, terminating major portions of this Nation's foolish and tragically expensive foreign aid program.

The resolution, in my opinion, is a step in the right direction and while it leaves intact certain foreign handout programs, it is a beginning toward abolishment of all forms of foreign aid.

I certainly concur with Senator FULBRIGHT'S comment that "it is time to wipe out this relic of the past," and in his remark that many—if not most—of the foreign aid recipients around the globe would have been far better off today if—in his words—"we had let them alone."

Nor can I argue with the Senator's statement that our foreign giveaway program "has become a hydra-headed monster, immune from effective control by either the Congress or the President."

It is long past time when Congress ought to do the taxpayers of America a favor and vote to take this monster off their backs once and for all.

This concurrent resolution is a beginning toward accomplishing that goal and I urge all Members of the House to support it.

RESIGNATION FROM A COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

FEBRUARY 7, 1974.

Hon. CARL ALBERT,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: This afternoon at a meeting of the House Republican Committee on Committees, it was recommended that I be appointed to serve on the House Committee on Armed Services in order to fill the vacancy left by Congressman Bill Young.

It is with deep regret that I must therefore tender my resignation as a member of the House Committee on Post Office and Civil Service. Service on this Committee has been a rewarding and challenging experience. I extend to Chairman Thaddeus Dulski, ranking Minority Member H.R. Gross, the membership of the Committee and the staff, my appreciation for their cooperation and friendship during my three years of service with the Committee.

Respectfully,

ELWOOD H. HILLIS.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

ELECTION TO THE COMMITTEE ON THE JUDICIARY

Mr. ARENDS. Mr. Speaker, I offer a privileged resolution (H. Res. 857) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 837

Resolved, That the following-named Member be, and is hereby elected a Member of the following standing committee of the House of Representatives:

Delbert L. Latta of Ohio: Committee on the Judiciary.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION TO COMMITTEE ON ARMED SERVICES

Mr. ARENDS. Mr. Speaker, I offer a privileged resolution (H. Res. 858) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES 858

Resolved, That the following-named Member be, and is hereby elected a Member of the following standing committee of the House of Representatives:

Elwood Hillis of Indiana: Committee on Armed Services.

The resolution was agreed to.

A motion to reconsider was laid on the table.

UNITED STATES OF AMERICA AGAINST FRANK BRASCO AND OTHERS

The SPEAKER. The Chair lays before the House the following communication from the Clerk of the House of Representatives.

The Clerk read as follows:

WASHINGTON, D.C.,
February 12, 1974.

The Honorable the SPEAKER,
House of Representatives.

DEAR SIR: On this date, I received by mail the attached Subpoena Duces Tecum in the case of United States of America v. Frank Brasco et. al., dated February 7, 1974, and commanding the Clerk of the House of Representatives or duly authorized representative to appear as a witness and produce certain House documents and records on telephone calls made by Congressman Frank Brasco during 1967 and 1968, at 10:00 o'clock in the forenoon on February 19, 1974 in Room 1201 in the U.S. Courthouse, Foley Square in the Borough of Manhattan. The documents are records under the control of the House of Representatives.

Since the House stands adjourned under H. Con. Res. 425 until February 13, 1974, and since H. Res. 12 of January 3, 1973 is in effect, I have this date so advised the Judge hearing the case. The subpoena is herewith attached for such action as the House in its wisdom may see fit to take.

Sincerely yours,

W. PAT JENNINGS,
Clerk, House of Representatives.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

SUBPENA DUCES TECUM

U.S. District Court, Southern District of New York,

To: W. Pat Jennings, Clerk, U.S. House of Representatives or Duly Authorized Representative: Greeting:

We command you that all and singular business and excuses being laid aside you and each of you appear and attend before the Judge of the District Court of the United States for the Southern District of New York, at a District Court to be held in Courtroom No. 705, in the United States Courthouse, Foley Square, in the Borough of Manhattan, City of New York, in and for the said Southern District of New York, on the 19th day of February, 1974, at 10:00 o'clock in the afternoon, to testify and give evidence in a certain cause now pending undetermined in the said District Court of the United States for the Southern District of New York between the United States of America, Plaintiff, and Frank Brasco, et al, Defendants, on the part of the United States and not depart the Court without leave thereof or of the District Attorney, and that you bring with you and produce at the time and place aforesaid the following:

All and any records which you have in your custody, power or control evidencing telephone calls, dates of said call and numbers called, made from, by or to the Washington, D.C. Congressional offices of Frank Brasco, Member of the House of Representatives from Brooklyn, New York, for the years 1967 and 1968.

And failure to attend and produce said documents, you will be deemed guilty of a contempt of Court, and liable to pay all loss and damages sustained thereby to the party aggrieved, and forfeit Two Hundred and Fifty Dollars in addition thereto and to other penalties of the Law.

Dated: New York, N.Y., February 7, 1974.

Raymond F. Burghardt, Clerk, U.S. District Court, Southern District of New York.

Morris Lasker, U.S. District Judge, Southern District of New York.

Paul J. Curran, U.S. Attorney for the Southern District of New York.

Note: Report at Room 1307, 26 Federal Plaza, New York New York. In order to secure your witness fees and mileage, it is necessary

that you retain this Subpena and present the same at the United States Attorney's Office, Room 450, upon each day on which you attend Court as a witness.

Edward M. Shaw, Special Attorney, U.S. Department of Justice, room 1307, 26 Federal Plaza, New York, New York 10007, Tel: (212) 264-3930.

Mr. O'NEILL. Mr. Speaker, I offer a privileged resolution (H. Res. 859) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 859

Whereas in the case of the United States of America against Frank Brasco, et al. (73 Cr. 535 (IBW)) pending in the United States District Court for the Southern District of New York, a subpena duces tecum was issued by the said Court and addressed to W. Pat Jennings, Clerk of the House of Representatives or his Duly Authorized Representative, directing him to appear as a witness before the said court at 10 in the forenoon on the 19th day of February, 1974, and to bring with him certain documents in the possession and under the control of the House of Representatives: Therefore, be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That W. Pat Jennings, Clerk of the House, or any officer or employee in his office whom he may designate, be authorized to appear at the place and before the court in the subpena duces tecum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in possession of the House of Representatives; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the documents called for in the subpena duces tecum, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding and then always at any place under the orders and control of this House and take copies of those requested documents which are in possession or control of the said Clerk; and the Clerk is authorized to supply certified copies of such documents in his possession or control that the court or other proper officer thereof shall desire, so as, however, the possession of said documents by the said Clerk shall not be disturbed, or the same shall not be removed from their place of file or custody under the said Clerk; and be it further

Resolved, That as a respectful answer to the subpena duces tecum a copy of these resolutions be submitted to the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS TODAY

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule today be dispensed with.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, last Thursday when the gentleman from Massachusetts asked unanimous consent that the call of Calendar Wednesday be dispensed with, I objected, and for the sole purpose of trying to reach the House resolution which I have pending before the Committee on Post Office and Civil Service to provide for disapproval of the President's recommended pay increases for Members of Congress, the Federal judiciary, and the elite in the executive branch of Government.

Over the weekend I look at the business available on the calendar and realized that to pursue this would be an exercise in futility. Therefore, I am not going to object to the gentleman's request. But I should like to appeal to the leadership of the House of Representatives on both sides of the aisle to use their not inconsequential influence to dislodge from the House Committee on Post Office and Civil Service the disapproving resolution so that it may be brought to the floor for a record vote by all Members of the House on whether they want to increase their pay and that of others in the Federal Government in an election year—or any other year for that matter—in the amount of nearly 25 percent.

This issue of a pay raise, in view of the largest, deficit-ridden budget ever submitted to Congress by a President of the United States, and in view of the critical economic and financial situation confronting the Nation, must be brought to a rollcall vote.

To bottle the disapproving resolution in a committee and permit the pay raises for Members of Congress, the Federal judiciary, and top-flight executives to go into effect without a vote is unthinkable. This is, in effect, delegating to the President—any President—the power to determine the pay of the Members of the House and Senate.

I am now aware that an attempt to reach the disapproving resolution through a call of legislation from the various committees would be unavailing and futile.

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

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

There was no objection.

CONFERENCE REPORT ON H.R. 10203, AUTHORIZING CONSTRUCTION, REPAIR, AND PRESERVATION OF CERTAIN PUBLIC WORKS ON RIVERS AND HARBORS

Mr. ROBERTS submitted the following conference report and statement on the bill (H.R. 10203) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 93-796)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10203) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

TITLE I—WATER RESOURCES DEVELOPMENT

SEC. 1. (a) The Secretary of the Army, acting through the Chief of Engineers, is hereby authorized to undertake the phase I design memorandum stage of advanced engineering and design of the following multipurpose water resources development projects, substantially in accordance with, and subject to the conditions recommended by the Chief of Engineers in, the reports hereinafter designated.

MIDDLE ATLANTIC COASTAL AREA

The project for hurricane-flood protection at Virginia Beach, Virginia: House Document Numbered 92-365, at an estimated cost of $954,000.

JAMES RIVER BASIN

The project for flood protection for the city of Buena Vista on the Maury River, Virginia: House Document Numbered 93-56, at an estimated cost of $665,000.

SALT RIVER BASIN

The project for Camp Ground Lake on Beech Fork in the Salt River Basin, Kentucky, for flood protection and other purposes: House Document Numbered 92-374, at an estimated cost of $330,000.

PASCAGOULA RIVER BASIN

The project for flood protection and other purposes on Bowie Creek, Mississippi: House Document Numbered 92-359, at an estimated cost of $390,000.

PEARL RIVER BASIN

The project for flood control and other purposes on the Pearl River, Mississippi: House Document Numbered 92-282, at an estimated cost of $310,000.

UPPER MISSISSIPPI RIVER BASIN

The project for flood control and other purposes on the Zumbro River at Rochester, Minnesota: Report of the Chief of Engineers dated June 7, 1973, in House Document Numbered 93-156, at an estimated cost of $150,000.

LOWER MISSISSIPPI RIVER BASIN

The project for Greenville Harbor, Greenville, Mississippi: Senate Document Numbered 93-38, at an estimated cost of $200,000.

The project for flood protection for the east bank of the Mississippi River, Warren to Wilkinson Counties, Mississippi (Natchez area): House Document Numbered 93-148, at an estimated cost of $150,000.

The project for flood control and other purposes on the east bank of the Mississippi River, Warren to Wilkinson Counties, Mississippi (Vicksburg-Yazoo area): House Document Numbered 93-149, at an estimated cost of $150,000.

The project for flood control and other purposes for the Bushley Bayou area of the Red River backwater area, Louisiana: House Document Numbered 93-157 at an estimated cost of $300,000.

PEE DEE RIVER BASIN

The project for flood control and other purposes on Roaring River Reservoir, North Carolina: In accordance with the recom-

mendations of the Secretary of the Army in his report dated April 12, 1971, on the Development of Water Resources in Appalachia, at an estimated cost of $400,000.

ALTAMAHA RIVER BASIN

The project for flood control and other purposes at Curry Creek Reservoir, Georgia: in accordance with the recommendations of the Secretary of the Army in his report dated April 12, 1971, on the Development of Water Resources in Appalachia, at an estimated cost of $400,000.

COOSA RIVER BASIN

The project for flood control and other purposes at Dalton Reservoir, Conasauga River, Georgia: in accordance with the recommendations of the Secretary of the Army in his report dated April 12, 1971, on the Development of Water Resources in Appalachia, at an estimated cost of $440,000.

GUADALUPE RIVER BASIN

The project for flood control and other purposes on the Blanco River at Clopton Crossing, Texas: House Document Numbered 92-364, at an estimated cost of $177,000.

ARKANSAS RIVER BASIN

The project for flood control and other purposes on the Arkansas River and tributaries above John Martin Dam, Colorado: House Document Numbered 93-143, at an estimated cost of $1,140,000.

SPRING RIVER BASIN

The project for flood control and other purposes on Center Creek near Joplin, Missouri: House Document Numbered 92-361, at an estimated cost of $150,000.

COLUMBIA RIVER BASIN

The project for installation of power generating facilities at the Libby Reregulating Dam, Kootenai River, Montana: Senate Document Numbered 93-29, at an estimated cost of $75,000.

UMPQUA RIVER BASIN

The project for flood protection and other purposes at the Days Creek Dam, South Umpqua River, Oregon: House Document Numbered 92-371, at an estimated cost of $400,000.

(b) The Secretary of the Army is authorized to undertake advanced engineering and design for the projects in subsection (a) of this section after completion of the phase I design memorandum stage of such projects. Such advanced engineering and design may be undertaken only upon a finding by the Chief of Engineers, transmitted to the Committees on Public Works of the Senate and House of Representatives, that the project is without substantial controversy, that it is substantially in accordance with and subject to the conditions recommended for such project in this section, and that the advanced engineering and design will be compatible with any project modifications which may be under consideration. There is authorized to carry out this subsection not to exceed $5,000,000. No funds appropriated under this subsection may be used for land acquisition or commencement of construction.

SEC. 2. Sections 201 and 202 and the last three sentences in section 203 of the Flood Control Act of 1968 shall apply to all projects authorized in this section. The following works of improvement for the benefit of navigation and the control of destructive flood waters and other purposes are hereby adopted and authorized to be prosecuted by the Secretary of the Army, acting through the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated.

DELAWARE RIVER BASIN

The project for local flood protection on Wabash Creek, Borough of Tamaqua, Pennsylvania: In accordance with the recommendations of the Secretary of the Army in his report dated April 12, 1971, on the Development of Water Resources in Appalachia, at an estimated cost of $2,355,000.

CHARLES RIVER WATERSHED

The project for flood control and other purposes in the Charles River Watershed, Massachusetts: Report of the Chief of Engineers dated December 6, 1972, at an estimated cost of $7,340,000.

UPPER MISSISSIPPI RIVER BASIN

The project for flood control and other purposes of Prairie du Chien, Wisconsin: Report of the Chief of Engineers dated February 9, 1972, at an estimated cost of $1,840,000.

SEC. 3. (a) The West Tennessee tributaries feature, Mississippi River and tributaries project (Obion and Forked Deer Rivers), Tennessee, authorized by the Flood Control Acts approved June 30, 1948, and November 7, 1966, as amended and modified, is hereby further amended to authorize the Secretary of the Army, acting through the Chief of Engineers, to acquire thirty-two thousand acres of land for the mitigation of fish and wildlife resources, recreation, and environmental purposes. Such lands shall be made available for public use, consistent with good wildlife management practices.

(b) Due to the urgency of completion of the West Tennessee tributaries feature and the necessity to preserve wildlife habitat, the Secretary of the Army, acting through the Chief of Engineers, is hereby authorized to enter immediately into leasehold agreements, accept donations, acquire by direct purchase, and to institute eminent domain proceedings to insure the preservation of the necessary lands in their natural state and to further the objectives of this section.

(c) Final details and designs of this mitigation feature shall consist of plans approved by the Secretary of the Army, the Secretary of the Interior, and the Governor of the State of Tennessee after consultation with the Tennessee Game and Fish Commission prior to the conveyance by the Secretary of the Army to the State of Tennessee as provided in subsection (d).

(d) The Secretary of the Army is authorized and directed to convey without monetary consideration, to the State of Tennessee all right, title, and interest of the United States in the lands and developments acquired under the authority of this section. Prior to such conveyance the State of Tennessee or its appropriate designee shall agree in writing in accordance with the provisions of section 221 of the Flood Control Act of 1970, to operate, maintain, and manage the agreed-upon mitigation lands and developments at no expense to the United States. In addition, the deed of conveyance to the lands and developments shall provide that they shall continue to be used for wildlife purposes in accordance with the plans of subsection (b) and the title to such lands or developments, which have been provided at Federal expense under the authority of this subsection shall revert to the United States if they cease to be used for such purposes.

(e) Not less than 20 per centum of the funds appropriated each fiscal year for the construction of the West Tennessee tributaries feature, Mississippi River and tributaries project, shall be expended to implement the mitigation program authorized by this section, until the entire amount of funds authorized by this section has been expended.

(f) The sum of $6,600,000 is hereby authorized to be appropriated to carry out the purposes of this section, and such sum shall be in addition to funds previously authorized for the West Tennessee tributaries feature.

SEC. 4. The project for beach erosion control on Ediz Hook at Port Angeles, Washington, is authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 93-101, at an estimated cost of $4,553,000. The Secretary of the Army, acting through the Chief of Engineers is authorized to undertake, in connection with such project, such emergency interim measures as may be necessary to prevent the breaching of Ediz Hook prior to construction of the authorized project.

SEC. 5. The project for flood control, water supply, and related purposes, in the Pocatalico River Basin, West Virginia, is hereby authorized substantially in accordance with the recommendations contained in the Pocatalico River Basin joint study interim report prepared by the Corps of Engineers and the Soil Conservation Service, at an estimated cost of $3,568,900, with the funds to be appropriated for use by the Secretary of Agriculture, contingent upon project approval by the President.

SEC. 6. Section 103 of the River and Harbor Act of 1970 is amended to read as follows:

"SEC. 103. The cost of operation and maintenance of the general navigation features of small boat harbor projects shall be borne by the United States. This section shall apply to any such project authorized (A) under section 201 of the Flood Control Act of 1965, (B) under section 107 of the River and Harbor Act of 1960, (C) between January 1, 1970, and December 31, 1970, under authority of this Act, and to projects heretofore authorized in accordance with the policy set forth in the preceding sentence and to such projects authorized in this Act or which are hereafter authorized."

SEC. 7. (a) Section 116(a) of the River and Harbor Act of 1970 (Public Law 91-611) is amended by inserting before the period the following: ", and thereafter to maintain such channel free of such trees, roots, debris, and objects".

(b) Section 116(c) of the River and Harbor Act of 1970 (Public Law 91-611) is amended by inserting before the period the following: "to clear the channel, and not to exceed $150,000 each fiscal year thereafter to maintain such channel".

(c) Section 116(b) of the River and Harbor Act of 1970 (Public Law 91-611) is amended by adding at the end thereof the following: "Non-Federal interests shall pay 25 per centum of the cost of maintaining the channel free of trees, roots, debris, and objects."

SEC. 8. The Secretary of the Army, acting through the Chief of Engineers, is authorized to operate and maintain the San Francisco Bay-Delta Model in Sausalito, California, for the purpose of testing proposals affecting the environmental quality of the region, including, but not limited to, salinity intrusion, dispersion of pollutants, water quality, improvements for navigation, dredging, bay fill, physical structures, and other shoreline changes which might affect the regiment of the bay-delta waters.

SEC. 9. The requirement in any water resources development project under the jurisdiction of the Secretary of the Army, that non-Federal interests hold and save the United States free from damages due to the construction, operation, and maintenance of the project, does not include damages due to the fault or negligence of the United States or its contractors.

SEC. 10. The McClellan-Kerr Arkansas River navigation system, authorized by the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 28, 1938 (52 Stat. 1215), as amended and supplemented, is hereby further modified to include alteration at Federal expense of the municipal water supply facilities of the city of Conway, Arkansas, by the construction of water supply impoundment facilities at a location outside the flat flood plain of Cadron Creek, together with interconnecting pipeline and

other appurtenant work, so that the water supply capacity of the resultant municipal facilities is approximately equivalent to that existing prior to construction of the navigation system.

SEC. 11. (a) The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following locations for flood control and allied purposes, and subject to all applicable provisions of section 217 of the Flood Control Act of 1970 (Public Law 91-611):

San Luis Obispo County, California.

Buffalo River Basin, New York (wastewater management study).

Palo Blanco Creek and Cibolo Creek, at and in the vicinity of Falfurrias, Texas.

(b) The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following locations and subject to all applicable provisions of section 110 of the River and Harbor Act of 1950:

Miami River, Florida, with a view to determining the feasibility and advisability of dredging the river in the interest of water quality.

Port Las Mareas, Puerto Rico, with a view to determining the feasibility and advisability of assumption of maintenance of the project by the United States.

Saint Marys River at, and in the vicinity of, Sault Sainte Marie, Michigan, with a view to determining the advisability of developing a deep draft navigation harbor and international port.

East Two Rivers between Tower, Minnesota, and Vermilion Lake.

SEC. 12. (a) As soon as practicable after the date of enactment of this section and at least once each year thereafter, the Secretary of the Army, acting through the Chief of Engineers, shall review and submit to Congress a list of those authorized projects for works of improvement of rivers and harbors and other waterways for navigation, beach erosion, flood control, and other purposes which have been authorized for a period of at least eight years without any Congressional appropriations within the last eight years and which he determines, after appropriate review, should no longer be authorized. Each project so listed shall be accompanied by the recommendation of the Chief of Engineers together with his reasons for such recommendation. Prior to the submission of such list to the Congress, the Secretary of the Army, acting through the Chief of Engineers, shall obtain the views of interested Federal departments, agencies, and instrumentalities, and of the Governor of each State wherein such project would be located, which views shall be furnished within sixty days after being requested by the Secretary and which shall accompany the list submitted to Congress. Prior to the submission of such list to Congress the Secretary of the Army, acting through the Chief of Engineers, shall notify each Senator in whose State, and each Member of the House of Representatives in whose district, a project (including any part thereof) on such list would be located.

(b) Such list shall be delivered to both Houses on the same day and to each House while it is in session. A project on such list shall not be authorized at the end of the first period of one hundred and eighty calendar days of continuous session of Congress after the date such list is delivered to it unless between the date of delivery and the end of such one hundred and eighty-day period, either the Committee on Public Works of the House of Representatives or the Committee on Public Works of the Senate adopts a resolution stating that such project shall continue to be an authorized project. For the purposes of this section continuity of session is broken only by an adjournment of Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the one hundred and eighty-day period. The provisions of this section shall not apply to any project contained in a list of projects submitted to the Congress within one hundred and eighty days preceding the date of adjournment sine die of any session of Congress.

(c) Nothing in this section shall be construed so as to preclude the Secretary from withdrawing any project or projects from such list at any time prior to the final day of the period provided for in subsection (b).

(d) This section shall not be applicable to any project which has been included in a resolution adopted pursuant to subsection (b).

(e) The Secretary of the Army, acting through the Chief of Engineers, shall, on request by resolution of the Committee on Public Works of the Senate or the Committee on Public Works of the House of Representatives, review authorized projects for inclusion in the list of projects provided for in subsection (a) of this section. If any project so reviewed is not included in any of the first three lists submitted to the Congress after the date of the resolution directing the review of the project, a report on the review together with the reasons for not recommending deauthorization, shall be submitted to the Committees on Public Works of the Senate and House of Representatives not later than the date of the third list submitted to Congress after the date of such resolution.

SEC. 13. Section 207(c) of the Flood Control Act of 1960 (33 U.S.C. 701r-1(c)) is hereby amended to read as follows:

"(c) For water resources projects to be constructed in the future, when the taking by the Federal Government of an existing public road necessitates replacement, the substitute provided will, as nearly as practicable, serve in the same manner and reasonably as well as the existing road. The head of the agency concerned is authorized to construct such substitute roads to the design standards which the State or owning political division would use in constructing a new road under similar conditions of geography and under similar traffic loads (present and projected). In any case where a State or political subdivision thereof requests that such a substitute road be constructed to a higher standard than that provided for in the preceding provisions of this subsection, and pays, prior to commencement of such construction, the additional costs involved due to such higher standard, such agency head is authorized to construct such road to such higher standard. Federal costs under the provisions of this subsection shall be part of the nonreimbursable project costs."

SEC. 14. The project for the Sandridge Dam and Reservoir, Ellicott Creek, New York, for flood protection and other purposes as authorized by the Flood Control Act of 1970, is hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to undertake remedial flood control measures to alleviate flooding in the reach between Stahl Road and Niagara Falls Boulevard that are compatible with the diversion channel plan contained in the report of the district engineer, United States Army Engineer District, Buffalo, dated August 1973, such work to be subject to the items of local cooperation required for similar projects and such work to be limited to areas downstream from Sweethome Road in the town of Amherst, New York, and such other areas as the Secretary may deem necessary. The work authorized by this section shall be compatible with the authorized project and any alternatives currently under study pursuant to the Flood Control Act of 1970.

SEC. 15. The project for navigation at Little River Inlet, South Carolina, authorized under provisions of section 201 of the Flood Control Act of October 27, 1965 (Public Law 89-298), is hereby modified to authorize and direct the Secretary of the Army, acting through the Chief of Engineers, to perform such emergency dredging operations as the Chief of Engineers determines necessary to maintain channel depths sufficient to permit free and safe movement of vessels until such time as the authorized project is constructed.

SEC. 16. (a) The comprehensive plan for flood control and other purposes in the White River Basin, as authorized by the Act of June 28, 1938 (52 Stat. 1215), and as modified and amended by subsequent Acts, is further modified to provide for a free highway bridge built to modern standards over the Norfork Reservoir at an appropriate location in the area where United States Highway 62 and Arkansas State Highway 101 were inundated as a result of the construction of the Norfork Dam and Reservoir. Such bridge shall be constructed by the Chief of Engineers in accordance with such plans as are determined to be satisfactory by the Secretary of the Army to provide adequate crossing facilities. Prior to construction the Secretary of the Army, acting through the Chief of Engineers, shall enter into an agreement with appropriate non-Federal interests as determined by him, which shall provide that after construction such non-Federal interests shall own, operate, and maintain such bridges and approach facilities free to the public.

(b) The cost of constructing such bridge shall be borne by the United States except that the State of Arkansas shall, upon completion of such bridge, reimburse the United States the sum of $1,342,000 plus interest, compounded annually, for the period from May 29, 1943, to the date of enactment of this Act. Such interest shall be computed at rates determined by the Secretary of the Treasury to be equal to the average annual rates payable on all interest-bearing obligations of the United States forming a part of the public debt for each year during this period, and adjusted to the nearest one-eighth of 1 per centum.

SEC. 17. The projects for Melvern Lake and Pomona Lake, Kansas, authorized as units of the comprehensive plan for flood control and other purposes, Missouri River Basin, by the Flood Control Act approved September 3, 1954, are hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to improve surface roads in the vicinity of such projects which he determines to be necessary for appropriate utilization of such projects. The Federal share of the work performed under this section shall not exceed 70 per centum of the costs of such work. There is authorized to be appropriated to the Secretary not to exceed $500,000 to carry out this section.

SEC. 18. The project for Tuttle Creek Reservoir, Big Blue River, Kansas, authorized as a unit of the comprehensive plan for flood control and other purposes, Missouri River Basin, by the Flood Control Act approved June 28, 1938, as modified, is hereby further modified to authorize the Secretary of the Army, acting through the Chief of Engineers, in his discretion to improve that portion of FAS 1208 extending from the intersection with Kansas State Highway 13 in section 5, township 9 south, range 8 east, thence north and west to the intersection with country road in section 14, township 8 south, range 7 east, approximately 5.78 miles. The Federal share of the work performed under this section shall not exceed 70 per centum of the costs of such work. There is authorized to be appropriated to the Secretary not to exceed $500,000 to carry out this section.

SEC. 19. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to convey to the Andrew Jackson Lodge Numbered 5, Fraternal Order of Police, of Nashville, Tennessee (hereafter in this section referred to as

the "lodge"), all right, title, and interest of the United States in and to that real property consisting of thirty-eight acres, more or less, which is located within the Old Hickory lock and dam project and which is presently leased to the lodge under lease numbered AA-40058-CIVENG-60-431, dated December 1, 1959.

(b) The cost of any surveys necessary as an incident of the conveyance authorized by this section shall be borne by the lodge.

(c) Title to the property authorized to be conveyed by this section shall revert to the United States, which shall have the right of immediate entry thereon, if the lodge shall ever use, or permit to be used, any part of, such property for any purpose other than as a youth camp facility.

(d) The conveyance authorized by this section shall be made upon payment by the lodge to the Secretary of the Army of an amount of money equal to the fair market value of the property. The fair market value of such property shall be determined by an independent qualified appraiser acceptable to both the Secretary of the Army and the lodge. No conveyance may be made pursuant to this section after the close of the twelfth month after the month in which this section is enacted.

SEC. 20. Section 213 of the Flood Control Act of 1970 (84 Stat. 1824, 1829) is hereby amended by (1) inserting before the period at the end of the first sentence the following: ", at an estimated cost of $11,400,000" and (2) striking out the last sentence.

SEC. 21. The project for flood protection on the Minnesota River at Mankato-North Mankato, Minnesota, authorized by the Flood Control Act of 1958 and modified by section 207 of the Flood Control Act of 1965, is hereby further modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to reimburse the city of Mankato for local costs incurred in relocating that portion of the existing Mankato interceptor sewer extending approximately one thousand six hundred feet upstream and one thousand five hundred feet downstream of the Warren Creek Pumping Station, provided the relocated interceptor sewer is designed and constructed in a manner which the Secretary of the Army determines is fully adequate to serve the project purpose.

SEC. 22. (a) Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with any State in the preparation of comprehensive plans for the development, utilization, and conservation of the water and related resources of drainage basins located within the boundaries of such State and to submit to Congress reports and recommendations with respect to appropriate Federal participation in carrying out such plans.

(b) There is authorized to be appropriated not to exceed $2,000,000 annually to carry out the provisions of this section except that not more than $200,000 shall be expended in any one year in any one State.

SEC. 23. Section 123 of the River and Harbor Act of 1970 (84 Stat. 1818, 1823) is hereby amended by adding at the end of subsection (d) of such section the following: "In the event such findings occur after the appropriate non-Federal interest or interests have entered into the agreement required by subsection (c), any payments due after the date of such findings as part of the required local contribution of 25 per centum of the construction costs shall be waived by the Secretary of the Army.".

SEC. 24. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to make a complete study of the items of local cooperation involving hold and save harmless provisions which have been required for water resources development projects under his jurisdiction, and his reasons for such requirements, and to report thereon to the Congress not later than June 30, 1975, together with recommendations as to those items of local cooperation which should appropriately be required for various types of water resources development projects.

SEC. 25. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to study land use practices and recreational uses at water resource development projects under his jurisdiction, and to report thereon to the Congress not later than June 30, 1975, with recommendations as to the best use of such lands for outdoor recreation, fish and wildlife enhancement, and related purposes.

SEC. 26. Section 208 of the Flood Control Act of 1954 (68 Stat. 1256, 1266) is hereby amended by striking out "$2,000,000" and inserting in lieu thereof "$5,000,000", and by striking out "$100,000" and inserting in lieu thereof "$250,000".

SEC. 27. Section 14 of the Act approved July 24, 1946 (60 Stat. 653), is hereby amended by striking out "$1,000,000" and inserting in lieu thereof "$10,000,000", by inserting after the words "public works," "churches, hospitals, schools, and other nonprofit public services," by striking out "$50,000" and inserting in lieu thereof "$250,000" and by striking out "of emergency bank-protection works to prevent flood" and inserting in lieu thereof ", repair, restoration, and modification of emergency streambank and shoreline protection works to prevent".

SEC. 28. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to improve perimeter access at Lake Texoma, Texas and Oklahoma, utilizing existing roads to the extent feasible. There is authorized to be appropriated not to exceed $3,000,000 to carry out this section.

SEC. 29. The Act entitled "An Act authorizing the city of Rock Island, Illinois, or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Rock Island, Illinois, and to place at or near the city of Davenport, Iowa", approved March 18, 1938 (52 Stat. 110), is amended—

(1) by inserting after "to reconstruct, enlarge, and extend the approaches" in subsection (b) of the first section the following: "(including the eastern approach in Rock Island, Illinois",

(2) by inserting after "approaches" in subsection (c) of the first section the following: "(other than the eastern approach in Rock Island, Illinois)", and

(3) by inserting at the end of subsection (c) of the first section the following: "The reconstruction, enlargement, and extension of the eastern approach in Rock Island, Illinois, to such bridge pursuant to subsection (b) of this section shall be commenced not later than December 1, 1974, and shall be completed before December 1, 1977.".

SEC. 30. The project for enlargement of Lavon Reservoir on the East Fork of the Trinity River, Texas, authorized by the Flood Control Act of 1962, is hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to provide a crossing and approaches at Tickey Creek and suitable surfacing to permit all-weather use of Collin County Road 115, at a cost not to exceed $800,000.

SEC. 31. The project for the Atlantic coast of Long Island, Fire Island Inlet to Montauk Point, New York, authorized in section 101 of the River and Harbor Act of 1960, is hereby modified to provide that non-Federal interests shall (1) contribute 30 per centum of the first cost of the project, including the value of lands, easements, and rights-of-way; (2) hold and save the United States free from damages due to the construction works; and (3) maintain and operate the improvements in accordance with regulations prescribed by the Secretary of the Army.

SEC. 32. (a) This section may be cited as the "Streambank Erosion Control Evaluation and Demonstration Act of 1974".

(b) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to establish and conduct for a period of five fiscal years a national streambank erosion prevention and control demonstration program. The program shall consist of (1) an evaluation of the extent of streambank erosion on navigable rivers and their tributaries; (2) development of new methods and techniques for bank protection, research on soil stability, and identification of the causes of erosion; (3) a report to the Congress on the results of such studies and the recommendations of the Secretary of the Army on means for the prevention and correction of streambank erosion; and (4) demonstration projects, including bank protection works.

(c) Demonstration projects authorized by this section shall be undertaken on streams selected to reflect a variety of geographical and environmental conditions, including streams with naturally occurring erosion problems and streams with erosion caused or increased by manmade structures or activities. At a minimum, demonstration projects shall be conducted at multiple sites on—

(1) the Ohio River;

(2) that reach of the Missouri River between Fort Randall Dam, South Dakota, and Sioux City, Iowa;

(3) that reach of the Missouri River in North Dakota at or below the Garrison Dam; and

(4) the delta and hill areas of the Yazoo River Basin generally in accordance with the recommendations of the Chief of Engineers in his report dated September 23, 1972.

(d) Prior to construction of any projects under this section, non-Federal interests shall agree that they will provide without cost to the United States lands, easements, and rights-of-way necessary for construction and subsequent operation of the projects; hold and save the United States free from damages due to construction, operation, and maintenance of the projects; and operate and maintain the projects upon completion.

(e) There is authorized to be appropriated for the five-fiscal-year period ending June 30, 1978, not to exceed $25,000,000 to carry out subsections (b), (c), and (d) of this section.

SEC. 33. The flood control project for the Scioto River, Ohio, authorized by section 203 of the Flood Control Act of 1962, as modified, is hereby further modified (1) to permit the construction of local protection works at Chillicothe, Ohio, prior to commencement of construction of the Mill Creek Reservoir, and (2) to permit the plan for such works to be revised by the Chief of Engineers so as to provide a degree of protection substantially equivalent to that provided by the project as originally authorized.

SEC. 34. The project for Newburgh lock and dam, authorized under authority of section 6 of the River and Harbor Act approved March 3, 1909, is hereby modified to direct the Secretary of the Army, acting through the Chief of Engineers, to perform bank protection works along the Ohio River at Newburgh, Indiana. Prior to construction, non-Federal interests shall agree that they will provide without cost to the United States lands, easements, and rights-of-way necessary for construction and subsequent operation of the works; hold and save the United States free from damages due to construction, operation, and maintenance of the works, and operate and maintain the works upon completion.

SEC. 35. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to make a detailed study of such plans as he may deem feasible and appropriate for the removal and disposal of debris and obsolete buildings remaining as a result of military construction

in World War II in the vicinities of Port Heiden, Cold Bay, Unalaska, and Unmak Island, in the Aleutian Islands, Alaska. Such study shall include an analysis of appropriate measures to restore these areas to their natural condition. The Secretary of the Army, acting through the Chief of Engineers, is directed to report the findings of such study to Congress within one year after the date of enactment of this section.

SEC. 36. Section 222 of the Flood Control Act of 1970 (Public Law 91-611) is amended by inserting at the end thereof the following: "The Secretary may also provide for the cost of construction of a two-lane, all-weather paved road (including appropriate two-lane bridges extending from Old United States Highway 40, near Weimar across the North Fork and Middle Fork of the American River to the Eldorado County Road near Spanish Dry Diggings, substantially in accordance with the report of the Secretary entitled 'Replacement Alternative Upstream Road System, Auburn Reservoir—June 1970'."

SEC. 37. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to review the requirements of local cooperation for the Santa Cruz Harbor project, Santa Cruz, California, authorized by the River and Harbor Act of 1958, with particular reference to Federal and non-Federal cost sharing, and to report the findings of such review to Congress within one year after the date of enactment of this section.

SEC. 38. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to review the requirements of local cooperation for the project for Anaheim Bay, California, authorized by the River and Harbor Act of 1954 for Seal Beach, California, with particular reference to Federal and non-Federal cost sharing, and to report the findings of such review to Congress within one year after the date of enactment of this section.

SEC. 39. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to undertake such emergency bank stabilization works as are necessary to protect the Sacred Heart Hospital in Yankton, South Dakota, from damages caused by bank erosion downstream of Gavins Point Dam, Missouri River.

SEC. 40. (a) In connection with any water resource development project, heretofore, herein, or hereafter authorized to be undertaken by the Secretary of the Army, the construction of which has not been initiated as of the date of the enactment of this section, where authorization requires that non-Federal public bodies make an agreed-upon cash contribution as part of their reimbursement to the Federal Government for construction costs, or a specific portion of the construction costs, and where there exists no other provision of law which would permit extended repayment for the construction costs or such specific portion of the construction costs involved, such non-Federal public bodies may make such repayment in annual installments during the period of construction.

(b) Upon the request of affected non-Federal public bodies, the Secretary of the Army is authorized to modify existing cost sharing agreements in order to effectuate the provisions of subsection (a) of this section.

SEC. 41. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to make a detailed study and report of the total benefits and costs attributable to the water resources development projects undertaken in the Ohio River Basin by the Corps of Engineers. The evaluation of benefits and costs attributable to such projects shall include consideration of the enhancement of regional economic development, quality of the total environment, the well-being of the people, and the national economic development.

(b) The Secretary, acting through the Chief of Engineers, shall report the finding of such study to Congress within two years after funds are made available to initiate the study.

(c) There is authorized to be appropriated to the Secretary not to exceed $2,000,000 to carry out this section.

SEC. 42. The project for flood control and improvement of the lower Mississippi River (adopted by the Act of May 15, 1928 (45 Stat. 534)), as amended and modified is further amended and modified so as to provide that in the case of lands which were authorized to be acquired for the purpose of mitigating losses to wildlife resulting from Federal improvements which have not been acquired and which are no longer suitable for such purpose, the Secretary of the Army, acting through the Chief of Engineers, may, to the extent justified, acquire substitute lands, not to exceed the acreages previously authorized for such purpose, in the same or adjacent subbasins of the project area.

SEC. 43. Any proposed road to the Zilpo Recreation Area shall not be constructed under the Cave Run Lake project in Kentucky authorized by the Flood Control Acts approved June 22, 1936, and June 28, 1938, until there is a full opportunity for public review and comment on the environmental impact statement pertaining to any such proposed road.

SEC. 44. (a) Subject to the provisions of subsection (b) of this section, the Secretary of the Army is authorized and directed to convey to the Mountrail County Park Commission of Mountrail County, North Dakota, all rights, title, and interest of the United States in and to the following described tracts of land:

TRACT NUMBER 1

All of the land which lies landward of a line, which line is 300 feet above and measured horizontally from contour elevation 1,850 mean sea level of old Van Hook Village in the northwest quarter of section 32, township 152, range 91 west of the fifth guide meridian.

TRACT NUMBER 2

All of the land which lies landward of a line which line is 300 feet above and measured horizontally from contour elevation 1,850 mean sea level of Olson's first addition, part of the southwest quarter of section 29, township 152, range 91 west of the fifth guide meridian.

TRACT NUMBER 3

Hodge's first addition, part of the northeast quarter of section 32, township 152, range 91, west of the fifth guide meridian.

(b)(1) The conveyance of such portion of the lands described in subsection (a) as is being used by the North Dakota State Game and Fish Department for wildlife management purposes shall not become effective until the termination of the license granted to such department for such use either in accordance with its original terms on October 31, 1980, or at any time prior thereto.

(2) The lands conveyed pursuant to this section shall be used by the Mountrail County Park Commission, Mountrail County, North Dakota, solely for public park and recreational purposes, and if such lands are ever used for any other purpose, title thereto shall revert to, and become the property of, the United States which shall have the right of immediate entry thereof.

(3) The conveyance authorized by this section shall be subject to such other terms and conditions as the Secretary of the Army deems to be in the public interest.

(c) The Mountrail County Park Commission shall pay the costs of such surveys as may be necessary to determine the exact legal description of the lands to be conveyed and such sums as may be fixed by the Secretary of the Army to compensate the United States for its administrative expenses in connection with the conveyance of such lands, which sum shall be covered into the Treasury into miscellaneous expenses.

SEC. 45. (a) Section 252 of the Disaster Relief Act of 1970 (Public Law 91-606, 84 Stat. 1757) is amended by adding at the end thereof the following:

"(d) For the purposes of this section, 'net cost' and 'net costs' of repairing, restoring, reconstructing, or replacing any such facility shall include the costs actually incurred in replacing the facility's services with services from other sources during the period of repair, restoration, reconstruction, or replacement of such facility, to the extent such costs exceed the costs which would have been incurred in providing such services but for the disaster."

(b) The amendment made by section (a) of this section shall take effect as of August 1, 1969.

SEC. 46. The Secretary of the Army, acting through the Chief of Engineers, is authorized to amend the contract between the city of Aberdeen, Washington, and the United States for use of storage space in the Wynoochee Dam and Lake on the Wynoochee River, Washington, for municipal and industrial water supply purposes. Such amended contract shall provide that the costs allocated to Washington, for municipal and industrial present demand water supply, shall be repaid over a period of fifty years after the project is first used for the storage of water for water supply purposes. The first annual payment shall be a minimum of 0.1 per centum of the total amount to be repaid. The annual payments shall be increased by 0.1 per centum each year until the tenth year at which time the payment shall be 1 per centum of the total principal amount to be repaid. Subsequent annual payments for the balance of forty years shall be one-fortieth of the balance remaining after the tenth annual payment (including interest over such fifty-year period).

SEC. 47. The project for Wynoochee Dam and Lake, Wynoochee River, Washington, authorized by the Flood Control Act approved October 23, 1962 (76 Stat. 1193), is hereby modified to provide that the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to transfer to the State of Washington, as a part of project costs, an amount not to exceed $696,000 for construction of fish hatchery facilities for prevention of losses of natural spawning areas for anadromous trout occasioned by project construction.

SEC. 48. Section 7 of the River Basin Monetary Authorization and Miscellaneous Civil Works Amendment Act of 1970 (84 Stat. 310) is hereby amended to read as follows:

"SEC. 7. That the project for Libby Dam, Kootenai River, Montana, is hereby modified to provide that an amount not to exceed $4,000,000 may be used for the construction of fish production measures in compensation for fish losses attributed to the project, and for the acquisition of necessary real estate, construction of access roads and utilities, and performance of services related thereto, as deemed appropriate by the Secretary of the Army, acting through the Chief of Engineers."

SEC. 49. (a) The project for Libby Dam, Kootenai River, Montana, authorized by the Flood Control Act approved May 17, 1950 (64 Stat. 170), is hereby modified to provide that the Secretary of the Army, acting through the Chief of Engineers, is authorized to acquire not more than twelve thousand acres of land for the prevention of wildlife grazing losses caused by the project.

(b) The Secretary is further authorized and directed to convey without monetary consideration, to the State of Montana all

rights, title, and interest of the United States in the land acquired under subsection (a), for use for wildlife grazing purposes. The deed of conveyance shall provide that the land shall revert to the United States in the event it ever ceases to be used for wildlife grazing purposes.

(c) There is authorized to be appropriated not to exceed $2,000,000 to carry out the provisions of this section.

SEC. 50. The project for Libby Dam (Lake Koocanusa), Montana, authorized by the Flood Control Act approved May 17, 1950 (64 Stat. 170), is hereby modified to provide that the Secretary of the Army, acting through the Chief of Engineers, is authorized to reimburse Boundary County, Idaho, for the cost incurred to elevate, relocate, or reconstruct the bridge, located at the mouth of Deep Creek as it joins the Kootenai River, made necessary by the duration of higher flows during drawdown operations at Libby Dam. There is authorized to be appropriated not to exceed $350,000 for the purposes of this section.

SEC. 51. If the Secretary of the Army, acting through the Chief of Engineers, finds that the proposed project to be erected at the location to be declared non-navigable under this section is in the public interest, on the basis of engineering studies to determine the location and structural stability of the bulkheading and filling and permanent pile-supported structures in order to preserve and maintain the remaining navigable waterway and on the basis of environmental studies conducted pursuant to the National Environmental Policy Act of 1969, then those portions of the East River in New York County, State of New York, bounded and described as follows are hereby declared to be not navigable waters of the United States within the meaning of the laws of the United States, and the consent of Congress is hereby given to the filling in of all or any part thereof or the erection of permanent pile-supported structures thereon: That portion of the East River in New York County, State of New York, lying shoreward of a line with the United States pierhead line as it exists on the date of the enactment of this Act, bounded on the north by the south side of Rutgers Slip extended easterly, and bounded on the south by the southeasterly border of Battery Park at a point adjacent to the westerly end of South Street extended south by southwest, is hereby declared to be non-navigable waters of the United States. This declaration shall apply only to portions of the above-described area which are bulkheaded and filled or occupied by permanent pile-supported structures. Plans for bulkheading and filling and permanent pile-supported structures shall be approved by the Secretary of the Army, acting through the Chief of Engineers. Local interests shall reimburse the Federal Government for engineering and all other costs incurred under this section.

SEC. 52. The project for hurricane-flood control protection from Cape Fear to the North Carolina-South Carolina State line, North Carolina, authorized by the Flood Control Act of 1966 (80 Stat. 1418, 1419) is hereby modified to provide that the Secretary of the Army, acting through the Chief of Engineers, may enter into an agreement with non-Federal public bodies to provide for reimbursement of installation costs incurred by such bodies, or an equivalent reduction in the contributions they are otherwise required to make, or a combination thereof, in an amount not to exceed $2,000,000 for work to be performed in the project, subject to the provisions of subsections (b) through (e) of section 215 of the Flood Control Act of 1968.

SEC. 53. The project for flood protection on the Grand River and tributaries, Missouri and Iowa, authorized by the Flood Control Act of 1965 is hereby modified to authorize and direct the Chief of Engineers to proceed immediately with the engineering and design of the Pattonsburg Lake project as presently authorized subject to such modifications as are determined desirable by the Chief of Engineers on the basis of results of a review of the authorized Grand River Basin plan of development including consideration of the current justification and feasibility of advance Federal participation in construction of the I–35 highway crossing of the river and of including power facilities during the project construction. Such inclusion of power facilities shall be subject to submission of a feasibility report to the Congress and subsequent congressional action thereon.

SEC. 54. (a) This section may be cited as the "Shoreline Erosion Control Demonstration Act of 1974".

(b) The Congress finds that because of the importance and increasing interest in the coastal and estuarine zone of the United States, the deterioration of the shoreline within this zone due to erosion, the harm to water quality and marine life from shoreline erosion, the loss of recreational potential due to such erosion, the financial loss to private and public landowners resulting from shoreline erosion, and the inability of such landowners to obtain satisfactory financial and technical asistance to combat such erosion, it is essential to develop, demonstrate, and disseminate information about low-cost means to prevent and control shoreline erosion. It is therefore the purpose of this section to authorize a program to develop and demonstrate such means to combat shoreline erosion.

(c) (1) The Secretary of the Army, acting through the Chief of Engineers, shall establish and conduct for a period of five fiscal years a national shoreline erosion control development and demonstration program. The program shall consist of planning, constructing, operating, evaluating, and demonstrating prototype shoreline erosion control devices, both engineered and vegetative.

(2) The program shall be carried out in cooperation with the Secretary of Agriculture, particularly with respect to vegetative means of preventing and controlling shoreline erosion, and in cooperation with Federal, State, and local agencies, private organizations, and the Shoreline Erosion Advisory Panel established pursuant to subsection (d).

(3) Demonstration projects established pursuant to this section shall emphasize the development of low-cost shoreline erosion control devices located on sheltered or inland waters. Such projects shall be undertaken at no less than two sites each on the shorelines of the Atlantic, Gulf, and Pacific coasts, the Great Lakes, and the State of Alaska, and at locations of serious erosion along the shores of Delaware Bay, particularly at those reaches known as Pickering Beach, Kitts Hummock, Bowers, Slaughter Beach, Broadkill Beach, and Lewes in the State of Delaware. Sites selected should, to the extent possible, reflect a variety of geographical and climatic conditions.

(4) Such demonstration projects may be carried out on private or public lands except that no funds appropriated for the purpose of this section may be expended for the acquisition of privately owned lands. In the case of sites located on private or non-Federal public lands, the demonstration projects shall be undertaken in cooperation with a non-Federal sponsor or sponsors who shall pay at least 25 per centum of construction costs at each site and assume operation and maintenance costs upon completion of the project.

(d) (1) No later than one hundred and twenty days after the date of enactment of this section the Chief of Engineers shall establish a Shoreline Erosion Advisory Panel. The Chief of Engineers shall appoint fifteen members to such Panel from among individuals who are knowledgeable with respect to various aspects of shoreline erosion, with representatives from various geographical areas, institutions of higher education, professional organizations. State and local agencies, and private organizations, except that such individuals shall not be regular full-time employees of the United States. The Panel shall meet and organize within ninety days from the date of its establishment, and shall select a Chairman from among its members. The Panel shall then meet at least once each six months thereafter and shall expire ninety days after termination of the five-year program established pursuant to subsection (c).

(2) The Panel shall—

(A) advise the Chief of Engineers generally in carrying out provisions of this section;

(B) recommend criteria for the selection of development and demonstration sites;

(C) recommend alternative institutional, legal, and financial arrangements necessary to effect agreements with non-Federal sponsors of project sites;

(D) make periodic reviews of the progress of the program pursuant to this section;

(E) recommend means by which the knowledge obtained from the project may be made readily available to the public; and

(F) perform such functions as the Chief of Engineers may designate.

(3) Members of the Panel shall, while serving on business of the Panel, be entitled to receive compensation at rates fixed by the Chief of Engineers, but not in excess of the maximum rate of pay for grade GS–18, as provided in the General Schedule under section 5332 of title 5 of the United States Code, including traveltime and while away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in Government service employed intermittently.

(4) The Panel is authorized, without regard to the civil service laws, to engage such technical and other assistance as may be required to carry out its functions.

(e) The Secretary of the Army, acting through the Chief of Engineers, shall prepare and submit annually a progress report, including therein contributions of the Shoreline Erosion Advisory Panel, to the Committees on Public Works of the Senate and House of Representatives. The fifth and final report shall be submitted sixty days after the fifth fiscal year of funding and shall include a comprehensive evaluation of the national shoreline erosion control development and demonstration program.

(f) There is authorized to be appropriated for the first fiscal year following enactment of this section, and the succeeding four fiscal years, a total of not to exceed $8,000,000 to carry out the provisions of this section.

SEC. 55. The Secretary of the Army, acting through the Chief of Engineers, is authorized to provide technical and engineering assistance to non-Federal public interests in developing structural and nonstructural methods of preventing damages attributable to shore and streambank erosion.

SEC. 56. The project for Libby Dam (Lake Koocanusa), Montana, authorized by the Flood Control Act approved May 17, 1950 (64 Stat. 170), is hereby modified to provide that the Secretary of the Army, acting through the Chief of Engineers, is authorized to compensate the drainage districts and owners of leveed and unleveed tracts, in Kootenai Flats, Boundary County, Idaho, for modification to facilities including gravity drains, structures, pumps, and additional pumping operational

costs made necessary by, and crop and other damages resulting from, the duration of higher flows during drawdown operations at Libby Dam, except that the total of all such compensation shall not exceed $1,500,000.

SEC. 57. The authorization for the beach erosion control project for Presque Isle Peninsula, Erie, Pennsylvania, as provided in section 101 of the River and Harbor Act of 1960 (75 Stat. 480) is reinstated and extended under the terms existing immediately prior to the termination of such authorization, for a period of five years from the date of enactment of this Act, or if the review study of such project being carried out by the Secretary of the Army is not completed prior to the end of such period, until such study is completed and a report thereon submitted to Congress. There is authorized to be appropriated not to exceed $3,500,000 to carry out this section.

SEC. 58. (a) The project for navigation in the Atchafalaya River and Bayous Chene, Boeus, and Black, Louisiana, authorized by the River and Harbor Act of 1968 (82 Stat. 731) is hereby modified to provide that the non-Federal interests shall contribute 25 per centum of the costs of areas required for initial and subsequent disposal of spoil, and of necessary retaining dikes, bulkheads, and embankments therefor.

(b) The requirements for appropriate non-Federal interest or interests to furnish an agreement to contribute 25 per centum of the construction costs as set forth in subsection (a) shall be waived by the Secretary of the Army upon a finding by the Administrator of the Environmental Protection Agency that for the area to which such construction applies, the State or States involved, interstate agency, municipality, and other appropriate political subdivisions of the State and industrial concerns are participating in and in compliance with an approved plan for the general geographical area of the dredging activity for construction, modification, expansion, or rehabilitation of waste treatment facilities and the Administrator has found that applicable water quality standards are not being violated.

SEC. 59. Notwithstanding any other provision of law, the States of Illinois and Iowa, which are connected at Keokuk, Iowa, by the bridge constructed by the Keokuk and Hamilton Bridge Company pursuant to Public Law 342 of the Sixty-third Congress and at Burlington, Iowa, by the bridge constructed by the Citizens' Bridge Company, pursuant to Public Law 1 of the Sixty-fourth Congress are authorized to contract individually or jointly with either or both of the cities of Keokuk, Iowa, and Burlington, Iowa, on or before June 1, 1974, to assume responsibility for the operation, maintenance, and repair of the bridges at Keokuk and Burlington and the approaches thereto and for lawful expenses incurred in connection therewith. When either or both States have entered into such an agreement any outstanding principal and interest indebtedness on account of a bridge shall be paid from reserve funds accumulated for that purpose and the balance of such funds, if any, shall be used to defray costs of operating and maintaining the bridge. After such an agreement is entered into with respect to a bridge that bridge shall thereafter be free of tolls.

SEC. 60. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to perform channel cleanout operations and snagging and clearing for selected streams where chronic and persistent flood conditions exist in the lower Guyandot River Basin, West Virginia, for the purpose of improving channel capacities, visual environment, and human well-being all in the interest of flood control. Such operations shall be performed as an interim measure pending completion of the R. D. Bailey Lake project at a total cost not to exceed $2,000,000. Appropriate non-Federal interests as determined by the Secretary of the Army, acting through the Chief of Engineers, shall, prior to initiation of remedial operations, agree in accordance with the provisions of section 221 of the Flood Control Act of 1970 that they will furnish the necessary lands, disposal areas, easements, and rights-of-way, and hold and save the United States free from damages due to the cleanout operations.

SEC. 61. Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended—

(1) by striking out "$25,000,000" and inserting in lieu thereof "$30,000,000".

(2) by striking out "advisable:" and all that follows down through and including the period at the end of such section and insert in lieu thereof the following: "advisable. The amount allotted for a project shall be sufficient to complete Federal participation in the project. Not more than $1,000,000 shall be allotted under this section for a project at any single locality, except that not more than $2,000,000 shall be allotted under this section for a project at a single locality if such project protects an area which has been declared to be a major disaster area pursuant to the Disaster Relief Act of 1966 or the Disaster Relief Act of 1970 in the five-year period immediately preceding the date the Chief of Engineers deems such work advisable. The provisions of local cooperation specified in section 3 of the Flood Control Act of June 22, 1936, as amended, shall apply. The work shall be complete in itself and not commit the United States to any additional improvement to insure its successful operation, except as may result from the normal procedure applying to projects authorized after submission of preliminary examination and survey reports."

SEC. 62. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized to perform such work as may be necessary to provide for the repair and conversion to a fixed-type structure of dam numbered 3 on the Big Sandy River, Kentucky and West Virginia.

(b) The work authorized by this section shall have no effect on the condition that local interests shall own, operate, and maintain the structure and related properties as required by the Act of August 6, 1956 (70 Stat. 1062).

(c) There is authorized to be appropriated not to exceed $330,000 to carry out this section.

SEC. 63. The project for hurricane-flood control at Texas City and vicinity, Texas, authorized by the Flood Control Act approved August 13, 1968, is hereby modified to provide that the non-Federal interests shall have until July 1, 1974, to provide the assurances of local cooperation required in accordance with the recommendations of the Chief of Engineers in House Document Numbered 187, Ninetieth Congress.

SEC. 64. Subsection (b) of section 206 of the Flood Control Act of 1960, as amended (33 U.S.C. 709a), is further amended by striking out "$11,000,000" and inserting in lieu thereof "$15,000,000".

SEC. 65. In the case of any reservoir project authorized for construction by the Corps of Engineers, Bureau of Reclamation, or other Federal agency when the Administrator of the Environmental Protection Agency determines pursuant to section 102(b) of the Federal Water Pollution Control Act that any storage in such project for regulation of streamflow for water quality is not needed, or is needed in a different amount, such project may be modified accordingly by the head of the appropriate agency, and any storage no longer required for water quality may be utilized for other authorized purposes of the project when, in the opinion of the head of such agency, such use is justified. Any such modification of a project where the benefits attributable to water quality are 15 per centum or more but not greater than 25 per centum of the total project benefits shall take effect only upon the adoption of resolutions approving such modification by the appropriate committees of the Senate and House of Representatives. The provisions of the section shall not apply to any project where the benefits attributable to water quality exceed 25 per centum of the total project benefits.

SEC. 66. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake measures to clear the channel of the main channel of the Little Calumet River, Illinois, from its confluence with the Calumet-Sag channel eastward to Indiana State line, of fallen trees, roots, silt, and other debris and objects which contribute to flooding, unsightliness, and pollution of the river.

(b) Prior to initiation of measures authorized by this section, such non-Federal interests as the Secretary of the Army, acting through the Chief of Engineers, may require shall agree to such conditions of cooperation as the Secretary of the Army, acting through the Chief of Engineers, determines appropriate, except that such conditions shall be similar to those required for similar project purposes in other Federal waste resources projects.

SEC. 67. The project for navigation at Murrells Inlet, South Carolina, authorized under provisions of section 201 of the Flood Control Act of October 27, 1965 (Public Law 89-298), is hereby modified to authorize and direct the Secretary of the Army, acting through the Chief of Engineers, to perform such emergency dredging operations as the Chief of Engineers determines necessary to maintain channel depths sufficient to permit free and safe movement of vessels until such time as the authorized project is constructed.

SEC. 68. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake the phase I design memorandum stage of advanced engineering and design of the project involving the Willacy-Hidalgo Floodwater Bypass, the Laguna Madre Floodwater Channel, and the North Floodway Channel in the Lower Rio Grande Basin, in Willacy, Hidalgo, and Cameron Counties, Texas, substantially in accordance with the recommendations for phase I contained in the comprehensive study and plan of development, Lower Rio Grande Basin, Texas, dated July 1969, prepared by the United States Department of Agriculture in cooperation with the Texas Water Development Board, the Texas State Soil and Water Conservation Board, and the Texas Water Rights Commission, at an estimated Federal cost of $600,000.

(b) The Secretary of the Army, in cooperation with the Secretary of Agriculture, shall seek reasonable assurances that an adequate land treatment program satisfactory to the Secretary of Agriculture will be installed to provide necessary protection to the watershed lands and planned structural measures; that non-Federal entities will acquire all land rights needed in connection with the construction of the works of improvement authorized by this section; and that such entities will operate and maintain any upstream structural works of improvement on non-Federal lands.

(c) Notwithstanding any other provision of law or regulation, the draft environmental impact statement prepared on such works of improvement by the Soil Conservation Service pursuant to section 102(2)(C) of the National Environmental Policy Act

shall constitute the draft environmental impact statement on such works as authorized by this section, and such draft statement shall be circulated to Federal agencies and other appropriate parties at such time as the Secretary of the Army directs.

SEC. 69. The project for beach erosion control and hurricane (tidal flooding) protection in Dade County, Florida, authorized by section 203 of the Flood Control Act of August 13, 1968 (Public Law 90-483), is hereby modified to provide for initial construction by non-Federal interests, and for subsequent future nourishment by Federal or non-Federal interests, of the 0.85-mile project segment immediately south of Baker's Haulover Inlet, and for reimbursement of the applicable Federal share of those project costs as originally authorized. Federal reimbursement shall be contingent upon approval by the Chief of Engineers, prior to commencement of the work, of the detailed plans and specifications for accomplishing the work as being in accordance with the authorized project.

SEC. 70. Section 107(b) of the River and Harbor Act of 1970 (84 Stat. 1818, 1820) is hereby amended by deleting "July 30, 1974" and inserting in lieu thereof "December 31, 1976", and deleting "$6,500,000", and inserting in lieu thereof "$9,500,000".

SEC. 71. The Secretary of the Army, acting through the Chief of Engineers, shall submit to the Congress not later than June 30, 1974, the survey report authorized by resolution of the Committee on Public Works, House of Representatives, dated October 12, 1972, concerning a modification of the Corpus Christi ship channel, Texas, project to provide increased depths and widths in the entrance channels from the Gulf of Mexico to a deeper draft inshore port in the vicinity of Harbor Island, Texas, and shall complete the advanced engineering and design for such modification by June 30, 1975. Such advanced engineering and design may be accomplished prior to authorization of the modification. The Secretary of the Army, acting through the Chief of Engineers, is authorized to accept funds made available by non-Federal interests and to expend such funds for the preparation of the survey report and accomplishment of the advanced engineering and design authorized and directed by this section. Such funds shall be repaid to such non-Federal interests out of moneys appropriated for construction of the modification.

SEC. 72. The project for hurricane-flood protection and beach erosion control at East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, New York, authorized by the Flood Control Act of 1965 (79 Stat. 1073), is hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to commence work on the beach erosion control aspect of the project, independently of the hurricane-flood protection aspect of the project. Construction of the beach erosion control aspect of the project may commence following the completion of environmental studies regarding that aspect, conducted pursuant to the National Environmental Policy Act of 1969. Nothing herein shall increase or reduce the percentage of total costs of the entire project to be contributed by the affected non-Federal interests.

SEC. 73. (a) In the survey, planning, or design by any Federal agency of any project involving flood protection, consideration shall be given to nonstructural alternatives to prevent or reduce flood damages including, but not limited to, floodproofing of structures; flood plain regulation; acquisition of flood plain lands for recreational, fish and wildlife, and other public purposes; and relocation with a view toward formulating the most economically, socially, and environmentally acceptable means of reducing or preventing flood damages.

(b) Where a nonstructural alternative is recommended, non-Federal participation shall be comparable to the value of lands, easements, and rights-of-way which would have been required of non-Federal interests under section 3 of the Act of June 27, 1936 (Public Law Numbered 738, Seventy-fourth Congress), for structural protection measures, but in no event shall exceed 20 per centum of the project costs.

SEC. 74. The project for water quality control in the Arkansas-Red River Basin, Texas, Oklahoma, and Kansas, authorized by the Flood Control Acts of 1966 and 1970, is hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers to initiate construction of the area VIII feature of the project, consisting of a low-flow dam, pumping station and pipeline, and a brine dam, prior to the approval required by section 201, of the Flood Control Act of 1970.

SEC. 75. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to study the need for and means of providing visitor protection services at water resources development projects under the jurisdiction of the Department of the Army, and to report thereon to the Congress, with his recommendations, not later than December 31, 1974.

SEC. 76. The paragraph of section 209 of the Flood Control Act of 1966, Public Law 89-789, authorizing and directing the Secretary of the Army, acting through the Chief of Engineers, to conduct a survey of the Great South Bay, New York, is amended to read as follows:

"Great South Bay, New York, including the waters of adjoining lesser bays and inlets with respect to water utilization and control. Such investigations and study shall include, but not be limited to, navigation, fisheries, flood control, control of noxious weeds, water pollution, water quality control, beach erosion, and recreation. Such survey shall be provided to the Congress by July 31, 1975, and shall include the use of a comprehensive computer model."

SEC. 77. (a) The Federal Water Project Recreation Act (79 Stat. 213) is hereby amended as follows:

(1) Strike out "and to bear not less than one-half the separable costs of the project allocated to either or both of said purposes, as the case may be" in section 2(a) and insert in lieu thereof "and to bear not less than one-half the separable costs of the project allocated to recreation, and to bear one-quarter of such costs allocated to fish and wildlife enhancement".

(2) Strike out "not more than one-half the separable costs" in section 2(a)(3) and insert in lieu thereof "not more than one-half the separable costs of the project allocated to recreation and exactly three-quarters of such costs allocated to fish and wildlife enhancement".

(3) Strike out "bear not less than one-half the costs of lands, facilities, and project modifications provided for either or both of those purposes, as the case may be" in section 3(b)(1) and insert in lieu thereof "bear not less than one-half the costs of lands, facilities, and project modifications provided for recreation, and will bear one-quarter of such costs for fish and wildlife enhancement".

(b) The amendments made by this section shall apply to all projects the construction of which is not substantially completed on the date of enactment of this Act.

(c) In the case of any project (1) authorized subject to specific cost-sharing requirements which were based on the same percentages as those established in the Federal Water Project Recreation Act, and (2) construction of which is not substantially completed on the date of enactment of this Act, the cost-sharing requirements for such project shall be the same percentages as are established by the amendments made by subsection (a) of this section for projects which are subject to the Federal Water Project Recreation Act.

SEC. 78. The project for flood protection on Indian Bend Wash, Maricopa County, Arizona, authorized by the Flood Control Act of 1965 (79 Stat. 1083) is hereby modified to provide that all costs of the siphon system from the Arizona Canal, required to be provided in connection with the relocation of irrigation facilities shall be paid by the United States.

SEC. 79. The multiple-purpose plan for the improvement of the Arkansas River and tributaries, authorized by the River and Harbor Act of July 24, 1946, as amended and modified, is hereby further amended to authorize the Secretary of the Army, acting through the Chief of Engineers, to reassign the storage provided in the Oologah Reservoir for hydroelectric power production to municipal and industrial water supply and to make such storage available for such purposes under the Water Supply Act of 1958, as amended.

SEC. 80. (a) The interest rate formula to be used in plan formulation and evaluation for discounting future benefits and computing costs by Federal officers, employees, departments, agencies, and instrumentalities in the preparation of comprehensive regional or river basin plans and the formulation and evaluation of Federal water and related land resources projects shall be the formula set forth in the "Policies, Standards, and Procedures in the Formulation, Evaluation, and Review of Plans for Use and Development of Water and Related Land Resources" approved by the President on May 15, 1962, and published as Senate Document 97 of the Eighty-seventh Congress on May 29, 1962, as amended by the regulation issued by the Water Resources Council and published in the Federal Register on December 24, 1968 (33 F.R. 19170; 18 C.F.R. 704.39), until otherwise provided by a statute enacted after the date of enactment of this Act. Every provision of law and every administrative action in conflict with this section is hereby repealed to the extent of such conflict.

(b) In the case of any project authorized before January 3, 1969, if the appropriate non-Federal interests have, prior to December 31, 1969, given satisfactory assurances to pay the required non-Federal share of project costs, the discount rate to be used in the computation of benefits and costs for such project shall be the rate in effect immediately prior to December 24, 1968, and that rate shall continue to be used for such project until construction has been completed, unless otherwise provided by a statute enacted after the date of enactment of this Act.

(c) The President shall make a full and complete investigation and study of principles and standards for planning and evaluating water and related resources projects. Such investigation and study shall include, but not be limited to, consideration of enhancing regional economic development, the quality of the total environment including its protection and improvement, the well-being of the people of the United States, and the national economic development, as objectives to be included in federally-financed water and related resources projects and in the evaluation of costs and benefits attributable to such projects, as intended in section 209 of the Flood Control Act of 1970 (84 Stat. 1818, 1829), the interest rate formula

to be used in evaluating and discounting future benefits for such projects, and appropriate Federal and non-Federal cost sharing for such projects. He shall report the results of such investigation and study, together with his recommendations, to Congress not later than one year after funds are first appropriated to carry out this subsection.

SEC. 81. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to study the feasibility and practicality of constructing, operating, and maintaining in the vicinity of Duluth, Minnesota, a hydraulic model of all or a part of the Great Lakes and their connecting channels and an associated technical center, and to report thereon to Congress with recommendations no later than June 30, 1976.

SEC. 82. Section 5 of the Flood Control Act approved August 18, 1941, as amended (33 U.S.C. 701n), is amended as follows:

(1) The first sentence is amended by striking out "in the amount of $15,000,000".

(2) By inserting immediately after the first sentence the following new sentence: "The Chief of Engineers, in the exercise of his discretion, is further authorized to provide emergency supplies of clean drinking water, on such terms as he determines to be advisable, to any locality which he finds is confronted with a source of contaminated drinking water causing or likely to cause a substantial threat to the public health and welfare of the inhabitants of the locality."

(3) The proviso in the next to the last sentence is amended by striking out "of said sum," and inserting in lieu thereof the following: "of sums to such emergency funds,".

SEC. 83. (a) The project for Bonneville Lock and Dam, Columbia River, Oregon and Washington, authorized by the Act of August 30, 1935 (49 Stat. 1028) and the Act of August 20, 1937 (50 Stat. 731) is hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, in connection with the construction of the Bonneville second powerhouse, to relocate the town of North Bonneville, Washington, to a new townsite.

(b) As part of such relocation, the Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate in the planning of a new town with other Federal agencies and appropriate non-Federal interests; to acquire lands necessary for the new town and to convey title to said lands to individuals, business or other entities, and to the town as appropriate; and to construct a central sewage collection and treatment facility and other necessary municipal facilities.

(c) The compensation paid to any individual or entity for the taking of property under this section shall be the amount due such individual or entity under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 less the fair market value of the real property conveyed to such individual or entity in the new town, Municipal facilities provided under the authority of this section shall be substitute facilities which serve reasonably as well as those in the existing town of North Bonneville except that they shall be constructed to such higher standards as may be necessary to comply with applicable Federal and State laws. Additional facilities may be constructed or higher standards utilized, only at the expense of appropriate non-Federal interests.

(d) Before the Secretary of the Army acquires any real property for the new townsite appropriate non-Federal interests shall furnish binding contractual commitments that all lots in the new townsite will be either occupied when available, will be replacements for open space and vacant lots in the existing town, or will be purchased by non-Federal interests at the fair market value.

SEC. 84. (a) The project for flood protection on Fourmile Run, city of Alexandria and Arlington County, Virginia, approved by resolutions of the Committees on Public Works of the United States Senate and House of Representatives, dated June 25, 1970, and July 14, 1970, respectively, in accordance with the provisions of section 201 of the Flood Control Act of 1965 (Public Law 84-298), is hereby modified to incorporate the following:

(1) A channel capacity sufficient to accommodate flood flows of twenty-seven thousand cubic feet per second;

(2) An increase in channel bottom widths along Fourmile Run from one hundred seventy-five to two hundred feet from Mount Vernon Avenue to Long Branch and from one hundred fifty to one hundred seventy-five feet above Long Branch, and, along Long Branch, from forty to sixty feet.

(3) The deletion of the pumping stations, ponding areas, and levees, except for a short levee on Long Branch, and the substitution therefor of bank retention structures, including walls where required due to space limitations, and flood proofing by non-Federal interests of existing and future structures as necessary to provide protection against a one hundred-year flood;

(4) The addition of recreation as a project feature, including pedestrian and bicycle trails, active and passive recreation areas, picnic areas, and protection of existing marshland area.

(b) Prior to initiation of construction of this project, appropriate non-Federal interests shall agree to—

(1) provide without cost to the United States all lands, easement, and rights-of-way necessary for construction of the project;

(2) accomplish without cost to the United States all relocations and alterations to existing improvements, other than railroads and the George Washington Memorial Parkway Bridge, which may be required by the construction works, including the reconstruction of the existing United States Route 1 highway bridge with its approach ramps;

(3) hold and save the United States free from damages due to the construction works;

(4) maintain and operate all the works after completion in accordance with regulations prescribed by the Secretary of the Army;

(5) prevent encroachment on the project flood channels that would decrease the effectiveness of the flood control improvement;

(6) provide at their own expense flood proofing of existing and future building and other measures as necessary to provide flood protection against a one hundred-year flood;

(7) develop a land management planning process acceptable to the Secretary of the Army for the entire watershed, including Arlington and Fairfax Counties and the cities of Alexandria and Falls Church, to insure that future development in the basin will not result in increased runoff which would impair the effectiveness of the flood control improvement;

(8) develop a land use management planning process satisfactory to the Secretary of the Army for the area protected by the project and other areas within the jurisdiction of the non-Federal interest or interests furnishing the cooperation for the project, which will insure, among other things, that future development will not be permitted in flood prone areas unless suitable structural or non-structural flood control measures are first undertaken by non-Federal public or private interests at no expense to the Federal Government;

(9) contribute in cash toward construction of the project a sum estimated at $2,439,000, as follows:

(A) city of Alexandria—one-half of the cost of construction of the channels and floodwalls between Commonwealth Avenue and Interstate 95, in the city of Alexandria, or $1,500,000, whichever is greater,

(B) Arlington County—$500,000,

(C) Richmond, Fredericksburg, and Potomac Railroad Company—$439,000;

(10) pay 50 per centum of the separable costs of the project allocated to recreation, consistent with the Federal Water Project Recreation Act (Public Law 89-72).

(c) There is authorized to be appropriated to the Secretary of the Army for construction of the Fourmile Run project not to exceed $29,981,000, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuation in the cost of construction as indicated by engineering cost indexes applicable to the type of construction involved.

SEC. 85. (a) The projects for Verona Dam and Lake, Virginia, and for Sixes Bridge Dam and Lake, Maryland, are hereby authorized substantially in accordance with the recommendations of the Secretary of the Army in House Document Numbered 91-343 as modified by the recommendations of the Chief of Engineers in his report dated July 13, 1973, except that such authorization shall be limited to the phase I design memorandum of advanced engineering and design, at an estimated cost of $1,400,000.

(b) (1) Prior to any further authorization of such Sixes Bridge Dam Project, the Secretary of the Army, acting through the Chief of Engineers shall (A) make a full and complete investigation and study of the future water resources needs of the Washington metropolitan area, including but not limited to the adequacy of present water supply, nature of present and future uses, the effect water pricing policies and use restrictions may have on future demand, the feasibility of utilizing water from the Potomac estuary, all possible water impoundment sites, natural and recharged ground water supply, wastewater reclamation, and the effect such projects will have on fish, wildlife, and present beneficial uses, and shall provide recommendations based on such investigation and study for supplying such needs, and (B) report to the Congress the results of such investigation and study together with such recommendations. The study of measures to meet the water supply needs of the Washington metropolitan area shall be coordinated with the Northeastern United States water supply study authorized by the Act of October 27, 1965 (79 Stat. 1073).

(2) The Secretary of the Army, acting through the Chief of Engineers, shall undertake an investigation and study of the use of estuary waters to determine the feasibility of using such waters as a source of water supply and is authorized to construct, operate, and evaluate a pilot project on the Potomac estuary for the treatment of such waters at an estimated cost of $6,000,000. The Secretary of the Army, acting through the Chief of Engineers, shall report to the Congress on the results of such project within three years after commencement of operation of such project and such report shall include the results of two years testing at the pilot project for the treatment of water from the Potomac estuary.

(3) The Secretary of the Army, acting through the Chief of Engineers, shall request the National Academy of Sciences-National Academy of Engineering to review and by written report comment upon the scientific basis for the conclusions reached by the investigation and study of the future water resource needs of the Washington metropolitan area and the pilot project for the treatment of water from the Potomac estuary. Such review and written report shall be completed and submitted to the Congress

within one year following the completion of both the Corps of Engineers report on the future water resource needs of the Washington metropolitan area and the report on the results derived from the pilot project for the treatment of water from the Potomac estuary. Completion of such review and written report by the National Academy of Sciences-National Academy of Engineering shall be a condition of further authorization of such Sixes Bridge Dam Project.

(4) The Secretary of the Army is authorized to enter into appropriate arrangements with the National Academy of Sciences-National Academy of Engineering for the purpose of this subsection.

(c) There is authorized $1,000,000 for the purposes of carrying out the provisions contained in paragraph (3) of subsection (b).

SEC. 86. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized to assist the National Park Service in the National Park Service's program to plan for, design, and implement restoration of the historical and ecological values of Dyke Marsh on the Potomac River. Such assistance may include, but need not be limited to, furnishing suitable fill material obtained from the Potomac River or its tributaries, its placement, upon request, and engineering and technical services.

(b) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to make an investigation and study of the siltation and sedimentation problems of the Potomac River basin with particular emphasis on these problems as they exist in the Washington metropolitan area of the basin. This study is to be made in consultation with the Departments of Interior and Agriculture, the Environmental Protection Agency, and other interested Federal, State, and local entities and is to include, but need not be limited to, a description of the extent of such problems together with the Chief of Engineer's recommendations on feasible and environmentally sound methods of removing polluted river bed materials to enhance water quality, recreation use, fish and wildlife, navigation, and the esthetics of the basin, as well as his recommendations on alternative methods and sites for the proper disposal of such materials. The Secretary of the Army shall transmit this study and the Chief of Engineer's recommendations to the Congress no later than three years from the date of enactment of this Act.

SEC. 87. The comprehensive plan for flood control and other purposes for the Mississippi River and tributaries, approved by the Flood Control Act of June 15, 1936, as amended, is hereby modified to provide that the channel of Bayou Courtableau be enlarged from Washington to the west protection levee in lieu of the authorized Washington to Courtableau diversion, and that the right-of-way and spoil areas therefor be provided at Federal expense. Further, that additional culverts through the west protection levee be provided as necessary for the increased flow.

SEC. 88. (a) The project for flood control below Chatfield Dam on the South Platte River, Colorado, authorized by the Flood Control Act of 1950 (64 Stat. 175), is hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to participate with non-Federal interests in the acquisition of lands and interests therein and in the development of recreational facilities immediately downstream of the Chatfield Dam, in lieu of a portion of the authorized channel improvement, for the purpose of flood control and recreation.

(b) Such participation shall (1) consist of the amount of savings realized by the United States, as determined by the Secretary of the Army, acting through the Chief of Engineers, in not constructing that portion of the authorized channel improvement below the dam, together with such share of any land acquisition and recreation development costs, over and above that amount, that the Secretary of the Army determines is comparable to the share available under similar Federal programs providing financial assistance for recreation and open spaces, (2) in the instance of the aforementioned land acquisition, be restricted to those lands deemed necessary by the Secretary of the Army for flood control purposes, and (3) not otherwise reduce the local cooperation required under the project.

(c) Prior to the furnishing of the participation authorized by this Act, non-Federal interests shall enter into a binding written agreement with the Secretary of the Army to prevent any encroachments in needed flood plain detention areas which would reduce their capability for flood detention and recreation.

SEC. 89. The project for the Rogue River Basin, Oregon and California, as authorized in section 203 of the Flood Control Act of 1962 (Public Law 87-874) is modified to provide that construction of the Applegate Lake, Oregon project may commence prior to non-Federal interests making necessary arrangements with the Secretary of the Interior for repayment in accordance with Federal reclamation laws. The Applegate project shall not be operated for irrigation purposes until such time as the Secretary of the Interior makes the necessary arrangements with non-Federal interests to recover the costs, in accordance with Federal reclamation laws, which are allocated to the irrigation purpose.

SEC. 90. The plan for flood protection in the Big Sandy River Basin, Kentucky, West Virginia, and Virginia included in the comprehensive plan for flood control in the Ohio River Basin, authorized by the Flood Control Act, approved June 22, 1936 (49 Stat. 1570), as amended and modified, is hereby further modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to provide all communities in the Tug Fork Valley of the Big Sandy River Basin, Kentucky, Virginia, and West Virginia, with comprehensive flood protection by a combination of local flood protection works and residential flood proofing similar to the measures described by the Chief of Engineers in the "Report on Tug Fork, July 1970", except that such authorization shall be limited to the phase I design memorandum stage of advanced engineering and design at an estimated cost of $1,290,000.

SEC. 91. The New York Harbor collection and removal of drift project is hereby modified in accordance with the recommendations contained in "Survey Report on Review of Project, New York Harbor Collection and Removal of Drift," dated June 1968, revised March 1969, and April 1971, on file in the Office, Chief of Engineers. There is authorized to be appropriated not to exceed $14,000,000 to carry out the modification authorized by this section.

SEC. 92. (a) The hurricane-flood protection project on Lake Pontchartrain, Louisiana, authorized by section 204 of the Flood Control Act of 1965 (Public Law 89-298) is hereby modified to provide that non-Federal public bodies may agree to pay the unpaid balance of the cash payment due, with interest, in yearly installments. The yearly installments will be initiated when the Secretary determines that the project is complete but in no case shall the initial installment be delayed more than ten years after the initiation of project construction. Each installment shall not be less than one twenty-fifth of the remaining unpaid balance plus interest on such balance, and the total of such installments shall be sufficient to achieve full payment, including interest, within twenty-five years of the initiation of project construction.

(b) The rate of interest on the unpaid balance shall be that specified in section 301(b) of the Water Supply Act of 1958 (Public Law 85-500).

(c) Any payment agreement pursuant to the provisions of this Act shall be in writing, and the provisions of subsections (b), (c), and (e) of section 221 of the Flood Control Act of 1970 (Public Law 91-611) shall be applicable to such written agreement.

SEC. 93. Section 107 of the River and Harbor Act of 1948 (62 Stat. 1174) is amended by striking out "$22,000" and inserting in lieu thereof "$45,000".

SEC. 94. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed, in coordination with the State of Kentucky and appropriate local agencies, (1) to repair existing flood damage to River Road at Rabbit Hash, Boone County, Kentucky, or, as appropriate, to relocate River Road, (2) to repair existing flood damage to Huff Road (also known as Ryle Road) at Hamilton Landing, Boone County, Kentucky, or, as appropriate, to relocate Huff Road, and (3) to construct needed streambank protection works to prevent future erosion damage to public and private facilities at and near Boone County, Kentucky.

(b) There is authorized to be appropriated not to exceed $375,000 for the roadwork authorized by this section and not to exceed $600,000 to construct the bank protection works.

SEC. 95. The project for Russian River, Dry Creek, California, as authorized in section 203 of the Flood Control Act of 1962 (76 Stat. 1173), as modified, is further modified to authorize and direct the Secretary of the Army, acting through the Chief of Engineers, to compensate for fish losses on the Russian River which may be attributed to the operation of the Coyote Dam component of the project through measures such as possible expansion of the capacity of the fish hatchery at the Warm Springs Dam component of the project.

SEC. 96. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to investigate and study the feasibility of acquiring, as a part of the project for Kehoe Lake, Kentucky, authorized by the Flood Control Act of 1966, an area consisting of approximately 4,000 acres for maintenance in its natural state and for the purpose of environmental investigations.

SEC. 97. (a) If the Secretary of the Army acting through the Chief of Engineers, finds that the proposed project in Salisbury, Maryland, to be undertaken at the locations to be declared nonnavigable under this section is in the public interest, on the basis of engineering studies to determine the location and structural stability of any bulkheading and filling and permanent pile-supported structures, in order to preserve and maintain the remaining navigable waterway and on the basis of environmental studies conducted pursuant to the National Environmental Policy Act of 1969, then those portions of the South Prong of the Wicomico River in Wicomico County, State of Maryland, bounded and described as follows, are declared to be not a navigable water of the United States within the meaning of the laws of the United States, and the consent of Congress is hereby given, consistent with subsection (b) of this section, to the filling in of a part thereof or the erection of permanent pile-supported structures thereon: That portion of the South Prong of the Wicomico River in Salisbury, Maryland, bounded on the east by the west side of

United States Route 13; on the west by the west side of the Mill Street Bridge; on the south by a line five feet landward from the present water's edge at high tide extending the entire length of the South Prong from the east boundary at United States Route 13 to the west boundary at the Mill Street Bridge; and on the north by a line five feet landward from the present water's edge at high tide extending the entire length of the South Prong from the east boundary at United States Route 13 to the west boundary at the Mill Street Bridge.

(b) This declaration shall apply only to the portions of the areas described in subsection (a) which are bulkheaded and filled or occupied by permanent pile-supported structures. Plans for bulkheading and filling and permanent pile-supported structures shall be approved by the Secretary of the Army, acting through the Chief of Engineers. Such bulkheaded and filled areas or areas occupied by permanent pile-supported structures shall not reduce the existing width of the Wicomico River to less than sixty feet and a minimum depth of five feet shall be maintained within such sixty-foot width of the Wicomico River. Local interests shall reimburse the Federal Government for engineering and all other costs incurred under this section.

SEC. 98. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to undertake a demonstration project for the removal of silt and aquatic growth from Broadway Lake. Anderson County, South Carolina, at an estimated cost of $400,000. The Secretary shall report to the Administrator of the Environmental Protection Agency the plans for and the results of such project together with such recommendations as he determines necessary to assist in carrying out the program for fresh water lakes under section 314 of the Federal Water Pollution Control Act.

SEC. 99. The Cache River Basin Project Feature Mississippi River and Tributaries Project, Arkansas, authorized by the Flood Control Act approved May 17, 1950, is hereby modified to provide for acquisition by fee or easements, of not more than seventy thousand acres of land for fish and wildlife management, recreation, and environmental purposes, of which not less than thirty thousand acres shall be available for public use in accordance with the recommendations of the Chief of Engineers in House Document Numbered 92–366. The total Federal expenditure for this acquisition shall not exceed $7,000,000 and local interests shall contribute 50 per centum of any cost in excess of $6,000,000. No action may be initiated for any taking of prospective mitigation lands until an offer has first been made to the landowner thereof to take only an environmental easement. Easement-taking offers shall allow the landowner the choice of either keeping access subject to private control or allowing public access. Easements for environmental purposes on lands not cleared at the time of taking shall prevent clearing of the land for commercial agricultural purposes or any other purpose inconsistent with wildlife habitat but shall allow any landowners to manage the lands to provide a perpetual, regularly harvested hardwood forest, which may be harvested in such a manner as to provide food and habitat for a variety of wildlife. Selection of areas and designation of use shall be within the discretion of the Chief of Engineers. Section 401 of the Act of June 15, 1935 (16 U.S.C. 715s), pertaining to the distribution of revenues, is hereby extended and made applicable to those lands acquired hereunder by the Department of the Army, Corps of Engineers, for mitigation purposes upon their transfer to the Department of the Interior, or any other governmental agency. No less than 20 per centum of the funds appropriated each fiscal year for the Cache River project shall be appropriated to implement mitigation until the full mitigation amount has been appropriated.

SEC. 100. The Knife River Harbor project on Lake Superior, Minnesota, is hereby modified to require the Secretary of the Army, acting through the Chief of Engineers, to construct such measures as the Chief of Engineers determines necessary to correct the design deficiency which results in unsatisfactory entrance and mooring conditions at such harbor, at an estimated cost of $850,000.

SEC. 101. The project for flood protection on the Rahaway River, New Jersey, authorized by the Flood Control Act of 1965 is hereby modified to provide that the costs of relocations of utilities within the channel walls shall be borne by the United States.

SEC. 102. The project for flood protection on the Chariton River, Iowa and Missouri, as authorized by the Flood Control Act of 1954 (68 Stat. 1262) is modified to authorize and direct the Secretary of the Army to make payment of $700,000 to the Iowa Conservation Commission toward the cost of construction by such Commission of the fish hatchery planned to be constructed for the purpose of restoring fish losses resulting from the construction of Rathbun, Saylorville, Coralville, and Red Rock Dam and Lake in the State of Iowa. No such payment shall be made until the Secretary of the Army, acting through the Chief of Engineers, shall have approved the plans for such fish hatchery.

SEC. 103. The project for the Kansas River, Kansas, Nebraska, and Colorado, authorized by the Flood Control Act of 1962 (76 Stat. 1180, 1187) is hereby modified to provide that the Secretary of the Army, acting through the Chief of Engineers, is authorized to relocate the existing FAS 1343 crossing over the Vermillion Creek, as required for the Onaga Lake project, in advance of construction of such project.

SEC. 104. The requirements of section 221 of the Flood Control Act of 1970 (Public Law 91–611) shall not apply to any agreements, to include agreements on recreational development, between the Federal Government and the State of West Virginia for local cooperation as a condition for the construction of the project for Stonewall Jackson Lake, West Fork River, West Virginia, authorized by section 203 of the Flood Control Act of 1966 (Public Law 89–789). The Secretary of the Army, acting through the Chief of Engineers, is authorized to contract with the State of West Virginia on the items of local cooperation for the Stonewall Jackson Lake project, which are to be assumed by the State, notwithstanding that the State may elect to make its performance of any obligation contingent upon the State legislature making the necessary appropriations and funds being allocated for the same or subject to the availability of funds on the part of the State.

SEC. 105. The project for flood protection on the Souris River at Minot, North Dakota, approved by resolutions of the Committees on Public Works of the Senate and House of Representatives under the authority of section 201 of the Flood Control Act of 1968, is hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to reimburse the designated non-Federal public bodies for the estimated additional cost being incurred by them for lands and relocations in the proposed channel realignment at the Third Avenue N.E. Bridge in Minot. The amount of reimbursable costs, shall not exceed $200,000.

SEC. 106. Notwithstanding section 105 of the River and Harbor Act of 1966 (80 Stat. 1406) or any other provision of the law, the States of Illinois and Missouri, which are connected by the bridge constructed by the city of Chester, Illinois, pursuant to Public Law 76–751 and Public Law 85–512, are authorized to contract individually or jointly with the city of Chester, Illinois, on or before June 1, 1974, to assume responsibility for the operation, maintenance, and repair of the Chester Bridge and the approaches thereto and lawful expenses incurred in connection therewith (exclusive of principal, interest, and financing charges on the outstanding indebtedness on such bridge and approaches). When either or both States enter into such an agreement, all tolls thereafter charged for transit over such bridge shall, except as provided in the last two sentences of this Act, be used exclusively (A) to retire outstanding indebtedness (including reasonable interest and financing charges) on the bridge and approaches thereto and (B) credited into a sinking fund established for such bridge. No tolls shall be charged for transit over such bridge after the outstanding indebtedness on the bridge and approaches (including reasonable interest and financing charges) has been retired, or sufficient funds are available through the sinking fund to pay off all outstanding indebtedness (including reasonable interest and financing charges) on such bridge and approaches. If a State declines or is unable to participate in the agreement authorized by this Act, the other State may assume the responsibilities such State would have assumed under such an agreement. In that event, the assuming State shall be entitled to receive from toll revenues, after provision is made for principal and interest payments on any indebtedness then outstanding on the bridge and its approaches, as reimbursement, an amount of money (no less often than annually) which is equal to the nonparticipating State's fair share of the operating, maintenance, repair, and other lawful costs incurred in connection with the bridge and its approaches.

SEC. 107. If the Secretary of the Army, acting through the Chief of Engineers and in consultation with the Administrator of the Environmental Protection Agency and affected non-Federal interests, determines that environmental, engineering, and economic considerations make it advisable to utilize the services of a regional or municipal sewage treatment plant for the treatment of sewage resulting from the operating of recreation and other facilities at Corps of Engineers water resources development projects, then the Secretary is authorized to include as part of the reasonable service charges contemplated by section 313 of the Federal Water Pollution Control Act payment, in whole or in part, for that portion of the costs of constructing the sewage treatment plant which is attributable to the purpose of treating the sewage resulting from the operation of such Corps facilities. Payment for such construction cost may be either in lump sum or on an installment basis.

SEC. 108. (a) As used in this section the term "Secretary" shall mean the Secretary of the Army, acting through the Chief of Engineers. The Secretary, in accordance with the national recreation area concept included in the interagency report prepared pursuant to section 218 of the Flood Control Act of 1938 (Public Law 90–483) by the Corps of Engineers, the Department of the Interior, and the Department of Agriculture, as modified by this section, is authorized and directed to establish on the Big South Fork of the Cumberland River in Kentucky and Tennessee the Big South Fork National River and Recreation Area (hereafter in this section referred to as the "National Area") for the purposes of conserving and interpreting an area containing unique cultural, historic, geologic, fish and wildlife, archeologic, scenic,

and recreational values, preserving as a natural free-flowing stream the Big South Fork of the Cumberland River, major portions of its Clear Fork and New River stems, and portions of their various tributaries for the benefit and enjoyment of present and future generations, the preservation of the natural integrity of the scenic gorges and valleys, and the development of the area's potential for healthful outdoor recreation. The boundaries shall be as generally depicted on the drawing prepared by the Corps of Engineers and entitled "Big South Fork National River and Recreation Area" identified as map number BSF–NRRA(1)(A) and dated October 1972, which shall be on file and available for public inspection in the office of the District Engineer, U.S. Army Engineer District, Nashville, Tennessee.

(b) The Secretary shall establish the National Area by publication of notice thereof in the Federal Register when he determines that the United States has acquired an acreage within the boundaries of the National Area that is efficiently administrable for the purposes of this section. After publication of notice, and after he has completed the construction of necessary access roads, day-use facilities, campground facilities, lodges, and administrative buildings, the Secretary shall transfer the jurisdiction of the National Area to the Secretary of the Interior who shall administer the National Area in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented. In the administration of the National Area the Secretary may utilize such statutory authority available to him for the conservation and management of wildlife and natural resources as he deems appropriate to carry out the purposes of this section. The Secretary of the Interior may, after transfer to him, revise the boundaries from time to time, but the total acreage within such boundaries shall not exceed one hundred and twenty-five thousand acres. Following such transfer the authorities available to the Secretary in subsection (c) of this section shall likewise be available to the Secretary of the Interior. The Secretary may, prior to the transfer to the Secretary of the Interior, revise the boundaries from time to time, but the total acreage within such boundaries shall not exceed one hundred and twenty-five thousand acres.

(c)(1) Within the boundaries of the National Area, the Secretary may acquire lands and waters or interests therein by donation, purchase with donated or appropriated funds, or exchange or otherwise, except that lands (other than roads and rights-of-way for roads) owned by the States of Kentucky and Tennessee or any political subdivisions thereof may be acquired only by donation. When an individual tract of land is only partly within the boundaries of the National Area, the Secretary may acquire all of the tract by any of the above methods in order to avoid the payment of severance costs. Land so acquired outside of the boundaries of the National Area may be exchanged by the Secretary for non-Federal lands within the National Area boundaries, and any portion of the land not utilized for such exchanges may be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377; 40 U.S.C. 471 et seq.), as amended. Notwithstanding any other provision of law, any Federal property within the boundaries of the National Area shall be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of this section.

(2) With the exception of property or any interest in property that the Secretary determines is necessary for purposes of administration, preservation, or public use, any owner or owners (hereafter in this section referred to as "owner") of improved property used solely for noncommercial residential purposes on the date of its acquisition by the Secretary may retain the right of use and occupancy of such property for such purposes for a term, as the owner may elect, ending either (A) upon the death of the owner or his spouse, whichever occurs later, or (B) not more than twenty-five years from the date of acquisition. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the term retained by the owner. Such right: shall be subject to such terms and conditions as the Secretary deems appropriate to assure that the property is used in accordance with the purposes of this section; may be transferred or assigned; and may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof has ceased to be used for noncommercial residential purposes, and upon tender to the holder of the right an amount equal to the fair market value, as of the date of the tender, of that portion of the right which remains unexpired on the date of termination. Any person residing upon improved property, subject to the right of acquisition by the Secretary as a tenant or by the sufferance of the owner or owners of the property may be allowed to continue in such residence for the lifetime of such person or his spouse, whichever occurs later, subject to the same restrictions as applicable to owners residing upon such property and provided that any obligation or rental incurred as consideration for such tenancy shall accrue during such term to the United States to be used in the administration of this section.

(3) As used in this section the term "improved property" means a detached year-round one-family dwelling which serves as the owner's permanent place of abode at the time of acquisition, and construction of which was begun before January 1, 1974, together with so much of the land on which the dwelling is situated, such land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, except that the Secretary may exclude from any improved property any waters or land fronting thereon, together with so much of the land adjoining such waters or land as he deems necessary for public access thereto.

(4) In any case where the Secretary determines that underlying minerals are removable consistent with the provisions of subsection (e)(3) of this section, the owner of the minerals underlying property acquired for the purposes of this section may retain such interest. The Secretary shall reserve the right to inspect and regulate the extraction of such minerals to insure that the values enumerated in subsection (a) are not reduced and that the purposes declared in subsection (e)(1) are not interfered with.

(d) The Secretary, and the Secretary of the Interior after jurisdiction over the National Area has been transferred to him under subsection (b) of this section, shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the National Area in accordance with applicable Federal and State laws, except that he may designate zones where, and establish periods when, no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any rules and regulations of the Secretary or the Secretary of the Interior pursuant to this subsection shall be put into effect only after consultation with the appropriate State agency responsible for hunting, fishing, and trapping activities.

(e)(1) The National Area shall be established and managed for the purposes of preserving and interpreting the scenic, biological, archeological, and historical resources of the river gorge areas and developing the natural recreational potential of the area for the enjoyment of the public and for the benefit of the economy of the region. The area within the boundary of the National Area shall be divided into two categories; namely, the gorge areas and adjacent areas as hereinafter defined.

(2)(A) Within the gorge area, no extraction of, or prospecting for minerals, petroleum products, or gas shall be permitted. No timber shall be cut within the gorge area except for limited clearing necessary for establishment of day-use facilities, historical sites, primitive campgrounds, and access roads. No structures shall be constructed within the gorge except for reconstruction and improvement of the historical sites specified in paragraphs (5) and (6) of this subsection and except for necessary day-use facilities along the primary and secondary access routes specified herein and within five hundred feet of such roads, and except for primitive campgrounds accessible only by water or on foot. No motorized transportation shall be allowed in the gorge area except on designated access routes.

(B) Primary access routes into the gorge area may be constructed or improved upon the general route of the following designated roads: Tennessee Highway Numbered 52. FAS 2451 (Leatherwood Ford Road), the road into the Blue Heron Community, and Kentucky Highway Numbered 92.

(C) Secondary access roads in the gorge area may be constructed or improved upon the following routes: the roads from Smith Town, Kentucky, to Worley, Kentucky, the road crossing the Clear Fork at Burnt Mill Bridge, the road from Goad, Tennessee, to Zenith, Tennessee, the road from Co-Operative, Kentucky, to Kentucky Highway Numbered 92, the road entering the gorge across from the mouth of Alum Creek in Kentucky, the road crossing the Clear Fork at Peters Bridge.

(D) All other existing roads in the gorge area shall be maintained for nonvehicular traffic only, except that nothing in this section shall abrogate the right of ingress and egress of those who remain in occupancy under subsection (c)(1) of this section.

(E) Road improvement or maintenance and any construction of roads or facilities in the gorge area as permitted by this section shall be accomplished by the Secretary in a manner that will protect the declared values of this unique natural scenic resource.

(3) In adjacent areas: the removal of timber shall be permitted only where required for the development or maintenance of public use and for administrative sites and shall be accomplished with careful regard for scenic and environmental values; prospecting for minerals and the extraction of minerals from the adjacent areas shall be permitted only where the adit to any such mine can be located outside the boundary of the National Area; no surface mining or strip mining shall be permitted; prospecting and drilling for petroleum products and natural gas shall be permitted in the adjacent area under such regulations as the Secretary or the Secretary of the Interior, after jurisdiction over the national river and recreation area has been transferred to him under subsection (b) of this section, may prescribe to minimize detrimental environment impact, such regulations shall provide among other things for an area limitation for each such operation, zones where operations will not

be permitted, and safeguards to prevent air and water pollution; no storage facilities for petroleum products or natural gas shall be located within the boundary of the National Area except as necessary and incidental to production; the Secretary is authorized to construct two lodges with recreational facilities within the adjacent areas so as to maximize and enhance public use and enjoyment of the National Area; construction of all roads and facilities in the adjacent areas shall be undertaken with careful regard for the maintenance of the scenic and esthetic values of the gorge area and the adjacent areas.

(4) The gorge area as set out in paragraphs (1) and (2) of this subsection shall consist of all lands and waters of the Big South Fork, Clear Fork, and New River which lie between the gorge or valley rim on either side (where the rim is not clearly defined by topography, the gorge boundary shall be established at an elevation no lower than that of the nearest clearly demarked rim on the same side of the valley), and those portions of the main tributaries and streams in the watersheds of the Big South Fork, Clear Fork, and New River that lie within a gorge or valley rim on either side, except that no lands or waters north of Kentucky Highway Numbered 92 shall be included. The designated adjacent areas shall consist of the balance of the National Area.

(5) The Secretary, and the Secretary of the Interior, shall consult and cooperate with the Tennessee Historical Commission and the Rugby Restoration Association and with other involved agencies and associations, both public and private, concerning the development and management of the National Area in the area adjacent to Rugby, Tennessee. Development within the area adjacent to Rugby, Tennessee, shall be designed toward preserving and enhancing the historical integrity of the community and any historical sites within the boundary of the National Area.

(6) The Secretary, or the Secretary of the Interior, after jurisdiction over the National Area has been transferred to him under subsection (b) of this section, shall provide for the restoration of the Blue Heron Mine community in a manner which will preserve and enhance the historical integrity of the community and will contribute to the public's understanding and enjoyment of its historical value. To that end the Secretary, or the Secretary of the Interior, after jurisdiction over the National Area has been transferred to him under subsection (b) of this section, may construct and improve structures within and may construct and improve a road into this community.

(7) The Secretary shall study the desirability and feasibility of reestablishing rail transportation on the abandoned O&W railbed or an alternative mode of transportation within the National Area upon the O&W roadbed, and shall report to Congress his recommendation with regard to development of this facility.

(f) The Federal Power Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063) as amended (16 U.S.C. 791a et seq.), within or directly affecting the National Area and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which the National Area was established. Nothing contained in the preceding sentence shall preclude licensing of, or assistance to, developments below or above the National Area or on any stream tributary thereto which will not invade the National Area or unreasonably diminish the scenic, recreation, and fish and wildlife values present in the area on the date of enactment of this section. No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which the National Area was established, or request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary or the Secretary of the Interior, after jurisdiction over the National Area has been transferred to him under subsection (b) of this section, in writing of its intention so to do at least sixty days in advance, and without specifically reporting to the Congress in writing at the time it makes its recommendations or request in what respect construction of such project would be in conflict with the purposes of this section and would affect the National Area and the values to be protected under this section.

(g) The Secretary shall study transportation facilities in the region served by the National Area and shall establish transportation facilities to enhance public access to the National Area. In this connection the Secretary is authorized to acquire and maintain public roads, other than State highways, necessary to serve the public use facilities within the National Area, and to establish and maintain, at Federal cost an interior and circulating road system sufficient to meet the purposes of this section. Any existing public road, which at the time of its acquisition continues to be a necessary and essential part of the county highway system, may, upon mutual agreement between the Secretary and the owner of such road, be relocated outside the National Area and if not so relocated such road shall be maintained at Federal expense and kept open at all times for general travel purposes. Nothing in this subsection shall abrogate the right of egress and ingress of those persons who may remain in occupancy under subsection (c) of this section. Nothing in this subsection shall preclude the adjustment, relocation, reconstruction, or abandonment of State highways situated in the National Area, with the concurrence of the agency having the custody of such highways upon entering into such arrangements as the Secretary or the Secretary of the Interior, after jurisdiction over the National Area has been transferred to him under subsection (b) of this section, deems appropriate and in the best interest of the general welfare.

(h) In furtherance of the purpose of this subsection the Secretary in cooperation with the Secretary of Agriculture, the heads of other Federal departments and agencies involved, and the State of Tennessee and its political subdivisions, shall formulate a comprehensive plan for that portion of the New River that lies upstream from United States Highway Numbered 27. Such plan shall include, among other things, programs to enhance the environment and conserve and develop natural resources, and to minimize siltation and acid mine drainage. Such plan, with recommendations, including those as to costs and administrative responsibilities, shall be completed and transmitted to the Congress within one year from the date of enactment of this section.

(i) The Secretary or the Secretary of the Interior, after jurisdiction over the National Area has been transferred to him under subsection (b) of this subsection, shall consult and cooperate with other departments and agencies of the United States and the States of Tennessee and Kentucky in the development of measures and programs to protect and enhance water quality within the National Area and to insure that such programs for the protection and enhancement of water quality do not diminish other values that are to be protected under this section.

(j) (1) Until such time as the transfer of jurisdiction to the Secretary of the Interior authorized by subsection (b) of this section shall take place, for the purpose of financially assisting the States of Tennessee and Kentucky, McCreary County, Kentucky, and Scott, Morgan, Pickett, and Fentress Counties in Tennessee, because of losses which these jurisdictions will sustain by reason of the fact that certain lands and other property within their boundaries may be included within the National Area established by this section and thereafter will no longer be subject to real and personal property taxes levied or imposed by them, payments shall be made to them on an annual basis in an amount equal to those taxes levied or imposed on such property for the last taxable year immediately preceding the date of enactment of this section.

(2) For the purpose of enabling the Secretary to make such payments during the fiscal years ending June 30, 1975, June 30, 1976, June 30, 1977, June 30, 1978, and June 30, 1979, there are authorized to be appropriated such sums as may be necessary.

(k) There are authorized to be appropriated $32,850,000 to carry out the provisions of this section, other than subsection (j) of this section. No moneys shall be appropriated from the Land and Water Conservation Fund to carry out the purposes of this section.

SEC. 109. This title may be cited as the "Water Resources Development Act of 1974".

TITLE II—RIVER BASIN MONETARY AUTHORIZATIONS

SEC. 201. (a) In addition to previous authorizations, there is hereby authorized to be appropriated for the prosecution of the comprehensive plan of development of each river basin under the jurisdiction of the Secretary of the Army referred to in the first column below, which was basically authorized by the Act referred to by date of enactment in the second column below, an amount not to exceed that shown opposite such river basin in the third column below:

	Date	Amount
Alabama-Coosa River Basin	Mar. 2, 1945	$31,000,000
Arkansas River Basin	June 28, 1938	14,000,000
Brazos River Basin	Sept. 3, 1954	19,000,000
Central and southern Florida	June 30, 1948	15,000,000
Columbia River Basin	June 28, 1944	94,000,000
Mississippi River and tributaries	May 15, 1928	211,000,000
Missouri River Basin	June 28, 1938	72,000,000
North Branch, Susquehanna River Basin	July 3, 1958	64,000,000
Ohio River Basin	June 22, 1936	120,000,000
Ouachita River Basin	May 17, 1950	4,000,000
Red River Waterway project	Aug. 13, 1968	9,000,000
San Joaquin River Basin	Dec. 22, 1944	83,000,000
South Platte River Basin	May 17, 1950	15,000,000
Upper Mississippi River Basin	June 28, 1938	4,000,000
White River Basin	do	9,000,000

(b) The total amount authorized to be appropriated by this section shall not exceed $764,000,000.

SEC. 202. The Secretary of the Army, acting through the Chief of Engineers, is authorized to initiate the second phase of the bank erosion control works and setback levees on the Sacramento River, California, authorized by the Flood Control Act of 1960, in accordance with the recommendations of the Chief of Engineers in House Document Numbered 93–151, and the monetary authorization for the Sacramento River Basin, basically authorized by the Act of December 22, 1944, is increased by not to exceed $16,000,000 for such purpose.

SEC. 203. This title may be cited as the

"River Basin Monetary Authorization Act of 1974".

And the Senate agree to the same.

RAY ROBERTS,
HAROLD T. JOHNSON,
GLENN M. ANDERSON,
ROBERT A. ROE,
WILLIAM H. HARSHA,
GENE SNYDER,
DON H. CLAUSEN,
Managers on the Part of the House.

MIKE GRAVEL,
JENNINGS RANDOLPH,
LLOYD BENTSEN,
QUENTIN N. BURDICK,
WILLIAM L. SCOTT,
HOWARD BAKER,
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

JOINT EXPLANATARY 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 Senate to the bill (H.R. 10203) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment.

The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for clarifying, clerical, and conforming changes, the differences are noted below:

TITLE I—WATER RESOURCES DEVELOPMENT

ADVANCED ENGINEERING AND DESIGN AUTHORIZATION

House bill

This section establishes a new procedure for authorization of major water resources development projects of the Corps of Engineers. Subsection (a) would authorize the Secretary of the Army, acting through the Chief of Engineers, to undertake the Phase I design memorandum stage of advanced engineering and design of major water resources development projects substantially in accordance with, and subject to conditions recommended by the Chief of Engineers in the reports designated in section 1. Subsection (b) would authorize the Secretary of the Army to undertake advanced engineering and design for the projects in subsection (a) after completion of the Phase I design memorandum stage of such projects only upon a finding by the Chief of Engineers, transmitted to the Committees on Public Works of the Senate and House of Representatives, that the project is without substantial controversy, that it is substantially in accordance with and subject to the conditions recommended by the Chief of Engineers or the Secretary of the Army, as appropriate, in the designated reports, and that the advanced engineering and design will be compatible with any project modifications which may be under consideration. There is authorized to be appropriated for subsection (b) an amount not to exceed $5,000,000, and such funds may not be used for land acquisition or construction.

The following projects are authorized under this section:

Project	H. Doc. No.	Federal cost
Virginia Beach, Va	92-365	$954,000
Buena Vista, Va	93-56	665,000
Camp Ground Lake, Ky	92-374	330,000
Bowie Creek, Miss	92-359	390,000
Pearl River, Miss	92-282	310,000
Zumbro River, Rochester, Minn	93-156	150,000
Greenville Harbor, Miss., Senate Document	93-38	200,000
Warren to Wilkinson Counties, Miss. (Natchez area)	93-148	150,000
Bushley Bayou, La	93-157	300,000
Roaring River Reservoir, N.C		400,000
Curry Creek Reservoir, Ga		400,000
Dalton Reservoir, Ga		440,000
Blanco River, Tex	92-364	177,000
Arkansas River, Colo	93-143	1,140,000
Center Creek, Miss	92-361	150,000
Libby Reregulating Dam, Mont	93-29	10,000

Senate amendment

This provision is the same as the House bill with the addition of a flood protection project, Lower Mississippi Basin, Warren to Wilkinson Counties, Vicksburg Yazoo area, Mississippi, at an estimated cost of $150,000 and a flood protection project at Days Creek Dam, South Umpqua River, Oregon at an estimated cost of $400,000.

Conference substitute—Section 1

This is the same as the House bill with the additional projects authorized by the Senate amendment, and with the Columbia River Basin project at Libby Reregulating Dam, authorized at an estimated cost of $75,000 as provided in the Senate amendment.

WATER RESOURCES PROJECTS AUTHORIZATION

(POCATALICO RIVER BASIN, WEST VIRGINIA)

House bill

This section authorizes projects for construction in their full amount. These projects and their costs are as follows:

Project:	*Federal cost*
Tamaqua, Pa	$2,355,000
Charles River, Mass	7,340,000
Prairie du Chien, Wis	1,840,000

Senate amendment

This provision is the same as the House with the addition of a project for flood control, water supply, and related purposes, in the Pocatalico River Basin, West Virginia, at an estimated cost of $3,568,900.

Conference substitute—Sections 2 and 5

This is the same as the House bill. The additional project authorized by the Senate amendment in the Pocatalico River Basin, West Virginia, is contained in the conference substitute as a separate section numbered 5.

WEST TENNESSEE TRIBUTARIES

House bill

Section 3 authorizes modification of the authorized project for the Obion and Forked Deer Rivers to provide for the acquisition and development of lands for fish and wildlife purposes, at an estimated cost of $6,600,000.

Senate amendment

Section 5(b) modifies the authorized project for the Obion and Forked Deer Rivers to provide for the acquisition of 32,000 acres of land to be set aside for fish and wildlife management, recreation, and purposes of environmental protection. All such lands acquired shall be available for public use, consistent with good wildlife management practices. The Chief of Engineers is required to use not less than 20 per centum of the funds appropriated annually to the project to implement these mitigation features. $6,600,000 is authorized to be appropriated to carry out this modification.

Conference substitute—Section 3

Except for technical and clerical amendments, this is the same as the Senate amendment.

SMALL BOAT HARBOR OPERATION AND MAINTENANCE

House bill

Section 6 of the House bill amends section 103 of the River and Harbor Act of 1970 to provide that the cost of operation and maintenance of the general navigation features of small boat harbor projects shall be borne by the United States. This applies to all projects authorized by this Act, by section 201 of the Flood Control Act of 1965, section 107 of the River and Harbor Act of 1960, those authorized between January 1, 1970, and December 31, 1970, and to projects heretofore authorized in accordance with this policy.

Senate amendment

No comparable provision.

Conference substitute—Section 6

This is the same as the House bill.

NORTH BRANCH, CHICAGO RIVER, ILLINOIS

House bill

Section 7 authorizes the Secretary of the Army, acting through the Chief of Engineers, to provide for continued maintenance of the channel of the North Branch of the Chicago River, Illinois, free of debris, and authorizes not to exceed $150,000 for this purpose per fiscal year.

Senate amendment

No comparable provision.

Conference substitute—Section 7

This is the same as the House bill with an additional requirement that the non-Federal interest pay 25 percent of the maintenance costs.

DEAUTHORIZATION

House bill

This section provides that as soon as possible after the date of enactment of this section, and at least once each year thereafter, the Secretary of the Army, acting through the Chief of Engineers, shall review and submit to Congress a list of those authorized projects under his jurisdiction which have been authorized for at least eight years without any congressional appropriations within the last eight years and which he determines should no longer be authorized. Each project so listed is to be accompanied by the recommendation of the Chief of Engineers together with his reasons for the recommendations. Prior to the submission of the list, the Secretary of the Army, acting through the Chief of Engineers, must obtain the views of interested Federal agencies and the Governor of each state in which the project is located, and these views accompany the list submitted to Congress.

A project on the list is no longer authorized after one hundred and eighty calendar days of continuous session of Congress after the date of delivery of the list unless during that period either the House or Senate Committee on Public Works adopts a resolution stating that the project shall continue to be an authorized project. The provisions of the section do not apply to any project in a list of projects submitted within one hundred and eighty days preceding the adjournment of a session of Congress sine die.

Nothing in the section is to be construed as precluding the Secretary from withdrawing any project or projects from the list prior to the end of the one hundred and eighty day period.

The section is not applicable to any project which has been included in a resolution stating that it should continue to be authorized.

The Secretary of the Army, acting through the Chief of Engineers, is required to review a project for inclusion in the list of projects provided for in subsection (a) if requested by a resolution of either the House or Senate Public Works Committee. If the project is not included in any of the first three lists submitted to Congress after the date of the resolution, a report giving the reasons for not recommending deauthorization must be submitted to the House and Senate Committees on Public Works not later than the date of the third list submitted to Congress after the date of the resolution.

Senate amendment

This section provides that as soon as possible after the date of enactment of this section, and at least once each year thereafter, the Secretary of the Army, acting through the Chief of Engineers, shall review and submit to Congress a list of those authorized projects under his jurisdiction which have been authorized for at least eight years, for which no construction appropriations have been made during that period, and which he determines should no longer be authorized. Each project so listed is to be accompanied by the recommendation of the Chief of Engineers together with his reasons for the recommendations. Prior to the submission of the list, the Secretary of the Army, acting through the Chief of Engineers, must obtain the views of interested Federal agencies and the Governor of each state in which the project is located, and these views accompany the list submitted to Congress.

Deauthorization of a project on the list can only be accomplished by the adoption of a resolution by both House and Senate Public Works Committees stating that such project shall not continue to be an authorized project.

Nothing in the section is to be construed as precluding the Secretary from withdrawing any project or projects from the list prior to the adoption of a resolution as described.

The Secretary of the Army, acting through the Chief of Engineers, is required to review a project for inclusion in the list of projects provided for in subsection (a) if requested by a resolution of either the House or Senate Public Works Committee. If the project is not included in any of the first three lists submitted to Congress after the date of the resolution, a report giving the reasons for not recommending deauthorization must be submitted to the House and Senate Committees on Public Works not later than the date of the third list submitted to Congress after the date of the resolution.

Conference substitute—Section 12

This is the same as the House provision with the additional requirement that before submitting a list of projects for deauthorization to Congress, the Secretary of the Army is to notify each Senator and Member of the House in whose State and district the project would be located of its inclusion on such list.

LITTLE RIVER INLET, SOUTH CAROLINA

House bill

No provision.

Senate amendment

This section would authorize the Corps of Engineers to undertake emergency dredging to maintain the necessary navigation channel depth in Little River Inlet, South Carolina, until such time as the project authorized in that area under Section 201 of the Flood Control Act of 1965 has been completed. Cost of the dredging is estimated at $75,000 a year for the duration of the emergency period.

Conference substitute—Section 15

This is the same as the Senate provision.

NORFORK RESERVIOR BRIDGE, ARKANSAS

House bill

Section 16 modifies the comprehensive plan for flood control and other purposes in the White River Basin to provide for a free highway bridge over Norfork Lake in the area where U.S. Highway 62 and Arkansas State Highway 101 were inundated as a result of the construction of the Norfork Dam and Lake. This is conditioned upon the State paying to the United States compensation received in 1943 with interest from that date.

Senate amendment

Section 15 is essentially the same as this provision in the House bill except that the interest on the sum to be repaid is to be compounded annually and compensated on the average prevailing rates for Federal obligations during the period.

Conference substitute—Section 16

This is the same as the Senate provision.

MELVERN AND POMONA LAKES, KANSAS

House bill

Section 17 modifies the project for Melvern Lake and Pomona Lake, Kansas, authorized by the Flood Control Act approved September 3, 1954, to authorize the improvements of service roads in the vicinity of these projects which the Secretary of the Army determines necessary for the appropriate utilization of the projects. The Federal share is not to exceed 70 percent of the cost and the authorization to carry out this section is not to exceed $500,000.

Senate amendment

No comparable provision.

Conference substitute—Section 17

This is the same as the House bill.

TUTTLE CREEK RESERVOIR, KANSAS

House bill

Section 18 modifies the project for Tuttle Creek Reservoir, Kansas, to authorize the Secretary of the Army, acting through the Chief of Engineers, to improve a portion of FAS 1208 to provide access to recreation areas. The Federal share of the project is not to exceed 70 percent and the authorization to carry out this section is not to exceed $500,000.

Senate amendment

No comparable provision.

Conference substitute—Section 18

This is the same as the House bill.

SPOIL DISPOSAL FACILITIES

House bill

Section 23 amends section 123 of the River and Harbor Act of 1970 to provide that if the Administrator of the Environment Protection Agency makes his findings which permit waiver of the non-Federal-interest contribution after repayment agreements have been entered into any payments due after the date of the finding shall be waived.

Senate amendment

No comparable provision.

Conference substitute—Section 23

This is the same as the House bill.

EMERGENCY BANK PROTECTION WORKS

House bill

This section increases the monetary limitations applicable to emergency bank protection works undertaken by the Corps of Engineers. The individual project amount is raised from $50,000 to $250,000 and the annual expenditure limitation from $1,000,000 to $5,000,000. The section also clarifies the application of the authority by adding churches, hospitals, schools and other nonprofit public services to the definition of facilities which are eligible for protection.

Senate amendment

This is essentially the same as the House provision except that the annual expenditure limitation is increased from $1,000,000 to $10,000,000. The section is modified to add shoreline protection works to the type of emergency works authorized.

Conference substitute—Section 27

This is the same as the Senate amendment.

ROCK ISLAND BRIDGE

House bill

This section authorizes the construction of approaches to the eastern end of Rock Island, Illinois, Centennial Bridge. It amends the Rock Island Toll Bridge Act, 52 Stat. 110, by inserting "(including the eastern approach in Rock Island, Illinois)." after the provisions for reconstruction, enlargement, and extension. This amendment would apply specifically to the eastern end of the bridge and work is to commence prior to December 1, 1974, and shall be completed by December 1, 1977.

Senate amendment

No comparable provision.

Conference substitute—Section 29

This is the same as the House bill.

ATLANTIC COAST OF LONG ISLAND, NEW YORK

House bill

This section modifies the project for the Atlantic coast of Long Island, Fire Island Inlet to Montauk Point, New York, to provide that non-Federal interests shall (1) contribute 30 per centum of the first cost of the project, including the value of lands, easements and rights of way; (2) hold and save the United States free from damages due to the construction works; and (3) maintain and operate the improvements in accordance with regulations prescribed by the Secretary of the Army.

Senate amendment

No comparable provision.

Conference substitute—Section 31

This is the same as the House bill.

STREAMBANK EROSION CONTROL—OHIO RIVER, MISSOURI RIVER, YAZOO RIVER, AND GENERAL

House bill

One section authorizes a varied and comprehensive approach to find means of preventing and reducing the damages caused by the severe erosion problems along the Ohio River. The section authorizes an intensive evaluation of the erosion with a view to determining whether bank protection works should be provided at this time. It also authorizes the Corps of Engineers to develop and evaluate new methods and techniques for bank protection, conduct research on soil stability, identify the causes of erosion, and recommend means for prevention and correction of the problems. The results of these studies are to be reported to the Congress.

In addition, the Secretary of the Army, acting through the Chief of Engineers, is authorized to construct and evaluate demonstration projects as determined by the Chief of Engineers. This will enable the Corps to attempt and evaluate differing types of protective measures as part of the overall study of the problem.

For the demonstration projects, the non-Federal interests must provide without cost to the United States lands, easements and rights of way necessary for construction and operation of the projects; hold and save the United States free from damages due to construction, operation and maintenance of the projects; and operate and maintain the projects after completion.

Another section authorizes a combination of emergency work and studies to help prevent and reduce damages from streambank erosion in the reach of the Missouri River between Fort Randall Dam, South Dakota, and Sioux City, Iowa. It provides for emergency bank stabilization works as determined to be necessary by the Secretary of the Army, acting through the Chief of Engineers. This determination is to be made in cooperation with the Governors of the involved States with regard to priority of locations to be protected and the nature of the protective works. Non-Federal interests must furnish necessary lands, easements and rights of way; hold and save the United States free from damages due to the projects; and operate and maintain the projects after completion.

The section also authorizes and directs an intensive evaluation of streambank erosion along the Missouri River with a view to determining whether additional bank protection works should be provided at this time. In addition, the Corps of Engineers is to develop and evaluate new methods and techniques for bank protection, conduct research on soil stability; identify the causes of erosion, and recommend means for prevention and correction of the problems. The results of the studies, with recommendations, are to be reported to the Congress.

Section 35 modifies the project for flood control and improvement of the Lower Mississippi River to authorize the Secretary of the Army to undertake a demonstration pilot study program of bank stabilization on the delta and hill areas of the Yazoo River Basin, Mississippi, at an estimated cost of $9,500,000.

Senate amendment

Section 12 (a) through (e) of the Senate amendment authorizes $25,000,000 over a 5-year period for a streambank erosion control demonstration program. The program is to consist of (1) an evaluation of the extent of streambank erosion; (2) development of new methods and techniques for protection, research, and identification of causes; (3) a report to Congress together with recommendations; and (4) demonstration projects including bank protection works. Demonstration projects are to be undertaken at a variety of places including specifically sites on the Ohio River, the Missouri River between Fort Randall Dam and Sioux City, Iowa, the Missouri River in North Dakota at or below Garrison Dam, and the Delta and Hill areas of the Yazoo River Basin. Non-Federal interests must provide without cost lands, easements, and rights-of-way, hold and save the United States free from damages, and operate and maintain the project on completion.

Conference substitute—Section 32

This is the same as the Senate amendment.

NEWBURGH LOCK AND DAM, INDIANA

House amendment

This section modifies the project for Newburgh Lock and Dam, Indiana, to direct the Secretary of the Army, acting through the Chief of Engineers, to perform bank protection work along the Ohio River at Newburgh, Indiana. Local interests are required to furnish necessary lands, easements and rights of way, operate and maintain the works after completion, and hold and save the United States free from damages due to the construction works.

Senate amendment

No comparable provision.

Conference substitute—Section 34

This is the same as the House bill.

ALEUTIAN ISLANDS, ALASKA

House bill

No provision.

Senate amendment

This section authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to make a detailed study of plans for the removal and disposal of debris and obsolete buildings in the vicinities of Port Heiden, Cold Bay, Unalaska, and Unmak Island in the Aleutian Islands, Alaska. This study is to be submitted to Congress within one year after the date of enactment.

Conference substitute—Section 35

This is the same as the Senate amendment.

AUBURN DAM AND RESERVOIR

House bill

Section 36 amends section 222 of the Flood Control Act of 1970 to authorize the construction of a two-lane all-weather paved road extending from Old United States Highway 40, near Weimar, California, to the Eldorado County Road near Spanish Dry Diggings.

Senate amendment

No comparable provision.

Conference substitute—Section 36

This is the same as the House bill.

ANNUAL INSTALLMENTS OF CASH CONTRIBUTIONS

House bill

This section modifies the project for San Luis Obispo Harbor, California, to authorize the Secretary of the Army, acting through the Chief of Engineers, to accept in annual installments during the period of construction the cash contribution of local interests required by the project.

Senate amendment

Section 71 of the Senate amendment would authorize the Secretary of the Army to permit the cash contribution required of non-Federal public bodies prior to construction of a water resources project, as part of their share, to be made in annual installments during construction. When there is no provision of law that would permit extended repayment, this section would ease the financial burden placed on non-Federal public bodies to fund in a single payment those projects which take longer than one year, and often many years, to construct. The Secretary of the Army would determine the schedule of annual installments, not necessarily uniform, which would provide for equitable non-Federal prepayment prior to accomplishment of pertinent project work and be compatible with the construction schedules of the Chief of Engineers. This section would also authorize the Secretary of the Army to modify existing agreements to permit such a schedule of annual installments, upon the request of the non-Federal interests.

Conference substitute—Section 40

This is the same as the Senate amendment.

WATER RESOURCES DEVELOPMENT PROJECTS—OHIO RIVER BASIN

House bill

This section authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to make a detailed study and report of the total benefits and costs attributable to the water resources development projects undertaken in the Ohio River Basin by the Corps of Engineers. The evaluation of benefits and costs is to include consideration of the enhancement of regional economic development, quality of the total environment, the well being of the people, and the national economic development. The report of the study must be submitted to Congress within two years after funds are made available to initiate the study. There is authorized to be appropriated not to exceed $2,000,000 to carry out the section.

Senate amendment

No comparable provision.

Conference substitute—Section 41

Same as the House bill.

MISSISSIPPI RIVER—FISH AND WILDLIFE LANDS

House bill

No provision.

Senate amendment

Section 17 provides that the project for flood control and improvement of the Lower Mississippi River is modified to provide that in the case of lands authorized to be acquired for mitigating losses to wildlife which lands have not yet been acquired and which no longer are suitable for that purpose, the Secretary of the Army may acquire substitute lands not to exceed the previously authorized acreage.

Conference substitute—Section 42

This is the same as the Senate provision.

ZILPO RECREATION AREA

House bill

Section 43 provides that any proposed road to the Zilpo Recreation Area shall not be constructed to the Cave Run Lake Project in Kentucky until there is a full opportunity for public review and comment on the environmental impact statement pertaining to any such proposed road.

Senate amendment

Section 24, except for technical changes, is the same as the House provision.

Conference substitute—Section 43

This is the same as the House bill.

DISASTER RELIEF ACT OF 1970

House bill

This section amends section 252 of the Disaster Relief Act of 1970 to provide that the costs of replacing certain community services, for which the Act provides assistance, shall include those costs incurred in obtaining substitute services during the period of repair, restoration, reconstruction, or replacement of facilities to the extent such costs exceed the cost which would have been incurred in providing such services but for the disaster.

Senate amendment

No comparable provision.

Conference substitute—Section 45

This is the same as the House bill.

CONTRACT FOR WATER—WYNOOCHEE DAM AND LAKE, WASHINGTON

House bill

This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to amend the contract between the city of Aberdeen, Washington, and the United States for use of storage space in the Wynoochee River, Washington, for municipal and industrial water supply.

The amended contract shall provide that the costs allocated to present demand water supply will be repaid over a period of fifty years after the project is first used for storage of water for water supply, with the first annual payment being a minimum of 0.2 per centum of the total amount to be repaid, and the annual payments being increased by 0.2 per centum each year until the tenth year. Subsequent annual payments for the balance of forty years will be one-fortieth of the balance remaining after the tenth payment.

Senate amendment

This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to amend the contract between the city of Aberdeen, Washington, and the United States for use of storage space in the Wynoochee River, Washington, for municipal and industrial water supply.

The amended contract shall provide that the initial and subsequent payments, including interest, for the present demand water supply storage may be deferred for a period up to ten years. Payments are thus deferred until the city finds customers for the water or until the ten-year-period is up, whichever is sooner.

Conference substitute—Section 46

This provision is the same as the House bill except that the first annual payment shall be a minimum of 0.1 per centum of the total principal amount to be repaid and the annual payments shall be increased by 0.1 percent each year until the 10th year at which time the payment shall be 1 per centum. Subsequent annual payments for the balance (including interest for 50 years) of 40 years shall be one-fortieth of the balance remaining after the 10th payment.

FISH HATCHERY—WYNOOCHEE DAM AND LAKE, WASHINGTON

House bill

This section modifies the project for Wynoochee Dam and Lake to provide that the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to transfer to the State of Washington not to exceed $696,000 for construction of fish hatchery facilities for mitigation of project-caused losses of natural spawning areas for trout.

Senate amendment

Section 51 is the same as the House provision except that the amount estimated is $32,000 less than that contained in the House provision.

Conference substitute—Section 47

This is the same as the House bill.

FISH HATCHERY—LIBBY DAM, MONTANA

House bill

Section 48 increases the authorization for Federal participation in the fish hatchery facilities in connection with the Libby Dam, Montana, from $750,000 to $4,000,000.

Senate amendment

Section 33, except for technical changes, is the same as the House provision.

Conference substitute—Section 48

This is the same as the Senate amendment.

COUNTY REIMBURSEMENT—LIBBY DAM, MONTANA

House bill

This section modifies the project for Libby Dam, Montana, to authorize the Secretary of the Army, acting through the Chief of Engineers, to reimburse Boundary County, Idaho, for the cost incurred to elevate, relocate, or reconstruct the bridge located at the mouth of Deep Creek as it joins the Kootenai River. There is authorized to be appropriated not to exceed $300,000 for the purposes of carrying out this provision.

Senate amendment

Section 19 is the same as the House provision except that the authorization is unlimited.

Conference substitute—Section 50

The conference substitute is the same as the House bill except that the authorization is set at $350,000.

GRAND RIVER, MISSOURI AND IOWA

House bill

This section modifies the project for flood protection on the Grand River and tributaries, Missouri and Iowa, authorized by the Flood Control Act of 1965, to authorize the Chief of Engineers to proceed with engineering and design of the Pattonsburg Lake project so as not to preclude the subsequent addition of power. Prior to initiation of construction, the Chief of Engineers must submit a report to Congress on the scope and scale of the project which best meets the needs of the area for further action by the Congress. Modification of the project to include hydroelectric power would require an Act of Congress.

Senate amendment

Section 32 modifies the project for flood protection on the Grand River and tributaries. Missouri and Iowa, to authorize the Chief of Engineers to proceed with engineering and design of the Pattonsburg Lake project so as not to preclude the subsequent addition of power. Therefore, this section provides for the review of the economics of the project, advantages of advanced bridge participation, continued participation in town relocation, and additionally provides authority to the Chief of Engineers to proceed with the project considered most suited to meeting area needs, subject to the submission to a report to the Congress for action as appropriate.

Conference substitute—Section 53

This is the same as the Senate amendment.

SHORELINE EROSION CONTROL DEMONSTRATION ACT

House bill

This section, which is to be cited as the "Shoreline Erosion Control Demonstration Act of 1973," authorizes a program to develop and demonstrate low-cost means to prevent and control shoreline erosion. The Secretary of the Army is directed to establish and conduct, for a period of five years, a national shoreline erosion control development and demonstration program, consisting of planning, constructing, operating, evaluating, and demonstrating, prototype devices, both engineered and vegetative. The program is to be carried out in cooperation with the Secretary of Agriculture, other Federal, State, and local agencies, private organizations, and the Shoreline Erosion Advisory Panel established by the Act.

Demonstration projects are to be undertaken at no less than two sites each on the shorelines of the Atlantic, Gulf, and Pacific coasts, and of the Great Lakes.

A Shoreline Erosion Advisory Panel is established, to be composed of individuals who are knowledgeable with respect to shoreline erosion, to advise the Secretary of the Army on the program.

The Secretary is directed to submit an annual progress report and a final evaluation report to the Senate and House of Representatives Committee on Public Works. A total of $8,000,000 is authorized for the program.

Senate amendment

This section, which is to be cited as the "Shoreline Erosion Control Demonstration Act of 1973," authorizes a program to develop and demonstrate low-cost means to prevent and control shoreline erosion. The Secretary of the Army is directed to establish and conduct, for a period of five years, a national shoreline erosion control development and demonstration program, consisting of planning, constructing, operating, evaluating, and demonstrating, prototype devices, both engineered and vegetative. The program is to be carried out in cooperation with the Secretary of Agriculture, other Federal, State, and local agencies, private organizations, and the Shoreline Erosion Advisory Panel established by this section.

Demonstration projects are to be undertaken at no less than two sites each on the shorelines of the Atlantic, Gulf, and Pacific coasts, the Great Lakes, and the State of Alaska, and at specified locations of serious erosion along the shores of Delaware Bay.

A Shoreline Erosion Advisory Panel is established, to be composed of individuals who are knowledgeable with respect to shoreline erosion, to advise the Secretary of the Army on the program.

The Secretary is directed to submit an annual progress report and a final evaluation report to the Senate and House of Representatives Committee on Public Works. A total of $8,000,000 is authorized for the program over five fiscal years.

Conference substitute—Section 54

This is the same as the Senate amendment, except that the provision relating to compensation of the members of the panel is the same as that in the House bill.

INDIVIDUAL REIMBURSEMENT—LIBBY DAM, MONTANA

House bill

No provision.

Senate amendment

This section modifies the project for Libby Dam, Montana, to authorize the Secretary of the Army, acting through the Chief of Engineers, to compensate drainage districts and owners of levied and unlevied tracts, in Kootenai Flats, Boundary County, Idaho, for modification to facilities, and additional pumping costs made necessary by higher water levels, and crop and other damages resulting from higher flows during drawdown operations at Libby Dam.

Conference substitute—Section 56

This is the same as the Senate amendment except that compensation is not to exceed $1,500,000.

SMALL FLOOD PROTECTION PROJECTS IN DISASTER AREAS

House bill

This section authorizes the construction of small flood protection projects not specifically authorized by Congress when in the opinion of the Chief of Engineers the work is advisable and protects an area which has been declared to be a major disaster area in the five year period preceding the exercise by the Chief of Engineers of the authority contained in this section. No more than $2 million may be allotted for any one project, and there is authorized not to exceed $25 million in each fiscal year for the next five fiscal years to construct these projects. The projects authorized by this section may not be constructed in areas intended to be protected by projects which have been specifically authorized by Congress. The normal provisions of local cooperation for flood control apply.

Senate amendment

Subsection (a) amends the authority of the Secretary of the Army to construct small flood control projects by increasing the annual expenditure limitation to $50 million and the individual project limitation to $2 million.

Subsection (b) authorizes the construction of small flood protection projects not specifically authorized by Congress when in the opinion of the Chief of Engineers the work is advisable and protects an area which has been declared to be a major disaster area in the five year period preceding the exercise by the Chief of Engineers of the authority contained in this section. No more than $2 million may be allotted for any one project, and there is authorized not to exceed $25 million in each fiscal year for the next five fiscal years to construct these projects. The projects authorized by this section may not be constructed in areas intended to be protected by projects which have been specifically authorized by Congress. The normal provisions of local cooperation for flood control apply.

Conference substitute—Section 61

The conference substitute amends section 205 of the Flood Control Act of 1948 by increasing the annual expenditure limitation to $30,000,000 and by increasing the individual project limitation to $2,000,000 for a project at a locality if the project protects an area declared to have been a major disaster area pursuant to the Disaster Relief Acts in the five-year period immediately preceding the date the Chief of Engineers deems the work advisable.

DELETION OF WATER QUALITY STORAGE

House bill

Section 65 provides that when the Administrator of the Environmental Protection Agency determines that storage in a project for regulation of streamflow for water quality is not needed or is needed in a different amount, the project may be modified accordingly and any storage no longer required for water quality may be used for other authorized purposes of the project. The provisions of this section are not to apply to any project where the benefits attributable to water quality exceed 20 per centum of the total project benefits.

Senate amendment

Section 68 authorizes the modification of projects in the same manner as provided in the House bill except that the modification of the project is to take effect on adoption of resolutions approving such modification by the Public Works Committees and the pro-

visions of this section are not to apply to any project where the benefits attributable to water quality exceed 25 per centum of the total project benefits.

Conference substitute—Section 65

This is the same as the House bill and Senate amendment modified to provide that the modification of a project where the water quality benefits are between 15 and 25 percent will take effect only on adoption of resolutions of approval by the appropriate committees of Congress. The provisions of the section are not to apply to any project where water quality benefits exceed 25 per centum. As used in this provision, the term "appropriate committee" would mean in the case of water resources projects under the jurisdiction of the Secretary of the Army, the Public Works Committees of the Congress, and in the case of such projects under the jurisdiction of the Secretary of the Interior, the Committees on Interior and Insular Affairs of the Congress.

LITTLE CALUMET RIVER, ILLINOIS

House bill

This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to undertake measures to clear that portion of the Little Calumet River, Illinois, between the point of its confluence with the Calumet-Sag channel and the Indiana State line, of fallen trees, roots, silt, and other debris and objects which contribute to flooding, unsightliness, and pollution of the river. Non-Federal interests are required to provide local cooperation similar to that required for similar project purposes in other water resources projects.

Senate amendment

No comparable provision.

Conference substitute—Section 66

The conference substitute is the same as the House bill.

MURRELLS INLET, SOUTH CAROLINA

House bill

No provision.

Senate amendment

This section modifies the project for navigation at Murrells Inlet, South Carolina, to require the performance of emergency dredging operations to maintain channel depths sufficient to permit free and safe improvement of vessels until the authorized project is constructed.

Conference substitute—Section 67

This is the same as the Senate amendment.

LOWER RIO GRANDE BASIN

House bill

This section directs the Secretary of the Army, acting through the Chief of Engineers, to make a review of the plan of development for the Lower Rio Grande Basin in Willacy, Hidalgo and Cameron Counties, Texas, recommended as Phase I in the report of the United States Department of Agriculture, dated July 1969, and submit a report to Congress on the feasibility of the proposed Willacy-Hidalgo Floodwater Channel, and the North Floodway Channel as flood control improvements for the Lower Rio Grande Basin.

Senate amendment

This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to undertake the Phase I design memorandum stage of the project involving the Willacy-Hidalgo Floodwater Bypass, the Laguana Madre Floodwater Channel, and the North Floodway Channel in the Lower Rio Grande Basin in Willacy, Hidalgo, and Cameron Counties, Texas, substantially in accordance with the recommendations for phase I contained in the comprehensive study and plan of development for the Lower Rio Grande Basin, Texas, dated July 1969, prepared by the United States Department of Agriculture in cooperation with the state of Texas.

This section authorizes $600,000 for the design memorandum stage of the project and provides that the draft environmental impact statement prepared by the Soil Conservation Service be circulated for agency comment as required by the National Environmental Policy Act.

Conference substitute—Section 68

Except for minor technical changes, this is the same as the Senate amendment.

DADE COUNTY, FLORIDA

House bill

This section modifies the project for beach erosion control and hurricane flood protection in Dade County, Florida, to provide for construction by non-Federal interests and maintenance by Federal or non-Federal interests of a segment of the project south of Baker's Haulover Inlet. The non-Federal interests would be reimbursed the Federal share as that share is defined in the original project authorization. The work to be undertaken by non-Federal interests in advance of regular Federal scheduling would require prior approval by the Corps to assure its compliance with Corps standards for combined beach erosion-hurricane protection and its conformity with the larger project of which it is a part.

Senate amendment

No comparable provision.

Conference substitute—Section 69

This is the same as the House bill.

EAST ROCKAWAY INLET TO ROCKAWAY INLET AND JAMAICA BAY, NEW YORK

House bill

This section would authorize the Corps of Engineers to commence work on the beach erosion aspect of the combined hurricane-flood protection and beach erosion project at East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, New York, authorized by the Flood Control Act of 1965. Initiation of construction would follow completion of environmental studies and receipt of adequate local participation assurances for the beach erosion aspect. Local interest would be required to contribute 50 percent of the cost of the beach erosion aspect.

Senate amendment

This section would authorize the Corps of Engineers to commence work on the beach erosion aspect of the combined hurricane-flood protection and beach erosion project at East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, New York, authorized by the Flood Control Act of 1965. Initiation of construction would follow completion of environmental studies and receipt of adequate local participation assurances for the beach erosion aspect. Nothing contained in this section shall increase or reduce the percentage of total costs of the entire project to be contributed by non-Federal interests.

Conference substitute—Section 72

This is the same as the Senate amendment.

ARKANSAS—RED RIVER BASIN

House bill

Section 74 modifies the project for water quality control in the Arkansas-Red River Basin to authorize the Secretary of the Army to initiate construction of the area VIII feature of the project prior to the approval required by section 201 of the Flood Control Act of 1970.

Senate amendment

No comparable provision.

Conference substitute—Section 74

This is the same as the House bill.

VISITOR PROTECTION

House bill

Section 75 requires the Secretary of the Army to study the need for and means of providing visitor protection services at water resources development projects under the jurisdiction of the Department of the Army and to report to Congress not later than December 31, 1974.

Senate amendment

No comparable provision.

Conference substitute—Section 75

This is the same as the House bill.

FEDERAL WATER PROJECT RECREATION ACT

House bill

This section amends the Federal Water Project Recreation Act to increase the Federal share of the separate costs allocated to fish and wildlife enhancement from fifty percent to seventy-five percent.

Senate amendment

No comparable provision.

Conference substitute—Section 77

Except for technical changes, this is the same as the House bill.

PRINCIPLES AND STANDARDS

House bill

This section enacts into law the interest rate formula used in the formulation and evaluation of water resources projects as established by the Water Resources Council in 1968. It also enacts into law the so-called "Grandfather" provision adopted by the Water Resources Council to determine the applicability of the 1968 formula to previously authorized projects.

Senate amendment

Section 66 provides that the interest rate formula to be used in plan formulation and evaluations for discounting future benefits and computing costs and the formulation and evaluation of Federal water and land resources projects shall be those published in the Federal Register on September 10, 1973 (38 F.R. 24777), for all future projects but bars its application to previously authorized projects or those authorized in whole or in part by this bill.

Conference substitute—Section 80

This is the same as the House bill except for a technical amendment to insure that the "grandfather" provision will be exactly as contained in the regulation issued by the Water Resources Council and applicable to all projects in the same manner as published in the Federal Register on December 24, 1968. In addition, a new subsection has been added to require the President to make a full and complete investigation and study of principles and standards for planning and evaluating water and related resources projects and cost sharing for such projects. The report of this study is to be submitted to Congress not later than one year after funds are first appropriated for the study.

FOUR MILE RUN, ALEXANDRIA-ARLINGTON, VIRGINIA

House bill

This section modifies the project for flood control on Four Mile Run, city of Alexandria and Arlington County, Virginia, to incorporate certain reductions in the physical aspects of the project, to limit the Federal participation, and to require non-Federal interests to bear an equitable portion of project responsibilities.

Senate amendment

This is substantially the same as the House bill with a technical correction.

Conference substitute—Section 84

This is the same as the Senate amendment.

VERONA AND SIXES BRIDGE, VIRGINIA AND MARYLAND

House bill

This section authorizes a comprehensive plan to satisfy the water and related resources needs of the Potomac River Basin and the water supply needs of the Washington Met-

ropolitan Area. The plan consists of three interrelated elements.

The second element of the plan is an investigation of the use of the waters of the Potomac estuary as a source of water supply for the Washington Metropolitan Area. This study includes the construction, operation, and evaluation of a pilot water treatment plant. For some years it has been argued that the Verona and Sixes Bridge projects, as well as other proposed dams in the basin, are not necessary because the water needs of the Washington area can be met by the Potomac estuary.

The third element of the plan is the most important. It directs a $5½ million review study of the water and related resources needs of the Potomac River Basin and the Washington Metropolitan Area.

Senate amendment

This section authorizes a comprehensive plan to satisfy the water and related resources needs of the Potomac River Basin and the water supply needs of the Washington Metropolitan Area. The plan consists of three interrelated elements. The Verona Dam in Virginia and the Sixes Bridge Dam in Maryland are authorized through the phase I design memorandum stage of advanced engineering and design.

The second element of the plan directs a study of the water and related resources needs of the Potomac River Basin and the Washington Metropolitan Area, which must be made before there is further authorization of Sixes Bridge Dam.

The third element of the plan is an investigation of the use of the waters of the Potomac estuary as a source of water supply for the Washington Metropolitan Area. This study includes the construction, operation, and evaluation of a pilot water treatment plant.

The section directs the Corps of Engineers to contract with the National Academy of Sciences-National Academy of Engineering to review and by written report comment on the scientific basis for the conclusions reached with respect to the use of the estuary for water supply and the estuarine pilot project. In its subsequent report to Congress, the Corps would also be required to include written comments by the National Academy of Science-National Academy of Engineering on any recommendations made for supplying the water needs of the metropolitan Washington area from the estuary. This report must be submitted before further authorization of Sixes Bridge Dam.

Conference substitute—Section 85

This is the same as the Senate provision.

BAYOU COURTABLEAU, LOUISIANA

House bill

An authorized Corps of Engineers project in Louisiana provides for extension of Bayou Cocodrie to the West Atchafalaya Basin Protection Levee via a diversion canal (Washington-Courtableau) and enlargement of the Bayou Courtableau drainage structure and outlet channel. This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to make a study to determine the feasibility of modifying the authorized project by enlarging the channel of Bayou Courtableau between Washington and and the protection levee, in lieu of the authorized diversion channel, and the installation of additional culverts through the west protection levee.

Senate amendment

This section would authorize an enlargement of the channel of Bayou Courtableau from Washington, Louisiana, to the west protection levee as a modification to an authorized Mississippi River flood control project, and that the right of way and spoil areas for the modification be provided at federal expense. Additional culverts through the west protection levee are also authorized as necessary for the increased flow.

Conference substitute—Section 87

This is the same as the Senate amendment.

APPLEGATE DAM AND RESERVOIR, OREGON

House bill

Section 89 modifies the project for the Rogue River, Oregon and California, to provide that with respect to the irrigation aspect of the Applegate Dam and Reservoir, appropriate non-Federal interests shall make necessary arrangements with the Secretary of the Interior, prior to use of the project for irrigation, for repayment under the provisions of the reclamation laws of the costs allocated to irrigation.

Senate amendment

Section 42 also modifies the project for the Rogue River Basin to provide that construction of the Applegate Lake project may commence before non-Federal interests make necessary arrangements with the Secretary of the Interior for repayment in accordance with the Federal reclamation laws of costs allocated to irrigation purposes, except that the project is not to be operated for irrigation until these arrangements have been made.

Conference substitute—Section 89

This is the same as the Senate amendment.

DRIFT AND DEBRIS REMOVAL—NEW YORK HARBOR

House bill

Section 113 of the River and Harbor Act of 1970 authorized the New York Harbor Collection and Removal of Drift project. The authorization was made subject to the approval by the Secretary of the Army and the President of project plans and local cost sharing. This approval was never given and the authorization has not been implemented. This section authorizes this project without the condition of approvals by the Secretary and the President.

Senate amendment

No comparable provision.

Conference substitute—Section 91

This is the same as the House bill.

RUSSIAN RIVER, CALIFORNIA

House bill

This section modifies the project for Russian River, Dry Creek, California, to authorize and direct the Secretary of the Army, acting through the Chief of Engineers, to compensate for fish losses on the Russian River, which may be attributed to the operation of the Coyote Dam, through measures such as possible expansion of the fish hatchery at Warm Springs Dam.

Senate amendment

No comparable provision.

Conference substitute—Section 95

This is the same as the House bill.

BROADWAY LAKE, SOUTH CAROLINA

House bill

This section authorizes the Secretary of the Army acting through the Chief of Engineers to remove silt and aquatic growth from Broadway Lake, Anderson County, South Carolina, at an estimated cost of $400,000.

Senate amendment

No comparable provision.

Conference substitute—Section 98

The Secretary of the Army is authorized and directed to undertake a demonstration project for the removal of silt and aquatic growth from Broadway Lake, South Carolina at an estimated cost of $400,000. He shall report to the Administrator of EPA recommendations to assist in carrying out the program for fresh water lakes under section 314 of the Federal Water Pollution Control Act.

CACHE RIVER BASIN

House bill

Section 99 authorizes modification of the Cache River Basin feature, Mississippi River and tributaries, Arkansas, to provide for the acquisition of lands for the mitigation of fish and wildlife losses caused by the project at an estimated cost of $5,232,000. Not to exceed 30,000 acres of land shall be acquired and appropriate non-Federal interests shall contribute 100 percent of the cost of measures undertaken for fish and wildlife enhancement. This section is to be effective only if approved by the district court for the Eastern District of Arkansas, Western Division, its decision in the case of E.D.F. and others vs. Froehlke, and others.

Senate amendment

This section authorizes modification of the Cache River Basin feature, Mississippi River and tributaries project. Arkansas, to provide for the acquisition of lands for the mitigation of fish and wildlife losses caused by the project.

It provides for acquisition by fee or easements, of no more than 70,000 acres of land for fish and wildlife management, recreation and environmental purposes, of which no less than 30,000 acres shall be available for public use as contemplated in House Document No. 92-366. Federal expenditure of no more than $7 million is authorized, with the provision that local interests shall bear 50 percent of any of the land acquisition costs in excess of $6 million.

The section provides further that no less than 20 percent of the annual appropriation for Cache River shall be earmarked for mitigation purposes until the full Federal authorization of $6 million as authorized in this section has been appropriated.

Conference substitute—Section 99

Except for technical amendments, this is the same as the Senate provision.

CHARITON RIVER, IOWA AND MISSOURI

House bill

No provision.

Senate amendment

The project on the Chariton River, Iowa and Missouri, is modified to require the Secretary of the Army to pay $700,000 to the Iowa Conservation Commission toward the cost of construction by the Commission of a fish hatchery for the purpose of restoring fish losses resulting from the construction of Rathburn, Saylorville, Coralville, and Red Rock Dam and Lake, Iowa.

Conference substitute—Section 102

This is the same as the Senate provision except that no payment is to be made until the Secretary of the Army has approved the plans for the fish hatchery.

KANSAS RIVER, KANSAS, NEBRASKA, AND COLORADO

House bill

No provision.

Senate amendment

The project for the Kansas River, Kansas, Nebraska, and Colorado, is modified to provide that the Secretary of the Army is authorized to relocate existing FAS 1343 crossing over the Vermilion Creek in advance of construction of the Onaga Lake project.

Conference substitute—Section 103

Same as the Senate provision.

STONEWALL JACKSON LAKE, WEST VIRGINIA

House bill

No provision.

Senate amendment

The Stonewall Jackson Lake project, West Fork River, West Virginia, was authorized

by section 203 of the Flood Control Act of 1966. Section 221 of the Flood Control Act of 1970 provides that non-Federal interests must enter into enforceable contracts to furnish the required items of local cooperation in connection with the water resources development projects constructed by the Corps of Engineers. This section provides that the requirements of such section shall not apply to any agreements between the United States and the State of West Virginia concerning this project and specifically authorizes the Secretary to enter into these agreements.

Conference substitute—Section 104

This is the same as the Senate amendment.

SOURIS RIVER, NORTH DAKOTA

House bill

No provision.

Senate bill

The project on the Souris River at Minot, North Dakota, is modified to authorize the Secretary of the Army to reimburse the designated non-Federal public bodies for the estimated additional cost being incurred by them for lands and relocations in the proposed channel realignment at the Third Avenue N.E. Bridge in Minot. Such reimbursable costs are not to exceed $200,000.

Conference substitute—Section 105

This is the same as the Senate amendment.

BRIDGE AT CHESTER, ILLINOIS

House bill

No provision.

Senate amendment

This section authorizes the States of Illinois and Missouri to contract individually or jointly with the City of Chester, Illinois, on or before June 1, 1974, to assume responsibility for operating, maintaining and repairing Chester Bridge and approaches thereto and lawful expenses incurred in connection therewith (exclusive of principal, interest, and financing charges on the outstanding indebtedness on the bridge and approaches). When such an agreement has been entered into, all tolls thereafter charged shall (except as otherwise provided) be used (1) to retire outstanding indebtedness on the bridge and approaches, and (2) credited to a sinking fund established for the bridge. Tolls are not to be charged after the outstanding indebtedness has been retired or sufficient funds are available through the sinking fund to pay off all outstanding indebtedness. If a State declines or cannot participate in the agreement authorized by this section, the other State may assume the responsibilities such State would have assumed under such an agreement. In that event, the assuming State shall be entitled to receive from tolls after provision is made for principal and interest payments on any indebtedness then outstanding on the bridge, as reimbursement, an amount of money (no less than annually), which is equal to the nonparticipating State's fair share of the operating, maintenance, repair, and other lawful costs incurred in connection with the bridge and its approaches.

Conference substitute—Section 106

Same as the Senate provision.

MUNICIPAL AND REGIONAL WATER TREATMENT FACILITIES

House bill

No provision.

Senate amendment

This section authorizes the Secretary of the Army after consulting with EPA to participate in the cost of constructing regional or municipal sewage treatment plant which will receive sewage from recreation areas and other facilities at Corps projects. Section 313 of the Federal Water Pollution Control Act authorizes Federal agencies to participate in construction of treatment facilities through reasonable service charges. This section authorizes the Secretary to make such contributions for that portion of the cost of constructing the sewage treatment plant attributable to the purpose of treating the sewage resulting from the operation of Corps facilities. Payment for such construction costs may be either in a lump sum or on an installment basis.

Conference substitute—Section 107

Same as the Senate amendment.

BIG SOUTH FORK OF THE CUMBERLAND RIVER, KENTUCKY AND TENNESSEE

House bill

No provision.

Senate amendment

Section 5(c) directs the Secretary of the Army, through the Chief of Engineers and in accordance with the national recreational alternative of the Interagency Report (Park Service, Forest Service, and Corps of Engineers), to establish a National recreation area on the Big South Fork of the Cumberland River in Kentucky and Tennessee for the purpose of preserving the natural values of the gorges and free-flowing rivers and streams and for the purpose of developing the area's potential for outdoor recreation. At such time as an administerable area has been acquired and construction of necessary roads, recreational, and administrative facilities completed, authority for management will be transferred to the Secretary of the Interior.

The project area is limited to 125,000 acres.

The Secretary is given the right to acquire property by donation, purchase, or by the use of eminent domain, so that the total area may be efficiently acquired.

Persons residing within the boundary of the project area are given the right to retain their property for their lifetime or for a term of 25 years at their election. Tenants residing upon property to be acquired are allowed to continue residence during their lifetime.

Minerals underlying the recreation area and which can be recovered by deep mining where the adit to such mine is located outside the boundary and where such mining will not disrupt the surface, can be retained for removal by the owner or owners subject to inspection and regulation by the Secretary.

Hunting and fishing are permitted within the recreation area, but subject to such regulations as the Secretary may issue to insure safety to other recreationists and compatibility with other recreation users.

For the purposes of administration the recreation area is divided into two distinct sections—the gorge area and the adjacent areas. Within the gorge area the removal of timber and minerals for commercial purposes is strictly prohibited. The natural values of the gorge area are paramount. The only improvements allowed in the gorge area are to be day-use facilities along the access routes into the gorge, restoration of historical sites, and primitive campsites for access by water. Several access routes are designated for improvement. These will furnish adequate access by motor vehicle into the gorge without diminishing natural values, since they are located in each instance along existing roadways. The bulk of the gorge area outside the access corridors will be accessible only on foot, horseback, or by canoe. Undesignated roads in the gorge will be maintained for foot and horseback use.

The designation of primary and secondary access roads into the gorge will furnish emphasis on balanced use of the gorge area.

Adjacent areas are available to a wider range of uses including the extraction of minerals, according to such regulations as the Secretary may prescribe to prevent interference with the recreational use of the area and to prevent injury to the area. Construction of family and group camping facilities, lodges, nature trails, picnic areas, and bridle paths in adjacent areas will enhance the recreational range of the area and will thus enhance the economic contribution of the project to the region.

Historical restoration will be assisted at Rugby and reconstruction of the Blue Heron mining community which is located on the Big South Fork near Devil's Jump will be undertaken by the Secretary.

The Secretary is commissioned to study possible uses of the abandoned O&W Railroad.

The Secretary is directed to study the transportation access to the recreation areas to establish an internal network of roads sufficient to supply ready access to the facilities of the recreation area. This section also provides that the Corps shall, with the assistance of other interested Federal agencies and with the State of Tennessee, formulate a comprehensive plan for improvement of the water quality of the New River.

The Secretary is charged to maintain the water quality of the Big South Fork and in the execution of this function shall cooperate with appropriate federal and state agencies.

In addition, this section provides for the payment to the counties of sums in lieu of taxes during the first years of the project.

The estimated cost of the project is $32,850,000. Of this sum approximately $14,000,000 will be necessary for the acquisition of lands, $500,000 for the acquisition of improved properties, and $18,350,000 for construction of improvements in the area.

Conference substitute—Section 108

This is the same as the Senate provision except for technical and clarifying changes.

SMALL STREAMBANK EROSION PROJECTS

House bill

This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to investigate, plan, and construct projects for the control of streambank erosion in the United States, its possessions, and the Commonwealth of Puerto Rico, when in the opinion of the Chief of Engineers, such projects are consistent with the objectives of sound flood plan management and will result in substantial public benefits through the provision of needed protection to public, residential, and commercial properties.

No single project may be constructed under this section if the estimated Federal first cost exceeds $250,000. An annual expenditure limitation of $10,000,000 is imposed. Appropriate non-Federal interests are required to furnish assurances that they will provide necessary lands, easements and rights-of-way, hold and save the United States free from damages due to construction, operate and maintain the projects after completion, and contribute 25 percent of the first costs of the project.

Senate amendment

No comparable provision.

Conference substitute

No comparable provision.

FLOOD PROTECTION PROJECT, ST. LOUIS, MISSOURI

House bill

Section 15 modifies the project for flood protection in St. Louis, Missouri, authorized by the Act of August 9, 1955, to authorize the Secretary of the Army, acting through the Chief of Engineers, to reconstruct the existing service and access roads along the line of protection so as to adequately carry present and anticipated traffic loads at an estimated cost of $1,300,000. No appropriation is authorized until engineering plans have been submitted and approved by the Committees on Public Works.

Senate amendment

No comparable provision.

Conference substitute

No comparable provision.

NEW RIVER, VIRGINIA

House bill

This section authorizes a study by the U.S. Army Corps of Engineers of possible recreational, conservation and preservation uses of the New River between its South and North Forks and the town of Fries, Virginia.

Senate amendment

No comparable provision.

Conference substitute

No comparable provision.

MANISTEE HARBOR, MICHIGAN

House bill

Section 5 of the House bill requires the Secretary of the Army, acting through the Chief of Engineers, to remove the sunken steamer Glen from Manistee Harbor, Michigan.

Senate amendment

No comparable provision.

Conference substitute

No comparable provision.

NONNAVIGABILITY—HUDSON RIVER, NEW YORK

House bill

No comparable provision.

Senate amendment

This section declares a described portion of the Hudson River in New York County, State of New York, to be not a navigable water of the United States within the meaning of the laws of the United States, and gives the consent of Congress, subject to the requirements of State and local law, to the filling in or all or any part of the area or the erection of permanent pile supported structures in the area.

Conference substitute

No comparable provision.

RAY ROBERTS,
HAROLD T. JOHNSON,
GLENN M. ANDERSON,
ROBERT A. ROE,
WILLIAM H. HARSHA,
GENE SNYDER,
DON H. CLAUSEN,
Managers on the Part of the House.

MIKE GRAVEL,
JENNINGS RANDOLPH,
LLOYD BENTSEN,
QUENTIN N. BURDICK,
WILLIAM L. SCOTT,
HOWARD BAKER,
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

SOLAR HEATING AND COOLING DEMONSTRATION ACT OF 1973

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 823 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 823

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee on the Whole House on the State of the Union for the consideration of the bill (H.R. 11864) to provide for the early commercial demonstration of the technology of solar heating by the National Aeronautics and Space Administration and the Department of Housing and Urban Development, in cooperation with the National Bureau of Standards, the National Science Foundation, the General Services Administration, and other Federal agencies, and for the early development and commercial demonstration of technology for combined solar heating and cooling, and all points of order against section 8 of said bill for failure to comply with the provisions of clause 4, rule XXI are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Astronautics, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

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

Mr. Speaker, House Resolution 823 provides for an open rule with 1 hour of general debate on H.R. 11864, a bill to provide for commercial demonstration of the technology of solar heating and cooling.

House Resolution 823 provides that points of order against section 8 of the bill for failure to comply with the provisions of clause 4, rule XXI of the Rules of the House of Representatives—prohibiting appropriations in a legislative measure—are waived.

H.R. 11864 provides $50 million over a 5-year period for the commercial demonstration of solar energy for heating and cooling residential and commercial buildings. The main purpose of the bill is to demonstrate the practical use of solar heating technology and to develop and demonstrate on a large scale the application of cooling technology.

Mr. Speaker, I urge adoption of House Resolution 823 in order that we may discuss and debate H.R. 11864.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think the gentleman from Texas, my colleague on the committee, has adequately explained the purposes of this legislation.

I think if there can be said to be any positive result from the current energy crisis it is that it has accelerated our interest in and desire to develop all alternative sources of energy, one of which is solar energy.

Frankly I was amazed in reading the report of the committee to find that despite the fact that the practical principles involved have been known for a long time, there is no operating experience of large commercial operations using solar energy, so obviously the two-stage demonstration program that would be provided for in this authorizing legislation is needed.

The bill was reported unanimously by the committee. I know of no objection to the rule. I enthusiastically support it and hope that the bill will be adopted.

Mr. Speaker, I reserve the balance of my time.

Mr. YOUNG of Texas. 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.

GENERAL LEAVE

Mr. TEAGUE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill presently being considered.

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

There was no objection.

Mr. TEAGUE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11864, to provide for the early commercial demonstration of the technology of solar heating by the National Aeronautics and Space Administration and the Department of Housing and Urban Development, in cooperation with the National Bureau of Standards, the National Science Foundation, the General Services Administration, and other Federal Agencies, and for the early development and commercial demonstration of technology for combined solar heating and cooling.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. TEAGUE).

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

Mr. ANNUNZIO. 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 248, nays 2, answered "present" 1, not voting 178, as follows:

[Roll No. 32]

YEAS—248

Abzug	Brooks	Daniel, Robert W., Jr.
Adams	Broomfield	Daniels, Dominick V.
Anderson, Calif.	Broyhill, N.C.	Davis, Ga.
Anderson, Ill.	Buchanan	Davis, S.C.
Annunzio	Burgener	Davis, Wis.
Archer	Burke, Fla.	de la Garza
Arends	Burke, Mass.	Denholm
Ashley	Burlison, Mo.	Dent
Badillo	Burton	Derwinski
Bafalis	Butler	Devine
Barrett	Byron	Dingell
Bauman	Camp	Downing
Bennett	Casey, Tex.	Drinan
Bergland	Chappell	Dulski
Bevill	Clark	Duncan
Biaggi	Clay	Edwards, Ala.
Biester	Cleveland	Ellberg
Bingham	Collins, Ill.	Esch
Blackburn	Collins, Tex.	Evans, Colo.
Boggs	Conable	Evins, Tenn.
Boland	Conte	Fascell
Bolling	Corman	Findley
Bowen	Coughlin	Fish
Brademas	Crane	Fisher
Brasco	Cronin	
	Daniel, Dan	

Flynt	McDade	Robinson, Va.
Foley	McFall	Robison, N.Y.
Fountain	McKay	Rodino
Fraser	Macdonald	Roe
Fuqua	Madden	Rogers
Gaydos	Madigan	Roncallo, N.Y.
Giaimo	Mahon	Rooney, Pa.
Gilman	Mallary	Rose
Ginn	Mann	Rosenthal
Gonzalez	Maraziti	Roush
Goodling	Martin, N.C.	Runnels
Grasso	Mathis, Ga.	Ruth
Green, Pa.	Matsunaga	Sandman
Gross	Mezvinsky	Sarasin
Grover	Miller	Sarbanes
Gude	Minish	Satterfield
Gunter	Minshall, Ohio	Sebelius
Guyer	Mitchell, Md.	Shipley
Haley	Mizell	Shuster
Hamilton	Mollohan	Sikes
Hammer-schmidt	Montgomery	Sisk
	Moorhead, Calif.	Smith, N.Y.
Hanley		Spence
Hanna	Moorhead, Pa.	Staggers
Hanrahan	Morgan	Stanton, J. William
Hansen, Wash.	Mosher	
Hawkins	Moss	Stanton, James V.
Hays	Murphy, Ill.	
Hébert	Murphy, N.Y.	Steed
Hechler, W. Va.	Natcher	Steele
Heckler, Mass.	Nedzi	Stokes
Heinz	Nix	Stratton
Helstoski	Obey	Stuckey
Hicks	O'Brien	Studds
Hogan	O'Hara	Sullivan
Holt	O'Neill	Symington
Howard	Owens	Taylor, N.C.
Hungate	Parris	Teague
Hunt	Passman	Thompson, N.J.
Ichord	Patten	Thornton
Johnson, Pa.	Perkins	Tiernan
Jones, Ala.	Peyser	Vanik
Jones, N.C.	Pickle	Vigorito
Karth	Pike	Waggonner
Kastenmeier	Poage	Walsh
Kemp	Podell	Wampler
Ketchum	Powell, Ohio	Whitten
King	Preyer	Widnall
Koch	Price, Ill.	Williams
Kuykendall	Price, Tex.	Winn
Latta	Railsback	Wolff
Leggett	Randall	Wright
Lehman	Rangel	Wydler
Litton	Rarick	Wylie
Long, La.	Regula	Yates
Long, Md.	Reuss	Yatron
McClory	Riegle	Young, Ill.
McCollister	Rinaldo	Young, Tex.
McCormack	Roberts	Zwach

NAYS—2

Jordan	Meeds

ANSWERED "PRESENT"—1

Mazzoli

NOT VOTING—178

Abdnor	Conyers	Hillis
Addabbo	Cotter	Hinshaw
Alexander	Culver	Holifield
Andrews, N.C.	Danielson	Holtzman
Andrews, N. Dak.	Delaney	Horton
	Dellenback	Hosmer
Armstrong	Dellums	Huber
Ashbrook	Dennis	Hudnut
Aspin	Dickinson	Hutchinson
Baker	Diggs	Jarman
Beard	Donohue	Johnson, Calif.
Bell	Dorn	Johnson, Colo.
Blatnik	du Pont	Jones, Okla.
Bray	Eckhardt	Jones, Tenn.
Breaux	Edwards, Calif.	Kazen
Breckinridge	Erlenborn	Kluczynski
Brinkley	Eshleman	Kyros
Brotzman	Flood	Landgrebe
Brown, Calif.	Flowers	Landrum
Brown, Mich.	Ford	Lent
Brown, Ohio	Forsythe	Lott
Broyhill, Va.	Frelinghuysen	Lujan
Burke, Calif.	Frenzel	McCloskey
Burleson, Tex.	Frey	McEwen
Carey, N.Y.	Froehlich	McKinney
Carney, Ohio	Fulton	McSpadden
Carter	Gettys	Mailliard
Cederberg	Gibbons	Martin, Nebr.
Chamberlain	Goldwater	Mathias, Calif.
Chisholm	Gray	Mayne
Clancy	Green, Oreg.	Melcher
Clausen, Don H.	Griffiths	Metcalfe
	Gubser	Michel
Clawson, Del	Hansen, Idaho	Milford
Cochran	Harrington	Mills
Cohen	Harsha	Mink
Collier	Hastings	Mitchell, N.Y.
Conlan	Henderson	Moakley
Myers	Schroeder	Van Deerlin
Nelsen	Seiberling	Vander Jagt
Nichols	Shoup	Veysey
Patman	Shriver	Waldie
Pepper	Skubitz	Ware
Pettis	Slack	Whalen
Pritchard	Smith, Iowa	White
Quie	Snyder	Whitehurst
Quillen	Stark	Wiggins
Rees	Steelman	Wilson, Bob
Reid	Steiger, Ariz.	Wilson, Charles H., Calif.
Rhodes	Steiger, Wis.	
Roncalio, Wyo.	Stephens	
Rooney, N.Y.	Stubblefield	Wilson, Charles, Tex.
Rostenkowski	Symms	
Rousselot	Talcott	Wyatt
Roy	Taylor, Mo.	Wyman
Roybal	Thomson, Wis.	Young, Alaska
Ruppe	Thone	Young, Fla.
Ryan	Towell, Nev.	Young, Ga.
St Germain	Treen	Young, S.C.
Scherle	Udall	Zablocki
Schneebeli	Ullman	Zion

So the motion was agreed to.

The result of the vote was announced as above recorded.

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. 11864, with Mr. VANIK in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. TEAGUE) will be recognized for 30 minutes, and the gentleman from Ohio (Mr. MOSHER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. TEAGUE).

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

Mr. Chairman, I will be very brief. This bill was reported out unanimously from the subcommittee, and it was reported out unanimously from the full committee.

Mr. Chairman, H.R. 11864 authorizes a program to demonstrate the technology of solar heating and cooling of buildings and water on a scale large enough to make possible the early commercial exploitation of this energy source. This is a 5-year, $50 million program managed by the National Aeronautics and Space Administration and the Department of Housing and Urban Development.

Solar energy is our only source of energy which is not bounded by the physical limitations of our planet's resources. Within mankind's time horizon it is inexhaustible in supply and infinite in quality.

Before going into the details of the bill itself, let me make a few comments on the technical and economic prospects for using solar energy. Solar energy is diffuse—around here the Sun provides a 24-hour average of about 17 watts per square foot. This means that to get very much solar energy, you have to collect it over a large area.

Yesterday a New York Times editorial was directed to this bill—which I would like to read in part and enter in full in the RECORD:

> The rays of the sun are man's oldest and most dependable source of energy. They are also the cheapest. It is astonishing that oil had to reach its current inflated price in order to compel serious atetntion to solar energy.
>
> The necessary technology for small-scale application is simple and already exists.
>
> To hasten wider use of solar energy in residential construction and to get serious research under way on its application in industrial and commercial use, the House of Representatives considers tomorrow a bill to establish a $50-million, five-year demonstration program. Performance standards for solar heating systems would be prescribed by the National Bureau of Standards, after which two thousand such systems would be installed in homes and monitored by the Government.
>
> Nearly 200 members of the House have introduced solar energy bills in recent weeks. It is clearly an idea whose time has come. By the end of the century, the clean energy of the sun may offer a permanent solution to the energy crisis.

This bill provides for a two-stage demonstration program. NASA will be in charge of contracting for the research, development, and manufacture of the equipment. HUD will manage the second phase; installation of the equipment, monitoring, dissemination of information, and related activities.

This demonstration program will include both residential dwellings and commercial buildings. The residential heating program is planned for 3 years; the residential combined heating and cooling for 5 years. The heating and cooling program for commercial buildings is expected to take 5 years.

Mr. Chairman, the bipartisan nature of support for this bill is illustrated by section 13, which was added during markup. Minority members of my committee, in particular, pointed out that the administration had proposed an Energy Research and Development Administration—ERDA. A measure establishing ERDA has since been passed by the House. Section 13 provides that the funding and responsibilities for this program shall be transferred to ERDA or any other energy R. & D. agency when and if such an agency is created.

H.R. 11864 authorizes $50 million for this 5-year demonstration program. We estimate that the costs of the program for fiscal year 1975 will amount to $4.5 million. This compares to a total fiscal year 1975 request of $50 million for solar R. & D., contained in the President's energy message of January 23 and the budget as submitted to Congress. Ten percent of the administration request for fiscal year 1975 would be needed for the purposes of this bill. The total funding level of $50 million is also consistent in terms of budget totals with the President's 5-year energy R. & D. program.

Mr. Chairman, I believe this bill is an important part of our national energy strategy. It does not require a lot of money, and it requires no radical breakthroughs in science and technology. It does, however, require careful attention to the development of new systems, and expert management to assure that the very tight timetable called for in implementing this new solar technology is adequately carried out. I urge the support of each Member of this body for H.R. 11864.

Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. MCCORMACK), the

chairman of the subcommittee, for an explanation of the bill.

Mr. McCORMACK. Mr. Chairman, H.R. 11864 authorizes a $50 million, 5-year program for the commercial demonstration of heating and cooling of residential, public, and commercial buildings and the heating of water, by solar energy. Such a demonstration of the economic practicability of solar heating and cooling is a necessary step in attaining the goal of widespread commercial production and marketing of solar heating and cooling systems. This is a demonstration program for solar energy for heating and cooling residences and public buildings, and to make it practical for use in millions of American homes.

Mr. Chairman, I should like to take this opportunity to congratulate the gentleman from Texas (Mr. TEAGUE), chairman of the Committee on Science and Astronautics, along with the ranking minority member, the gentleman from Ohio (Mr. MOSHER), and the ranking minority member of the Energy Subcommittee, the gentleman from California (Mr. GOLDWATER), for their support and teamwork in putting this bill together. This bill was unanimously reported from the committee as well as the full committee.

I should like also to congratulate Mr. Harry Thomason of Washington, D.C., who has been operating a solar home here in Washington, D.C., for a number of years. The subcommittee visited Mr. Thomason's home and gained insight into this legislation by the work that he has done.

Mr. and Mrs. Thomason are in the gallery today, and I am happy to see them here.

This is a two-stage demonstration program. The National Aeronautics and Space Administration (NASA) will be in charge of the initial phase, which will consist of contracting for the research, development, and manufacture in substantial numbers of solar heating and combined solar heating and cooling equipment. The second phase will be managed by the Department of Housing and Urban Development. It will include installation of the equipment, monitoring, and dissemination of information that results from the program.

The existing expertise and ongoing programs in the National Science Foundation, the National Bureau of Standards, the General Services Administration, and the Department of Defense will be utilized in support of the objectives of the demonstration.

The bill also provides for the establishment of a solar heating and cooling information data bank, managed by HUD, to assure adequate data acquisition storage, evaluation, and dissemination in areas relevant to the program.

Furthermore, studies and investigations of legal and other problems associated with widespread use of solar energy for heating and cooling will be undertaken. Increased ceilings on federally assisted mortgages and federally constructed housing will be provided for those buildings involved in the program.

Provision is made for adequate participation by small business firms.

Funding for the demonstration program will be transferred to any new agency having jurisdiction over all energy R. & D., such as the Energy Research and Development Administration, which recently passed the House, if, and when, such an agency is established by law.

This bill does not establish a national solar energy R. & D. program. It is a demonstration of solar heating and cooling technology, designed to prove that solar energy can be used for this purpose in the immediate future.

First of all, the bill enunciates specific goals for solar heating, and solar heating and cooling technologies. These goals are a demonstration of solar heating technology in 3 years, and combined solar heating and cooling technology within a 5-year period.

DEVELOPMENT OF RESIDENTIAL SOLAR HEATING SYSTEMS AND COMBINED SOLAR HEATING AND COOLING SYSTEMS

The responsibility for the development of solar heating systems and combined solar heating and cooling systems for residential dwellings is assigned to the National Aeronautics and Space Administration. NASA is expected to set up a project office which will contract for development, fabrication of prototypes if needed, and manufacture of the systems in substantial numbers.

A goal of 4,000 such units is established. The solar heating, and the solar heating and cooling hardware developed and contracted for by NASA must meet performance criteria established by the National Bureau of Standards. These criteria, due for publication 120 days after the enactment of the bill, establish the technical characteristics of the equipment. These characteristics, however, are not to be set in a vacuum. Rather, they are to dovetail with performance criteria, also established by the National Bureau of Standards, for the specific dwellings in which the equipment will be installed.

Furthermore, the National Bureau of Standards will be expected to carry out a design competition for houses that will be in compliance with the dwelling design criteria. This will provide a number of alternative detailed building designs available to individuals and builders that will be certified to meet the performance criteria for the dwellings. This will help assure the compatibility of the hardware systems with the dwellings themselves, so that the performance of the heating and cooling systems will be satisfactory under various climatological conditions.

It is expected that half the heating system and half the combined heating and cooling systems will be installed in federally owned or federally controlled housing. This will help assure a carefully structured and uniform installation, monitoring and evaluation program for a large number of the systems. Although the Department of Defense would be responsible for making arrangements for these installations, the legislation does not rule out participation by other agencies, such as the National Park Service, which have legitimate requirements for residential-type dwellings.

The other half of the systems would be installed in privately owned houses under arrangements made by the Department of Housing and Urban Development. After installation, ownership of these heating and cooling units will remain for a period of 5 years with the U.S. Government. During that time a program of monitoring and evaluation will be undertaken by the Department of Housing and Urban Development, utilizing the technical expertise of the National Bureau of Standards. After the monitoring and evaluation is completed, ownership will be transferred at no cost to the owner of the residential dwelling in which the equipment is installed, in return for his cooperation during the evaluation phase. Since these are all experimental systems, it seems only appropriate that the Federal Government should bear the cost of maintenance and repair while the monitoring and evaluation is underway.

COMMERCIAL PUBLIC BUILDINGS

NASA and HUD will carry out a program of commercial demonstration of solar heating and cooling systems in commercial buildings concurrently with the residential demonstration. It is expected that these projects will encompass varied types of buildings such as schools, industrial complexes, offices, agricultural structures, Government buildings and apartments. The General Services Administration will have a particular responsibility in this demonstration, since it is a major user of commercial buildings in this country. Furthermore, the National Bureau of Standards will be expected to participate in the commercial demonstration activities, utilizing its technical expertise in this area.

AMENDMENT OF THE NSF AND NASA ACTS

This bill amends the National Aeronautics and Space Act of 1958 and the National Science Foundation Act of 1950 so as to make clear the responsibilities of these agencies with regard to the objectives of the demonstration program. Furthermore, the amendments highlight the responsibilities of these agencies in maintaining research and development activities in solar heating and cooling techniques.

DISSEMINATION OF INFORMATION

Under the provisions of this bill, HUD is required to establish a number of programs to assure adequate dissemination of relevant information produced under this demonstration program. Each agency involved is under an injunction to describe its own activities in the annual report the agency makes to the Congress. Furthermore, HUD will have the additional responsibility of submitting a summary annual report to both the President and to Congress detailing all activities related to this demonstration program.

INFORMATION DATA BANK

H.R. 11864 also establishes a solar heating and cooling information data bank to be operated by HUD. This bank will have the responsibility of collecting,

reviewing, processing, analyzing, and disseminating information relevant to solar heating and cooling. The objectives of this operation, not expected to be large in terms of total budget, are to encourage the widespread utilization of information related to solar heating and cooling within the academic community, the building industry and trades, and the general public.

POLICY INVESTIGATIONS AND STUDIES

This legislation also charges HUD with the responsibility for studying, investigating, analyzing, and reporting on ways that building codes, zoning ordinances, and other laws and regulations would affect the potential widespread utilization of solar energy for heating and cooling. It would be expected that legal and institutional impediments to such widespread use would be carefully analyzed, and alternative recommendations put forth in order to cope with them. Examples of some of these specific issues which might conceivably come up during such studies include the legal problems associated with sun rights, and labor union jurisdictional issues.

INCREASED CEILINGS ON FEDERALLY ASSISTED MORTGAGES AND FEDERALLY CONSTRUCTED HOUSING

The bill provides for an increase in the ceiling on federally assisted mortgage loans to the extent that building costs are increased due to the installation of solar heating and cooling equipment.

Some federally constructed housing also operates under specific unit cost ceilings. Those ceilings are increased under the provisions of this bill to the extent of the increased cost resulting from the solar systems.

I should like to point out that these increased ceilings apply only to buildings that are incorporated into the demonstration program. They do not apply to solar heated or solar heated and cooled buildings that will be built by the Federal Government or under federally insured mortgage loans outside this demonstration program.

SMALL BUSINESS PARTICIPATION

Section 11 of H.R. 11864 requires all of the agencies participating in this demonstration program to take adequate steps to assure a realistic level of participation in the program by small business firms.

TRANSFER OF THE PROGRAM TO A NEW ENERGY AGENCY

The House of Representatives recently passed a bill establishing an Energy Research and Development Administration. Proposals have also come before Congress to centralize Federal Energy R. & D. activities into other permanent Executive branch organizations.

This bill provides that should such an agency be established by law, the functions of NASA and NSF under this bill would be transferred to it. The attempt here is to make certain that this demonstration program will be compatible with Energy R. & D. organizational alinements approved by the Congress, and to assure an integrated national effort in energy R. & D.

BUDGET AUTHORIZATION

Mr. Chairman, this bill contains an authorization of $50 million to carry out the objectives of the demonstration. This sum was arrived at by careful analysis of the expected costs over the 5-year period. We expect the obligations of Federal funds to be $4½ million during the initial year, fiscal year 1975, and rapidly reach a plateau of $12 or $13 million a year during fiscal years 1977, 1978, and 1979.

These costs will include the prototype development programs for both the heating and combined heating and cooling units; the purchase of the mass produced demonstration units for both solar heating and combined solar heating and cooling units; development and purchase of heating and cooling for commercial buildings; and the associated staff and overhead expenses related to the program.

I should point out that there are necessarily uncertainties associated with budget figures for a program such as this. These solar units, while they do not represent new technologies, will be the "first of a kind." This means that precise budget estimates, broken down by year and specific aspects of the program are difficult to make.

We hope that this amount of money will be adequate to fully fund the targeted 2,000 residential heating units, 2,000 residential combined heating and cooling units, as well as a significant demonstration program for commercial buildings. It is the intent of the committee, however, that if adequate funds are not available to purchase and install all of these units that they will be procured in smaller numbers. This reduced number of demonstration units should, nevertheless, be compatible with the objectives include demonstrating the economic and technical adequacy of these heating and combined heating and cooling units in numbers large enough to show beyond any reasonable doubt that the economics of solar heating and cooling are attractive to private risk capital and the home buyer. Only if we can demonstrate the commercial viability of these technologies will the demonstration be successful. On the other hand, I should like to emphasize that the goal of a total of 4,000 units for the residential dwellings is not sacrosanct. If an adequate demonstration can be made with a small number of units, this will be acceptable to the committee.

Mr. Chairman, my good friend, Bill Simon, Administrator of the Federal Energy Office, recently delivered an address before the National Association of Home Builders in Houston, Tex. He stated—and I quote:

> In the long run, technological development will solve our energy problems—in fact, I'll go even further: I think the search for new sources of energy may one day effect as radical an improvement in society as we know it today as did the industrial revolution in the society of its day.

The role which technology can play in solving the energy problem was also emphasized by the President in his energy message to the Congress of January 23. In calling for an 80-percent increase in energy R. & D. obligations in fiscal year 1975 as compared to fiscal year 1974, he stated that during the period beyond 1985 our country should also have explored the potential of resources such as solar energy.

I agree that we need a strong energy R. & D. program, one that is both comprehensive in scope and well financed. But solar energy, when utilized for heating and cooling buildings and heating water, can make an impact before 1985. But it can do so only if we have a mission-oriented, well-managed program with specific and tangible goals.

H.R. 11864 provides such an integrated approach to the development of the solar energy source.

Just yesterday, the New York Times ran an editorial entitled "The Oldest Source." It stated:

> To hasten wider use of solar energy in residential construction and to get serious research under way on its application in industrial and commercial use, the House of Representatives considers tomorrow a bill to establish a $50 million, five-year demonstration program. . . . It is clearly an idea whose time has come. By the end of the century, the clean energy of the sun may offer a permanent solution to the energy crisis.

This bill is a practical, concrete legislative initiative, providing for the development of an energy source which is clean, competitive, and viable both in the technical and economic sense. It demonstrates that the Congress of the United States can take responsible action in the energy R. & D. arena. Outside of certain nuclear energy programs, this is the first legislation specifically originating in the Congress that is designed to carry out an important and well-defined program to attain a specific goal for developing and utilizing a new energy resource. Instead of responding defensively and dealing with the negative aspects of the energy crisis, the Congress will, with this solar energy bill, take a positive step forward, exploiting a new source of energy, increasing energy production, moving toward national and individual self-sufficiency in energy, and protecting our environment, all at the same time.

This bill doesn't create any new agencies. It doesn't add to the Federal bureaucracy. What it does do is create a working team of existing agencies, drawing the best and most appropriate skills and jurisdiction from each, and setting out a mission—not to conduct more academic studies for the sake of studies, and not to build castles in the sky for some future society. Rather, we will get to work now to start solving a problem now to demonstrate to the utility manufacturing industry, to the building construction industry, to the home loan and mortgage industry, and to the average American homeowner that solar heating and cooling is feasible for use in American homes and buildings.

This program will cost $50 million over the next 5 years, or an avearge of $10 million a year. If, 15 years from today 5 percent of our homes and buildings receive 80 percent of their energy for heat-

ing and air-conditioning from solar energy, this will represent a savings of fuel equivalent to about 600,000 barrels of oil per day. At $10 a barrel, this would constitute a savings of $6 million a day, or about $2 billion a year for the people of this Nation. This savings will, of course, continue to grow indefinitely into the future, as we continue to use more and more of this inexhaustible, clean, free, energy.

Mr. Chairman, solar energy is secure energy. No person nor government can cut off our imports of sunshine. Solar energy imports do not add to our balance-of-payments problem. Solar energy can be made practical today for heating *and cooling* buildings. This bill provides us with the means to insure that practical development. All we have to do is get started. That's what this bill is all about.

Mr. CASEY of Texas. Mr. Chairman, will the gentleman yield?

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

Mr. CASEY of Texas. Mr. Chairman, I commend the gentleman as chairman of the subcommittee and the distinguished chairman of the full committee and the committee as a whole because the Committee on Science and Astronautics has rapidly reported this bill.

As the gentleman is aware I as well as many others introduced similar bills and the committee has brought forth a very conscientious and practical bill. The only thing I think we can be criticized for is not doing this sooner. The energy crisis I think has awakened all of us to the need for utilizing all sources of energy.

I wholeheartedly join the gentleman in the well in his remarks.

Mr. Chairman, as our Nation faces a growing energy crisis, we must face the obvious fact that our dependence on fossil fuels will be replaced to a very large extent by new sources of power for homes and industry. There is one obvious source of power about which scientists have been talking with optimism for decades.

It is a free source of power. One that is available in abundance to this Nation. And one which does not contribute in any way to the pollution of our environment. This source of power is the Sun.

While it would be misleading at this point to say that solar energy is the answer to our Nation's energy needs, the Sun undoubtedly holds promise as a major source of power for heating and air-conditioning in the not too distant future, especially in those many areas of our country which boast a high number of sunny days throughout the year.

How quickly solar energy becomes available to the American public depends on how rapidly research and development is done to determine what areas of the Nation are suitable for reliance on this still untapped power source.

Meager research already completed gives clear indication that in some parts of the country solar energy is not only feasible, but is already more economical than electrical power for heating and air-conditioning. As prices for natural gas, heating oil, and other present energy sources rise, solar energy may soon be competitive with those common fuels.

Those estimates are based on present experimental installation costs. With the needed research and development to make mass produced solar energy panels available to the public, the cost of using the Sun's energy can without question be reduced significantly. All that is needed is research and development.

That is the opportunity of Congress today as we ask for a 5-year program for a commercial demonstration of solar heating and cooling in both residential and business construction to accelerate the availability of solar energy to all Americans.

The $50 million cost of the proposed demonstration program will be a wise investment of the taxpayer's dollar in our goal to make our Nation independent in vital energy sources.

We should also take note that this program is not one of delving into the unknown. Solar energy has been proven in the vehicles that have made this country second to none in the exploration of space. Solar panels are already being manufactured in Japan, Australia, and Israel.

Under the plan we propose today, the expertise of our national scientific, economic, and housing agencies would be combined into a single effort.

The National Aeronautics and Space Administration would take the lead in the initial step of a two-phase program to develop the actual components needed to harness solar energy and convert it into heating and cooling for homes and businesses.

The Department of Housing and Urban Development will then take charge of the installation of the equipment, monitoring its performance and reporting the facts to the American people.

Support services will be provided by the National Science Foundation, the National Bureau of Standards, the General Services Administration, and the Department of Defense.

The American people would be encouraged to participate in the demonstration through increased limits for federally assisted mortgages to homeowners and businessmen willing to install solar heating and cooling systems.

The Solar Heating and Cooling Demonstration Act provides an excellent opportunity for public leadership, but in full cooperation with the private sector of our economy, to help bring about an end to any shortages in America's long-range energy needs.

I give my full support to this effort to develop solar energy, which eminent scientists of our Nation predict will one day supply at least one-third and perhaps three-fourths of this country's energy needs.

Mr. McCORMACK. Mr. Chairman, I thank the gentleman for his comments and respond that about 200 Members of this House have sponsored this bill or very similar bills. Of course we are happy to have this support.

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

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

Mr. GROSS. Can the gentleman tell the House approximately how much has been expended for this purpose in recent years?

Mr. McCORMACK. The National Science Foundation budget for this fiscal year is over $5 million for solar energy R. & D. for buildings. There has been a great deal of research going on in our universities and industries, and by individuals across the country. It is rather difficult to estimate the total research money that has been put into this area. There have been so many projects at so many places, utilizing different resources, that it is difficult to give an accurate answer.

Mr. GROSS. I noted a reference to $15 million in the report as being authorized for fiscal year 1973. Was that the appropriation for fiscal year 1973, does the gentleman recall?

Mr. McCORMACK. I am trying to. As I recall total solar R. & D., was about $13 million for fiscal year 1974. It was much lower than that in fiscal year 1973, of the magnitude of about $4 million, I believe.

Mr. GROSS. Approximately how much is to be authorized in this bill which will go for brick and mortar?

Mr. McCORMACK. About one-half the total, or thereabouts, for the units themselves, that is the heating and combined heating and cooling units themselves. The buildings, of course, will be built by private owners. The buildings will not be paid for by this bill; but the portion of the total funds for the solar heating and cooling units themselves is about half.

Mr. GROSS. Then this does not provide for construction of buildings and houses from the ground up but for the installation of units in certain test areas?

Mr. McCORMACK. The gentleman is correct. The sources of funding for constructing buildings which will be solar heated or cooled must come from sources other than this bill.

Mr. GROSS. I thank the gentleman for his answers and for his presentation of this subject.

Mr. SMITH of New York. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Mr. Chairman, I yield to the gentleman from New York.

Mr. SMITH of New York. Mr. Chairman, I would like to commend the gentleman and his committee for bringing this bill out. In January, I had the privilege of being in Australia, and I found that in Sydney our host has been heating his hot water for the last 15 or 18 years by solar heating arrangements. They had an electrical backup system, and their annual electric bill for hot water was $15.

Now, while that kind of system does not go as far as the units of heating and cooling that the gentleman's bill has in mind, the bill that the gentleman is introducing today is one that will go ahead with the practical installation of these units, which in many areas of the world have already proven out pretty well.

Mr. Chairman, I am familiar with the work of Dr. Thomason, and I would say that this must be a happy day for him, to see the Congress of the United States take this action.

Mr. McCORMACK. Mr. Chairman, I want to thank the gentleman from New York for his comments, and point out the fact that there has been commercial application for solar energy for the heat-

ing of water for home use. This use has furnished valuable knowledge for the subsequent developments that have been made for heating houses. Obviously, we can heat water for use in a water tap.

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

Mr. McCORMACK. Mr. Chairman, I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I want to commend the gentleman and the members of the subcommittee along with the ranking minority member for bringing this bill to the House. I am very proud to be a cosponsor of the legislation.

I know that the measure does provide special inducement insofar as federally assisted housing is concerned. I wonder whether any consideration had been given to requiring that we should incorporate a requirement for specifications and plans for Federal buildings so that they could accommodate solar heating and cooling in the event it becomes practicable to do so.

Mr. McCORMACK. Mr. Chairman, I think the gentleman's point is very well taken. The General Services Administration testified before our committee on this subject. We asked essentially the same question, and they indicated to us a very deep interest in providing for solar heating and cooling in public buildings and offices which are constructed for and by GSA. They testified that they intended to follow through on that interest, so we decided that it was probably not appropriate to write such a requirement into law, but to encourage them to proceed with their present program.

Mr. McCLORY. Mr. Chairman, I gather then it would be possible for GSA to impose such a requirement on such plans?

Mr. McCORMACK. I am sure GSA would do that. They have several buildings under construction now which probably will be solar heated.

Mr. McCLORY. Mr. Chairman, I gather that it would not be appropriate in this legislation to provide tax inducements for installing solar heating, but I judge that the gentleman supports such legislation before another committee of the House; is that correct?

Mr. McCORMACK. Yes, I very definitely would support legislation not only to provide tax incentives, but also mortgage incentives for solar heating and cooling of buildings. Obviously, however, that cannot be done by this committee.

Mr. McCLORY. Mr. Chairman, every day the Sun floods the Earth with enough heat and light to supply the whole world's energy needs many times over. While our thermostats are turned down, while we wait in line for gasoline, while we share the deep concern of all Americans about the rapid depletion of available energy sources we have at hand an unfailing source in the Sun.

The Nation looks to Congress for leadership. H.R. 11864 will provide that leadership in the field of energy research and development using the Sun's power.

There are already many individuals across the country who have designed, built and are living in homes and offices that are solar heated and cooled. Many more would like to be living that way.

New construction is still utilizing our traditional methods of heating and cooling and is dependent on fossil fuels and oil for heating. We know those supplies are dwindling as the demand for them increases.

Now is the time for us to throw our energies in another direction. H.R. 11864 is a step toward the full utilization of the Sun's energy for mankind. And it is a step forward for Congress to support this legislation and provide the impetus for research, development, and utilization of solar energy as a solution to our country's energy dilemma.

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

Mr. McCORMACK. Mr. Chairman, I yield to my colleague from Washington.

Mr. MEEDS. Mr. Chairman, I just want to take this time to commend the gentleman from Washington for his sponsorship and authorship of this legislation, and also the subcommittee and particularly the gentleman from Washington for his tenacity in following very doggedly this fine legislation to assure its passage.

Mr. Chairman, I am proud of him as a fellow Washingtonian. I am proud to be a cosponsor of this act.

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

Mr. McCORMACK. Mr. Chairman, I yield to the gentleman from Missouri.

Mr. SYMINGTON. Mr. Chairman, I rise in support of H.R. 11864, the Solar Heating and Cooling Demonstration Act of 1973, now being considered by the House. This timely legislation is, I believe, essential to the prompt development of solar heating and cooling technology which could be commonly used in homes and office buildings. While the generation of electricity from solar energy is many years away, use of solar energy for heating and cooling could soon become a reality. As you may know, at the present time there are only about 30 solar-heated buildings throughout the world, and each one of these systems is custom built. Solar heating technology is not now available on a commercial basis. In the past, with the cost of fossil fuel being quite low, it has not been attractive for industry to develop such technology or worth the bother for individuals to install it. Until now research on solar energy has been left to scientists in exotic laboratories or do-it-yourselfers working in basements or garages.

However, recently we have become acutely aware of the limits of our fossil fuels, and the price of those fuels has begun to reflect that scarcity. As fossil fuel becomes increasingly expensive, solar heating technology becomes competitive with traditional heating and cooling systems. So it is time to get the technology on line which will enable Americans to take advantage of this unlimited energy source, saving our precious fossil fuels for processes which cannot do without them—like our petrochemical industry.

This legislation provides the nudge and incentive necessary to make industry and the marketplace aware of the advantages of solar heating and cooling systems. It orchestrates as a cooperative venture of a number of Federal agencies the early commercial development of solar heating and cooling technology. During the 5-year life of the act, a 3-year time frame is set for the development of solar heating on a large scale; the full 5 years is allotted to the demonstration of combination solar heating and cooling systems to be used not only in homes, but in commercial buildings, factories and industrial buildings. The total cost of these programs over the 5-year period, including installation of approximately 2,000 mass-produced solar heating units and 2,000 mass-produced solar heating and cooling units in residential buildings, will be $50 million. It seems a small investment to make in an energy system which will put us well on our way to energy independence.

The expertise of the National Science Foundation, the National Bureau of Standards, the National Aeronautics and Space Administration, the Department of Defense and the Department of Housing and Urban Development will contribute to making a reality of this practical legislative proposal for the development of an energy source which is clean, competitive and viable both technologically and economically. I urge my colleagues to join in the unanimous support this bill received in the House Science Committee.

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

Mr. Chairman, I submit that H.R. 11864, the Solar Heating and Cooling Demonstration Act of 1973, is commonsense legislation, very much needed and long past due.

I also assure this House that this bill has enthusiastic bipartisan support in our Science Committee. There was no opposition in the committee, and I believe practically all the members are on it as cosponsors.

Therefore, I am in full support of H.R. 11864 and I associate myself with the remarks of Messrs. TEAGUE and MCCORMACK, chairman of the full Science Committee and Energy Subcommittee, respectively. I especially compliment MIKE MCCORMACK for his vigorous, creative initiatives in perfecting this legislation, as well as TIGER TEAGUE for his support of all our efforts in this area of energy related research development and demonstration. Several of us on the minority side of our committee are proud to be working closely with them. It is a team effort.

Mr. Chairman, for many years this country has been on the threshold of developing solar energy as an alternative source of fuel. But as a nation we have been constrained in our energy research by a set of priorities that has directed billions of dollars into nuclear fission as well as a number of other areas, while clearly neglecting power from the sun.

The fact is, however, that despite our neglect, research into this resource has not only surived but succeeded. Although there have been no historic breakthroughs, the scientific community has convincingly established the solar power is practical, and much closer to reality in quantity than most Americans would suppose.

Clearly, the potential is enormous. Some scientists point out, for example, that the solar energy received in just 1 day of sunlight on the surface of Lake Erie, on which the district I represent borders, is equal to all the energy consumed by Americans in 1 year. That is hard for me to comprehend or believe, but it is a claim that dramatizes how immense are the possibilities, the probabilities for solar energy, at that point when we learn to convert it efficiently on a mass scale.

Furthermore, much of the technology needed to utilize this nonpolluting source of power is nearly at hand. In fact, the consensus is that there are no major technical barriers to the widespread application of solar energy to meet U.S. energy needs, to the degree contemplated in this legislation.

First, however, a convincing demonstration of the economic feasibility of solar heating and cooling is a necessary step. Once the viability of this concept has been established, the last hurdle will have been crossed in achieving the goal of widespread commercial production and use of solar systems for millions of American homes.

Mr. Chairman, it should be recognized that H.R. 11864 does not establish a comprehensive national plan for a solar energy R. & D. program. Instead, the bill is designed to serve as the all-important catalyst in the transition from the research and developmental stage to the large-scale practical application of solar energy technology.

Our bill, which authorizes $50 million over a 5-year period, is aimed at a commercial feasibility demonstration of solar energy for heating and cooling for both residential and small to medium sized commercial buildings. With this funding, the Federal Government will be exerting the necessary leadership to make solar power for warming and air conditioning homes and offices commercially available within 5 years.

However, Mr. Chairman, as ranking minority member of the Science Committee, for the record and for purposes of accuracy and fairness, I believe I have an obligation to point out that the administration is officially opposed to this bill.

The administration assures us of its vigorous support for the objectives of this solar energy plan. It likes and approves what we are attempting to accomplish here, it wholeheartedly agrees that the Federal Government should take an active leadership role in encouraging the commercial development of these new energy technologies. I believe it does not quarrel with the $50 million authorization we propose.

But the administration's objection is aimed at the organizational arrangements which H.R. 11864 would provide. The Office of Management and Budget argues that the best long-term organizational home for solar energy development and demonstration would be in the proposed ERDA, Energy Research and Development Administration, which already has been approved by the House, but not as yet by the Senate.

So, OMB has urged that we delay action on this bill until ERDA comes into being.

Frankly, Mr. Chairman, I do not consider that a convincing argument for delay. I believe our plan in this bill can easily and effectively be coordinated into any future ERDA or other possible reorganization plan for energy-related R. & D.

Therefore, I urge that we should not now wait, but should approve now, today, this very much needed initiative in H.R. 11864.

Also, for the record, I must report that representatives of HUD, the Department of Housing and Urban Development, have expressed to me their doubts and confusion as to just how and where they would receive the funds to support their very important role as contemplated in this legislation. They wish those funding arrangements could be clarified and specified in this bill before it is voted.

I understand HUD's desire for such clarification. But I suggest HUD is being just a bit timid in that regard. We are trying to encourage aggressive, vigorous leadership here, and we believe this bill as it is before us today would provide adequate authority for the indicated agencies, including HUD, to perfect the necessary financial arrangements, and to budget for the needed funds and persuade the Appropriations Committee to provide those funds.

However, Mr. Chairman, I am glad to go on record here as suggesting that HUD should quickly and clearly express to involved Members of the other body, its felt need for clarification of the financing arrangements in support of this program. In other words, as soon as the House approves this bill today, as I believe we surely will, then certainly HUD representatives should be explaining their needs to the Senators who are interested in this on the other side of the Hill. There is no good reason why more and acceptable specifics on that score cannot be written into the bill in the other body and accepted later by this House.

Mr. Chairman, H.R. 11864 provides for a two-stage demonstration program with the National Aeronautics and Space Administration having the responsibility for the initial stage. This stage will consist of contracting for the research, development, and manufacture of solar heating, and combined solar heating and cooling systems.

The second stage, which includes overall responsibility for installation of the solar heating and cooling equipment in addition to monitoring and disseminating design information, will be under the control of the Department of Housing and Urban Development.

The solar heating systems actually manufactured are to be installed half in Federal and half in private residential dwellings. Installation in the Federal dwellings will be carried out under arrangements made by the Secretary of Defense. The Secretary of Housing and Urban Development will arrange for installation in privately owned and occupied residences. Ownership of the actual heating systems will remain with the U.S. Government during the trial period after which title to the equipment will be transferred at no charge to the owner of the establishment.

The assignment of responsibility as well as the carrying out of the program for the combined heating and cooling demonstration effort for residential dwellings is similar to that for the heating program. In addition, the solar heating and cooling demonstration projects for commercial buildings—for example, school, office, industrial, and apartment structures—will be carried out concurrently with the residential heating and cooling program.

Mr. Chairman, I am highly enthusiastic over the farsighted proposal embodied in H.R. 11864. I feel strongly that the concept of harnessing sunshine to reduce man's dependence on scarce and polluting fuels is no longer a matter of wishful thinking. There is simply no limit to where solar energy technology might advance when we consider the abundance of solar radiation. I am impressed by the modesty of such predictions that in 50 years solar energy will be supplying 25 percent of all the U.S. energy needs.

It must be recognized however that harnessing this energy will require a significant effort and commitment. Certainly, thus far we have made only a hesitant beginning. But with the proper recognition given by the Federal Government to the potential of solar energy this Nation will have taken a major step in launching what some energy futurists are referring to as the "sun age."

A firm assertion of a national priority for energy R. & D. is needed to engender the public confidence needed to assure private industry of both public acceptance and a market for solar energy cooling and heating systems. Obviously, there is little time to lose. I therefore ask my colleagues to join with me in providing this measure their fullest support.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. ESCH).

Mr. ESCH. Mr. Chairman, I am pleased to rise today in support of H.R. 11864. As one of the original sponsors of the legislation, I am particularly pleased that it has proceeded so quickly through the process of hearings, committee markup and scheduling for floor debate. The relative speed with which it was considered is, I believe, an indication of the need to act now to solve our long-range energy needs.

The gentlemen before me have adequately explained what this legislation does, and this needs no further elaboration. I would, however, like to briefly stress two points:

First, there has been much talk about the fact that the energy crisis is not real,

that there are huge reserves of fossil fuels in the world and that the problem is one of distribution or that it is an attempt by the oil companies to increase profits. Perhaps we will never know exactly what was the cause of the energy crisis, how much of it was real and how much contrived. However, I think it is important to recognize that whatever our reserve of fuel, whether domestically or abroad, that reserve is finite in nature. It will be used up. If the energy crisis is not real today, it will be 5 years from now, or 50 years or 100 years. Congress is often criticized for not being a prospective body, of never looking ahead to solve a problem before it reaches crisis proportion. Indeed, I have been among those most vocal in this regard. Today, we are considering legislation which hits to the heart of that criticism. It offers us an alternative energy source—an energy source which is environmentally desirable and an energy source which greatly decreases our dependence on finite fossil fuel, whether they be domestic or foreign.

Second, I would like to stress that this legislation brings us into the application phase of solar energy. H.R. 11864 does not set forth a comprehensive national solar energy R. & D. program. The basic R. & D. has already been done. Rather, it accomplishes the very important and timely "next step" required to implement the large-scale, practical use of solar energy in the immediate future. Solar heating and cooling of buildings is now ready for commercial exploitation. A commercial demonstration of the economic viability of solar heating and cooling is a necessary step in attaining the goal of widespread commercial production and marketing of solar heating and cooling systems for millions of American homes and offices.

Mr. MOSHER. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. CRONIN).

Mr. CRONIN. Thank you.

Mr. Chairman, I have been very privileged as a freshman to serve on this committee under the able leadership of TIGER TEAGUE and MIKE MCCORMACK and our ranking minority Member, Mr. MOSHER. It has been a unique opportunity to learn a great deal about solar heating and the other forms of energy on which we are working and also to provide some input as to where we will go in the future.

Mr. Chairman, it is very apparent to me that the hope of mankind lies not in fossil fuels but in the development of nonconventional sources, solar heating and cooling being but one of them.

In fact, solar energy has one of the greatest possibilities for development and implementation in the shortest space of time. In 40 minutes, the Sun beams to Earth as much energy as mankind uses in a year. Solar energy is free, endless, and has no negative impact on the environment. The potential of the Sun as an energy source is virtually unlimited—it awaits only the development of efficient systems to put to use the technology we already possess.

We need the energy approaches and the improvements in the systems approaches to the pieces of hardware we have already so that we can develop them into usable, economical means of power and energy for the benefit of our country.

The Solar Heating and Cooling Demonstration Act requires the National Aeronautics and Space Administration and the National Science Foundation, both agencies experienced in the field of energy research, to combine all known technology and experience in the field of solar energy to develop a demonstration program to produce dependable and economically feasible solar heating and cooling units. This bill will result in a coherent and highly successful program which maximizes solar energy development.

As we embark on this new energy age characterized by the harnessing of the energy of the Sun, the Congress has to provide the leadership necessary for this Nation to become energy self-sufficient.

I am very disappointed to have heard of the OMB dispute, because if there is one lesson to be learned as to why we have an energy crisis on our hands today, it is the fact that decisionmakers have given up our lead time. Thus, we find ourselves confronted with a problem with no time in which to react to it. I think we should learn from the mistakes of the past and really face up to the fact that we have to get on with this today; not next year or next month, but today.

I hope my colleagues will join with me today in support of this bill so that it will become the law of the land as soon as possible.

Mr. MOSHER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Kansas (Mr. WINN).

Mr. WINN. Mr. Chairman, I would like to add my support to H.R. 11864, the Solar Heating and Cooling Demonstration Act of 1973.

The current energy situation demands that we as a nation take every possible step to alleviate the impending crisis. The legislation now before us, H.R. 11864, is a comprehensive, well-conceived approach toward implementing an alternative approach to our present energy capabilities.

Mr. Chairman, last weekend many of us on the Science and Astronautics Committee took a trip to Huntsville, Ala., where we saw a part of a demonstration home being built in that area in which solar panels were being installed between the rafters.

We asked to be invited back at a later date so we could see the final tabulations and the computer systems that are analyzing the amount of input in that solar home in Huntsville.

We hope that all Members of Congress, not only on the Committee on Science and Astronautics, but also all of the other committees, will have an opportunity to visit the solar demonstration home in Huntsville under the jurisdiction of NASA, so that all can see that we really have a solar demonstration plan going on at the present time in actuality in a home.

Mr. Chairman, H.R. 11864 will direct currently diffused agency activities in the solar heating and cooling area into a unified national effort. It will expedite research, development, and design work, and will ultimately result in a substantial, viable demonstration program involving several thousand residential and commercial buildings. All this will be accomplished within 5 years.

The proposal will also provide a strong stimulus to both manufacturers and users, hopefully leading toward the widespread application of this concept in the years to follow. The long-range goal is to apply solar energy and technology to the bulk of the Nation's requirements for space heating and cooling—requirements that now consume over 25 percent of our annual energy budget. In turn, every system which can be converted to use this free and limitless source of energy will release conventional fuels for other purposes.

Although the bill is designed to provide for the development and demonstration of solar systems for both residential and commercial buildings, it might be interesting to document the estimated savings which will accrue from the use of solar energy in the home alone. Even the most conservative forecasts indicate that if the majority of homes in the United States were to become wholly or partly heated by solar energy systems, from 20 to 60 percent of the energy now consumed in the home could be saved.

Such predictions have even been borne out in the few dozen solar-heated homes which are now in existence. In the Washington, D.C., area, in fact, a large-sized otherwise conventional residence paid a heating bill for last year for one full winter of $4.65. Obviously, if this kind of system can be produced and installed on a mass-production basis, the United States will be well on its way toward creating the type of energy self-sufficiency which the President has spelled out as a national goal.

The bill itself provides for a 3-year demonstration program involving the installation of prototype solar heating units in private residences as well as residences on Federal property. A number of additional residences will be outfitted with a combined solar heating and cooling unit which will be developed and demonstrated over a 5-year period. In addition, there will be a comparable 5-year demonstration program directed to the solar heating and cooling of commercial buildings, including apartment houses, factories, office buildings, schools and colleges. Mobile homes and agricultural facilities are also included under the bill which will allocate a total of $50 million for the nationwide program.

Mr. Chairman, I personally feel that it is time we recognize the need for this country to bring its "energy account" back into balance. Unless we begin to draw upon the storehouse of solar energy, our "account" will always be in danger of bankruptcy due to our continuing exhaustion of reserves of fossile fuels. Clearly, the Sun is the only answer, not only because it represents an en-

ergy source more permanent than even the planet Earth itself, but also because it does not generate the waste which contaminates our air and water.

So far our country has paid very little attention to the possibilities of utilizing solar energy on a more meaningful scale. So far it has not been practical.

I am personally convinced, however, that it is time that this Nation, which is the world's biggest energy user—and which will feel the pain first and worst when the shortages become even more acute—started taking solar energy more seriously. The legislation now before us represents a positive and imaginative step in the direction of the large-scale harnessing of solar energy. I, therefore, encourage my colleagues to join with me in offering their support for this measure.

Mr. TEAGUE. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, I rise in strong support of H.R. 11864, the Solar Heating and Cooling Demonstration Act. This bill will help to establish a new industry, with an impact that will be felt for many years. As a member of the Committee on Science and Astronautics as well as its Energy Subcommittee, I am especially pleased with the bill's inclusion of a well-structured approach to this demonstration phase. This is necessary for a successful beginning to commercial use of solar heating and cooling systems. I am also pleased to note the emphasis on universities and colleges, both in this bill and in present National Science Foundation solar funding. It is these aspects of the bill that I wish to expand on more fully in the following.

In my own district in Texas, we have an abundant supply of solar energy and the leaders there know it. Recently I received a copy of a formal report to the city of Austin from its energy study commission which noted the exceptional potential savings that could be expected in that city with future low-cost solar collector systems. The study commission urged the city to collect further information for homeowners and to begin further investigation of implementation in city facilities. I support this forward-looking activity and am very hopeful that this present bill with its solar energy information data bank will prove helpful to numerous cities like Austin across the country. Solar energy is one resource available in abundant supply to us all.

I was pleased to note that the National Science Foundation announced last month the awarding of four contracts for retrofitting four schools across the country; one in Virginia was discussed at length on Saturday, February 2, in the Washington Post. I have been contacted by a group of students at the University of Texas hoping that they could also build a solar heated and cooled cooperative dormitory. I express my support for this endeavor. And the point is that it is obvious that there is great public interest in the subject of solar energy.

The present solar energy funding is almost entirely through the National Science Foundation. During the present fiscal year, this country will obligate approximately $14 million for solar energy with approximately $6 million for solar heating and cooling. Although this number is up dramatically from 1970 when we were spending almost nothing on solar research, the numbers will continue to increase—with a reported request from the administration of $50 million for the next fiscal year. Although we do not yet know the breakdown on the National Science Foundation portion of this budget, it is safe to say that the largest share will be assigned to solar heating and cooling, and that it will be rather larger than the amount proposed for the first year of the present bill, which has been estimated in the legislative report at less than $5 million for the first year. Thus the present bill is not a great dislocation in the present level of effort, and only directs the effort more into the demonstration and commercial area, as recommended by almost all of the witnesses before the committee.

And there is a continuing role spelled out in the bill for the National Science Foundation. I am very pleased to see that the present bill is building on an excellent frame of underlying research built up in the last several years by NSF, and which will continue, not only in solar heating and cooling, but also in the allied areas of photovoltaics, central station solar electric power, wind power, various biological conversion methods, and ocean thermal systems. I am sure we are all looking forward to other bills in the future which can take these areas from the research stage into commercial reality as we are proposing with the present bill for solar heating and cooling.

The roles of our schools and colleges are further noted in H.R. 11864 in their inclusion in the commercial buildings portion of the present bill. I believe this to be an especially appropriate means of demonstration, because of the broad exposure which they will receive, but also because we must begin training our future leaders in more economic utilization methods.

Another method of gaining the most rapid possible public acceptance is through the architectural design competitions which are called for in this bill. The National Bureau of Standards is directed to establish these competitions which might be run by the American Institute of Architects, but which are, however, to be open to all qualified participants. The bill specifically allows for student entries, and this again is highly appropriate as a means of educating the future leaders of this profession, and who even now are enthusiastic supporters of this important source of energy. The bill calls for two design competitions—one each for the two distinct phases of the bill; first, solar heating and then combined solar heating and cooling. This is highly appropriate, since the latter phase is not yet as ready as the former, which, all witnesses agreed, needs no further technological advance.

The second design competition will thus be able to draw on the greater fund of knowledge developed both under the present bill as well as ongoing NSF work. Both competitions will serve two purposes: First, it will serve to alert, as well as educate, the architectural community to this forthcoming technology; but second, it will provide a valuable source of ideas for future builders and other architects.

We all realize there may be some administrative problems with this program, assuming passage of the ERDA legislation. We have been assured by all agencies concerned, however, that this work will go forward with even greater emphasis in the future.

In summary, I believe that the bill should be passed—and even made stronger. I have concentrated on the role of the National Science Foundation, our schools and colleges, and lastly of the architectural profession. However, there are many other important reasons for the passage of H.R. 11864, as we are all well aware. Not the least of these are the economic, and national security aspects of the bill, which some of my colleagues may touch on. I reassert my hopes for rapid passage of this bill, and I commend Congressman TEAGUE, Congressman MOSHER, and particularly Congressman MIKE MCCORMACK for their leadership in bringing this bill to us today.

Mr. TEAGUE. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. LONG).

Mr. LONG of Maryland. Mr. Chairman, I thank the gentleman from Texas for yielding me this time.

Mr. Chairman, there are those who believe that coal and oil and even nuclear energy will become prohibitively expensive in a century, or even much sooner. Solar energy, if properly developed, may offer a virtually unlimited and pollution-free supply. Maryland's Chesapeake Bay alone absorbs more energy from the Sun every day than the entire Nation presently consumes in an entire year.

Federal involvement in solar energy research has increased in recent years. I am happy to report that the Timonium Elementary School in my Baltimore County district was one of four schools recently selected by the National Science Foundation for installation of solar collectors, to provide heating and hot water. The target date for completion of installation is early March.

The real test of the advancement of solar heating and cooling will come with an extensive field test in our homes and places of business throughout the Nation. The Solar Heating and Cooling Demonstration Act, which I have cosponsored, will allow $50 million for four thousand experimental solar units for both residential and commercial use.

It may take years—even decades—to overcome the scientific hurdles that lie ahead in the development of solar energy. All the more reason to start now.

Mr. Chairman, I urge the passage of H.R. 11864, and I commend the chairman of the Committee on Science and Astronautics, the gentleman from Texas (Mr. TEAGUE) and the chairman of the

subcommittee, the gentleman from Washington (Mr. McCORMACK) for their farsighted and timely piece of legislation.

Mr. MOSHER. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. PARRIS).

Mr. PARRIS. Mr. Chairman, I appreciate this time being yielded to me by the ranking minority member of the Committee on Science and Astronautics, the gentleman from Ohio (Mr. MOSHER).

I rise, as one of the cosponsors of this legislation, in strong support thereof, and I would like to associate myself particularly with the remarks of the distinguished chairman of the subcommittee, the gentleman from Washington (Mr. McCORMACK) in urging the passage of this legislation.

Mr. Chairman, as the House of Representatives considers H.R. 11864, the Solar Heating and Cooling Demonstration Act of 1973, I should like to bring to the attention of my colleagues certain provisions of this legislation that underscore the need for continued research in solar energy.

H.R. 11864 provides for the early commercial development and demonstration of solar heating and combined solar heating and cooling technologies. The bill provides for a number of demonstration units in each of these two categories with the aim of the program to stimulate the mass production of solar energy units.

But I believe we must not be content with merely the commercial development and demonstration of this technology. While these steps are necessary to gain public acceptance for the use of solar energy, we must also continue a vigorous program of research on the components and key subsystems to be used in the actual heating and cooling systems. Until we have advanced the state of the art to the appropriate point by making the solar system as efficient, economical, and long-lasting as the more conventional heating and cooling systems, private industry will be reluctant to enter into production of such systems with the individual consumer equally reluctant about purchasing the product in spite of any beneficial impact on our limited supplies of fossil fuels.

At the present time, the National Science Foundation, which the administration has designated as the lead agency for solar energy research, is managing a $13.2 million solar energy program. For fiscal 1975, the President has requested $50 million for NSF's solar research effort. The confidence in the Foundations' ability in this important area is clearly expressed by this 375 percent increase in the National Science Foundation's solar energy budget.

Closely related to the present NSF effort is section 8 of the bill which would authorize the Foundation to initiate and support basic and applied research relating to solar energy development. This provision is designed to tie the effort proposed in the present bill directly to NSF's existing program of basic research. The research effort under H.R. 11864 is then in turn carried into the development phase by assignment of this responsibility to NASA, or, under the provisions of section 13—to the Energy Research and Development Administration—ERDA—or an ERDA-type agency which the Congress might establish.

In conclusion, Mr. Chairman, the House is to be commended for taking prompt action on one of the most significant energy bills to come before this body. To encourage the development of solar and other nonconventional energy sources is to come to grips with meaningful potential solutions to our present energy crisis. To recognize the role of NASA and NSF in basic solar research is to assure a unified and coherent Federal research effort in an energy area which I feel holds the greatest hope for the future. I ask my colleagues to join with me in my enthusiastic support for this measure.

Mr. MOSHER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from North Carolina (Mr. MARTIN).

Mr. MARTIN of North Carolina. Mr. Chairman, roughly 10 billion years ago we began to receive the benefits of irradiation from the Sun. Today, we seek to improve the efficiency by which we convert that primal energy source to our direct use. Consequently, I join with the other members of the Science Committee in offering my full support for H.R. 11864, the Solar Heating and Cooling Demonstration Act of 1973. I would also like to compliment both our committee chairman and Chairman McCORMACK of the Subcommittee on Energy for the outstanding leadership they have provided in bringing this bill to the floor.

Mr. Chairman, solar energy is a natural resource that has yet to be fully exploited in the United States. In most of this country, enough solar energy falls on the roof of a single residential dwelling or commercial building to supply energy for all of its heating and air-conditioning requirements on a year-round basis. It has not been exploited for two reasons—the previously low cost and availability of more conventional energy sources, and the lack of a developed technology. Now that energy is becoming more expensive, however, and we are threatened with shortages, it is important that we advance solar heating and solar cooling technology to take full advantage of this free resource.

I think that we should also recognize that as exotic as harnessing the Sun may sound, in several parts of the world solar energy is routinely used for heating water as well as living spaces. Particularly in warm climates, the performance required of such systems does not necessitate advanced technology. Thus, even the relatively crude and home-fashioned designs which are now in operation are sufficient to provide a substantial assist in home heating requirements. Almost a decade ago solar hot water heaters were common in Florida, but displaced by cheap fossil fuels.

Improved concepts are required, however, if we intend to develop systems for colder climates, and major advances are called for in order to use solar energy to provide air conditioning. The reason for this progression is that succeeding steps require higher temperatures. Heating water 140° F. may be adequate for milder climatic requirements, but 200° F. may be necessary to efficiently operate an air-conditioning unit.

Serious consideration of utilizing solar heating and cooling in this country was initiated following a study performed by NASA and NSF in late 1972. Since that time over $5 million has been committed for solar heating and cooling technology by these two agencies. NSF is performing a broad-based research and technology effort while NASA has established a standardization testing capability plus building a small home demonstration unit and planning a prototype system "pilot plant" test complex that will supply some of the energy requirements of a new office building.

Mr. Chairman, I am personally convinced that H.R. 11864 is the next logical step in the development of this valuable national capability. This legislation is designed to provide the booster to begin the transition from technology to application. The bill recognizes the fact that solar heating systems can be installed with knowledge available today—systems that will perform the complex types of functions required to permit their immediate adaptation into existing buildings. The bill also allows for a so-called technology improvement period for a number of prototype designs prior to the final definition of a system suitable for mass production.

The legislation would apply the proven program management capabilities of NASA—the lead agency under the measure—to a potentially complex combination of Government agency responsibilities. In addition, the proposal provides for the assimilation of work accomplished under this bill into any future energy agency which may be approved by the Congress.

H.R. 11864 is worthy of the support of every Member of this body. Clearly, passage of this landmark legislation is a major step in advancing a new technology which is destined to play a major role in developing this Nation's energy self-sufficiency. I urge each Member here today to vote in favor of this important program.

Mr. MOSHER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. Mr. Chairman, as one of the cosponsors of an identical bill, I rise in enthusiastic support of H.R. 11864, the Solar Heating and Cooling Demonstration Act. At a time when we as a people have been made so keenly aware of our need for energy, and of the dangers inherent in relying upon foreign sources for this most vital of all commodities, the bill before us today will surely serve to shorten the time needed before the unlimited energy potential of

the Sun can be harnessed in order to meet our future energy requirements.

Mr. Chairman, I would first like to commend the gentleman from Washington (Mr. McCORMACK) the chairman of the Subcommittee on Energy, the gentleman from California (Mr. GOLDWATER), the gentleman from Texas (Mr. TEAGUE), the chairman of the full committee, the gentleman from Ohio (Mr. MOSHER) the ranking representative, and all the members of the Committee on Science and Astronautics for their work in bringing this bill to the floor. Not only those of us here today, but generations yet to come will owe these gentlemen a vote of thanks.

We all realize that solar energy is not new. The concept of harnessing the Sun's power to work for mankind is perhaps as old as mankind itself. In a more immediate way, solar energy has been demonstrated to be a usable source of energy, both here in the United States and in other countries. In this country "solar houses" have been with us for many years. One of these built by Dr. Harry Thomason right here in the Washington, D.C., area has been providing that gentleman with almost all of his home heating needs for some years now. In other parts of the world, particularly Israel, Japan, and Australia, the demand for solar water heaters has created a sizable industry. Japan recently announced a program to develop new, clean energy, called the "sunshine program." Approximately 2 billion yen—about $685 million—is to be appropriated for the year 1974. The Japanese have committed over $7 billion to their program over the next few years.

Then why has solar energy not been developed in any major way until now—why is it still somewhere off in the distant future? Partly, this is because of practical economic and technical problems which undeniably exist. But primarily, the reason is that we have never had to worry about our energy supply before. So long as oil was cheap and plentiful, and apparently inexhaustible, why bother with solar energy? For that matter, why bother with geothermal energy, or nuclear energy, or coal gasification, or any of the other alternative energy sources. Just keep pumping that oil and let the future take care of itself.

Mr. Chairman, we all know that those days are over. The future is here, having arrived abruptly last fall because of the devastating combination of the Arab boycott plus our own expanding energy requirements. Now we are trying to chart a course for ourselves through a suddenly unfamiliar landscape filled with shortages and crises. There is much we can do to alleviate the immediate crisis, both by conserving the energy we now have available and by speeding the development of readily accessible sources of energy hitherto not exploited, such as coal or offshore oil or oil from Alaska. But, let us not make the mistake again of dealing with the immediate situation. A farsighted look at our energy requirements in the coming years will show that we need to look beyond the fossil fuels to the one source of energy which is inexhaustible, nonpolluting, and free from manipulation by foreign powers—the Sun.

The specific legislation before us, H.R. 11864, focuses our solar energy efforts on that application which is the most practical and the closest to commercial use—the heating and cooling of buildings. While this is a proven concept, the roadblock preventing widespread use of solar energy in this way has been the high cost of the solar hardware compared to conventional gas or oil-burning systems. The primary objective of this bill is to achieve at least a 50 percent reduction in the cost of solar-energy hardware in order to make solar heating and cooling cost competitive with conventional systems.

From my own research, I am convinced that this is not an unrealistic goal. In fact, it may be possible to decrease the costs of solar hardware by much more than 50 percent. The key to this reduction in costs in an American concept—mass production. By providing for the procurement of approximately 4,000 solar energy systems for houses and other buildings, this bill will create a market for solar energy products which will be sufficiently large to allow the use of 20th century mass production techniques. Solar energy units will be mass produced, instead of being "handmade" for a particular job as they are today. This is the "secret" and the promise of this legislation.

Mr. Chairman, the bill before us today has not received the public notice which it properly deserves. And yet, future historians may mark its passage as one of the finest achievements of the 93d Congress. To be sure, it is only a beginning, but it can provide tre opening wedge in the door to a future in which the boundless energy of the Sun is harnessed to serve mankind. Mr. Speaker, I urge the passage of the Solar Heating and Cooling Demonstration Act.

Mr. MOSHER. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. FISH).

Mr. FISH. Mr. Chairman, I rise in support of H.R. 11864, the Solar Heating and Cooling Demonstration Act of 1973, a bill I cosponsored along with over 100 of my colleagues in the House.

This legislation authorizes a $50 million multiagency program to develop and produce solar heating and cooling units for thousands of private and public buildings during the next 5 years. A 3-year heating demonstration program would be authorized, while a combined heating and cooling demonstration program would be completed in 5 years. Units would be installed in 2,000 residences on military and other Federal property, and in 2,000 private residences. In addition, this bill authorizes research, development, and demonstration of heating and cooling of commercial and industrial buildings with solar energy.

We cannot realistically expect solar energy to provide significant relief from the energy crisis in the immediate future. Even with this expanded research and development program, we will have to continue to rely on coal, gasoline, and oil as primary energy sources for the next two decades. However, this legislation presents us with an opportunity to determine the potential of solar energy, and the extent to which this inexhaustible source of energy can be harnessed.

The energy crisis has brought home the fact that we must explore new sources of energy. Our energy demands have already exceeded our supply. If we are to avoid even more severe shortages in the future, we must look to new sources.

Solar energy has virtually no environmental impact. Further, solar energy cannot be the subject of economic sanctions by one country against another; no one can cut off our supply. This is a highly significant fact, in light of the current Arab oil embargo.

I therefore urge all of my colleagues to join in supporting passage of this bill since it would go a long way toward insuring that we have an adequate energy supply in the future without having to rely on imports to supplement our domestic resources.

Mr. MOSHER. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding. As an early cosponsor of an identical measure providing solar energy demonstration legislation, I am pleased to associate myself with the remarks of the gentleman from Texas and the gentleman from Ohio in support of this measure. Our Nation's critical energy needs makes it highly important that we explore all reasonable avenues for providing new sources of energy, and this certainly is a sound step in that direction.

The National Science Foundation estimates that by the year 2020, solar energy could supply us with 35 percent of the energy we need to heat our homes and buildings, 30 percent of our Nation's gas fuel, 10 percent of our liquid fuel needs, and 20 percent of our electricity.

Each of us these days is confronted with critical energy shortages. We, in Congress, hear daily of our constituent's inability to purchase the gasoline they need to get to their jobs, others are subjected to waiting hours in long lines at service stations. If it were not for the thankfully mild winter we have been experiencing, we would, no doubt, be confronted with an even greater crisis of citizens being unable to purchase fuel to keep their homes warm.

These events which have become everyday occurances should tell us one thing very clearly, that we need to find alternative sources of energy.

Even if we were able to increase our domestic production or import as much foreign crude as we would like, our petroleum resources are finite and are predicated to be dissipated by the end of this century. We must look around to find other energy sources.

In my recent travels to other parts of the world, I found that other nations beginning to utilize the Sun's power to supply their needed energy. Some pioneer Americans have also been successfully experimenting with the productive use of solar energy.

Our experts in the field tell us that we are ready for the commercial demonstration of solar energy. This bill provides the impetus for the feasible usage of this "exotic" energy source.

While certainly we cannot expect too much too soon from solar energy, by proceeding steadily and soundly with commercial demonstration, we will be taking a most logical and progressive step in assuring adequacy of energy supplies for the future.

Mr. Chairman, I urge my colleagues to support the passage of this significant legislation.

Mr. MOSHER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. MILLER).

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

I support the solar heating and cooling demonstration bill, H.R. 11864, and I take this time to ask a few questions of the gentleman from Washington (Mr. MCCORMACK). I understand from the legislation that there will be some 2,000 homes that will be equipped so that they may be heated and cooled by solar energy. How will it be decided who will own the homes to be equipped, or whose homes will be equipped? I understand that some private homes will be involved in this transaction.

Mr. GILMAN. In response to the question of the gentleman from Ohio, my answer will be that the homes that will be equipped for solar heating and solar heating and cooling units will be determined by HUD, by the Secretary of HUD, taking into consideration criteria such as: one, we will use a number of prototypes; and, two we will set these prototypes up in a number of regions of the country.

Within those criteria the Secretary of HUD will have discretion to determine where he is to install these units. Some of them will of course go into preexisting private homes and some will go into private homes that will be built specifically for this purpose according to specifications established by the Bureau of Standards. Half of these of course will be federally owned and controlled properties on Federal property and half privately owned on private property. So it is strictly up to the criteria established by the Secretary. Obviously some arbitrary decisions will have to be made by the Director within the provisions of the bill.

Mr. MILLER. I can see a great problem inasmuch as many individuals would like to have the heating or cooling systems installed in their homes. This would save them the price of course of conventional heating and cooling systems, but by all indications in the regulations this determination will be made by HUD.

Mr. MCCORMACK. That is correct. The trade off here is that a new solar home will be more expensive than an ordinary home that is heated and cooled with conventional sources of energy such as oil or gas. Thus the owners of these homes are going to have to invest more in the first place. Then the owner is going to have to live with the uncertainties of how this home will operate on the real estate market and how the equipment will function. The title for the heating and cooling units themselves will remain with the Federal Government for 5 years during the testing period. And only after that time do they become the property of the homeowners.

Mr. MILLER. And will the Federal Government be responsible for the maintenance of each piece of equipment for 5 years?

Mr. MCCORMACK. Absolutely. This is a test program. We have to see how the units work. We cannot just put them out and forget them. We have to maintain them. The owners have to provide all the information requested, and only after they provide all this information will they receive title at the end of the 5-year period. If the owners do not cooperate in the test program they will not receive title.

Mr. MILLER. I have another question of the gentleman. Will the standard solar cells be used?

Mr. MCCORMACK. No. In all likelihood they will not be used. Solar cells, such as used on the satellites, are far too expensive and not nearly efficient enough for this purpose. They generate electricity directly. What we are after is heat. There may be some combined systems, and I will not absolutely preclude the use of some modification of inexpensive solar cells where they are combined with heating units. Thus we may have the solar cell and heat collector in the same panels.

Mr. MILLER. In other words they will not be using some electrical system in order to drive a mechanical unit for air-conditioning but they would be using the absorption method?

Mr. MCCORMACK. We do not know for sure that they will be economically practical at that time. That is why we have the extra 2-year period for development of solar powered air-conditioning or cooling units. During the next 2 or 3 years if we find a more efficient, less expensive solar cell which might provide enough energy to drive a fan or compressor which can be used in conjunction with a heat pump of some sort for cooling, but this is a little far down the road.

Mr. MILLER. How about the use of thermocouples. Would that be considered at this time?

Mr. MCCORMACK. I do not think so. We have discussed research leading to some sort of a miniaturized power mat using that technique. However it is not expected that we will be able to make any application of it in the near future.

Mr. MILLER. I thank the gentleman.

Mr. Chairman, I support the bill H.R. 11864.

Mr. MOSHER. Mr. Chairman, I have no further request for time.

Mr. TEAGUE. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. GUNTER).

Mr. GUNTER. Mr. Chairman, as a cosponsor of this bill, I rise in support of the chairman of the committee and the chairman of the subcommittee and obviously of this legislation.

Mr. Chairman, I wish to commend to the House what I believe to be an important and farsighted piece of legislation.

The Solar Heating and Cooling Demonstration Act of 1974, which I have been privileged to cosponsor, marks a critically important first step, moving toward the day when the full potential of this alternate source of energy will be widely available for the benefit of the American people.

The Energy Subcommittee, under the wise and vigorous leadership of Chairman MIKE MCCORMACK—who has been at the forefront in having recognized the need and potential for solar development and in striving to make full development a reality—has produced what I believe to be a vital piece of legislation.

The full committee, under the leadership of Chairman TEAGUE, and with the leadership of the ranking minority Member, Mr. MOSHER, deserves enormous credit as well.

It is a privilege for me to express my wholehearted support for this legislation and to join in urging the House to act favorably on it.

As a member of both the Committee on Science and Astronautics and its Energy Subcommittee, and a cosponsor, I have become keenly aware of the vast potential of solar energy development on a wide scale and the importance such development can have on the entire Nation.

This bill must not be conceived as the final step which this body will take with solar energy. This bill will only set up a Federal mechanism for supporting a demonstration project, a step which all the committee witnesses agreed was necessary. We must also begin to address ourselves to other steps which will be needed in the future. I wish to limit myself only to this area of solar energy implementation in the short time available, although I am, again, in full agreement with the bill as brought forward by the committee, and proud of the work done by the subcommittee and full committee in which I have been privileged to share.

The district which I represent stretches across central Florida, with a broad range of activities that are suitable for solar heating and cooling. In fact, solar hot water systems have been used in Florida for many years, and there are numerous examples in our district.

However, there are very few solar heated homes in the country, and it is this problem which this bill addresses. I am pleased to note that one of these few solar heated homes is at the University of Florida. The director of their Solar Energy Laboratory, Dr. Erich Farber, gave testimony before the committee indicating that H.R. 11864 is a step in the right direction but noting that implementation to the utmost is a necessity. I fully share Dr. Farber's assessment.

The purposes of this demonstration bill are twofold: First, to create a national manufacturing capability for solar heating and cooling units; and second, to create a potential market by demonstrating the practicality of solar systems.

At present, the National Science Foundation is supporting basic research and development in this area, but almost all of the committee witnesses agreed with the present need to begin to actually produce units. I am personally anxious to move at an even faster pace, much as the Japanese are reported to be doing.

In June, the Committee on Science and Astronautics heard oral testimony from 5 expert witnesses, while receiving written testimony from an additional 16 authorities. These experts noted that the problems in this solar area are not technological, but are rather economic and institutional. It is imperative that we begin getting documented evidence on the annual savings in fuel that will be possible with systems with a well-defined initial outlay.

Unfortunately, many persons will be dismayed by the higher initial cost of the solar units. This point was underscored by the many witnesses before the committee. Other roadblocks are now an active area of investigation by the National Science Foundation.

It is further mandated under this bill to bring forth to the Congress remedial actions which will eliminate any roadblocks to effective implementation. This is especially important to the Nation now after the supply of fossil fuels is so low.

We must initiate a national recognition of long-term cost accounting. This is now practiced mainly by those few corporations which are building their own buildings for long-term occupancy. It will be up to imaginative individuals in this Congress to provide greater stimulus for this single most important action.

Much of the remaining testimony in the June hearings was directed toward emphasizing the present readiness of technology to begin the demonstration phase. It was the consensus of the witnesses that it would not be appropriate to wait for industry to take the lead in implementing the present NSF research results. I concurred and was an early supporter of the present bill, which is designed to have the Federal Government take the initiative.

The original bill which was introduced, H.R. 10952, was thoroughly explored by a set of 23 witnesses on November 12, 13, and 14. The bulk of the testimony at this time was directed to the administrative mechanisms, proposed funding level, number of units, and the timing of the legislation. I was pleased that the testimony was essentially favorable on all counts, although I tended to agree with several witnesses who argued for increased funding and a time schedule which recognized a greater sense of urgency. Nevertheless, I believe the committee's present bill, H.R. 11864, marks a firm beginning.

In these November hearings, a number of witnesses addressed the other necessary actions which could be undertaken by Congress, and I wish to call these to the Members' attention, since I know that several bills have been introduced to meet these needs. The present bills are listed on pages 8–11 of the Legislative Report, and I hope that they can be taken up quickly, along with other measures which will address themselves to the particular problems I will list below.

Among the proposals suggested by the various witnesses in the November hearings were: removal of Federal mortgage limitations, which the committee incorporated in H.R. 11864; creation of a solar data bank, also incorporated, but whose function I would like to see expanded to include more exphasis on data gathering, and be expanded to other solar energy areas besides heating and cooling; building code studies; "Sun-right" or three-dimensional zoning questions; possible labor jurisdiction problems as well as obvious suggestions for mortgage and tax incentive legislation.

Many of these topics are already covered within the bill as areas for administration study, and I am pleased that they are so covered. However, there are many areas that should not await the 3 or 5 year time scale called out for in this bill, since we can obviously, as a Congress, do much to help foster this new industry, and must begin now to anticipate the areas of concern.

In order to do this, I suggest we note the chain of institutions which are involved in the successful introduction of this new technology. First is the manufacturer of the new solar hardware. We must be sure to make his entry into the new market as attractive as possible. One approach is to provide faster tax write-offs as well as various inventory credits that are possible. Of course, this set of incentives should be phased, so as to encourage rapid entry, but not be of such long duration as to be self-defeating.

The next link in the chain is the lending institution. We must be sure that they feel that the loans will be safe, and perhaps a Federal guarantee for a few years will be appropriate here. The present bill is partially designed to help remove these fears, but I believe more can be done. Another possibility is to provide further modifications in the FHA laws such as those proposed in the present bill for the limited number of homes to be built under the demonstration projects.

The role of the architect and building designer is critical. The present bill attempts to meet this problem through the design competitions called for in sections 5 and 6, but I believe that we can do more—possibly with other educational means, and possibly through aggressive actions by the Solar Heating and Cooling Information Data Bank established in section 9 of H.R. 11864.

The installer of solar heating and cooling equipment is often a fairly small businessman, who may need further encouragement to train competent installers, and to develop a new area of expertise. Again, some method of short-term insurance or tax incentives may be appropriate, and I urge their study by appropriate committees of this House.

Finally, we must recognize the most important link in this chain—the individual homeowner. My own experience tells me there are many interested homeowners waiting for this new solar technology to become commercially available. Nevertheless, the market will open up greatly with some additional incentives. Federally, we might consider income tax incentives, but at the local level, there will be possibilities with property taxes. In any case, we must be aware of the many possibilities for creative action here. We are all aware of the tremendous need to insure that there are no artificial barriers, given the major one of high initial cost.

In summary, I wish to express again my strong support for this bill, and to urge the other Members on appropriate House committees to begin the important task of finding other ways of furthering this new technology, which has such potential for reducing the current energy situation in which this country now finds itself.

Mr. TEAGUE. Mr. Chairman, I yield to the gentleman from Minnesota (Mr. BERGLAND) such time as he may consume.

Mr. BERGLAND. Mr. Chairman, I strongly support H.R. 11864, the bill before us this afternoon. This legislation provides for the kind of tangible research, development, and demonstration project that we can all understand. It has specific goals: The demonstration of solar heating and combined solar heating and cooling systems on a scale large enough to convince reasonable people that these systems are practical. It utilizes present technology, although not ruling out significant advances in the state of the art for future solar equipment.

The result which we hope to obtain is also quite tangible—by the year 2000 we hope that an important part of the total energy consumed in this country at that time will be solar energy. The bulk of that solar energy which will then be utilized will almost certainly be for heating and cooling of our buildings and water.

This solar heating and cooling demonstration program has many, many similarities with previous Department of Defense and NASA technological development activities. There are specific goals associated with costs, and set dates for completion.

There are also many differences with these earlier programs. In our race for the Moon a decade ago we recognized many limitations in the technology then available. We set about to overcome these limitations by massive research and development efforts. The market considerations in these development programs were minor, since everyone realized that the immediate market would be small. Cost was a factor, but it was only the total cost of the program that was considered, not the unit costs of the components which were produced.

Just as the race to the Moon was based on orbital calculations done many decades earlier, this solar energy demonstration program is also based on work that has been underway for a long time. This earlier work was brought together

in 1972 and evaluated in detail by the Solar Energy Panel of the Federal Council for Science and Technology, chaired by NASA and the National Science Foundation.

That panel considered all aspects of solar energy, and gave special attention to utilizing solar energy for buildings. The panel report of December 1972 pointed out that heating and cooling of buildings by solar energy could have an impact on our water heating requirements by 1975 and our space heating requirements by 1980. By any yardstick, this is not far in the future. For example, it takes close to 9 years to build a nuclear central power station from the time the decision is made until the electricity flows out along the distribution lines and that is using tried and proven plans and designs.

I think it should also be pointed out that the three distinct residential solar applications: Water heating, space heating, and space cooling are not at the same state of development. The most ideal system would integrate household needs for all three solar applications, thereby minimizing capital investment and maximizing use.

Solar water heaters have been used for a long time and are commercially manufactured in many parts of the world. Japan has between 2 and 3 million solar water heaters in operation at the present time, according to information that I have seen recently. They have also been used to a limited extent in southern parts of the United States. Although the technology of solar water heaters is well developed, product engineering is still needed in order to make them compatible with large scale manufacturing techniques and modern requirements for dependability and convenience. It is for this reason that the bill before us today specifically provides for solar hot water demonstrations in buildings that may have neither solar heat nor solar cooling systems.

According to testimony which the Committee on Science and Astronautics received from the Department of Commerce, approximately 30 solar heated structures have been built throughout the world. Many of these were designed and constructed by amateurs or hobbyists, and much of our present knowledge about solar heating comes from such installations. The lack of a carefully planned approach has resulted in a lack of test data, and has made detailed technical and economical evaluation difficult. This means that the economics of solar heated homes are now as well defined as they need to be to attract the necessary investment capital and marketing effort by private industry. Reducing the uncertainties associated with the economics of solar space heating systems is one of the most important end products of this solar demonstration program. This will likely have to be done for each major climatic region of the country, and this explains the emphasis in the bill before you today on regional demonstration projects.

Using solar energy for air-conditioning is the most challenging aspect of the demonstration program incorporated into H.R. 11864. No major barriers to successful development of absorption air-conditioning systems are expected. There are also other cooling methods possible, such as solar assisted heat pumps and use of dehumidifiers with solar regeneration. It is also possible to use nocturnal radiation as a form of solar cooling. In this case what one does is to use the dark surface of the solar absorber to radiate excess heat into the sky at night, reducing the total heat content of the building. The important point to remember, however, is that economic demonstration of air-conditioning systems using solar energy must be done before we can expect widespread utilization of solar energy for space conditioning. It is incumbent to develop the very best combined system that will provide us with heat in the winter, air-conditioning in the summer, and hot water all year long. With such a system, refined and economically feasible solar energy will have come of age in the 20th century.

Mr. Chairman, the details of solar heating and cooling technology, and the ways in which hardware systems are economically evaluated, are not very exciting. As far as most of us are concerned, the pipes, pumps, and glass of solar collectors will not make the headlines. But in this day of an energy crisis, solar energy can provide the quiet revolution which can make this country stronger and more secure. The bill before us today can play an important and valuable role in this quiet revolution. I solicit the support of each and every Member of this body for H.R. 11864.

Mr. TEAGUE. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. RANDALL).

Mr. RANDALL. Mr. Chairman, I rise in enthusiastic support of H.R. 11864. As I read the title of the bill I am pleased to note that the words used are "early commercial demonstration of the technology of solar heating." Then I was equally pleased to learn that we are shooting for the accomplishment of the practical use of solar heating within 3 years. I am sure we all hope and pray a breakthrough will be accomplished by that time.

Mr. Chairman, when this measure was scheduled for floor action today I suspect there may have been a feeling by some of the Members that no really important legislation would be scheduled because we are still in the time frame that in other years was described as the "Lincoln Day recess."

Of course, if some of our colleagues are not present it is their misfortune that they are not here to be able to say that they spoke for and supported the important start of an alternative source of energy to fossil fuels.

The Solar Heating and Cooling Demonstration Act of 1973, as far as I know, is the first time that either body of the Congress has stepped ahead in a direction of doing something about the practical use on a large scale of solar heating technology. It is believed that there can be a good demonstration of solar heating within 3 years and combined solar heating and cooling technology within 5 years.

To illustrate how very new this technology is and to underscore the fact that today the House embarks upon a really new and innovative adventure can be substantiated by showing that there are only about 30 solar-heated buildings that have ever been constructed in the entire world in our history as it is now written.

What we are really doing in this bill is to implement the means to achieve the practical use of solar energy in the not to distant future. Now this authorizational bill calls for a total of 4,000 units under all sections of the bill. While H.R. 11864 comes out of the Space Committee or what is now known as the Science Committee, the general responsibility for administering this demonstration program will be under the Department of Housing and Urban Development.

Of the 4,000 units, one-half of these solar heating systems manufactured under contract to the National Aeronautical and Space Administration will be installed in federally owned dwellings and one-half in private residential dwellings. In all instances ownership of the heating system shall remain with the U.S. Government for 5 years after installation. HUD will monitor and evaluate the performance and operation of the systems.

I note that $50 million is authorized to be appropriated to carry out this demonstration for the 5 fiscal years beginning after the enactment of this bill. Mr. Chairman, we hope this will be sufficient. In any event, this amount is just a tiny fraction of the total amount of money Americans have had to spend for the increases in fossil fuel costs since the early fall of 1973.

If this demonstration is a success, then this money is well spent. It is not an expenditure, it is an investment. Even if the test is not fully successful the money spent will not be a loss because we will then know whether or not solar energy is a good alternative to fossil fuels. We cannot continue to go on in doubt and uncertainty.

In my judgment those who have worked to bring this bill to the floor deserve the commendation of all of us. This is an exciting moment in our history. It is a time that we can all rejoice that the House of Representatives is no longer indulging in rhetoric about exploring alternative sources of energy but is today moving into action. I am glad that I am present to vote for this bill today. Whoever had any idea that we were not scheduling an important piece of legislation for this first day after the Lincoln Day recess had best revise their thinking. H.R. 11864 may very well be one of the most important things we will do in this session of Congress.

Mr. TEAGUE. Mr. Chairman, I yield 1 minute to the gentleman from West (Mr. HECHLER).

Mr. HECHLER of West Virginia. Mr. Chairman, I rise in support of H.R. 11864.

Solar energy is indeed an idea and concept whose time has come.

As long ago as a dozen years ago, the gentleman from Maryland, Mr. John R. Foley, our former colleague who is on the floor today with us, was talking about the urgent need for action on solar energy. On the 17th of May, 1964, our colleague in the Senate, Senator HUBERT HUMPHREY of Minnesota, introduced solar energy legislation and did a good deal of pioneering background work to push that idea forward.

Our former colleague from Iowa, Mr. John Schmidhauser, also introduced legislation in 1965 to push forward the concept of solar energy.

Our colleague, the gentleman from California, Mr. CRAIG HOSMER, has been interested in solar energy and its effect. Therefore, I am very pleased that this bill has been pushed by the chairman of the Subcommittee on Energy, our colleague, the gentleman from Washington (Mr. MCCORMACK), and that the Committee on Science and Astronautics has unanimously supported it.

I would hope that speedier action than contemplated in the 5-year demonstration period of the bill might be achieved. It would seem to me that the speedier application of solar energy on a wider scale will make it demonstrably and totally unnecessary to further engage in the destructive practice of strip mining for coal.

Mr. TEAGUE. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. LEHMAN).

Mr. LEHMAN. Mr. Chairman, although I rise in support of this bill, I am concerned about the language which states that there will be realistic and adequate opportunity for small businesses to participate in the program. To date, small businesses have carried the ball in solar energy.

At a recent solar energy industry update held in Washington, one small solar energy businessman reported that stock underwriters representing the big financial institutions demanded 20 percent of his stock before they would even consider backing his issue. It is also common, it seems, for banks to charge 14 to 15 percent interest on bank loans to these small solar energy businessmen.

I am concerned that once again, we would be encouraging the concentration of energy efforts and energy distribution in the hands of a few large companies. The real research and development has taken place in small operations, rather than in the vested interests which have so much to lose by the substitution of a new form of energy.

Therefore, with all these concerns on my mind, I would like to have more than just the additional assurance that adequate and realistic funds will be made available for contracts with small businesses in the field.

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

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

Mr. MCCORMACK. Mr. Chairman, the statement says:

In carrying out their functions under this act, all Federal officers and agencies shall take steps to assure that small business concerns will have a realistic and adequate opportunity to participate in the programs under this act to the maximum extent possible.

The intent of the committee in putting this section in the bill was to encourage in every way possible small business.

Mr. LEHMAN. Mr. Chairman, I yield further to the gentleman from Washington.

Mr. MCCORMACK. Mr. Chairman, the committee was concerned that we do involve small business to the maximum extent realistic, but it is also unrealistic to try to put any figures on this percentage of the operation which a small business would participate in because we know perfectly well that many large corporations, utility manufacturing concerns, are interested in participating as well.

Since this is a demonstration program, what we are after is getting reliable prototypes out in the field as rapidly as possible.

And so far as we could reasonably go was to write the section as we have it. Hopefully, we want to encourage small business in any way we can.

Mr. LEHMAN. Mr. Chairman, is there any possible ballpark figure the gentleman can give us as to what the intention of the committee is with regard to what proportion small business would be able to participate in this program?

Mr. MCCORMACK. I would hope that at least one-third of the prototypes in the business involved in this legislation would go to small business. Of course, however, I cannot be certain of that.

Mr. LEHMAN. Mr. Chairman, I thank the gentleman. In the rush to develop an economically viable energy alternative, we should not overlook the contributions the small solar energy businesses have made so far, nor ignore the significant contributions they are ready and willing to make in the future.

Mr. MCCORMACK. Mr. Chairman, I yield 6 minutes to the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, I support the bill, and compliment the committee for its work.

We have spoken often today about the energy crisis. I maintain that it is not an energy crisis. It is an energy management crisis.

In my congressional district in eastern Kentucky, half the mines were closed down last week for lack of liquid fuel, 2- and 3-hour waits in service station lines were common—if any of the stations were open. We had to hoard enough gasoline to keep the State police and the emergency ambulance service going.

Yet, Mr. Chairman, those communities are sitting on top of some of the finest fuel resources of the world—our abundant beds of coal that could alone supply this country's energy needs for centuries to come.

The only thing lacking is the mechanism for converting this abundant supply of fossil fuel into quick, clean, efficient fuel.

We have the technology in this country to do that, but we are not utilizing it. And that is the shame of this crisis.

This bill makes a fine contribution to the development of solar energy. The main energy bill which we passed a few weeks ago is also good, but it falls woefully short of the mark.

I hope that before the Senate completes action on the energy bill on the other side, it will include provision for at least half a dozen synthetic liquid fuel plants, converting coal to oil and other efficient fuels.

Failing that, I hope that the Interior Committee now marking up H.R. 6602, the Energy Research and Policy Act, will direct the administration to move ahead with half a dozen plants to produce a minimum of 30,000 barrels of synthetic fuel a day each.

Technology which was used in operating a pilot plant in Missouri more than 20 years ago is available today. Technology which enabled Germany to survive for months by converting coal to synthetic fuel in the closing years of World War II is available today. Technology by which coal conversion is being practiced today in the Union of South Africa is available to us.

There is no excuse for our holding back another week, another month, or another day.

We can end this energy crisis by proper management and utilization of the energy resources we have available within our borders today.

Processes for coal conversion were developed in Germany some 50 years ago. From 1936 to 1943 Germany built 12 plants using these processes.

Records we obtained after World War II show that when the German war effort was in an all-out stage, in 1943 and 1944, the plants were producing over 4 million tons of synthetic oil and gas from coal.

I have discussed this with Harry Perry, known to many of us as the former Director of Coal Research of the Bureau of Mines, and research adviser to the Assistant Secretary of the Interior for Mineral Resources. Mr. Perry, who also has been senior specialist in the Environmental Policy Division of the Congressional Research Service, is a strong believer in coal conversion.

In a discussion of this subject he said that we must rely on coal and coal liquefaction and gasification as at least a part of the solution to the energy shortage, probably until 1990.

And by then, Mr. Perry thinks, it is possible that coal will be needed for other chemical processes so much that we will be talking about conserving coal the way we are now talking about conserving petroleum.

And we have an estimated 4,600 billion tons of coal in North America.

Mr. Perry says this knowing as well as anyone how vast our coal resources are, so it is something to consider.

But Mr. Perry has also pointed out, in his report entitled "Energy Research and Development—Problems and Prospects," that the coal industry has not received "the same type of Government R. & D. assistance that its other competitor—nuclear fuel—received."

Mr. Perry goes on to say:

If a national energy policy includes a decision to rely mainly on domestic resources, the coal industry's future is assured.

I do not think anyone can stand here today and argue against relying on our domestic resources for energy—not after what we have been experiencing with foreign resources over the recent months.

Mr. Perry also accurately points out:

The R. & D. needed to assure this bright future will require massive investments in coal which are beyond the capability of the coal industry.

I would like to amplify that statement by adding that every dollar invested in developing full utilization of our coal resources is going to pay us back many times over—not just in assuring us an end to our energy problems for generations, but in revitalizing areas of our country which have been historically economically depressed.

We will be building a better life for our people—our own people—and that is my major interest.

I have mentioned the coal conversion processes developed in Germany, and I would like to point out what Mr. Perry has to say about their relationship to our problems today.

In his report, he states:

There is no reason to believe that large-scale commercial production of liquid fuels from coals using either of these (German) processes could not be achieved quickly.

He adds that more advanced technology is still in the developmental stages, and that is why we should devote the funds needed for research and development, without stinting.

I would like to note that the energy research and development program proposed by Dr. Dixy Lee Ray, Chairman of the Atomic Energy Commission, proposes a $2,175,000,000 program for coal conversion research in the fiscal years from 1975 through 1979.

Her nuclear energy proposal for the same period is more than $4 billion.

I understand when all of the items for coal research in the budget for the fiscal year 1975 are added up they total $415.5 million.

But the nuclear items total $893.3 million for fiscal year 1975.

I do not ask that the figures be reversed, but I do believe that there is room for a more equitable distribution of research funds between coal and nuclear.

I am basing this opinion on the very informed comments of Mr. Perry, who points out that we are ready to go now with construction of coal conversion plants, but ought to be investing heavily in research to make even more efficient use of coal.

Here are some of his statements:

IMMEDIATE PLANT CONSTRUCTION

Because of security and balance-of-payments problems a policy could be adopted that production of synthetics from coal and oil shale should start immediately. That is the one option that, if selected, could be used in addition to any of the three that follow or could be used alone. For synthetics production, several approaches might be used. In one, all coal gasification plants for production of high-Btu gas would initially use demonstrated Lurgi technology. The subsequent methanation would be carried out by a process that will be demonstrated in late 1973. The disadvantages of this approach are that not all U.S. coals could be used (although this may be changed by studies now underway), economic methods to use the fine-sized coal that is produced (30 percent in some cases) would have to be developed; and a large number of gasifiers required because of their relatively small size. Some of these disadvantages would be avoided if the Koppers Totzek process were used but this process has not been used commercially under pressure.

If a decision were made to proceed now, the costs would be about $1.2 billion [1] of capital investment for each 1 percent of U.S. gas demand (total demand about 22 trillion cubic feet) to be supplied from the coal to gas plants.[2] Production could begin in 3 to 4 years and costs for the gas at the plant would be about $1.25 (western strip mined coal) to $1.40 (eastern deep mined coal) per million Btu as compared to projected average wellhead price for new natural gas [3] in 1977 of about $0.60 (1973 dollars) per million Btu.

Estimates of capital costs of Lurgi plants with a capacity of 250 million cubic foot per day ranged from $300–$400 million for the gasification plant and from $45–$100 million for the mine. The greater range in estimates for the mine over that for the gasification plant depends on whether eastern or western coals are chosen (assuming ways to handle them in a Lurgi gasifier are developed) and whether strip or underground production is used. Most of the estimates for the capital cost of the plant were between $350–$750 million, about $80 million for underground mines and $60 million for strip mines. Time for construction of plants was estimated at from 2 to 5 years, with most of the estimates being for 4 years.[4]

The estimates of the number of plants that could be constructed simultaneously ranged from 3 to 10 plants [5] per year when no special priorities were given to this activity. Most of the estimates, however, were for 3 to 4 plants per year, increasing to about 10 plants per year in 5 to 6 years. At this rate, about 12 to 15 plants could be in operation by 1985 supplying about 4 to 5 percent of the projected natural gas demands in that year. The limitation on the number of plants that could be constructed simultaneously were thought to be engineering construction experience and limitations on equipment for fabrication of the large pressure vessels and other major components.[6]

Because of differences in distances and costs in transporting gas to markets for synthetic gas plants and gas wells, it is difficult to make accurate comparisons of relative delivered gas costs. Assuming transportation costs would be approximately equal, the average yearly cost over the expected costs of natural gas of producing 1 percent of the expected domestic demand in 1977 for natural gas from coal would be approximately $140 million. On the other hand, alternatives to coal gasification (other than new natural gas) to supply gas demand are also high cost. Imported liquefied natural gas either from North Africa, Venezuela, or the U.S.S.R., will probably be landed, even in large volumes, at appreciably more than $1.25 per million Btu. Natural gas from Alaska, when delivered to Midwest city gates, is also expected to be in that price range.

Two different processes for the production of a synthetic crude from coal that can be used in conventional refineries were employed commercially (under a controlled economy) by the Germans in World War II. If the extensive 1952 NPC study of costs of coal hydrogenation are adjusted for inflationary trends, costs would be well in excess of $10 per barrel of syncrude. One plant, using mostly German experience with a modernized Fischer-Tropsch process, is still being operated in South Africa. There is no reason to believe that large-scale commercial production of liquid fuels from coals using either of these processes could not be achieved quickly. Unfortunately, if it were desired to use technology more advanced than that of the Germans it would not now be possible without accepting a high risk of failure.

Although the results of the survey conducted for this report were somewhat more pessimistic, a recent study by the NPC estimates the costs of making a synthetic crude from coal, using the coal hydrogenation process (for a 100,000 barrel per day plant and only a 10 percent discounted cash flow), to be $7 per barrel when using eastern coals, and $6.50 per barrel when using western coals. This same NPC report estimated that when a full-sized industry is in operation, costs might decrease to $6–$6.50 per barrel for western coals. Cost for liquid fuels from the alternative process (Fischer-Tropsch) used by the Germans were not reported in this recent study, and this emission probably reflects the recognition that in all previous studies which compared the two different processes the Fischer-Tropsch process was always higher cost. More advanced technology would be needed but lower cost liquids from coal might be possible if the coal were treated so as to make a number of coproducts that collectively would give lower overall product costs.

Using the NPC estimates, the capital costs for plants to supply 1 percent of our anticipated 1977 liquid fuel consumption, by coal hydrogenation, would be $1.4 billion. The extra total costs over estimated domestic oil prices in that year would be $100 million. However, based on the survey made in connection with this study, the NPC estimates appear optimistic.

The environmental and institutional problems of using coal are fewer than for oil shale although the technical and economic problems may be more severe. Coal is found and mined in a large number of States. Many of the deposits are near adequate supplies of water and in areas in which an infrastructure and a ready labor force already exist. Solid waste disposal problems will be much smaller and simpler for coal since usually only 10 to 15 percent by weight of the raw material fed to the synthetic fuels plant will be rejected as waste compared to about 85 percent by weight for shale. Moreover, unlike oil shale, the coal wastes do not expand

---

[1] All costs are in 1973 dollars.

[2] The methodology used to obtain estimates as to times, capital costs, annual operating costs used in the rest of this section, as well as the next two, are described in the appendix.

[3] The consensus of those with whom this subject was discussed (see appendix).

[4] All estimates for time to construct plants in this report assume the absence of delays due to environmental factors. A delay of 2 years was considered normal by most of those interviewed, but if there is serious intervention, to reliable estimates of overall construction time can be made.

[5] Participants were concerned that if a commitment to both high-Btu gas plants and oil shale plants were made there would be competition for design engineering and construction skills and fewer gas plants would result.

[6] For other estimates of the rate at which plants could be constructed based on interviews with large engineering and construction firms, see pages 117–121.

as a result of mining, crushing, and processing.

Coal to oil.—The published information on processes for the conversion of coal, mainly to liquids, indicates that we have not yet demonstrated any processes that appear to have resulted in major improvements over German World War II experience. Every person expressing an opinion agreed that the state-of-the-art experience and knowledge about coal conversion to oil was considerably behind that of making a high-Btu gas from coal, with some estimates that we were as much as 5 to 10 years behind coal gasification research. Although it is certain that it would now be more costly to produce oil from coal than from oil shale, the complete lack of U.S. engineering experience in large plants of this type with their special problems suggests that construction of at least one, and preferably two, large plants would be a worthwhile investment in speeding up development of improved processes and developing the engineering skills needed when advanced processes are found. Building up this know-how would save 3 to 4 years when full-scale plants are constructed.

Experience on a large scale with a number of unit operations in coal processing plants with problems that have plagued every installation (including the Germans) would be invaluable. Coal feeding under pressure, design of high-temperature, high-pressure vessels, valves and seals, and high-temperature solids-liquids separation are some of the special problems about which experience would be gained. The importance of obtaining this experience cannot be overstated. Every pilot plant built in the United States to date has encountered major equipment failures where least expected because of the lack of past U.S. experience with these types of processing conditions and plants.

For these reasons all those interviewed concluded that two largescale demonstration plants, using several combinations of processes that have been studied on a small scale, should be constructed immediately. There were some differences as to whether two 50,000-barrel-per-day plants would produce more information than two smaller plants, each with a full-scale coal-to-oil reactor of about 10,000 barrels per day. Each 50,000-barrel-per-day plant is estimated to cost from as little as $250 million to as much as $600 million, with the majority of the estimates at about $450 million. Each 10,000-barrel-per-day plant was estimated to cost about $125 million to construct. Construction times for both size plants are estimated at 3 years. Operating costs for the large plants would be $20 to $30 million per year per plant and for the small plants about $8 million per year per plant. Oil costs of $7 to $8 per barrel might be possible if the processes are successful with the hope of achieving a further reduction to $6 per barrel with more advanced technology that is still to be developed.

In addition to two demonstration plants, a greatly expanded effort to break out of the technical limitations of the conventional approaches to converting coal to a syncrude should be initiated. Given adequate funding, a number of new approaches to coal liquefaction could be expected to emerge. How many promising new processes would appear to be worth investigating is difficult to predict at this time, but the obvious difficulty of devising new economic processes (40 to 50 years of limited investigation with relatively little progress) dictates that every promising lead be followed. Even then, the chances of success are probably limited and there is little indication that significant production of oil from coil at lower costs than now appear possible could occur before the mid-1980's. Nevertheless, because of the possible constraints that may limit the maximum size of a shale oil industry and the potential advantages of coal over oil shale as a raw material[7] for a synthetic liquid fuel industry (fewer environmental and water problems, the wider distribution of high grade deposits of coal, and the larger percentage of coal in private ownership), every effort should be made to pursue all proposals that are scientifically sound and that appear to have some economic advantages over existing technology.

A number of processes have recently been proposed that are at a stage where pilot plants could be constructed and tested. At least six different processes might be piloted, each one costing about $25 million to construct and operate and requiring about 4 years overall to construct and test.

At least $50 million per year should be spent on both basic and applied research on new coal-to-liquid processes and on improving unit operations. Although the basic research should not be expected to produce processes that can be sealed up to commercial use rapidly, it may be that all of the ideas that have reached the stage of applied research will not prove to be economically successful. In this area a larger-than-normal basic research effort can be justified ($10 million of the $50 million) and it should be continued until promising approaches are developed that can be piloted and then demonstrated. This could take about 10 years or more.

Costs of a 6-year synthetic liquid fuels from coal program would be $250 million for capital costs for two 10,000-barrel-per-day plants ($900 million if 50,000 barrel per day plants were constructed), $50 million for operating costs for these plants, $150 million for construction and operation of six pilot plants to determine which should go to a demonstration scale, $250 million for construction of two demonstration plants based on successful pilot plant operations, and $300 million on engineering improvements and for development of new-coal-to-liquid process approaches, for a total of $1 billion ($1.75 billion if 50,000-barrel-per-day demonstration plants were built in place of two 10,000 barrel-per-day-plants).

If the research were successful and the cost of producing oil were to be reduced to $6 per barrel in a 10-year period, then savings over current costs of making 1 percent of the 1985 liquid fuels demand from coal would be greater than $360 million per year.

Mr. Chairman, I have included problems cited by Mr. Perry, because invariably, Mr. Perry has cited solutions, and they are solutions which need immediate action.

For instance, in discussing converting coal to oil, Mr. Perry points out that we have "encountered major equipment failures where least expected because of the lack of past U.S. experience with these types of processing conditions and plants."

But he follows that statement with the solution, "concluding that two large-scale demonstration plants, using several combinations of processes that have been studied on a small scale, should be constructed immediately."

These are wise conclusions.

More than 20 years ago the Congress was not wise in its attitude toward coal conversion. The administration in office then had dropped a budget recommendation of only a few million dollars—$2 million to be exact—to continue work at two coal conversion demonstration plants. Those plants were on the threshold of success—both technical and economic success.

Mr. WYLIE. Will the gentleman yield?

Mr. PERKINS. I am delighted to yield to the gentleman.

Mr. WYLIE. I thank the gentleman for yielding.

I think the gentleman is making a very constructive statement.

I would like to point out that the Battelle Memorial Institute, the largest private research organization of its kind in the world, located in the congressional district I serve, has developed a process of gasification and liquefaction of coal. The only reason why they are not marketing the process at the present time is because of cost. They have not developed the process at a sufficiently low-cost basis for general use.

I think the same sort of thing we are doing here today for solar heating and cooling should be considered for coal.

Mr. PERKINS. Let me answer the gentleman by stating I feel we should guarantee the oil companies a reasonable profit. Certainly they should not have the rug pulled out from under them by this Middle East situation coming along and their reducing the price, which would mean that then they could not sell their gasoline after they refined it. We should protect them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. May I have 1 additional minute, Mr. Chairman?

Mr. TEAGUE. Mr. Chairman, inasmuch as I have no further requests for time, I yield the gentleman 2 additional minutes.

Mr. PERKINS. However, we must make sure that they go ahead and take advantage of this and enter into contracts with the Government to do this job. We have the know-how for underground gasification and coal liquefaction. That was all brought out in the same debate here. We should move ahead in that direction. This is the quickest way out of our dilemma. We have a real emergency management crisis.

I recall only a few years ago when some of the boilers generating electricity were using natural gas during the summer months and when they could get it at dump-rate prices and in the winter months they would switch back to coal.

We have never had any real national energy policy in this country throughout the years. If anything comes out of this, I am sure we will get a national energy policy. However, we must now turn to coal and concentrate on coal to get us out of this emergency in the next year or two. We certainly can do it.

Mr. HECHLER of West Virginia. Will the gentleman yield?

Mr. PERKINS. I yield to the distinguished gentleman.

Mr. HECHLER of West Virginia. The gentleman from Kentucky is absolutely right. He is on the right track. It is absolutely necessary, and if we move forward expeditiously at a very early date, we can do precisely what he suggests.

Mr. PERKINS. I thank the gentleman.

[7] See p. 94 (original manuscript) for the advantages which oil shale has over coal as a raw material for synthetic liquids.

Mr. Chairman, I want to cite the CONGRESSIONAL RECORD of April 27, 1953, and I hope the Members will read the debate that took place on the interior appropriation bill simply to prove that we had the technology then, as now, to go forward on coal gasification, coal liquefaction, and underground gasification:

[From the CONGRESSIONAL RECORD, Apr. 27, 1953]

EXCERPTS FROM A DEBATE

Mr. PERKINS. I thank the distinguished gentleman from Pennsylvania for yielding to me.

On page 20 of the report I notice the last sentence at the bottom of the page reads:

"The Secretary is instructed to dispose of the two demonstration plants in accordance with existing law and agreements which may be in existence between the Department and other Federal agencies."

May I ask the gentleman from Pennsylvania if it was not the suggestion of the Secretary of the Interior to close down the coal-to-oil plant at Louisiana, Mo.?

Mr. FENTON. As I understand, he asked to put it in a stand-by condition, and we have allowed money for that.

Mr. PERKINS. He also has the authority to dispose of this property, does he not?

Mr. FENTON. Only to Federal facilities, if they so desire.

Mr. PERKINS. I will ask the gentleman to inform the Committee how much money has been expended by the Government on the hydrogenation process of making oil from coal at the plant in Louisiana, Mo.

Mr. FENTON. Quite a considerable amount of money, I would say to the gentleman.

Mr. PERKINS. Something like $70 million?

Mr. FENTON. That is right. As the gentleman will recall, in 1944, I believe it was, this Congress authorized the program for synthetic fuel.

Mr. PERKINS. One other question: Tell the Committee whether this plant at Louisiana, Mo., can be operated, and I mean operated, for a sum of a little more than $2 million annually, and continue its demonstration work. Is that statement correct?

Mr. FENTON. No, absolutely. They cannot do anything in research work without the money, there is no question about that but, as I say, it is to be put in a standby condition.

Mr. PERKINS. Briefly tell the Committee just what progress has been made in making oil from coal at this plant in Louisiana, Mo.

Mr. FENTON. I think I told the gentleman that. I told him that great progress had been made. They had come within a couple of cents of the commercial cost of producing gasoline from petroleum.

Let me proceed a little bit further, and maybe I will answer the gentleman's question as I proceed. We have been told that the reason for curtailing the research in hydrogenation was that they have a new research program that tends to offset the two fine research programs that they had, and which are about to become more or less obsolete. What they are trying to do is to put more emphasis on research, particularly on this type of research that they are going to do.

Mr. PERKINS. Are not the oil people making the same contention that you just stated? I mean the big oil companies such as Gulf and the Texas Oil Co., and so on.

Mr. FENTON. Not being in very good favor with the oil people, I really do not know what they are thinking. I am a coalman myself.

Mr. PERKINS. I know the gentleman is interested in the welfare of the coal industry. If we have come within 2 cents, commercially speaking, of competing with petroleum, that is making oil from coal, is it not reasonable that by a continuation of this process we will get the price down still further in the future?

Mr. FENTON. I am not a technical man along that line, but I will say this: We do not think it is the intention of the Government to go into the production of any kind of commodity, and when it does come down to within reasonable limits of the current commercial price, we think private industry should take over and develop any further research.

Mr. PERKINS. But if I understand correctly, these processes are not yet patentable, but will be patentable in the near future—and perhaps a year from now, and if these plants are closed down and disposed of at this particular time, the people throughout the Nation and the coal industry will be deprived of the commercial value because it will be in the hands of some private chemical company or other concern, which perhaps will make hundreds of millions of dollars from these patents.

Mr. FENTON. Let me read to you what Dr. McCabe, from the Bureau of Mines, said.

Mr. PERKINS. I will be glad to hear what he said.

Mr. FENTON. You will recognize Dr. McCabe as an authority in that line of work,

Mr. PERKINS. Yes, sir; I know that.

Mr. FENTON. Dr. McCabe said:

"We feel now we have learned what we need to know out of the older type of hydrogenation and we can bring this one-step process along; and if in 2 years, say, we are far enough to feel we need a big-scale operation, we will come back and ask Congress for funds to scale that up if we can justify it. It may not be necessary to take it up through the larger scale, because maybe industry will take it up from the smaller-scale work done by the Bureau."

Mr. PERKINS. In response to that, I wish to state that if we followed the theory of Dr. McCabe, we may endanger the defense of this country—and that is the philosophy of the oil people altogether which McCabe is following.

Mr. FENTON. I am sure I do not know what is in Dr. McCabe's mind along that line.

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

Mr. FENTON. I yield.

Mr. PRICE. My colleague the gentleman from Kentucky, of course, touched upon a point which I wanted to bring out. The last part that was brought out is that there is an interest in national defense involved here, and more so year by year. The gentleman himself has always been interested in these projects. I remember his original interest in this. These projects did not originate with the executive branch for the demonstration plants. They originated in the Congress and men like the gentleman from Pennsylvania who is now addressing us put a great deal of effort behind the particular demonstration projects. I just think Dr. McCabe is not looking at the complete picture, and he is particularly overlooking the national defense feature of this.

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

Mr. FENTON. I yield.

Mr. EBERHARTER. I agree heartily with the statement just made by the gentleman from Illinois. All of us agree that the gentleman from Pennsylvania, Dr. FENTON, has been most helpful to the mining industry and the entire country. I appreciate his stating those things. I know he has the interest of the industry at heart.

Mr. PERKINS. If the gentleman will yield, I wish to concur in that statement.

Mr. EBERHARTER. But what concerns me now is, if this program on which the Government has already spent approximately $75,000,000 is now dropped, then all of these coal miners and the industry itself will suffer tremendously. This program was started as a security measure in 1944.

Mr. FENTON. That is right.

Mr. EBERHARTER. It seems to me it is quite foolish to drop it at this point.

Mr. FENTON. Of course, the gentleman knows it was supposed to be an 11-year program. There were two amendments to the 5-year program originally.

Mr. EBERHARTER. But we are so near to a realization of this program and what a tremendous benefit it would be, both in the domestic economy and in the field of security, why should we drop it now? It may mean a wasting of this entire $75,000,000.

Mr. FENTON. Of course, I realize what the gentleman is trying to get at, but you cannot expect synthetic oil or gasoline from coal to become as cheap as natural gas or natural gasoline production. That is practically impossible. But we have approached the time when we are so close to that, that you do not want to keep the Government doing that sort of thing all along, perpetually.

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

* * * * * *

Mr. KIRWAN. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri (Mr. CANNON).

Mr. CANNON. Mr. Chairman, this bill deals primarily with money. But in a larger way it deals with the health, happiness, hopes, and heartbreaks of millions of people and that is the point of view which should have priority in this discussion. The bill also concerns directly, in a particularly decisive way, the still more important subject of national defense.

National defense is inseparably associated with oil. Oil is the lifeblood of war. Oil for trucks and supply trains, oil for motorized artillery and tanks, oil to provide for ships, submarines, and airplanes. The greatest army that could be mobilized would be paralyzed, immobile, helpless, without oil. Eminent military authorities have expressed the opinion that lack of oil alone has prevented Russia from striking. It is obvious that in defense of our shores against foreign invaders the first essential is oil.

And it is also unmistakably evident that oil for national defense must be domestic oil. The German submarines in the last war swept our tankers from the sea. They were the old-fashioned submarines and we controlled the air over them. But they got every tanker that ventured out and that winter New York and New England all but froze because we could get no oil to our own coast. That is why we built that astonishing pipe line in such haste and with such lack of regard for expense.

The Russians would be even more effective. They have, according to authoritative reports, over 300 submarines, all of them snorkels, which do not have to surface to recharge batteries. They can stay under indefinitely and have a cruising radius around the world. Not a drop of oil would ever seep in from abroad through that blockade.

We must depend then on home supplies and although they are still extensive, many oil fields have already been pumped dry and for some time we have been importing large quantities of foreign oil. Here in this process of extracting oil from low-grade coal, which is being worked out at the Louisiana plant, is the answer to the problem. There are vast quantities of subcommercial grades of coal all over the country. Something like two-thirds of the States of the Union can supply this coal in practically unlimited quantities. In most of these States coal miners are idle for want of markets. The perfection of the process being worked out at Louisiana will not only provide oil and gasoline for both peace and war but it will bring prosperity to men and mines throughout the country and at the same time supply every consumer of gasoline with ample fuel at as low a price, if not lower, than the price charged today. Exhaustion of the oil wells will cease to be a cause of apprehension, and the likelihood of increased prices as the underground reservoirs dwindle will no longer concern the own-

er of the tractor on the farm or the factory in the city.

With so much at stake, why discontinue the work at Louisiana just as it is nearing completion? Already they have produced oil in sufficient quantities and at a cost low enough to bring the total cost within 2 cents of the current price of gasoline. If permitted to continue, there is every prospect that it can be produced cheaper, and, when it is, ample oil for defense and home use is assured. Why stop just when we are nearing the goal?

The only reason so far advanced is that another process not under study at Louisiana may be more desirable, further advanced, more economical. No one says that is positively true and no one has said that with further progress the two systems in use at Louisiana may not be even more successful. And we do know that the Louisiana plant has increased production and decreased costs until we are already within a minimum of the margin at which processed coal will compete with any domestic oil.

Mr. EBERHARTER. Mr. Chairman, would the gentleman care to yield at that point?

Mr. CANNON. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. It has been said, in line with what the gentleman has just stated, that the difference in cost is about 2 cents a gallon for gasoline. With gas selling today in the District of Columbia at 30 cents a gallon that is only one-fifteenth higher cost for the synthetic gasoline. So I cannot see by any stretch of the imagination why it would be practical to give up the continued experimentation if it is only one-fifteenth different in price today.

Mr. CANNON. The gentleman has analyzed the proposition in convincing terms. The margin has steadily decreased, bringing us already within reaching distance of the purpose for which the plant was established.

But, Mr. Chairman, we are overlooking the principal consideration involved in this comparatively minor appropriation.

If they can stop this process now short of completion, all that the Government has put into it will be taken over without benefit to the consumer.

If on the other hand we are allowed to perfect the process, it will remain the property of the Government, and the benefits of low cost production will accrue to the consumer. The amounts eventually involved run into the billions.

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

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

Mr. PERKINS. If I understand the gentleman correctly, more progress has been made in the past year at this particular plant in his district than in all other previous years. This coal-to-oil process proved absolutely successful in Germany more than 10 years ago. In fact, we are more than 10 years behind time now. This is a serious situation when we consider that the Russians now have some of the best German scientists. We all know that Germany successfully extracted gasoline from coal to operate tanks, airplanes, and buzz bombs, that she did not even depend upon the outside world for oil during World War II.

Will the gentleman tell the committee whether or not much of the equipment that is in this plant now was dismantled and much money expended to set up this particular plant in this country?

Mr. CANNON. The plant as it stands today represents an investment in construction of approximately $25 million. To this must be added the annual expenditures on maintenance and operation. It is the most complete and most modern plant of its kind to be found anywhere.

And that brings up the authority conferred by this bill under which the Secretary is instructed to dispose of the plant in accordance with law and agreements. If put up for sale eventually, it would be sold at appalling loss. There would be few bidders, if more than one, and we would have a repetition of the sacrifice of millions of dollars which we saw repeatedly in the disposition of plants after the First World War. I recall one instance in particular in which a plant just completed by the Government at a cost in excess of $100 million was sold for a small percent of its cost and is today the center of one of the most lucrative industries in the United States.

* * * * *

Mr. KIRWAN. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, I wish at the outset to concur in the remarks of the distinguished gentleman from Missouri [Mr. CANNON].

I am glad to learn that the gentleman from Missouri [Mr. CANNON] will offer an amendment to restore the funds necessary to operate the synthetic liquid fuels—coal to oil plants—at Louisiana, Mo. On page 20, of the Interior Department appropriation bill, 1954, we find this statement:

"In the table above the only appreciable change from the amounts allowed in the current fiscal year is for the synthetic liquid fuels program. It was reported to the committee that the Secretary proposed to put the synthetic liquid fuels demonstration plant at Louisiana, Mo., in standby. This plant is used for making gasoline from coal by hydrogenation and gas synthesis processes. It was reported to the committee that refinements accomplished to date in these processes have brought the cost of producing gasoline down to within a few cents of being commercially competitive with other methods of producing gasoline. The Bureau appears to have done an excellent job in leading the way in these important developments which are now at the point where private industry can pick them up."

The report further states that funds have been made available to place the plants on a standby basis. Then we find this language in the last sentence of the paragraph: "The Secretary is instructed to dispose of the two demonstration plants in accordance with existing law and agreements which may be in existence between the Department and other Federal agencies."

This report clearly states that the coal to oil process has been improved to the point where the cost of production is within a few cents of the prevailing costs of securing gasoline and other refined products from petroleum. You will note that this has been urged as a reason for discontinuing the Government research program and to let private industry take over the studies when and if they are ready. But why stop at this point? It is easy to see why some of the oil companies would want the Government research program to stop, but is there any valid reason why the Congress of the United States representing all the people should order the research to stop?

Surely the committee is not trying to tell us that cost reduction can go no further than the level of present costs of petroleum refining. Since these scientists have already made marked improvement in the process and have greatly reduced the costs, is it not possible that they may, if they go on with their work, eventually be able to cut the costs below present costs? Surely the committee is not asking Congress to say that the ultimate has been reached and the scientists cannot produce any more beneficial results. There is just as much logic in saying that they can cut the costs to one-half those now prevailing as to say that, because this scientific program has reduced these costs to a certain point, that the goal has been reached and that they should stop.

There is another very compelling reason why this Congress should continue and even expand research to make gasoline, oil, gas, and other useful fuel and energy resources from coal. Reserves of coal are found in 31 of the 48 States. Coal is not only the most abundant mineral fuel and source of energy we have, but it is so widely distributed that if ways can be found to convert it to more useful and convenient liquid forms it would benefit more people and contribute to the efficiency of our economic system more than possibly any other single development. Twenty-two of these thirty-one States have energy values in coal greater than all the oil reserves of the entire country. In contrast to the wide distribution of the coal reserves, the oil reserves are highly concentrated. One State has approximately half while 3 States have 80 percent of the known reserves.

By continuing this research program we may soon be able to make economical and convenient energy fuel readily available to people all over America. This optimistic conclusion has more justification than the one now before us that since the scientists have brought the costs of oil from coal down to within a few cents of the prevailing costs of petroleum refining, within 2 cents, as admitted here today, that we have reached our ultimate goal and should stop.

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

Mr. PERKINS. I yield to the gentleman from Alabama.

Mr. ELLIOTT. I know the gentleman is thoroughly familiar with the plant at Louisiana, Mo., and some of the other plants, and I wish to congratulate him for the interest he consistently shows in the welfare of the coal industry and those connected with it. I am wondering if he is familiar with the fact that at Gorgas, Ala., there has been carried on by the United States Bureau of Mines and by the Alabama Power Co., cooperating over the past few years, the single greatest experiment in underground coal gasification that this entire world has ever known.

Mr. PERKINS. Certainly I am familiar with that experiment.

Mr. ELLIOTT. Is the gentleman further familiar with the fact that this bill as it stands now, just as it does in connection with the plant at Louisiana, Mo., and the plant at Rifle, Colo., fails to provide one single cent with which to carry on the great experimental project there at Gorgas, Ala., in underground coal gasification?

Mr. PERKINS. The gentleman is absolutely right. As I understand, the only laboratory left is the one at Bruceton.

Mr. ELLIOTT. May I call the gentleman's attention at this point to the fact that experimentation in the field of underground gasification is being carried on by various governments throughout the world. Many of our leading scientists feel that perhaps the Russians are now carrying on intensive experimentation in this field of underground coal gasification. I think it is the height of folly for this Nation, right at the time when we are on the brink of accomplishing the greatest scientific results in this field that the human mind can conceive of, to say suddenly that no further funds will be provided to carry on the work, and there is no further interest on the part of this great people in carrying on those experiments and allowing them to reach the conclusion which is clearly pointed up by what has gone before in the past 4 or 5 years.

Mr. PERKINS. I thank the gentleman from Alabama for his contribution. I concur wholeheartedly in his statement.

Since coal is so widely distributed and is

so abundant, having 100 times the energy value of all known petroleum and natural gas reserves combined, nothing is more fundamental than to make all possible efforts to perfect known processes and discover all potential processes of utilizing this abundant source of energy.

What would be the predicament of America in event of all-out war that would destroy the lines of communication and cut all overseas sources of oil? All Europe would be paralyzed except for our help.

Would our petroleum industry be equal to the task? How much use will our vast expenditures for research in atomic energy and military facilities be if we do not have the abundant and appropriate energy fuels to supply our ships, airplanes, tanks, trucks, and automobiles?

Along with this recommended scrapping of the liquid fuel research program; does the Congress have assurance that the Communists are also scrapping their research programs?

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

Mr. PERKINS. I yield.

Mr. FENTON. I am sure the gentleman wants to be fair and not accuse this committee of wanting to throttle this program. I thought I told you very plainly that there is now another method that they are pursuing which is going to sidetrack the other two methods and put them in a state of standby. That is all. We are not trying to sidetrack them.

Mr. PERKINS. Let me answer the gentleman this way. If we fail to restore these funds here, it will be one of the greatest giveaways of the most valuable property, and one of the greatest errors that this administration could possibly commit.

Mr. FENTON. May I say I am just as much interested in that program, as the gentleman is.

Mr. PERKINS. That is right.

Mr. FENTON. I do not want the program to be scuttled, and if I see there is a tendency to do that, I shall be the first to oppose it.

Mr. JENSEN. Mr. Chairman, I yield myself 1 minute. To prove that this committee has done the thing we figured right and best, we did the exact opposite regarding the plant at Laramie, Wyo., when we said the Government has not yet fulfilled its obligation. We put the money in this bill to continue the plant, even though private industry wanted us to take out that money. We said, "No." So I do not want to hear any more of that kind of talk, because the gentleman from Pennsylvania told the committee, and the gentleman who just left the floor [Mr. PERKINS], exactly why the committee took the action it did. You come on this floor and try to take off our hide and make statements that cannot be borne out by the evidence.

Mr. PERKINS. I can give the reasons why I felt these funds should be restored, from the standpoint of the defense of this Nation. Furthermore, I do not want to follow the philosophy of the oil people in scuttling this program.

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

Mr. VANIK. Mr. Chairman, I would like to commend the committee, its chairman, and my colleague, the gentleman from Washington (Mr. MCCORMACK), for their forceful leadership in developing this important legislation to promote solar heating and cooling of buildings. It is just this type of congressional leadership that will be required if our Nation is to confront the challenges of the energy crisis.

In speaking of this legislation, I would like to confine my remarks to the solar heating and cooling data bank, established under section 9 of this act. We know that solar heating and cooling is feasible now. The major task for the Federal Government is to provide the "push" for commercial development of this technology. This legislation will perform the task through a number of thoughtfully designed and manageable demonstration projects.

But the lasting impact of these projects will only be as great as our effort to assemble and disseminate—as widely as possible—the information we generate from them. For this reason, we should be concerned with setting up an orderly and convenient procedure for providing access to the information we generate. The data bank will serve this purpose.

The data bank established in this act will, however, do more. Widespread adoption of solar heating and cooling technology requires the integration and application of wide-ranging data on solar equipment performance, architectural design characteristics, and regional weather conditions. Under the provisions of section 9, the Secretary of the Department of Housing and Urban Development will collect this information with the assistance of the Department of Commerce, the National Science Foundation, and NASA. Under regulations to be prescribed by the Secretary, this information will be provided to: Federal, State and local government agencies; universities and colleges; and the private sector.

It is in the national interest that the information in the data bank receive the widest dissemination possible in order to facilitate the construction of solar buildings. For this reason, it is not intended to restrict the access of information to the private sector. However, the Secretary may want to consider a small user charge for services provided by the data bank to cover the costs of these services to the private sector.

Utilizing the Sun's energy to warm and cool a building is one element in an effort to make the buildings we live and work in as energy efficient as possible. For this reason, the solar data bank will not only provide useful information on solar equipment and its application but also will assemble important data on other factors which affect the overall energy efficiency of a building—its orientation with respect to the Sun, design, window space, and insulation qualities.

The need for bringing all of this data together and disseminating it to those who need it for practicable application is incontestable. There is an explosion of information and interest in energy and, particularly, in new form of energy such as solar energy. The gentleman from Illinois (Mr. RAILSBACK) has just sent around a letter to each office pointing to the massive flow of energy-related information on Capitol Hill alone. Last year some 200 hearings on energy were held by at least 21 Senate and House committees. We are already well on the way to breaking that record. Some order, some cataloging, some sense must be made of all this flow of information.

As we begin our first major national effort in the new field of solar energy, it is important that we start off on the right foot with a sound information collection system.

Beyond this, it is my hope that this data bank will serve as a model for similar future projects designed to provide public access to information from other Federal research and development efforts.

Mr. CONTE. Mr. Chairman, as a sponsor of identical legislation, H.R. 11179, I rise in support of this bill and urge its immediate passage.

The Nation is suffering from a critical energy shortage. Unemployment is rising, the rate of economic growth is diminishing, and inflation continues to plague us all.

To keep our country moving, we need more energy. But the orgy of oil consumption is over. Our domestic sources can no longer meet demand. Foreign suppliers are not the most reliable. Where do we go from here?

The solution lies in developing new sources of energy—fuels that are not exhaustible and are not one of the scarce fossil fuels.

This bill gives us one of our first opportunities to develop a new source of energy—solar energy, or energy from the Sun's rays. The need for this supplemental fuel is urgent.

Already, several other countries have mastered the technology of using the Sun's rays. This should give the United States the incentive to catch up and move ahead.

The program of demonstration grants and incentives should provide us with the needed push.

Before passing this bill, however, I want to make one important note for legislative history. It is important that the Federal funds dispensed under this act shall be shared equally on a regional basis. In New England, for instance, there is a special need to develop solar energy as a supplemental fuel. In this region of the country, 74 percent of the homes, 71 percent of the buildings, and 90 percent of the schools are heated by fuel oil. In addition, 70 percent of New England's electricity is generated by oil-burning boilers. This overwhelming dependence upon oil—at a time when supplies are short and prices are skyrocketing—is intolerable.

The people of New England are anxious to experiment with new energy sources. Already, one college in my district, the Berkshire Community College, has informed me of its intention to build a fully solar-heated building on their campus. They have already collected from private sources about two-thirds of the cost of this system. They are hoping to secure financing for the remaining part of the cost from the Federal Government. But so far, there is no agency to help them. The National Science Foundation focuses only on basic research, not on commercially applied demonstration projects. And the General Services Administration funds only Federal buildings.

So, there is an immediate need for this bill.

France, Israel, and other countries are already enjoying the fruits of solar energy. The United States should be too.

And we should not stop our focus on solar energy with the passage of this bill. This is only the very first step in exploiting methods to use energy from

the Sun. Following the demonstration grants to be established by this act, we should start planning now for technological breakthroughs that will allow this Nation to harness energy from the tides, from the thermal gradients in the oceans, and from the winds. We should start thinking about converting solar energy to electricity, and using satellites to capture solar energy out in space and transmitting it to Earth receiving stations by laser beam.

The possibilities of developing solar energy are almost endless. But, to get the ball rolling, the House must give the first push today.

I urge my colleagues to give that push and vote to pass this Solar Heating and Cooling Demonstration Act.

Mr. RONCALIO of Wyoming. Mr. Chairman, I have been pleased to see this important legislation move along quickly in the 93d Congress and to see the wide support it has received. This bill is a step toward greater utilization of one energy source which is unlimited and continually renewable. I congratulate the Committee on Science and Astronautics for its work on it. While this bill takes only that first step of solar heating and cooling of buildings, we can look down the road to the successful development and further application of solar energy toward supplying much of our energy needs without depletion of our mineral resources and without the environmental concerns we face today with their use.

Under the authority given in this bill to contract for development and manufacturing of solar heating and cooling systems and the monitoring and evaluation of these programs, I would like to call to the attention of my colleagues the expertise and professional capabilities being displayed by Mr. Raymond B. Larsen and LRC, Inc. of Riverton, Wyo. LRC might very well offer the kind of data management and technological inventiveness that would be a valuable asset in the development of this technology.

Since LRC was organized in 1971, the young company has been primarily engaged in the development of a high speed impact matrix printer for use in conjunction with computer and communications related electronic equipment. The printer developed by Mr. Larsen and LRC prints information and data received either by keyboard or from a computer by forming a series of dots which comprise each character at a rate of up to 240 to 360 characters per second as compared to the current 4 to 60 characters per second produced by printers costing three times the retail price of the LRC machine. The printer can be programed for any written language including Chinese characters.

Mr. Larsen's LRC has demonstrated its potential for great organization and technical ability. The organization is a typical and logical candidate for grants under this legislation and I would hope that in administration of the provisions being considered here today LRC will have the opportunity to contribute its technical ability and assets toward solar technological development and implementation.

Mr. CONLAN. Mr. Chairman, I rise in support of H.R. 11864, the Solar Heating and Cooling Demonstration Act of 1973. This is a very significant bill—the first legislation to be reported out of the Subcommittee on Energy of the House Science and Astronautics Committee. This subcommittee is now carrying on the earlier pioneering efforts of the energy task force which was created in 1971.

This legislation comes to the floor with the unanimous endorsement of the Subcommittee on Energy as well as the full Committee on Science and Astronautics. Altogether, more than 180 Members of this body are sponsors of this bill.

Mr. Chairman, the history of our Nation's economic growth is the story of a vast industrial giant which has thrived on the ready availability of cheap fossil fuels. But for too long, we have inefficiently consumed energy with total ignorance of the implications of our actions. Only within the past few months have we come to understand the full costs—in dollars, environmental harm, and industrial production to mention a few criterion—of the present pattern of our energy use.

Today, as a direct result, we find ourselves in the throes of an energy crisis which stems from our habit of overworking too few sources of fuel. In short, we are confronted by a rapidly increasing demand for energy. We need more oil, more gasoline, more coal, more of everything necessary to fuel the machines that sustain our standard of living. But, in the process, we have also discovered another painful truth.

We are just beginning to recognize that the present energy dilemma is not going to subside until we begin to employ alternative sources of energy. One of these, clearly, is the Sun. In fact, the competitive position of solar energy has been so drastically enhanced by recent energy demands that we now look upon this source has playing a key role in the years to come.

The evidence of the future role of solar energy is not hard to establish. For instance, if the United States today depended on the Sun for even 1 percent of all its energy needs, it would save the equivalent of 100 million barrels of oil a year. Or, if half our energy needs for heating were maintained by solar power, by the end of this decade, oil savings would equal 2½ times the daily 2 million barrels projected to be delivered through the Alaska pipeline.

Unfortunately, solar climate control in its most immediately practical application—to heating and cooling for residential and commercial buildings—remains "locked" in the research and development stage. This is in spite of the fact that there are today no technical limitations which would prevent a solar heating and cooling unit from being built. The question simply is whether it would be economically competitive with other fuel sources. It is this question which has to be answered to make the solar energy approach a practical reality.

This then is precisely the goal of H.R. 11864: To establish the technical and economic feasibility of implementing a mass-produced solar heating and cooling system for the consumer marketplace. With this major step behind us, the path will have been paved for private industry to produce and install such systems on a profitable basis.

It must be emphasized, however, that prototype concepts and designs are required prior to the commercial marketability of such systems. In fact, experts are divided on the best way in which to trap the sun's heat in order to warm a home or other building.

Some hold that each building should have its own solar energy system since this design would result in a more efficient use of the Sun's geographically widespread radiation. However, it would involve construction of somewhat more expensive heating and cooling equipment in every building. Another group favors a centralized system with solar energy "farms" providing power for entire communities. These farms would concentrate the Sun's heat on steam boilers that would generate electricity. Leading experts who have worked on this approach, and in particular the husband-and-wife scientist team, Aden and Marjorie Meinel of the University of Arizona—point out that farms could be developed which would provide all the electricity the United States would need in the year 2000.

In particular, the Meinels point out that a 1,000-megawatt solar farm—producing about as much electricity from its steam-driven turbines as one of the country's largest nuclear reactors—would require only 7 square miles of land for its energy collectors in southern parts of the United States. Farther north, the size would have to be increased somewhat to compensate for more cloudy days and cold weather.

In any event, experts such as the Meinels eagerly await such innovative measures as H.R. 11864, as this legislation will pioneer the technology necessary to develop and demonstrate solar energy for heating and cooling buildings.

The specific approach adopted by the community will place the key responsibility in NASA which will carry out the demonstration program in conjunction with the Department of Housing and Urban Development. Both agencies would cooperate in turn with the National Bureau of Standards and the National Science Foundation.

The bill provides for a 3-year demonstration program involving the installation of solar heating units in private residences as well as in residences on Federal property. A second phase of the program involves a 5-year demonstration effort which will test combined solar heating and cooling units. The final phase is also a 5-year program but directed instead to the solar heating and cooling of commercial buildings including office buildings, colleges, and so forth. A total of $50 million will be spent under the legislation.

A final point is in order regarding the administration's views on the bill. I am informed that the administration does not support the legislation in its present

form. I understand that instead, it supports the establishment of the Energy Research and Development Administration as the agency to coordinate energy R. &. D. and to carry out demonstrations of solar as well as other energy forms.

The House, as we know, passed the ERDA bill—H.R. 11510—on December 19, 1973 by a vote of 355 to 25. That bill is now in the Senate Committee on Government Operations with no action scheduled. In the meantime, there is no agency to carry out demonstrations of solar energy for heating and cooling. This bill, therefore, will permit this vauable area of research to be pursued, while at the same time through the inclusion of section 13 of the legislation, permit the effort to be folded into ERDA or whatever ERDA-type agency the Congress creates. I feel that this provision should satisfy administration objections.

In closing, Mr. Chairman, the technology is already available for the demonstration of solar energy for heating and cooling purposes. But we must now begin to show the American homeowner that these systems can work and that they will mean a significant savings in fossil fuel consumption over the lifetime of the system. I, therefore, support the bill, as reported out by the House Science and Astronautics Committee. I feel that we should act promptly to see that this kind of demonstration program is carried out and I believe that this bill is a very positive step in that direction. I ask my colleagues to join with me in providing their support for this measure.

Mr. FRENZEL. Mr. Chairman, there may be a few Members who will quibble over the detail of H.R. 11864, and there may be a few more who will want to see a better blueprint or work plan before we authorize this sum of money, but I will be surprised if very many challenge the need to develop solar energy.

I strongly support H.R. 11864 as a much-needed, overdue congressional recognition of the need for priority development of solar power.

Solar power seems like a pretty long-range development now. Indeed, it may be. But if we are to rely on the Sun as our prime power source in the future, we had better get started now.

The $50 million is a lot of money. So is $10 billion, the target R. & D. figure for the next 5 years. But despite my strong balanced budget feelings, I believe both figures are high-priority necessities which have first call on the Nation's resources. The $10 billion the Federal Government will spend will be matched by a possible $200 billion in private spending and a possible $600 billion in 10 years.

It would be better, of course, to have a fully active statutory FEA and ERDA before this bill is passed. Our failure to move swiftly on the creation of those needed agencies is a congressional blunder of major proportions of which all of us and the public are well aware.

But we need to begin developing solar power even if we are unwilling to organize our bureaucracy to develop it effectively. I only hope passage of this bill will stimulate the passage of FEA and ERDA.

The congressional failure to act in the energy field, even on the emergency bill, has been a source of embarrassment to Congress. Executive leadership from FEO has been roundly criticized by Congress, but unfortunately it has not been matched by Congress. I hope at least that H.R. 11864 will be passed by a large majority. It is the least we can do.

Mr. FUQUA. Mr. Chairman, I rise in support of H.R. 11864, the Solar Heating and Cooling Demonstration Act. I come from a part of this Nation that is blessed with vast amounts of solar energy. It is truly one of the great resources of the State of Florida, and I can only say that it is about time that we figured out a way of sharing this great resource with the other citizens of this great country.

For decades people in our State have used solar energy to heat water. We have also, in the past, designed our buildings to take advantage of the natural sunshine so bountiful. Clever designs gave us structures that were warm in the winter and cool in the summer and required a minimum expenditure of energy from fossil fuels or other sources.

But the wide availability of low-cost oil, gas, and electricity changed this emphasis on utilization of natural resources. Our affluent population found it easier to install low-cost furnaces and air-conditioners. This might be termed a "brute force" method of climate control—one that is simple in concept but very dear in the amount of energy consumed.

Shortages in heating and oil and electricity together with high prices for all forms of energy have radically changed all this. Not only do we have easily identifiable short-term shortages, but there is also a widespread realization that our traditional fossil fuels are irrevocably being used up. In the decades to come we must turn to new sources of energy.

The Sun is the ultimate source of almost all of the available energy here on Earth. Natural gas, oil, and coal are really forms of solar energy—millions upon millions of years ago photosynthesis produced those plants which, through a process of physical change and geological evolution, formed the fossil fuel deposits which we use today. But this process took many millennia. We must now be more clever and figure out how to use solar energy in a shorter time frame; that is, we must put sunshine to use in the service of our civilization at about the same time that it arrives at the Earth. We just cannot wait for new oil fields to form by nature's proven but unacceptably slow process.

Mr. Chairman, what we have to do is put modern technology to work to solve our energy problem. This includes: careful, comprehensive reviews of alternative ways to use solar energy; decisions as to what scientific knowledge is ready for applied research, technical development and demonstration; and a willingness to implement those new technologies which are successfully demonstrated.

H.R. 11864 represents just such a comprehensive review of alternatives. Based on an extensive hearing record and other committee studies we are convinced that technology for solar heating is ready for demonstration. Solar heating and cooling is somewhat more complicated but should be ready for demonstration after an additional 2 years of development.

Many of us in Congress have long recognized the abilities of NASA for developing new technologies. The technological expertise and managerial techniques developed by NASA in its space and aeronautics program are relevant to the solution of a wide range of national problems which have technical components. The Committee on Science and Astronautics documented this widespread practical value of space technology in a report issued several years ago, entitled "For the Benefit of All Mankind." The huge demand for this report has prompted a further revision, and it is expected to be reissued in the near future.

In addition, industrial oganizations, professional groups and members of the scientific ways in which technology developed from NASA's programs has had an important role in the solution of other important problems in both the public and private sectors of our economy.

Section 4 of H.R. 11864 amends the National Aeronautics and Space Act of 1958. It provides that NASA support research, development and demonstration activities in solar heating and cooling technologies. I believe that this is an important change in the NASA charter, for it specifically indentifies an area of technology for which the expertise of NASA is ideally suited. I am sure that other areas will arise in the days to come. The partnership between NASA and the Department of Housing and Urban Development, together with the participation of other agencies as called for in this bill, represents a pragmatic approach to getting a specific job done. That job—commercial demonstration of the feasibility of the solar heating and cooling of buildings—is an important one. It can make significant advances in solving our energy problem and strengthen our economy and strategic position in the world. This arrangement also illustrates, I believe, the role which NASA can play as a technology agency in developing solutions to specific problems in conjunction with other agencies of the Federal Government. I hope this approach will serve as a worthwhile model for similar demonstration programs in the future. In this way we can not only save money but we can get the job done in a hurry.

Mr. Chairman, as a representative of the Sunshine State I urge all of my colleagues to support the Solar Heating and Cooling Demonstration Act. My fellow residents of the State of Florida have long recognized the attractions of solar energy, an attraction, I might add, also recognized by residents of New York and other States about this time of year. Now is the time to take solar energy from the beach and move it to the house top, and utilize this vast resource for the benefit of the citizens of this country .

Mr. OBEY. Mr. Chairman, investing in solar energy technology is a three-way bargain: you get the use of an in-

exhaustible energy source, relatively cheap power, and a clean environment.

I think supporting the development of commercial capability for use of solar energy is one of the most sensible steps we can take in the energy field, and one that is long overdue. That is the reason I cosponsored the Solar Heating and Cooling Demonstration Act which is being debated on the floor of the House today.

Space heating and air conditioning represent some 15 percent of our present energy consumption, electrical and otherwise. This bill will demonstrate the commercial feasibility of solar heating and combined solar heating and cooling systems in both residential and commercial structures. The demonstration will include solar heating or heating and cooling systems in 4,000 public and private units of various models. The National Bureau of Standards is authorized to establish standards for solar systems which can be funded under this act and for the types of residential and commercial buildings which can participate. NASA, in conjunction with HUD, will be responsible for implementation and close monitoring and evaluation of the efficacy of the systems.

In addition to the demonstration programs. the act directs the National Science Foundation to initiate and support research on new solar heating and cooling technologies. It also establishes a data bank to collect and disseminate the widely proliferating material on solar energy.

Fifty million dollars over 5 years is authorized by the bill, with spending rising from $4.5 million in fiscal year 1975 to $13.5 million in fiscal year 1979; this will supplement overall solar research from other appropriations.

Mr. Chairman, as the Federal Government vastly expands the amount of money being spent in the solar energy field, we have a special obligation in the case of solar energy development to protect and give special attention to the expertise of small businesses, who have pioneered in this area. For years individual university professors or departments, private inventors, and small private businesses have been almost the only ones to carry on the exploration into the potential of solar energy. I am glad to say that the interests of small business in carrying out the purposes of this act are protected by this legislation.

A number of experimental solar house-heating systems have been built and, in terms of engineering, are relatively simple. Buildings may be heated and cooled with solar energy by the use of large plates on the house roof which collect the sun's energy and store it as heat. A typical house of 1,500 square feet could be provided about three-fourths of its heating and cooling needs with a 600 to 800 square foot collector.

The initial cost of such a heating system is still rather high. However, if systems of this type were financed as part of house mortgages, the annual charges would be quite competitive with the costs of fossil fuel or electric home heating. The bill provides for an increase in the ceilings of federally assisted mortgage loans, to the extent of the increased cost resulting from installation of solar heating and/or cooling systems under this demonstration.

One point should be emphasized: the technology for solar heating and cooling exists; the task is to make it commercially viable.

This bill is one of a series of steps that must be taken to provide this country with flexibility in energy sources. Both private and Federal money should be invested in energy R. & D. in much greater proportion than previously. This bill will be the first one passed by the Congress in an effort to expand research on sources of energy other than fossil fuels and nuclear power.

Mrs. GRASSO. Mr. Chairman, the ultimate source of all energy used on Earth is the Sun. Until recently mankind has lacked the technology to harness the power of the Sun directly, and instead exploited the Earth's limited and dwindling supply of fossil fuels.

This Nation has reached a point in its history when it can no longer ignore this promising and virtually unlimited source of energy. It has been estimated that the Sun now provides the Earth with 10,000 times as much energy as all mankind will need 25 years from now. Also, the roof of a typical house catches three times as much solar energy as the energy it consumes. All we need to harness this permanent power supply is the appropriate technology.

Passage of H.R. 11864, the Solar Heating and Cooling Demonstration Act, will provide the catalyst needed to spur research in solar energy projects.

The bill, which I have cosponsored, authorizes $50 million over 5 years to fund solar heating, and solar heating and cooling demonstration projects. Under the bill's provisions, NASA would contract for the manufacturing of solar heating units to be installed within 3 years in Federal dwellings and private residential dwellings. At the same time, NASA would research and develop a combined solar heating and cooling system that would be demonstrated within 5 years. In addition, H.R. 11864 would establish a Solar Heating and Cooling Information Bank to collect, review, and disseminate data on solar heating and cooling to interested parties.

Solar energy represent only one alternative source of power needed to meet the current and future energy crunch. Many scientists believe it is our most promising source of future energy and that it can be efficiently utilized in only a few years. The demonstration projects created by the bill will enable us to determine the feasibility of existing solar energy technology while at the same time promoting further interest and involvement by the private sector in solar energy research.

Mr. Chairman, the Committee on Science and Astronautics—and particularly the chairman of the Subcommittee on Energy, the gentleman from Washington (Mr. McCORMACK)—should be applauded for reporting H.R. 11864. In our careful search for new sources of energy which are both economically viable and environmentally sound, solar energy offers great potential. Passage today, and eventual enactment, of H.R. 11864, will be an important step toward perfecting new sources of energy to meet the future needs of the American people.

I urge my colleagues to support the bill.

Mr. FREY. Mr. Chairman, in an era of increasing energy consumption, rising petroleum prices, and embargos on foreign energy sources, the use of solar energy to supplement conventional power sources offers some imposing advantages: solar energy is abundant and inexhaustible; it is an energy source that cannot be manipulated by foreign powers; and it produces no form of environmental pollution. Yet, as attractive an energy source as it is, we cannot look to solar energy for any significant relief from the crisis we are now in. Solar energy, we are told, is an energy resource of the future.

There is, of course, no guarantee that solar energy will be used at all in the future. Its potential utility has been recognized for years, but significant practical application is still in the future. Furthermore, unless some positive action is taken by our country, this inexhaustible and pollution-free resource may always be "in the future," always just beyond practical application. Positive action is needed to make solar energy a practical alternative to conventional power in the near future. I believe H.R. 11864 represents that positive step—a step that is needed to insure that solar energy will be able to contribute significantly to our national goal of attaining and maintaining energy self-sufficiency.

Mr. Chairman, H.R. 11864 largely removes the uncertainty associated with the use of solar energy as a technique for heating and cooling private residences and commercial buildings. The bill establishes a realistic timetable for the development and demonstration of solar heating and cooling systems. It provides 3 years for the development and demonstration of solar heating and because the technology is somewhat more distant, it allows 5 years for the development and demonstration of a combined solar heating and cooling system. Fifty million dollars is provided over a 5-year period to carry out the act.

As a further assurance that this technology will be available for practical use in the shortest possible time, the National Aeronautics and Space Administration, with its outstanding record of achievements in space and solar-related endeavors, is designated to administer H.R. 11864. NASA's ability to accomplish priority missions within stringent time and budget constraints will be an invaluable asset in making solar heating and cooling a practical reality. While NASA's solar energy interests have been largely associated with space applications, the Agency does have highly competent in-house personnel with expertise in terrestrial applications.

For the benefit of my colleagues who might not be fully aware of NASA's present capabilities in terrestrial solar applications, and in particular the field of solar heating and cooling, a brief discussion might be appropriate.

Most of NASA's solar energy work is being carried out at the Lewis and Langley Research Centers. Work at Lewis includes an innovative 4-by-4-foot facility for testing flat plate solar collectors. This facility produces simulated sunlight at varying intensities and angles and is able to provide comparative performance data on candidate devices. Lewis is also in the process of building a small facility that will test the different components of a heating and cooling system simultaneously in order to obtain data on interactions and overall performance.

At the Langley Research Center, a 53,000-square-foot systems engineering building now under construction will be partially heated and cooled by a 15,000-square-foot flat plate solar collector to be installed soon after the building is completed in mid-1975. This one-story office building will be the first known building in the world of its size for which solar energy will provide a significant part of the heating and cooling load. NASA anticipates that the solar energy system will provide a fuel savings of 10,500 gallons per year.

The Marshall Space Flight Center is yet another NASA facility actively involved in solar heating and cooling technology. Marshall plans to install and operate by June of this year a small 1,500 square foot solar collector which will simulate the operation of a solar house. The interesting aspect of this project is that the collector will have a cover of plastic instead of glass. Marshall engineers have found that this material, which was developed for the Skylab program, has the same transparency as glass but costs less.

It is interesting to note that aerospace systems experience, rather than that of electric utilities and oil producers, is primarily responsible for solar energy research. Companies such as General Electric, TRW Systems, Westinghouse Electric, and Honeywell have all received major contracts in solar heating and cooling R. & D. The rapport these and other aerospace companies have established with NASA through our space program will be an asset in the administration of H.R. 11864.

In conclusion, Mr. Chairman, I am confident that our mounting energy problems are not insurmountable. The energy crisis is new to us but the past demonstrates that our economy can adapt and adjust to changing circumstances. Solar energy can and will play a significant part in our changing energy use patterns. And with the enactment of H.R. 11864 I am certain solar energy will be playing a significant role in the very near future.

Mr. HANNA. Mr. Chairman, the bill before us today is one of the most important energy bills to come before Congress. This is not because of the amount of money involved—$50 million is small compared to the $10 billion program of energy research and development recently suggested by the President. Rather, it is important because of an opportunity to blaze new trails with regard to the development and commercial demonstration of a new energy technology by the Federal Government. Let me explain in more detail what I mean by this.

Section 10 of H.R. 11864 increases present ceilings of federally assisted or federally constructed housing that is involved in this demonstration program. This has two results. First, it increases the maximum dollar amount of any federally assisted mortgage loan that is furnished with solar heating or combined solar heating and cooling equipment under the demonstration program established by this bill. The maximum increment in this ceiling is the difference in the cost of the structure with solar equipment minus the cost of the same or equivalent structure equipped with a conventional heating and cooling system.

Such a provision makes sense in a bill such as this. These solar heated and solar heated and cooled buildings will be the first of their kind. The costs associated with the solar heating or cooling systems are not solely for the equipment itself, which is paid for by the Federal Government. Rather, one can expect a myriad of unusual construction details and a requirement for different construction materials and methods—all of which will tend to increase the total cost of the structure. Since this experiment will be expected to help thousands of Americans in the future, it seems only fair that an adjustment such as this be made in the ground rules for insuring the mortgages.

Second, this section increases the maximum unit or other cost of federally constructed housing involved in the demonstration program. The amount of this increase is similar to that specified for federally assisted loans, namely the difference in cost between constructing the building using a solar heating or solar heating and cooling system, and the cost with a traditional heating or cooling system.

In building a solar heated or cooled residence, the homeowner has to make a difficult economic decision. What he is doing essentially is making an initial large capital investment and, gaining in return, much lower operating costs. Presently our lending institutions and Government policies fail to recognize this tradeoff, and make it much easier for the average citizen to buy a house which has large operating expenses and a lower initial cost.

I should like to emphasize that these exemptions to present dollar limitations on federally assisted mortgages or federally constructed houses apply only to the demonstration units participating in this program. These exemptions do not affect other buildings heated or cooled by solar energy. This is because H.R. 11864 is just a demonstration program. It does not go all the way to assure the building up of a solar heating and cooling industry. To do so is a very large and complicated job. This bill takes us only through the first step—but it is an extremely important one.

We must also have careful studies of the kind that are provided for in section 9 of this bill. The Department of Housing and Urban Development shall, under these provisions, study and investigate the relationships of current building codes, zoning ordinances, and other laws and practices upon the practical use of solar energy for heating and cooling buildings. This implies that we have to make a careful analysis of sun rights, labor union jurisdictional questions, and a myriad of other issues related to the widespread utilization of solar energy for this purpose. This information can serve as a basis for changes in our laws and policies to encourage widespread use of solar energy in the future.

The technological and economic aspects of solar heating and cooling not only have to be studied and reported on—this information needs to be disseminated to potential users such as industries, builders, labor unions, and consumers. This need will be taken care of by the Solar Heating and Cooling Information Data Bank set up by this legislation. This data bank will have the responsibility of compiling technical information, physical and chemical properties of materials needed for solar heating and cooling, climatic conditions across the United States, and engineering performance of devices used in solar heating and cooling equipment. This data bank, under the management of the Department of Housing and Urban Development, will retrieve and disseminate relevant information to governmental units, colleges and universities, and the private sector.

In addition to the demonstration program provided in this bill, I believe it is clear that we will need mortgage incentives to encourage use of solar energy in the future. We must explicitly recognize the tradeoffs between capital investment in solar heating and cooling equipment and higher operating costs using conventional systems.

Purchasers of homes should be allowed larger loans for buildings that are solar heated and cooled—not only because it is in the public interest, but because they can afford larger monthly payments due to lower operating costs. Our financial institutions must recognize this fact of life and make adjustments in their practices.

It is also clear that we will probably need tax incentives to initially encourage the development of a large-scale solar heating and cooling industry. These incentives will no doubt be temporary in nature, but they should encourage manufacturers, distributors, builders, craftsmen, and consumers to construct and purchase solar heated and cooled homes.

Mr. Chairman, one of the most important issues before us today is the following: "At what point do you plug in incentives in order to assure widespread use of solar energy for heating and cooling of buildings?" In order to answer this question we need experience—and I believe this demonstration act will provide many answers to guide us in accomplishing the overall objective. H.R. 11864 is more a commitment to a beginning rather than a solution. It is, however, a necessary and important beginning and I commend this bill to you.

Mr. BROWN of California. Mr. Chair-

man, I am very pleased, today, to have the opportunity to express my support for H.R. 11864, the Solar Heating and Cooling Demonstration Act. As an active participant in the deliberations of the Committee on Science and Astronautics, as well as its Energy Subcommittee, I can attest to the extensive study, noted in the accompanying legislative report, that has preceded this bill's introduction. I believe the bill will be an important step in improving the awareness of the American people of the need for greater energy conservation in their homes. It is also a reflection of the important work in the solar energy field which has been carried out by many small businessmen across the country. In my following remarks, I will expand on these two important features of the bill—energy conservation and the past and future role of the small businessman.

In my own district near Los Angeles we have an ideal climate and locale for extensive residential utilization of solar energy. It has been obvious to me also that there are many applications of solar power to various types of commercial buildings, including municipal facilities, as well as family residences. But solar energy is not limited to areas like Los Angeles. It is a national resource and can be used virtually anywhere in the country. With no truly unified national energy policy, this bill is important because it will help us move technologically ready energy-conserving systems out of the research and development stage and into commercial application.

In October of last year, it was my pleasure to host a conference on "Conservation of Energy—By Design" at the University of California at Riverside. At this conference, experts from all aspects of our society confirmed the need for this type of energy-conserving legislation. I expect to see a great deal more emphasis on this important topic in the future.

Another reason for my emphasis in these remarks on energy conservation through design has been the insight I have gained through the two trips the committee has taken to visit solar heating installations. The first was to the home of Mr. Harry Thomason, who lives just outside Washington, and whose solar initiatives are, no doubt, well known to other Members of the House. In addition, last fall the committee visited the solar-heated home of Mr. Robert Reines near Albuquerque, N. Mex., and the Los Alamos Scientific Laboratory, Los Alamos, N. Mex., which is constructing a solar heated library. In all of these buildings, great emphasis has been placed on energy-conserving designs, as well as on the solar heating systems. It will simply not be sufficient for the administrators of the program proposed by H.R. 11864 to concentrate on solar heating and cooling systems. It is essential that adequate consideration be given to the overall energy conservation features which we have been neglecting in our home design and construction up to now.

In addition to the two homes which I was able to visit with the committee, there have been a number of other homes built in this country which have employed solar energy—but probably not more than 30. The importance of their work cannot be overemphasized. They have developed, through such organizations as the Solar Energy Society, the present public awareness of solar energy's potential. Most importantly, they have shown the economic effectiveness of their respective systems. One such individual in my own district, Mr. Homer Davis, is presently building his own solar heated home. On November 12, shortly before hearings began on this bill, I described his work in remarks in the CONGRESSIONAL RECORD.

I mention these individual instances to stress the importance of section 11 of H.R. 11864. This section calls for all of the responsible Federal offices and agencies to take steps to assure that small business concerns will have a realistic and adequate opportunity to participate in the programs under this act to the maximum extent possible. It is important that the contributions of these early advocates of solar energy utilization not be lost in our endeavors to achieve the advantages of mass production. It is my belief that the greatest advancement of solar energy can be made by utilizing, in the future, both the expertise of these early advocates and of the large industrial contractors. The housing industry is still one containing many small contractors; it will be to the advantage of us all if the administrators of this program will be sure to include adequately the small businessman in carrying out the provisions of the bill.

At the request of that committee, the legislative report has included some clarifying language that is of similar intent. On page 29 of that report, it is noted that the bill does not prohibit the Administrator from funding individual prototype demonstrations. It is my hope that advantage will be taken of this opportunity because of the great speed and economy with which we can then proceed in furthering the demonstration project. My experience leads me to believe that there are many inventive individuals only waiting for encouragement and that many improvements in mass-produced equipment will result from including this wider source of talent.

Part of my concern about the small businessman is the need for standards or performance criteria. Not only do we need to protect the consumer from the unscrupulous businessman, but we need a mechanism for assuring the prospective purchaser that reputable products have been well designed. The job of establishing these equipment performance criteria has been assigned to the National Bureau of Standards which has an excellent record in this field and which has already begun the job of testing solar units. This will be a complex task since the requirements will vary with geographical location, but I am sure that it will be possible in the 120 days allowed by this bill.

No matter how well designed the solar equipment is, however, if the home is poorly designed, the result will be inadequate heating or cooling. This brings us again to my first point—energy conservation. The National Bureau of Standards is also directed by this bill to prepare energy conservation criteria for the demonstration houses needed to test the equipment developed under this bill. I believe this feature, alone, has a potentially tremendous impact on the future utilization of fossil fuels in this country, even though it is a relatively minor part of the present bill.

In summary, I reiterate my support for this legislation. This bill will provide benefits far beyond the two features I have discussed here—even though this bill is itself only a beginning.

Mr. ROE. Mr. Chairman, I rise in support of H.R. 11864, the Solar Heating and Cooling Demonstration Act. As a member of both the Science and Astronautics Committee and its Energy Subcommittee, from which this bill has come, I am most aware of the importance of this bill and the excellent work that has preceded its introduction. The purpose of the bill is to move the application of solar heating and cooling from the research stage into the demonstration stage. A great deal of testimony before the committee has established the present readiness of technology for this effort on the part of the Federal Government, as well as the necessity of doing so. Not only is the need more obvious now, because of the supply problems, which are especially obvious in my own district in northern New Jersey, but for many years it has been obvious to me that this effort will be especially important for the environment, and it is this aspect of the bill that I wish to comment on in the remainder of the allotted time.

Prior to coming to Congress, I served for a number of years as the New Jersey State Commissioner of Conservation and Economic Development. My chief responsibility was the conservation and preservation of our State's natural resources, the protection and enhancement of the integrity of our environment, and, as the most populous, industrialized State in the Nation, their interrelationship with the economic and growth development of our State dedicated to the optimum yield and most effective use and management of these resources in the best interest of all of our people.

To help meet these environmental objectives is one of the obvious outstanding features of this bill. It has been recognized in the sixth finding of the bills, which I would like to quote in full:

> The Congress hereby finds that the widespread use of solar energy in place of conventional methods for the heating and cooling of buildings would have a significantly beneficial effect upon the environment.

It is obvious that northern New Jersey because of its serious smog problem, will greatly benefit from a decreased usage of petrochemicals for heating and cooling of buildings. However, in addition to helping to improve the smog situation, there will be an important attendant decrease in thermal pollution—a concern of many people in the Greater New York City area. The use of solar collectors on rooftops should be esthetically acceptable in its own right, but it will also help in alleviating visual pollution caused by other forms of energy delivery systems.

Thus, I wish to express my strong support for the environmental features of H.R. 11864, not only for the congressional district which I represent, but for its beneficial aspects across the country.

However, the use of solar energy in New Jersey is as practical as anywhere in the country, and I am looking forward to working with private enterprise and Federal agencies in implementing this program in our district. It is interesting to note that the Department of Housing and Urban Development has recently opened a test facility in Jersey City, which is partially equipped for later testing of solar collectors as they become commercially available. Since HUD will play such a major role in this bill, it is a pleasure to note that some of the activity will probably be occurring in New Jersey. Along these lines, it is also important to point out that a major portion of the demonstration project will be concerned with commercial buildings. As I represent a district which is in part agricultural, I am pleased to note that agricultural structures—including crop-drying facilities—are intended to be developed under this section of the bill.

Returning to the environmental features of the bill, I was especially pleased that the committee received the testimony of two outstanding environmentalists in considering this bill. Both Sheldon Kinsel of the National Wildlife Federation and Mr. Wilson Clark, Energy Consultant to the Environmental Policy Center testified in favor of the broad features of the bill, and especially on the beneficial effects on the environment. Mr. Kinsel noted the present readiness of technology, urged assembling solar data on a worldwide basis now, urged a retrofitting emphasis, and finally urged a major emphasis in the demonstration on all facets of energy conservation, not simply to limit the demonstration of solar heating and cooling alone. With some qualifications about the last topic, because of the need to have a focus to this work, I support these additional points in Mr. Kinsel's testimony—and I am sure that the administrators of the project will take these into full consideration.

Mr. Clark's testimony was similarly favorable. He noted the urgent worldwide need for energy conservation, and the importance of energy saving architecture—an area of interest of myself as well. The availability of adequate materials is another important area of concern for Mr. Clark, and I agree with that concern. I hope that this project will conduct studies to insure that conservation of scarce natural resources will be an important consideration. Mr. Clark also made a worthy suggestion urging consideration of decentralized solar energy agricultural systems, noting the heavy use of energy in our agricultural industries, and a need to prepare for future shortages there. Lastly, Mr. Clark noted the important contributions that can be made by private organizations, such as architectural trade organizations, builder associations, consumer and other public interest groups in the solar development program. As a former member of the building industry, I can testify to the important contributions that such private organizations can make to the success of this type of demonstration project.

In this same vein, I was pleased to note that the architectural design competitions which have been called for in this bill are open to all recognized professionals. Although the majority of the participants in the two housing design competitions which the bill calls for will undoubtedly be architects, I am pleased to note that the many building contractors who are qualified to design houses will also be eligible to enter this housing design competition. I know from experience that such design competitions will be very valuable in promoting interest as well as knowledge in the subject among an important segment of the building community. A second valuable advantage is that this design competition will provide a valuable library of esthetically pleasing designs for the building trades to call upon in future years.

A different point of view is to be gained by looking at the future potential savings that could result from extensive utilization of solar heating and cooling. Unfortunately for the Nation, previous projections have been badly outdated by the recent oil embargo. However, this has only increased interest in solar heating and cooling from the financial viewpoint. Before discussing this further, I think it is especially important to note that the national security is greatly enhanced by reducing our dependence on imports from other nations.

The Office of the President's Science Adviser set up a study some years ago to look into the potential of solar energy. The results were published in December 1972, in what is known as the NSF/NASA Solar Energy Panel Report, and is entitled "Solar Energy as a National Energy Resource." The assembled experts showed in that report the tremendous potential for solar energy and encouraged greatly increased Federal funding for solar research, development and demonstrations—a part of which is contained in this bill.

However, it is important to note that the intent of this bill is to increase the speed of the introduction in accordance with the increased sense of urgency which we all feel. The panel noted that of all the solar areas of research, solar heating and cooling for buildings was the area closest to commercial readiness. They estimated that if 10 percent of the total housing market could be captured by the year 2000, that over 1 million barrels per day of oil or over $2 billion per year could be saved in fossil fuel expenditures. I am personally convinced that placing emphasis on the existing home market, and taking a more recent figure for the expected prices of fossil fuels, will increase this annual dollar savings several fold. In any case, this is a respectable figure and well justifies the $50 million expenditure to begin this important new national industry.

In summary, I wish to reiterate my support for this solar bill, and urge its passage. I believe it is important for the future well-being of the country for many reasons, but have chosen to speak mainly on the subject of the conservation aspects of the bill, which have played an important role in my career, and which continue to be of great importance to me personally. I am sure that this is only the beginning of an important greater National interest in solar legislation, and energy conservation in general.

Mr. THORNTON. Mr. Chairman, the energy challenge is the most critical problem facing our Nation. The public is aware and asking questions like: What caused the energy shortage to develop? Is the shortage real? How do we divide our resources fairly? How do we keep prices down? How do we keep our jobs?

But with the practical commonsense of the people these other questions are also being asked: How do we overcome the problems? What steps are needed to provide adequate supplies of energy? How can we use our resources more wisely and to greater advantage?

In previous speeches to this House I have outlined the nature of the problem. Last April I projected—on the basis of studies by Prof. Otto Zinke of the University of Arkansas—that by the end of this year we would be short of needed supplies of refined petroleum products by approximately 2.75 million barrels per day. The most recent figures released by the Federal Energy Office show a shortfall of 2.7 million barrels per day. The shortage materialized earlier than projected but will continue to exist and grow until positive steps are taken to reverse the growing gap between our energy needs and our energy supplies.

To fully appreciate the gravity and seriousness of the challenge, we must realize that the shortages we are experiencing are for the most part independent of the oil embargo announced last October 17. That embargo had the effect of catalyzing public opinion to adopt conservation practices which helped us meet the shortages which were already appearing, and which had resulted from institutional failures by both government and industry to take needed action before this problem was brought home to the American people as they wait in lines for gasoline, as they see their budgets wrecked by propane bills, and as they let us know that it is time to find solutions.

Because the importance of the solar heating and cooling bill can only be considered in the perspective of our total energy requirements and supplies, I want to summarize the effect of the oil embargo because there may still be those who suppose that our problems will end when the embargo is lifted.

We import petroleum from the Mideast in two forms, as refined products processed in Italy, the Caribbean, and in Europe; and as crude oil to be processed in the United States.

From September through the last week in December, our imports of refined products remained at the constant level of 2.9 to 3 million barrels per day. These imports were not affected by the embargo and this level of imports is the most we can expect under any circumstances during the next 3 to 4 years.

Our imports of crude remained at 3.5 million barrels per day—keeping American refineries operating at maximum output—from September through the

last week in November. Then the effect of the embargo, which was announced as a graduated—5 percent—cutback each month, began to show. For the last week of November, crude imports dropped from 3.5 to 3.1 million barrels per day, and held at this level throughout December with a small decline in the last week of December. For 1973 the total effect of the embargo was approximately one-fourth of 1 percent of our total annual oil supply.

Our shortages are the result of failures to meet our Nation's growing needs for energy and will not be resolved simply by foreign policy negotiations, no matter how skillfully performed.

This bill under consideration, reflecting the strong and positive leadership of the distinguished chairman of our committee, Chairman TEAGUE, and the brilliant work of the subcommittee chairman, the gentleman from Washington (Mr. MCCORMACK) is the kind of approach which is so greatly needed to provide leadership and direction in solving the energy challenge.

It is therefore not surprising to find it challenged by some bureaucratic administrators who too often substitute their judgment for those of Congress, and whose judgment too often reflects a fear of departing from traditional approaches and a willingness to trade off real efforts to solve problems for some future bureaucratically designed management system. The energy problem cannot be managed. It must be overcome.

We should be taking steps now to overcome it.

The administration should support efforts to develop permanent alternative energy sources such as solar heating and cooling, geothermal power production, and advanced energy conversion, storage and transportation systems.

The administration should recognize the correlation between energy shortages and employment, and should call for programs to provide useful employment while tackling our energy needs.

The chief executive of each of the Nation's automobile manufacturers should be called to Washington and asked to develop proposals for changes in laws and regulations which would facilitate the development and production of automobiles averaging 30 to 35 miles per gallon without adverse effects upon our environment.

A representative group of executives of the power generating companies should be called to Washington and asked to propose needed changes in laws or in bureaucratic regulations to encourage power generating plants to add topping cycle generating equipment to present plants and to design such equipment into all new plants so as to increase the thermal efficiency in converting fuels to electric power. Bureaucratic regulations should not be permitted to stifle the development of prototype plants designed to accomplish these objectives.

The managers of a representative group of energy-producing companies should be called to Washington and asked to outline plans for the development of additional energy reserves within the United States including such things as oil shale development and secondary and tertiary recovery from existing oil production zones.

These steps are but examples of the approach which is needed if we are to move from the age of dependency upon fossil fuels to a new era of permanent energy sources, wisely used and conserved. The first, most logical step is that contained in the solar energy bill which we are now considering.

Solar energy for heating and cooling of residential and commercial buildings is feasible, it can be demonstrated and it can open an avenue for using the vast and permanent energy of the sun to conserve fossil fuels, while supplying energy needs in a form which has virtually no undesirable environmental effects.

Mr. Chairman, this bill represents a positive and realistic approach to our energy needs and I urge its passage.

Mr. MILFORD. Mr. Chairman, I strongly endorse the Solar Heating and Cooling Demonstration Act which we are considering this afternoon. It is the kind of program that our Nation must pursue in order to cope effectively with the energy crisis in the long term.

H.R. 11864 is the logical culmination of many years of research and development in solar energy. The sun has been the objective of experimentation for centuries. In modern times, private citizens and inventors have built a number of solar-heated homes located in many countries of the world. In the United States a number of universities and colleges have undertaken solar research and development programs, and academic leaders have shown that intellectual curiosity can be successfully combined with practical interests in a manner that produces scientific and engineering advances in this area.

At the Federal level the National Science Foundation is the lead agency for the funding and performance of solar energy research. In 1971 NSF funding for solar energy research exceeded $1 million for the first time in history. Almost half of that effort was directed toward solar energy for buildings—heating hot water, and space heating and cooling. In fiscal year 1974 NSF estimates that its total solar energy research program will amount to $13,200,000. Of this total $5,900,000—again almost half—is allocated for solar heating and cooling of buildings.

Next year, fiscal year 1975, there are indications of a vastly expanded Federal effort in solar research. The President's budget just submitted to Congress contains $50 million for this purpose—an almost fourfold increase over the present funding level. Again, most of this effort will be concentrated through grants and contracts administered by the National Science Foundation.

Mr. Chairman, section 8 of the bill under consideration here today recognizes the important role the National Science Foundation plays in this area. It amends the Foundation's organic act specifically to direct the Foundation to support basic and applied research relating to solar energy development. It further goes on to state that these NSF research activities shall, insofar as practicable, support the solar heating and cooling technology involved in the demonstration called for by H.R. 11864.

During the deliberations of the Committee on Science and Astronautics on this bill, the role of NSF received a lot of attention. It was recognized that a large-scale demonstration program such as this, involving the process of developing, integrating and procuring a large number of hardware systems, would not be appropriate for a basic-research-oriented agency such as the National Science Foundation. It was generally agreed that the role of NSF in developing new technologies does not extend through the demonstration stage—a view expressed by the National Science Foundation Director, Dr. Guyford Stever, in his testimony before the Subcommittee on Energy.

On the other hand, the experience and expertise that the National Science Foundation has developed in the area of solar heating and cooling must not be lost. A comprehensive basic and applied research activity sponsored by the NSF must go on in parallel with this large-scale demonstration project. Although the current state of the art permits the building of solar heating and/or cooling systems, these will not be perfect or necessarily even optimum. We will continue to need new knowledge to provide the necessary improvements for incorporation into future systems.

NSF will retain this general responsibility for supporting research in solar energy, including those aspects related to heating and cooling buildings and heating water. These ongoing activities will be funded in large part through the normal budgetary process. This is a process to which the Committee on Science and Astronautics has devoted a lot of time in the past, and I am sure their specific request for solar research funding will receive careful consideration from the committee this year and in the future. Also I expect that NASA will transfer funds to the NSF for support of specific projects that will furnish information and scientific knowledge needed in the demonstration program.

Mr. Chairman, the National Science Foundation has played a unique role in the development of science in this country. It has trained manpower and produced knowledge that have made possible many technological advances. I am convinced that it will continue to do so. I think this bill before us today will utilize that resource to the maximum extent possible, and that the National Science Foundation will play a vital part not only in this particular demonstration program but in a broad spectrum of future solar energy activities.

Mr. JOHNSON of California. Mr. Chairman, today we have a rare opportunity. We are considering a bill to provide for the demonstration of the effectiveness of solar heating and cooling. We all know that the use of solar energy has been proven technically practical. Our country is in the throes of a serious en-

ergy crisis. The people—our constituents—are demanding action. Today we have the opportunity to take positive action which will directly lead to the widespread adoption of solar energy as a viable source of energy in the modern world.

Daily our energy supplies become harder to obtain and the resulting crisis worsens. We see long lines of cars at gasoline stations. We see shortages of food, raw materials, and manufactured goods because the Nation's truckers cannot obtain fuel at a reasonable price. Our home and office temperatures are lowered and we have switched to permanent daylight savings time—all in an effort to save energy.

The President has called for congressional action to alleviate some of the more serious energy problems. The bill before us today provides one option. In fact, it is one of the best options.

Solar energy is technologically feasible, financially viable, environmentally clean, available in limitless quantity, and readily available to each consumer.

We can no longer afford to ignore the benefits of energy produced by the Sun's rays. We, the Congress, can foresee the need for this form of energy, and we must act now to see that its availability is well known. We must provide the incentives for its development and use. We must provide for the "demonstration" of its benefits.

Public education is the key to the success of solar energy. The conversion of light to electrical energy must be demonstrated as a feasible solution to the energy problem. Granted, solar energy is not the only form of energy that we can rely on. That is as it should be. We cannot afford to depend so heavily on any one form of energy in our future. Our dependence on petroleum has been a primary cause of our current crisis.

Some experts who testified in support of this legislation have estimated that as much as 50 percent of our energy could be derived from the Sun. But again, the people must learn that solar energy can work. Large scale demonstration projects are needed so that individuals can go and see the results of using this form of energy. To carry out such an effort, many agencies of the Federal Government must contribute their time, skill, and funds.

This legislation, the Solar Heating and Cooling Demonstration Act, provides for the early commercial demonstration of the technology of solar heating and cooling. Many of our Federal agencies would participate in this effort over a 5-year period. This legislation can lead the way to a better use of our resources and a more realistic use of solar energy and its capabilities as available to us today.

I urge my colleagues today to take action to show that the Congress is actively working to seek new ways of producing energy. Show the Nation that we are concerned about the problems the people are facing from day to day. Show this country that the Congress is not just talking about solutions, but that we are acting. Prompt enactment of this legislation by the Congress can bring about substantial use of solar energy by our 200th birthday. Solar energy is an energy of the future. We must not put it off any longer.

Mr. SHRIVER. Mr. Chairman, I want to commend the distinguished chairman and the members of the Committee on Science and Astronautics for their excellent and prompt action on this bill. The Solar Heating and Cooling Demonstration Act, as reported, represents a significant, positive step toward our country's goal of becoming self-sufficient in energy resources.

In my 13 years in the House of Representatives, I have seldom seen such efficiency, such appropriate response to a national need, as we have witnessed in the committee's handling of this bill. That in itself is refreshing.

As one of the cosponsors of the bill, I look upon this proposed demonstration program as our first, serious action to meet our energy needs of the future and to end our almost total reliance on fossil fuels for all purposes. Solar energy should be considered not as a replacement of fossil fuels, for that it cannot be. Solar energy should be considered as an alternative, as a supplement to other energy sources to meet the world's growing energy needs.

What we envision in this bill is a concentrated, short-term program of research and demonstration into those areas where solar energy can be used in place of fossil fuels and electricity. We want to show how it can be used to heat and cool commercial and Government buildings and eventually our homes. If we can find ways to do this at costs which will be competitive with future costs of other forms of energy, fuel now used for such heating and cooling needs will be available for uses for which solar energy is not expected to be feasible, such as transportation.

This bill does not call for the expenditure of large amounts of Federal funds when compared with other Federal initiatives. The total appropriation authorized is $50 million to be spent over a 5-year period. I think the committee was wise in resisting the temptation to just throw a lot of money at the problem in hopes that the more we spend, the quicker it will be solved. We have learned, or should have by now, that that kind of logic does not work.

The $50 million will be used in a narrowly focused demonstration program using the expertise of the National Aeronautics and space Administration, the National Science Foundation and the National Bureau of Standards, whose research results would be put to use under the guidance of the Department of Housing and Urban Development, the Department of Defense and the General Services Administration. Results from solar heating demonstrations are expected within 3 years, and the combined heating and cooling technology should be available within 5 years.

There are serious problems still to be solved in the field of practical application, and we cannot expect miracles overnight. It is estimated the initial cost of such heating and cooling systems would add at least $2,000 to the cost of a home, that is using current technology. The present trend toward connecting townhouses rather than single family houses brings other difficulties. Environmental and esthetic concerns must also be considered.

But these problems can be solved and existing knowledge, developed by private individuals along with a small amount of government-supported research, is adequate for the demonstrations called for in this bill.

Again, I commend the committee for its work, and I am hopeful that prompt action will be taken by Congress to get this program rolling.

With permission to revise and extend my remarks, I am including the brief explanation of the bill which appeared in the committee report:

PURPOSE OF THE BILL

The purpose of the bill is to demonstrate within three years, using current technology, the practical use on a large scale of solar heating technology; and to develop and demonstrate on a large scale within five years the practical application of combined solar heating and cooling technology.

EXPLANATION OF THE BILL

This bill provides $50 million over a five-year period for the commercial demonstration of solar energy for heating and cooling residential and commercial buildings. It should be emphasized that H.R. 11864 does not set forth a comprehensive national solar energy R. & D. program. Rather, it accomplishes the very important and timely "next step" required to implement the large-scale, practical use of solar energy in the immediate future.

Solar energy has received greatly increased attention from Congress, the scientific community, and the public, a fact well documented by the Committee. Proposals were presented to the Committee for utilizing solar energy to heat and cool buildings, as well as for large scale terrestrial solar energy conversion and huge satellite electric power stations in space. Other proposals included bioconversion, wind conversion and ocean thermal gradient utilization.

Testimony before the Committee indicates that only the area of solar energy heating and cooling of buildings is now ready for commercial exploitation on a large scale. However, only about 30 solar heated buildings have been constructed in the entire world, and the operating experience necessary for large scale commercial implementation of this technology does not exist. A commercial demonstration of the economic viability of solar heating and cooling is a necessary step in attaining the goal of widespread commercial production and marketing of solar heating and cooling systems for millions of American homes.

H.R. 11864 provides a two-stage demonstration program. The National Aeronautics and Space Administration (NASA) will be in charge of the initial phase which will consist of contracting for the research, development and manufacture of solar heating and combined solar heating and cooling equipment.

The second phase, including responsibility for installation of the equipment, monitoring and dissemination of information will be managed by the Department of Housing and Urban Development.

The residential solar heating program is programmed for three years; the residential combined heating and cooling program for five years; and the heating and cooling program for commercial buildings for five years.

Statement of policy

The bill declares that it shall be the policy of the United States to accomplish the

demonstration of the practical use of solar heating technology within three years (using current technology for this purpose), and to accomplish the research, development, and demonstration of the practical use of combined solar heating and cooling technology within a five-year period.

Amendment of the NASA Act

The bill amends Section 203 of the National Aeronautics and Space Act of 1958 to make explicit NASA's authority to carry out activities prescribed by H.R. 11864.

Development of residential solar heating systems

The development of solar heating systems for residential dwellings shall be carried out by NASA. This includes the responsibility for contracting for the development, prototypes (if needed), and manufacturing of the systems in substantial numbers. "Substantial numbers" will be administratively defined, but in any case 1,000 units is deemed to meet the requirement for each category of the demonstration program, a total of 4,000 units under all sections of the bill.

The solar heating systems developed and contracted for by NASA must meet performance criteria prescribed by the National Bureau of Standards (NBS). These performance criteria are to be published 120 days after enactment of the bill. NBS will also prescribe performance criteria for the residential dwellings in which the equipment is to be installed, in order to assure satisfactory performance of the solar heating systems under varied climatic conditions. A design competition for homes meeting these performance criteria will be conducted by NBS so that an adequate number of "off the shelf" designs will be available to individuals and small builders to install solar heating systems.

The solar heating systems manufactured under contract to NASA are to be installed, half in Federal and half in private residential dwellings. Installation in Federal dwellings shall be carried out under arrangements made by the Secretary of Defense. The Secretary of Housing and Urban Development shall arrange for installation in privately owned and occupied residences.

Ownership of the heating systems shall remain with the United States Government for five years after installation. During this period, HUD utilizing NBS, will monitor and evaluate the performance and operation of the systems. At the end of this five-year period, in exchange for cooperation in the monitoring and evaluation program, title shall be transferred at no charge to the owner of the residences in which the equipment is installed. During the period of Government ownership, the expense of maintenance and repair of the heating system shall be borne by the Government.

Since HUD has general responsibility for administering this demonstration program after the heating systems have been manufactured, it also has responsibility for the monitoring and evaluation functions. It is expected that NBS will be delegated as much responsibility as possible in this regard. HUD must also report on the progress of the demonstration, and maintain a continuing liaison with the building industry and related industries during and after the demonstration program. The liaison will be directed toward assuring that the benefits of this demonstration program will be realized by the Nation on a continuing basis.

Development of residential combined solar heating and cooling systems

The assignment of administrative responsibilities for the combined heating and cooling demonstration program for residential dwellings is similar to that for the heating program. The major exception is that NASA is authorized to undertake a research and development program for combined solar heating and cooling systems that would meet the performance criteria. It is anticipated that this research and development phase will require about two years, hence the total time planned for the combined heating and cooling program is five years.

Commercial buildings

NASA and HUD, in a phased program similar to that for residential buildings, are directed to concurrently carry out solar heating and cooling demonstration projects with respect to a wide range of commercial buildings, such as school, industrial, office, agricultural, and apartment structures.

NBS is to participate in the commercial demonstration in ways similar to its participation in the residential dwelling program. Because of its unique responsibility for public buildings, the General Services Administration is expected to play an important role in this aspect of the overall program.

Amendment of NSF Act

The NSF Act of 1950 is amended to require the Foundation to initiate and support basic and applied research in solar heating and cooling in support of H.R. 11864. NSF is authorized to use funds appropriated directly to the Foundation or transferred to it from NASA or other agencies.

Dissemination of information—information data bank

As part of its responsibilities to assure continuing public benefit from this program, HUD is required to undertake comprehensive programs that would assure dissemination of all relevant information produced under this demonstration program. In addition to coverage in the annual reports of the various agencies participating in this demonstration program, HUD shall submit to the President and Congress a summary annual report detailing all activities relating to programs under this bill.

HUD is also charged with establishing and operating a Solar Heating and Cooling Information Bank. This bank shall collect, review, process and disseminate information on solar heating and cooling in order to support the objectives of the bill, and encourage the widespread utilization of information related to solar heating and cooling of buildings and water.

Studies and investigation

HUD is charged with studying, investigating and reporting on ways that building codes, zoning ordinances, and other laws and practices can be modified in order to facilitate widespread use of solar energy for heating and cooling buildings.

Increased ceilings on federally assisted mortgages or federally constructed housing

The bill provides for an increase in the ceilings on federally assisted mortgage loans, to the extent of the increased cost resulting from installation of solar heating and/or cooling systems. Unit cost ceilings of federally constructed housing are also increased to this extent.

The increases apply only to buildings specifically incorporated into this demonstration program. The amount of the increases may include but are not limited to the solar heating and/or cooling equipment, and special construction materials.

Small business

All Federal agencies participating in this demonstration program are charged with taking steps to assure adequate participation by small business firms.

Transfer of functions

Research and development functions vested in NASA and NSF by this bill would be transferred to any new permanent organization having jurisdiction over energy R. & D., such as the proposed Energy Research and Development Administration, should such an agency be established by law.

Authorization of appropriations

$50 million is authorized to be appropriated to NASA to carry out the demonstration bill for the five fiscal years beginning after the enactment of the bill.

Mr. BIESTER. Mr. Chairman, I am pleased that the House has before it today the Solar Heating and Cooling Demonstration Act, and as a cosponsor of a similar bill I rise in support of H.R. 11864.

Commentators have noted that, despite all its disruptive and negative effects, encouraging elements are to be found in the current energy situation. For one thing, we are having our energy consumption habits exposed for the excessive drain they have been, hopefully early enough for us to take constructive and positive action for the future. The fact that we have been misusing and abusing our limited energy resources over the years has struck home—in our personal and daily experiences—with unmistakable clarity. When the urgency of the present situation is put behind us, it should not relieve us of our responsibility to more effectively utilize and conserve our energy resources. We will, or should, have learned a lesson from this ordeal. For this reason, it is encouraging that the legislation now being considered will accelerate Federal involvement in a promising but as yet underexploited area of energy development.

Solar heating is not a radically new idea. Its potential has been recognized for many years, but its economic attractiveness—in terms of technological refinement and in comparison with more conventional energy sources—has not been such to make it worth the effort. The current situation, accompanied by a sharpened awareness of likely future energy demand and supply projections, has elevated solar energy to a priority position in the list of promising technologies.

The legislation before us provides for increased governmental efforts in research, development, and application of solar heating and cooling within the next 5 years, and $50 million in funds are authorized for these purposes. The National Aeronautics and Space Administration and the Department of Housing and Urban Development are given primary responsibilities, first, to engage in contracting R. & D. and manufacturing and, second, to apply this technology in operational heating and cooling systems. This measure offers needed investigation into the commercial practicality of solar energy, and the bill states that the systems must be demonstrated in differing climates and in differing types of structures, both governmental and private. It will encourage application on both a small scale as well as in larger projects. In addition to NASA and HUD, other Federal agencies will be brought into the picture and broad-based interest and support for these efforts have been voiced from within the Government. The involvement of agencies such as the National Science Foundation from a research perspective, the General Services Administration from a practical application standpoint and the Bureau of Standards from an evaluative position

will be instrumental to the success of the legislation.

We must avoid overexpecting what solar energy can deliver. It will not replace oil, gas, and coal as a major fuel source, but it does hold potential as an ever-replenishable source of supplemental energy. We can hope, that as the result of this legislation, solar energy will be proven adaptable on both a small and large scale in a manner which makes it economically competitive with other energy sources. The ecological attractiveness of this nonpolluting, nondepleting resource must also be factored into any economic evaluation of its practicality.

Solar energy holds out the possibility for available, clean, and economic energy, and I strongly endorse passage of H.R. 11864.

Mrs. HOLT. Mr. Chairman, I rise to express my support for the passage of H.R. 11864, the Solar Heating and Cooling Demonstration Act of 1973.

The current energy crisis has clearly demonstrated the finite nature of our fossil fuel resources. It has become abundantly clear that we cannot continue to increase our annual consumption of these resources without a corresponding increase in production. If we are to realize our goal of energy independence during the next decade, we must begin immediately to develop new and innovative sources of energy.

Solar power possesses great potential as a future source of energy. It is abundant and environmentally sound. Research in this field has been proceeding on a small scale for many years, but it has only recently received the widespread attention that it deserves. Existing methods of harnessing the sun's power have great potential, but they still remain costly and inefficient.

The bill before us today will authorize $50 million over the next 5 years to develop and demonstrate solar technology for heating and cooling residential and commercial buildings. The economic development of this relatively untapped resource could play an integral role in the long-term solution to the energy crisis.

I strongly urge my colleagues to join with me in supporting the passage of the Solar Heating and Cooling Demonstration Act of 1973.

Mr. PETTIS. Mr. Chairman, I sincerely regret that official business in my congressional district prevents me from being on the House floor to cast my vote in favor of the Solar Heating and Cooling Demonstration Act of 1973.

The need for this program has been amply demonstrated by recent events. The Arab oil boycott starkly illustrates the folly of allowing ourselves to become significantly dependent on foreign sources of energy. Even if this boycott is lifted tomorrow, it is clear the United States must develop new sources of power for the future.

Fossil fuels, foreign or domestic, are not inexhaustible. They are all too limited and will become even scarcer as their use accelerates in our increasingly technological and industrialized world.

The Solar Heating and Cooling Demonstration Act of 1973 represents a first step toward harnessing the greatest energy supply in our solar system—the Sun. Only through the development of new power sources like solar energy can this Nation or the world hope to attain energy self-sufficiency.

Mr. Chairman, I urge adoption of this bill.

Mrs. HECKLER of Massachusetts. Mr. Chairman, I can easily envision a time, in the not-too-distant future, when we will look back on the energy crisis of 1973–74 as the beginning of the end of our dependency on the petroleum industry and the national shift to sun power—solar energy.

Near the turn of the 21st century we shall remember without nostalgia critical shortages of home heating oil and gasoline in the mid-seventies, highly inflated prices for all petroleum products, Mideast disputes, and oil embargoes, endless car lines at gas stations, and hazardous pollution alerts on muggy, overcast days.

I do not think any American will become teary-eyed while reminiscing over such memories as these.

Unfortunately, our dependency on the petroleum industry is not yet a memory, for today we are helpless without gas and oil. Our industries, our transportation, the heating of our buildings are all dependent on a resource that is rapidly being depleted as world demand continues to rise. The energy demands of this country alone will increase by five times the amount we are presently consuming by the year 2020. It is predicted that our domestic supplies of oil, gas, and low-cost uranium-235 could easily be exhausted after the turn of the century.

While these statistics may ring of pessimism, I believe that our recognition of the need for an infinite power source has placed us on the threshold of a brighter, cleaner, healthier future through the utilization of solar energy.

In 1971, the Solar Energy Panel reported to the President that with adequate research and development over the next 30 years, solar energy could provide at least 35 percent of the heating and cooling of future buildings, greater than 30 percent of the methane and hydrogen needed for gaseous fuels and eventually greater than 20 percent of the electrical power needs of our entire country.

Reports by the National Science Administration and the National Aeronautics and Space Administration—NASA—show that harnessing and storage of solar energy in solar collectors is feasible cost-wise. With continued experimentation and refinement solar energy will eventually become a reasonable energy source and will be competitive with other fuels.

Before petroleum products became so inexpensive in the 1910's and 1920's, many homes in Florida were heated by sun power through unsophisticated solar collectors. Today the higher prices of petroleum products emphasize the need to again direct our attention to the Sun.

It is now time that the millions of tax dollars that have been directed toward solar energy research in our space program be invested in solar energy research for the heating and cooling of our homes and buildings on Earth. At NASA scientists harnessed solar energy for use in solar panels on space capsules and for solar batteries which powered the car driven by our astronauts on the Moon.

I would like to call the attention of my colleagues to petition for Sun power which was organized by Mrs. Marge Hayden, one of my constituents in Attleboro, Mass. Thousands of people throughout the country have signed her petition and she hopes to have a million signatures of people who are lobbyists for the Sun within the next few months.

With the consent of my colleagues I would like to include this petition in the RECORD to show that there are hundreds of thousands of people who believe that we must begin the transition to solar energy through Federal funding for research programs such as the Solar Heating and Cooling Demonstration Act.

The petition follows:

OUR ANSWER TO THE PETROLEUM ENERGY SQUEEZE

Familiar to us all, regardless of our race or religion, sits a God-given power in the sky—the Sun. With man's intelligence, we can harness this free and never-ending energy from which I believe will grow love for the human race and a lasting peace here on our planet earth.

Immediate development of solar energy will be a giant step toward a clean and healthy future.

LOBBYISTS FOR SUN POWER.

Mr. BOLAND. Mr. Chairman, today we consider H.R. 11864, a bill to provide for the early commercial demonstration of the technology of solar heating by the National Aeronautics and Space Administration and the Department of Housing and Urban Development, in cooperation with the National Bureau of Standards, the National Science Foundation, the General Services Administration, and other Federal agencies, and for the early development and commercial demonstration of technology for combined solar heating and cooling.

Over a 5-year period $50 million would be authorized for carrying out the necessary research and actual large-scale demonstration.

It is contemplated that within 3 years, a commercially acceptable prototype for solar heating of homes will be ready.

By the end of 5 years, it is hoped that a combined solar heating and cooling process—applicable to both private homes and all manner of commercial buildings—can be in operation. The principal responsibility in contracting for research, development, and manufacture of solar heating and cooling equipment, for both residential and commercial buildings, will rest with the National Aeronautics and Space Administration.

In all probability, several thousand solar heating units will be installed—half in Federal buildings and half in privately owned homes.

These prototype units will be monitored by the National Bureau of Standards—NBS—according to criteria established to assure their satisfactory performance under all sorts of climatic conditions.

The Department of Housing and Ur-

ban Development—HUD—will maintain overall supervision of the demonstration projects, once units have been manufactured.

Both NASA and HUD will share responsibility for the longer 5-year solar heating and cooling program, which will seek to establish projects in different commercial buildings, including apartment buildings, schools, office buildings, and industrial plants.

In order to supplement the NASA contracts, the National Science Foundation will be authorized, by this legislation, to initiate and support basic and applied research in solar heating and cooling.

Mr. Chairman, the great value of this legislation is that within a relatively short time, and at a moderately accelerated pace, this country can approach a technically and economically sound version of solar energy production capable of being quickly marketable.

Solar heating is a process that is workable and can rather quickly contribute—far more quickly than other means of energy production—a substantial source of heating and cooling energy.

Even before such processes become cost competitive with gas and oil heat, it will have become quickly evident that there are numerous other significant pluses on the side of solar energy.

To begin with, it is ecologically superior to any other form of energy generation that depends on the burning of fossil fuels. Solar heating and cooling will produce no harmful emissions, require no ugly powerlines, nor will it depend upon any foreign supply source. Solar energy is free—unlike fuel oil or natural gas. It cannot be boycotted by Arabs. Further, with more advanced technological advances, it can be stored in anticipation of cloudy days. Once installed, solar collectors for heating and cooling can operate for the life of the building which they service.

All of the advantages of solar energy generation are apparent. What it is hoped that H.R. 11864 can accomplish is to finance prototype models of working, efficient solar units that can be competitive enough to be installed on both existing and new construction.

Mr. Chairman, I feel that H.R. 11864 offers more than just a good chance for developing viable heating and cooling alternatives to the oil and gas with which most of our country heats and cools their homes. We possess the technology at this present moment. What we must do is produce a concerted and well-financed effort to develop commercial models that can put our technology on the market. The rewards can be great and they are within reach of this relatively short 5-year program. As a representative from New England, where 80 percent of the homes are heated by oil, of which nearly all is imported, I would be extremely remiss in my duty if I did not wholeheartedly urge a favorable vote from all my fellow Members on this bill. Further, as chairman of the Appropriations Subcommittee on HUD-Space-Science and Veterans' Affairs, I pledge to do all I can to see that this measure, if authorized, is adequately funded through the various agencies that will administer it.

Mr. BIAGGI. Mr. Chairman, I rise in support of the bill H.R. 11864, the Solar Heating and Cooling Demonstration Act of 1974. The time is long overdue for this Nation to begin to look to the Sun for help in the quest to meet the critical future energy needs of this Nation.

It is symbolic that on the day we are considering this legislation, Mother Nature appears to be serving as a lobbyist for the bill, by providing us with an unseasonably warm sunshine-filled day which has made many of us forget it is the middle of February.

The need to undertake a comprehensive solar energy demonstration program has been apparent for years. Yet, it has taken until now, when we are in the midst of the most severe energy crisis since World War II, to even consider utilizing one of the greatest sources of energy known to man—the Sun.

We seem to have virtually ignored the vast potential which solar energy possesses. It represents a safe, economical, inexhaustible, and above all completely domestic source of energy, all of which are important in meeting our future energy needs. For one thing, we would be able to terminate our dependence on foreign nations who seem to relish in policies of energy blackmail. Solar energy could make this international competition and blackmail over energy resources virtually obsolete.

Consider some of the many uses of solar energy:

First. Through certain principles of biology, sunlight can be converted into organic materials that can be used as fuel;

Second. Through direct thermal conversion, sunlight can be absorbed and then turned into heat;

Third. Finally, through a photo-voltaic system, sunlight can be converted into electricity.

These provisions, as well as the fact that solar energy can be accomplished with little adverse environmental impact, make it a truly viable and exciting future energy source.

This legislation we are considering today would authorize $50 million over a 5-year period for an all-important comprehensive demonstration program which will show the effects of solar heating and cooling on millions of American homes and commercial businesses. The obvious goal of these programs is to encourage homeowners and businessmen to look no farther than the Sun for their future energy needs.

The bill will also allow the collective expertise of the National Aeronautics and Space Administration, the Department of Housing and Urban Development, and the National Science Foundation to be used to best explore the enormous possibilities which solar energy has for America's future.

In light of our present energy problems, and an equally bleak future, it would be foolhardy and dangerous for this Nation to continue to ignore solar energy. This bill represents an important first step, yet it is merely a first step. We need to begin to expand our present research and development programs. These programs need additional funding, as well as the creative thinking and bold leadership of the scientific community. This is especially true for solar energy, if it is ever to realize its full potential as a source of energy which all Americans can count on in the future.

Mr. ANDERSON of California. Mr. Chairman, I rise in support of this landmark piece of legislation providing for the early commercial demonstration of solar heating and cooling technology.

During these past few, cold months of winter, our Nation has been forced to learn some very harsh facts of life. Specifically our Nation's supply of natural resources is limited.

We have also learned that we cannot and should not rely on other countries to help us meet our growing demand for energy.

While waiting in long lines to get just a few gallons of gasoline, at any price, we begin to realize the significance of this limited supply of resources for ourselves and our children.

This shortage has produced shock waves which have been felt in every segment of our political, social, and economic life.

Conservation has helped; but we need to develop better sources of energy. While coal is abundant, its present usage further pollutes our air. While we have the technology for nuclear energy, some of its potential dangers overshadow some of its merits.

However, the Sun is a great source of unlimited, clean, inexpensive energy. We have merely to develop the means to inexpensively harness it.

With the passage of this bill today, we will authorize the necessary funds for the research and development of solar heating and for the manufacture and demonstration of solar heating and cooling equipment.

Mr. Chairman, this is a very historic week. Our spacemen return to Earth after a record 84-day orbit in space. This was the culmination of our Nation's concentration of resources and technology in the space program. Let us apply that same determination to enable us to have a sufficient, inexpensive, and clean energy supply for our immediate use and for future generations.

Mr. TAYLOR of North Carolina. Mr. Chairman, the space program has produced our Nation's greatest scientific achievement. The Moon landing, the culmination of more than a decade of intense scientific and technical effort, is something that we and our children's children will always remember.

The practical applications of space technology will continue for decades into the future. Even now, programs utilizing Earth resources satellites are generating valuable data. However, there are no manned space flights programed for a number of years from now. Although the Space Shuttle will require a large amount of scientific and technical know-how, I see no reason why we cannot use space scientists for energy research today. NASA as an organization and its scientists and engineers as individuals can help push back the technical frontiers just as effectively as they did in space.

Mr. Chairman, H.R. 11864, the Solar

Heating and Cooling Demonstration Act of 1973, provides an opportunity for such NASA contributions. This is a very timely measure, designed to take the presently available hardware and move this energy conserving technology forward into commercial readiness.

We are all aware of the tremendous need at this time in our Nation's history to conserve our fossil resources, because of the present imbalance between supply and demand. However, this commercial demonstration project will also have an important impact on our foreign balance of trade, as well as promoting our national security through decreased dependence on supplies that can be interrupted at the whim of other nations.

One particularly important feature of this bill is its inclusion of a major section on commercial buildings. The committee hearings on this bill have brought out the historical importance of the commercial market in introducing new technologies into the building trades and it is this aspect of the bill that I wish to concentrate on in the few minutes I have available.

Section 7 of this bill provides that the Administrator of National Aeronautics and Space Administration and the Secretary of Housing and Urban Development shall be responsible for this commercial buildings phase of the project, in consultation with the General Services Administration and the National Bureau of Standards. Their activities may include demonstration projects on apartment buildings, office buildings, factories, agricultural structures—including crop-drying facilities—public buildings—including schools and colleges—and other commercial or industrial buildings. In short, this section can be construed to include every conceivable type of building other than residential dwellings.

It is entirely appropriate that the major emphasis of this bill be directed to the residential market; not only is the residential sector a larger consumer of energy, but much greater national exposure can be generated through the larger number of residential units that can be produced with a given number of Federal dollars. Nevertheless, there are many features of a commercial buildings demonstration which demand its inclusion. Chief among these reasons are that this sector of the building market is apparently the one nearest to commercial readiness, and also historically this sector of the market has been the one that has introduced many of the present-day technologies that are common in the residential market. The reasons for this downward diffusion from the commercial buildings market seems to be twofold: There is a market conditioning based on economics and aspiration on the part of the homeowner for those architectural features or devices which can be observed in higher priced buildings or homes. Examples of such features are air-conditioning, thermopane windows, dishwashers, and even trash compactors.

It is important, therefore, that the project administrators take account of this historical trend in the innovation of new technologies. Fortunately, we can already begin to see the early evidence of interest in solar heating and cooling on the part of some businesses—and especially among those who both build and occupy their own building. Solar energy can only be justified with long-term cost accounting; it definitely requires a larger initial outlay for the greater amount of hardware. Speculative builders will therefore avoid the use of solar equipment unless forced to do so for such reasons as loss of supply of fossil fuels.

In summary, I wish to commend the chairman of the committee and subcommittee, Mr. TEAGUE and Mr. MCCORMACK, for bringing this legislation to the floor of Congress at such an important time. Not only will the commercial phases on which I have concentrated benefit, but I predict that agricultural structures, and factories will be heated and cooled by solar energy in the near future. It is a pleasure to support H.R. 11864 in helping to bring this about.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in support of H.R. 11864, the Solar Heating and Cooling Demonstration Act of 1973. I was proud to join with the author of this bill, the gentleman from Washington (Mr. MCCORMACK), in cosponsoring this legislation back in October of last year.

This bill authorizes $50 million over a 5-year period for solar energy heating and cooling demonstration projects, both for residential and commercial structures. Specifically, the bill establishes a 3-year program to demonstrate the practical use of available solar heating technology and a 5-year program to develop and demonstrate the practical use of combined solar heating and cooling technology. These programs will be carried out under the direction of the Administrator of the National Aeronautics and Space Administration, in cooperation with the Department of Commerce and Housing and Urban Development and other Federal agencies.

Under this legislation, the Secretary of Commerce would promulgate performance criteria for solar energy systems. Designs then would be selected from qualified applicants and contracts would then be let for the production and installation of the systems in Federal and private, commercial and residential buildings. HUD would be assigned responsibility for monitoring these latter stages of the program; the National Science Foundation is charged with supplying the backup support for basic and applied research on these programs. It is estimated that some 4,000 units will be involved in this demonstration program, approximately half of which will be Federal units and half private.

I think it is important to point out that this is a Federal demonstration program of a very limited duration. We are not talking about putting the Federal Government permanently into the solar utility business. The main purpose of this bill is to provide for the early development and commercial demonstrations of these systems. Hopefully, this experiment will prove that the systems are technologically viable and commercially feasible. At present, existing models of collectors are inefficient and costly and research is required to improve upon the technology and insure that the systems are suitable for commercial marketing.

I wish to commend the committee on providing in section 13 for the easy transfer of this program to the Energy Research and Development Administration once that authorizing legislation is enacted. I think it is most important that our various energy R. & D. programs be concentrated in a single agency; it would be a mistake and self-defeating for us to get off on the wrong foot by passing legislation which would only contribute to the proliferation and fragmentation of new energy development efforts. This solar energy program must be an integral part of our overall program for developing new energy sources. It must be viewed as an essential part of "Project Independence" which is aimed at developing greater American energy self-sufficiency over the next decade.

I think this bill clearly recognizes that need and the importance of this program as part of our overall effort. Over 25 percent of the energy consumed in this country now goes for heating and cooling systems at a cost of some $18 billion a year. The National Science Foundation has estimated that solar energy could ultimately provide half the energy needs of single-family dwellings and thus save up to 5 percent of our annual consumption of fossil fuels, or a $12 billion savings by the year 2000.

I commend the gentleman from Washington (Mr. MCCORMACK) on his pioneering work on this legislation, and I proudly join with him in support of this measure.

Mr. BINGHAM. Mr. Chairman, I rise in support of H.R. 11864, which is similar to a bill I cosponsored last year, as one step in the effort to harness new sources of energy for the future.

The Solar Heating and Cooling Demonstration Act of 1973 would authorize $50 million over a 5-year period for the development and testing of a number of advanced solar climate control systems in public and private buildings to evaluate and increase their efficiency.

Solar energy is a primary energy form. Fossil fuels, which we are so dependent upon today, were formed by solar energy eons ago. Solar energy is limitless, it will be available to man so long as the Sun exists. Solar energy is clean, it will never pollute the air we breathe or water we drink. Solar energy is easily adapted: it can be used in small-scale plants to heat and cool buildings, in commercial applications, and, ultimately, in large-scale extraterrestrial collection and conversion stations to produce electricity, and even gigantic satellite electric power generating stations.

Solar energy has already, on a small scale, proven to be a viable energy alternative. As I have recently witnessed, it is widely used in Israel for hot-water heating in apartments and other homes. For larger units to be made commercially and economically available to the general public, certain technical and design problems must be worked out. This legislation would allow the Federal Government to commit the resources needed to

work out these bugs and bring on line solar-powered climate control units that could be produced for mass consumption.

This bill also represents the Congress' recognition that innovative programs such as this must not be authorized haphazardly, but must be a part of a concerted, centralized, and well-planned energy research and development program. Section 13 of this bill would insure that organizational conflicts are avoided by specifying that this project would be merged into whatever centralized energy research agency is ultimately created by the Congress to spearhead the development of America's energy resources.

I commend the committee on its foresight, and urge the adoption of this legislation.

Mr. MEEDS. Mr. Chairman, I appreciate this opportunity to express my support for passage of H.R. 11864, the Solar Heating and Demonstration Act. At a time when the price of heating oil is rising as regularly as the Sun, it is incumbent that we utilize existing technology to benefit homeowners.

Solar energy is free. It will not be stopped for political reasons, held for ransom by multinational corporations, or rationed to waiting lines of automobiles. The purpose of this bill is to prove the economic viability of solar home heating and bring it within the reach of the average citizen.

Even now, considering the expense of converting a home to solar heating, the estimated lifetime cost is about 25 percent less than current electric heat costs. It would have cost 20 to 25 percent higher than gas and oil heating but price increases will soon eat away any advantage enjoyed by conventional systems.

Although the Second District of Washington is in the Puget Sound area, where it rains frequently, utilization of existing sunlight may prove an economical supplement to conventional home heating.

It was my privilege to be a cosponsor of the bill of my friend and colleague, the gentleman from Washington (Mr. McCormack) and I commend him and the committee for the finished product. I urge its passage.

Mr. ROSTENKOWSKI. Mr. Chairman, I rise in support of H.R. 11864 which provides for a 5-year, two-staged practical demonstration project to consider the potential of solar energy.

The bill calls for an initial appropriation of $50 million for the 5-year program to be divided by amounts of $4.5 million in 1975; $8 million in 1976; $11.5 million in 1977; $12.5 million in 1978; and $13.5 million in 1979.

The bill would direct the National Aeronautics and Space Administration and Department of Housing and Urban Development to demonstrate within 3 years the practical use of current solar heating technology for residential dwellings, and also to develop within 5 years the use of combined solar heating and cooling systems for residential and commercial buildings. I urge my distinguished colleagues to consider the need for this bill.

This Nation has always been able to respond to difficult problems with unique solutions. This is one of those times that calls for the application of some native American ingenuity.

The implementation of this program would have a twofold effect. For rural areas, solar energy, properly developed, could be a more efficient method for heating and cooling than transported fuel or energy. For our crowded urban residential and commercial areas, methods may be discovered to utilize this unending energy source. In the future, fuel storage, shortages and allocation dilemmas might be unknown in our metropolitan centers of commerce.

The scarcity of our present energy supply obviously brings to the forefront the importance of developing alternative sources of energy.

Mr. PRICE of Illinois. Mr. Chairman, as chairman of the Joint Committee on Atomic Energy, I have been exploring the potential application of alternative power sources to help ease the energy crunch. New sources of power are necessary if our Nation is to continue its present rate of growth. The United States, with about 6 percent of the total world population, consumes 35 percent of the planet's total energy and mineral production. Each year the energy requirements of the U.S. population increase. From 1960 to 1970 U.S. oil use increased 50 percent while coal usage was up about 40 percent. Growth is dependent upon energy. The United States must insure its future through the development of alternative energy sources.

The Solar Heating and Cooling Demonstration Act is a bill that will research the potential and use of solar energy. It provides $50 million for a two-stage demonstration program of solar heating and cooling technology with the research directed toward the heating and cooling requirements of both residential and commercial buildings. Under the Departments of Defense and Housing and Urban Development 2,000 units will be designed and installed to provide adequate home heating and cooling systems. The results of the demonstration will be closely monitored to determine the practical effectiveness of the units. The success of such a project would be a big step in assuring the United States of adequate power sources.

In conjunction with the demonstration projects the National Science Foundation is directed to carry out basic and applied solar energy research. Other portions of the bill establish an information bank and provide for the coordination of Federal energy efforts.

Development and application of solar energy as a power-producing resource—hopefully in the next 20 to 25 years—could help the United States achieve its long-range energy goals. But the success of such a project depends upon our actions here and now. I urge my fellow colleagues to join me in support of H.R. 11864, the Solar Heating and Cooling Demonstration Act.

Mrs. SCHROEDER. Mr. Chairman, the Solar Heating and Cooling Act is the precursor of legislation which will come out of this Congress to meet the need for long-term planning to combat the energy crisis. This legislation originated with Congress and with the numerous people in this country who advocate solar energy and who have lent their abundant knowledge to Congress. This legislation is opposed by the administration. After all, it did not conceive it. It has been, and still is, too worried about the problems of the oil and gas industry—the vested energy interests—to be concerned with developing new energy sources. Indeed, the administration is walking around under a dark cloud, and has been so walking for so long that I doubt it knows the Sun is still shining.

My district of Denver, Colo., is known as the Mile High City. Being up in the air, as it were, it can collect a great deal of the Sun's rays. Indeed, in the environs of Denver there are numerous progressive people who have solar houses, collecting the yet free rays of Old Sol, and paying little to the utility companies for their energy needs. These pioneers, and many more like them throughout the country, have laid the basis for further development of solar energy. The Solar Heating and Cooling Act is needed to tie together these small deeds and to demonstrate to those who say it cannot be done that the clean, quiet, and cheap Sun can supply our country with a needed energy source.

This legislation, introduced by Congressman Mike McCormack, has the support of many Members. I salute Congressman McCormack for his sunny outlook.

Mr. HANSEN of Idaho. Mr. Chairman, not long ago, proposals for using the Sun's energy to generate electricity were apt to be received with considerable skepticism. Within a few agencies of the Government and at an increasing number of university and industry laboratories, this is no longer the case

The exciting prospects of this type of energy have encouraged a score of prestigious scientists and engineers to begin work in earnest to develop methods to convert the Sun's radiation into forms useful to man—heat, electricity, and chemical fuels. A report issued by the National Science Foundation-National Aeronautics and Space Administration Solar Energy Panel estimates that by the year 2020, solar energy could provide 35 percent of heating and cooling in buildings, 30 percent of the Nation's gaseous fuels, and 10 percent of its liquid fuels, and 20 percent of its electrical needs. Additionally, the report notes that the cost of solar energy is competitive now to the cost of heating by fossil fuels in some parts of the country, and could supply as much as 80 percent of the heat needs in sunny climates.

I have recently had an opportunity to visit two of the Atomic Energy Commission's national laboratories where exciting progress is now being made in the field of solar energy—the Lawrence Berkeley Laboratory of the University of California, and the Sandia Laboratories in Albuquerque, N. Mex.

The Lawrence Berkeley Laboratory has developed a broad, comprehensive program of solar energy research and development that addresses essentially

all the major aspects of solar energy. This program brings together the many disciplines required to assure timely success in so broad an endeavor: physicists, chemists, biologists, architects, mechanical engineers, electrical engineers, and economists are all involved. It is the presence of this wide range of expertise, combined with a tradition for excellence in scientific inquiry, that makes a national laboratory such as Lawrence Berkeley Laboratory a unique American resource.

The value of this resource has been recognized in the proposed establishment of ERDA. The Berkeley Lab has joined with an industrial firm, United Technology Center—a Division of United Aircraft Corp., and a public utility, Pacific Gas and Electric Co. to form a collaborative effort that has the capability to design, test, manufacture, install, and maintain solar energy heating systems for homes throughout the northern California area. The Berkeley Lab is currently involved in investigating the possibilities for cooling of buildings in its research with Nitinol, a material with unique thermal properties, to drive air conditioners, utilizing only the heat available from roof-top solar collectors.

The possible techniques for the generation of electric power from solar energy include direct conversion by solar cells, such as those used in satellites and photothermal conversion, in which the solar energy is first collected as heat, and the heat is then used to generate electricity. Both of these techniques are being studied at the Berkeley Lab. In the area of direct conversion, the Berkeley Lab is doing important research in materials and surfaces that can be applied to the search for low-cost solar cells. Present LBL research involves polycrystalline thin films, and the use of organic dyes to construct solar cells of greatly enhanced efficiency.

The Berkeley Lab is also engaged in an imaginative project relating green-plant photosynthesis to the generation of electricity through the incorporation of plant cell molecular systems into a solar cell assembly. In a related project, the Berkeley Lab is also studying the possibility of the photosynthesis production of hydrogen using synthetic compounds to produce hydrogen fuels.

The possible environmental impact of large scale solar energy projects is also being studied by the Berkeley Lab, and this environmental perspective is being maintained in all of the Lawrence Berkeley Laboratories' projects to harness the power of the Sun to fill the energy needs of mankind.

Another exciting solar energy project is currently underway at the Sandia Laboratories in Albuquerque, N. Mex. The Sandia project envisages collection of solar energy at a central area in a residential or commercial complex, conversion of a portion of the energy to electricity by means of a conventional turbine generator, and distribution of the remainder of the energy to homes or businesses for space heating and cooling. Studies at Sandia have indicated that the most economical sizes for solar energy collector installations range from 100 to 2,000 residences. This range of sizes would allow employment of full-time plant operators. The homeowner would perceive no difference from his present way of getting energy, except receiving a bill for hot water instead of gas or oil.

This concept that involves providing the total energy package also offers a potential advantage over just space heating and cooling alone. In the United States there are many days in the year when neither heating nor cooling is required; a solar heating installation is then sitting idle. But electrical demand exists year-round, and therefore the system can be continuously utilized.

The Sandia program involves three phases, the first of which is 80 percent complete. This first phase has involved preliminary system analysis and feasibility experimentation. Data has been collected on the performance of the first-generation solar collectors, and this phase of the Sandia program will be completed by June, 1974.

Phase II of the Sandia program involves the design and construction of an operating pilot plant. A complete solar total-energy installation of about a "10-house" size is scheduled to be in operation by June 1975. The energy from this plant will be used to light, heat and cool an existing 12,000-square-foot building at Sandia Labs, and the experimental facility has been designed to accommodate improved or alternate solar engineering equipment which may come from continued research at Sandia or from other R. & D. efforts.

Phase III of the Sandia program will involve the design and construction of a demonstration project. Upon successful operation of the pilot plant, which is expected to yield greatly improved data about system operation and increased confidence in engineering feasibility, it is hoped that a joint venture with a public utility or cooperative can be undertaken to build an actual demonstration plant. Sandia Labs estimates that such a venture could be started in calendar year 1976. At that time it is anticipated that prospects for widespread application of the concept would encourage commercial or industrial participation.

The potential for energy alternatives to fossil fuels is difficult to assess in noncontroversial terms. It has been estimated that if new residential construction between 1980 and 1985 were powered by solar total-energy systems, the energy savings would approach the equivalent of 1 million barrels of oil daily. And the savings would continue, of course, long past 1985. Conversion of existing buildings, which might be feasible in some cases, could add to the energy savings.

Solar energy holds out great promise for contributing significantly to the concepts embodied in Project Independence. Whether this promise will be realized depends greatly on the technical and economic feasibility of the solar total-energy concept. The Lawrence Berkeley Laboratories and the Sandia Laboratories hope to get answers to both of these questions.

Important projects such as these, and other energy R. & D. efforts being conducted by other national laboratories, deserve the full support of Congress and the American people. The challenge of Project Independence is great—but the rewards of success in our energy endeavors will be well worth our scientific, political and public effort.

Mr. GONZALEZ. Mr. Chairman, I support the Solar Energy Act, because it represents one necessary step in the direction of finding new sources of energy. This will be an inexpensive program, and one that holds much promise for future development.

Yet I think all of us realize that no one technological step is going to resolve the energy problem.

The production of electricity consumes huge amounts of relatively limited natural resources. Some 25 percent of all our natural gas is consumed for electric power generation, and this is one of our scarcest resources. In some places it will be practical to use coal to substitute for natural gas—but this still creates vast problems in terms of environmental pollution, transportation and storage. So clearly we have to find not just new fuels, but new technologies for producing electricity, and this bill is a step in that direction.

Nevertheless it is only part of what must be done.

Clearly the greatest promise in the future for meeting our power needs lies in the field of nuclear generation. Even in this field, however, the need for new technology is clear and urgent.

We have only a limited amount of fuel for conventional fission reactors—perhaps only enough for 20 or 30 more years of use. After that something new must be found.

There are two possibilities for new nuclear power generating technology—the development of breeder reactors, which produce their own fuel, and a wholly new concept, that of fusion.

Breeder technology is in a fairly advanced state, but I have my doubts that this is really the best answer to our ultimate needs. In terms of danger to the environment and the possibilities of accident, such reactors are not essentially any better than existing units.

Fusion technology is different. It allows the use of virtually limitless, cheap resources. It is a technology that promises to be far safer than existing fission reactors, and which produces less danger to the environment. Conceivably, fusion reactors would be safe enough to locate in heavily settled areas, which would greatly alleviate one of the most serious problems now confronting the development of any new generating facilites—that of powerplant siting.

There is no question that fusion technology involves extremely difficult problems. For one thing, operating temperatures involved in this process are so high that it is impossible to build a container vessel that would hold the materials involved; this will have to be done by developing a magnetic "bottle" of one design or another. And there are other problems as well. However, the possibility of having a safe, inexhaustible source of power is so great that it cannot be ignored. Every effort should be made to

determine at the earliest possible time whether fusion technology is feasible, and I think that the answer is going to be a resounding yes.

Other countries are pressing forward with fusion technology. They see in it enough promise to proceed with all possible speed. Our own approach has up until now been far more conservative and deliberate. I wonder whether this is wise, in these critical days.

I believe that we are obliged to search out every possible source of new energy, to spend all that we need to spend on it, and have in place alternatives for the future. We already know that the price of running out of fuel, or exposing the Nation to the whims and aggressive tactics of fuel suppliers from abroad, is too great to pay. The only way to be prepared against the day when our natural gas resources run short, or the possibility that fission reactors, even those of the breeder type, might be inappropriate to our needs, is to find still other possible answers. Solar energy is one. Fusion technology is another. I renew my call, which I made a year ago, for the country to enter into a crash program for the development of fusion as a process for large scale electricity generation. There is no time to lose, when our needs are so great, and when the promise of this technology is so great. It may be that in this new approach we have the answer that is big enough to solve our problem.

I urge the committee, and the House, to consider this, and bring forward a program of research that will enable us to cover every potential avenue, every possible means of protecting ourselves against future power drought, and making us once more what we always have been—the world's leading producer of energy. That is the one sure way of assuring our continued leadership in the world economy.

Mr. GOLDWATER. Mr. Chairman, our modern civilization is built upon our ability to harness the potential of energy and to make it work for us. In the Sun, we have an obvious source of tremendous energy which most of us are convinced must be harnessed in order to meet this Nation's future energy requirements.

Collectively, the various applications of solar energy have the potential for not only helping to meet our short-term increases in energy demand, but ultimately, the potential for meeting most of the world's energy needs. Unfortunately, any substantial realization of solar energy's benefits appears to be in the far distant future. Solar conversion technologies in their present state of development cannot contribute in any significant way to the relief of the present crisis.

Mr. Chairman, I rise in support of H.R. 11864, the Solar Heating and Cooling Demonstration Act of 1973. Prompt action on this legislation will be a significant step in making solar energy a practical and viable alternative to conventional energy sources within the next 5 years.

The use of solar energy to heat and cool homes and other buildings is the solar application closest to practical use and involves technology which has been in existence for almost half a century. There is no doubt that the technology is well proven, but what is missing is involvement by large manufacturers. It is a vicious economic cycle—the lack of mass-produced solar hardware which has kept equipment costs up and the marketplace small. This limited demand has in turn prevented major manufacturers from mass producing solar hardware.

I am strongly convinced, however, that the present legislation will break that cycle by involving manufacturing firms in the mass production of solar heating and cooling hardware. This then will lead to lower equipment costs and making solar heating and cooling a practical approach to conventional alternatives.

But H.R. 11864 does not provide a quick solution to the energy crisis. It cannot provide any relief this winter or for a number of winters to come. It is instead an important and realistic step toward a long-range solution of our energy problems. It is important because it is aimed at one of the largest energy-consuming sectors of the U.S. economy. It is realistic because it focuses on just one application of solar energy which is an application requiring the least amount of time to develop it to the point whereby it can contribute materially to alleviating our fuels' crisis.

I would like to elaborate further on these two points.

IMPORTANCE

According to a Stanford research study performed in 1972 for the President's Office of Science and Technology, the energy consumed for space heating, air-conditioning, and water heating in residential and commercial buildings during 1968 amounted to approximately 15,000 trillion British thermal units of thermal energy, or about 25 percent of the total U.S. energy consumption for that year. In terms of crude oil, this is an astounding 2.5 billion barrels. The Department of the Interior projects an energy consumption of 116,630 trillion British thermal units by 1985. If patterns of energy consumption remain at approximately the same levels, the energy consumed for space heating and hot water in 1985 will be equivalent to about 4.9 billion barrels of crude oil.

If we act now, however, by 1985 solar heating and cooling will have a significant impact on the Nation's energy budget. Granted, the impact will be small at first, but if even 1 percent of the energy required for domestic purposes is met by solar energy by 1985, approximately 50 million barrels of crude oil will be saved.

It is also interesting to note that the cash value of that many barrels, imported from Libya as an example at today's prices, would pay for the present solar energy legislation 10 times over.

REALISTIC

H.R. 11864, by concentrating exclusively on the development of solar heating and cooling technology, will make it possible to utilize energy in a significant and practical manner in the shortest possible time. The National Science Foundation has identified six diverse applications of solar energy. In addition to solar heating and cooling, there is solar thermal energy conversion, photovoltaic conversion, bioconversion, wind energy conversion, and ocean thermal energy conversion. Undoubtedly, the other applications will be important in the future, possibly surpassing heating and cooling in significance.

But for the present, it is most important that the public be made aware of the potential utility of solar energy. Solar heating and cooling, because it is furthest along in development, and because it is closest to economic feasibility, is the logical target to be the first solar technology developed. The large-scale demonstration projects provided for by the bill will make this application highly visible to the public. Most importantly, the demonstration projects will stimulate the R. & D. activity of a large number of major manufacturers and lead to the mass production of solar hardware.

Mr. Chairman, since the very beginning of mankind, solar power—the greatest of all energy resources—has been taken for granted and largely ignored. In this day of pressing energy needs, this is an attitude we can no longer afford. I, therefore, urge my colleagues to give H.R. 11864 their fullest support.

Mr. MATSUNAGA. Mr. Chairman, as a cosponsor of this landmark legislation, I am pleased to voice my support for H.R. 11864, the proposed Solar Heating and Cooling Demonstration Act of 1973.

There is scheduled for debate on this bill, Mr. Chairman, 1 hour. During that hour, the Sun will beam to Earth as much energy as mankind uses in a year and a half. That energy is clean, does no damage to the environment. It cannot be embargoed by an unfriendly foreign government. It is free, a most remarkable attribute for any fuel.

In my own State of Hawaii, there is an abundance of sunshine, and the potential for solar energy shouldering a major part of the energy burden is great. But scattered demonstrations have shown that even cloudy skies may be no deterrent for some heating and cooling purposes.

The program outlined in the pending bill is a sound one. It envisions a two-step process, in which NASA and HUD play complementary roles—NASA will oversee the initial stage, contracting for the heating and cooling equipment itself, then HUD will supervise the use of these units in buildings of various types.

Mr. Chairman, this is not a research-and-development bill. The R. & D. phase of solar energy has already been completed. What remains, at least in the areas of space heating and cooling, is to demonstrate the commercial viability of these processes. That is precisely what H.R. 11864 will do.

The goals in the bill are very specific: a demonstration of solar heating technology in 3 years, and combined solar heating and cooling technology within 5 years.

Mr. Chairman, the $50 million authorization contained in H.R. 11864 will, in my judgment, yield a very high return on the investment. If, for example, 15 years from now, only 1 home in 10 in America receives, say, 80 percent of its heating and air-conditioning from solar energy—and that is certainly a modest goal—we would be saving over a million

barrels of oil, or more than $10 million, each day.

Mr. Chairman, I have for many years advocated the development of alternative energy sources. In Hawaii, as many of my colleagues are aware, there exists a great potential for using the power of the Earth—geothermal power—for energy. I can remember testifying in support of geothermal legislation in 1967. I trust that the Science and Astronautics Committee, which has done such an admirable job on the pending measure, will soon act on legislation in this alternative energy source.

In any event, Mr. Chairman, H.R. 11864 represents a timely and necessary "next step" in the development of the energy source with the greatest long-range potential, the Sun. I urge its overwhelming approval.

Mr. ZWACH. Mr. Chairman, I rise in support of H.R. 11864, a bill designed to provide for the early commercial demonstration of the technology of solar heating and cooling by the National Aeronautics and Space Administration—NASA—and the Department of Housing and Urban Development—HUD—in cooperation with a number of other agencies.

Back on October 30 of last year, I joined with my distinguished colleague from Washington State (Mr. McCORMACK) in introducing H.R. 11179. That bill is almost identical to the one we are studying today.

I would like to commend the membership of both the Energy Subcommitee and the full Science and Astronautics Committee for their expedient work on this legislation.

The sun is an untapped ocean of energy. This source of power should have been developed a long time ago, but now due to our present energy crisis, we are finally beginning the "big push" to explore new, clean alternatives to oil and gas.

On January 21, 1974, I announced the approval of a $358,000 grant from the National Science Foundation to install an experimental solar energy collector at the North View Junior High School in Osseo, Minn.

The system will be built, installed, and monitored by Minneapolis Honeywell. Four schools have been selected throughout the United States for these experimental installations, one in South Boston, Mass., one in Warrenton, Va., one in Baltimore, Md., and North View at Osseo.

At North View, the 5,000 square foot array of solar energy collectors will be located on the ground. In two of the schools, they will be on the roofs.

The solar energy systems will not replace the regular heating systems in the test schools. The regular heating systems will continue to meet the primary heating needs.

The reason for the accelerated effort for installation and operation and the experimental equipment is to permit the gathering of data on some solar heating systems during the current heating season. The systems are expected to be operational by March 1.

With only four schools in the entire United States selected for these experiments, I am gratified that one of them is located in our Minnesota Sixth Congressional District.

In order for solar heat to be used extensively commercially and in our homes, we need to research the subject thoroughly. H.R. 11864 provides the necessary machinery and some of the money needed to get the required data.

The basic solar heat collector is rather simple to make. It could be manufactured in quantities by aluminum door and window manufacturers. The Sun's rays pass through glass to heat water that is running over metal blackened to absorb heat.

The hot water goes to an insulated storage tank from where a blower may force heated air through ducts around the house. The heated water also could be distributed to radiators throughout the house.

There are no technical roadblocks in the path of development of solar energy; it is merely a matter of getting on with the program. I am hopeful that our present shortage of fossil fuels will now move this solar program forward. H.R. 11864 is a necessary first step.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Solar Heating and Cooling Demonstration Act of 1973".

FINDINGS AND POLICY

SEC. 2. (a) The Congress hereby finds that—

(1) the current imbalance between supply and demand for fuels and energy is likely to persist for some time;

(2) the early demonstration of the feasibility of using solar energy for the heating and cooling of buildings could help to relieve the demand upon present fuel and energy supplies;

(3) the technologies for solar heating are close to the point of commercial application in the United States;

(4) the technologies for combined solar heating and cooling still require research, development, testing and demonstration, but no insoluble technical problem is now foreseen in achieving commercial use of such technologies;

(5) the early development and export of viable solar heating equipment and combined solar heating and cooling equipment, consistent with the established preeminence of the United States in the field of high technology products, can make a valuable contribution to our balance of trade;

(6) the widespread use of solar energy in place of conventional methods for the heating and cooling of buildings would have a significantly beneficial effect upon the environment;

(7) the mass production and use of solar heating and cooling equipment will help to eliminate the dependence of the United States upon foreign energy sources and promote the national defense; and

(8) commercial application of solar heating and combined solar heating and cooling technologies can be expedited by early commercial demonstration under practical conditions.

(b) It is therefore declared to be the policy of the United States and the purpose of this Act to provide for the demonstration within a three-year period of the practical use of solar heating technology, using current technology for this purpose, and to provide for the development and demonstration within a five-year period of the practical use of combined heating and cooling technology.

DEFINITIONS

SEC. 3. For purposes of this Act—

(1) the term "solar heating", with respect to any building, means the use of solar energy to meet such portion of the total heating needs of such building (including hot water), or such portion of the needs of such building for hot water (where its remaining heating needs are met by other methods), as may be required under performance criteria prescribed by the Secretary of Commerce acting through the National Bureau of Standards;

(2) the terms "solar heating and cooling" and "combined solar heating and cooling", with respect to any building, mean the use of solar energy to provide both such portion of the total heating needs of such building (including hot water) and such portion of the total cooling needs of such building, or such portion of the needs of such building for hot water (where its remaining heating needs are met by other methods) and such portion of the total cooling needs of such building, as may be required under performance criteria so prescribed, and include cooling by means of nocturnal heat radiation or by other methods of meeting peakload energy requirements at nonpeakload times; and

(3) the term "residential dwellings" include mobile homes.

CONDUCT OF ACTIVITIES IN SOLAR HEATING AND COOLING TECHNOLOGIES BY NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SEC. 4. Section 203 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2473) is amended by redesignating subsection (b) as subsection (c), and by inserting immediately after subsection (a) the following new subsection:

"(b) The Administration shall initiate, support, and carry out basic and applied research, development, demonstrations, and other related activities in solar heating and cooling technologies, including (to the extent that funds are appropriated therefor) activities as provided for in sections 5, 6, and 7 of the Solar Heating and Cooling Demonstration Act of 1973.".

DEVELOPMENT OF SOLAR HEATING SYSTEMS TO BE USED IN RESIDENTIAL DWELLINGS

SEC. 5. (a) The Administrator of the National Aeronautics and Space Administration (hereinafter in this Act referred to as the "Administrator") in consultation with the Secretary of Housing and Urban Development shall promptly initiate and carry out a program as provided in this section for the development and demonstration of solar heating systems for use in residential dwellings.

(b) (1) Within 120 days after the date of the enactment of this Act, the Secretary of Commerce, acting through the National Bureau of Standards and in consultation with the Administrator and the Secretary of Housing and Urban Development, shall determine, prescribe, and publish—

(A) performance criteria for solar heating equipment and systems to be used in residential dwellings, and

(B) performance criteria (relating to suitability for solar heating) for such dwellings themselves,

taking into account in each instance climatic variations existing between different geographic areas.

(2) As soon as possible after the publication of the performance criteria prescribed under paragraph (1), the Secretary of Commerce, acting through the National Bureau of Standards and in consultation with the Administrator and the Secretary of Housing and Urban Development, will select on the

basis of open design competition a number of designs for various types of residential dwellings suitable for and adapted to the installation of solar heating systems meeting the performance criteria prescribed under paragraph (1)(A). Any such design competition shall be open to all recognized professionals (including advanced students engaged in studies at recognized schools in architecture, engineering, or related fields) who are qualified to design houses to demonstrate solar heating.

(c) The Administrator, in accordance with the applicable provisions of title II of the National Aeronautics and Space Act of 1958 and in consultation with the Secretary of Housing and Urban Development, shall—

(1)(A) enter into such contracts as may be necessary or appropriate for the development (for commercial production and residential use) of solar heating systems meeting the performance criteria prescribed under subsection (b)(1)(A) (including any further planning and design which may be required to conform with the specifications set forth in such criteria); and

(B) if the Administrator determines that it would expedite the program under this section or otherwise accelerate the achievement of the objectives of this Act, provide by contract or otherwise for the manufacture or production of prototype solar heating systems (by the persons with whom the development contracts under subparagraph (A) were entered into), and for the installation of such prototype systems in residential dwellings meeting the performance criteria prescribed under subsection (b)(1)(B);

(2) enter into contracts with a number of persons or firms for actual manufacture and production of solar heating systems as developed under contracts described in paragraph (1)(A) (including adequate numbers of spare and replacement parts for such systems); and

(3) take such action as may be necessary or appropriate—

(A) in conjunction with and under arrangements which shall be made by the Secretary of Defense, to secure the installation of such systems, manufactured on a mass production basis, in substantial numbers of residential dwellings which are located on Federal or federally administered property where the performance and operation of such systems can be regularly and effectively observed and monitored by designated Federal personnel, and

(B) in conjunction with and under arrangements which shall be made by the Secretary of Housing and Urban Development, to secure the installation of such systems, manufactured on a mass production basis, in substantial numbers of residential dwellings which are privately owned and occupied.

The residential dwellings referred to in subparagraphs (A) and (B) shall be located in a sufficient number of different geographic areas in the United States to assure a realistic and effective demonstration of the solar heating systems involved, and of the dwellings themselves, under climatic conditions which vary as much as possible. Title to and ownership of solar heating systems which are installed in residential dwellings as provided in subparagraph (B) shall remain in the United States; except that if the owner and occupant of any such dwelling agrees at the time of the installation of the system or of the purchase of the property, in such manner and form and on such terms and conditions as the Secretary of Housing and Urban Development may prescribe, to observe and monitor (or permit the Secretary or his agents to observe and monitor) the performance and operation of such system for a period of five years, and such owner and occupant (including any subsequent owner and occupant of the property who also makes such an agreement) regularly furnishes the Secretary with such reports thereon as the Secretary may require, title to and ownership of such system shall vest in the owner and occupant (including any such subsequent owner and occupant) at the close of that period.

For purposes of subparagraphs (A) and (B) of paragraph (3), solar heating systems shall be considered to have been manufactured on a mass production basis and installed in substantial numbers of residential dwellings if they are manufactured and installed in sufficient numbers (as determined by the Secretary of Housing and Urban Development in consultation with the Administrator) to assure a realistic and effective demonstration in support of the objectives of this Act; except that in any event, for purposes of either subparagraph (A) or subparagraph (B) of such paragraph, they shall be considered to have been so manufactured and installed if they are installed in one thousand or more such dwellings under that subparagraph.

(d) The Secretary of Housing and Urban Development, utilizing the National Bureau of Standards and in consultation with the Administrator and the Secretary of Defense, shall have the general function of monitoring the performance and operation of all solar heating systems installed in residential dwellings under this section, and of collecting and evaluating data and information on such performance and operation; and he shall from time to time make such findings and recommendations and take such other actions (including the submission of special reports to the Congress when appropriate) as may be necessary to assure that the program under this section effectively carries out the objective of this Act. The Secretary of Housing and Urban Development shall in addition maintain continuing liaison with the building industry and related industries and interests, during and after the period of the program under this section, with the objective of assuring that the projected benefits of such program are and will continue to be effectively realized.

DEVELOPMENT OF COMBINED SOLAR HEATING AND COOLING SYSTEMS TO BE USED IN RESIDENTIAL DWELLINGS

SEC. 6. (a) The Administrator in consultation with the Secretary of Housing and Urban Development shall promptly initiate and carry out a program as provided in this section for the development and demonstration of combined solar heating and cooling systems for use in residential dwellings.

(b)(1) As soon as possible after the date of the enactment of this Act, the Secretary of Commerce, acting through the National Bureau of Standards and in consultation with the Administrator and the Secretary of Housing and Urban Development, shall determine, prescribe, and publish—

(A) performance criteria for combined solar heating and cooling equipment and systems to be used in residential dwellings, and

(B) performance criteria (relating to suitability for solar heating and cooling) for such dwellings themselves, taking into account in each instance climatic variations existing between different geographic areas.

(2) As soon as possible after the publication of the performance criteria prescribed under paragraph (1) (and if possible before the completion of the research and development provided for in subsection (c)), the Secretary of Commerce, acting through the National Bureau of Standards and in consultation with the Administrator and the Secretary of Housing and Urban Development, will select on the basis of open design competition a number of designs for various types of residential dwellings suitable for and adapted to the installation of combined solar heating and cooling systems meeting the performance criteria prescribed under paragraph (1)(A). Any such design competition shall be open to all recognized professionals (including advanced students engaged in studies at recognized schools in architecture, engineering, or related fields) who are qualified to design houses to demonstrate combined solar heating and cooling.

(c) During the period immediately following the publication of performance criteria under subsection (b)(1), the Administrator shall undertake and conduct with respect to solar heating and cooling a program of research, development, testing, and demonstration designed to provide the additional technological resources necessary for the development and commercial application of combined solar heating and cooling systems as contemplated by the program under this section.

(d) The Administrator, in accordance with the applicable provisions of title II of the National Aeronautics and Space Act of 1958 and in consultation with the Secretary of Housing and Urban Development, and at the earliest possible time during or immediately after the period specified in subsection (c), shall—

(1)(A) enter into such contracts as may be necessary or appropriate for the development (for commercial production and residential use) of combined solar heating and cooling systems meeting the performance criteria prescribed under subsection (b)(1)(A) (including any further planning and design which may be required to conform with the specifications set forth in such criteria or to reflect the results of the activities conducted under subsection (c)); and

(B) if the Administrator determines that it would expedite the program under this section or otherwise accelerate the achievement of the objectives of this Act, provide by contract or otherwise for the manufacture or production of prototype solar heating and cooling systems (by the persons with whom the development contracts under subparagraph (A) were entered into), and for the installation of such prototype systems in residential dwellings meeting the performance criteria prescribed under subsection (b)(1)(B);

(2) enter into contracts with a number of persons or firms for the actual manufacture and production of combined solar heating and cooling systems as developed under contracts described in paragraph (1)(A) (including adequate numbers of spare and replacement parts for such systems); and

(3) take such action as may be necessary or appropriate—

(A) in conjunction with and under arrangements which shall be made by the Secretary of Defense, to secure the installation of such systems, manufactured on a mass production basis, in substantial numbers of residential dwellings which are located on Federal or federally administered property where the performance and operation of such systems can be regularly and effectively observed and monitored by designated Federal personnel, and

(B) in conjunction with and under arrangements which shall be made by the Secretary of Housing and Urban Development, to secure the installation of such systems, manufactured on a mass production basis, in substantial numbers of residential dwellings which are privately owned and occupied.

The residential dwellings referred to in subparagraphs (A) and (B) shall be located in a sufficient number of different geographic areas in the United States to assure a realistic and effective demonstration of the solar heating and cooling systems involved, and of the dwellings themselves, under climatic conditions which vary as much as possible. Title

to and ownership of solar heating systems which are installed in residential dwellings as provided in subparagraph (B) shall remain in the United States; except that if the owner and occupant of any such dwelling agrees at the time of the installation of the system or of the purchase of the property, in such manner and form and on such terms and conditions as the Secretary of Housing and Urban Development may prescribe, to observe and monitor (or permit the Secretary or his agents to observe and monitor) the performance and operation of such system for a period of five years, and such owner and occupant (including any subsequent owner and occupant of the property who also makes such an agreement) regularly furnishes the Secretary with such reports thereon as the Secretary may require, title to and ownership of such system shall vest in the owner and occupant (including any such subsequent owner and occupant) at the close of that period.

For purposes of subparagraphs (A) and (B) of paragraph (3), solar heating and cooling systems shall be considered to have been manufactured on a mass production basis and installed in substantial numbers of residential dwellings if they are manufactured and installed in sufficient numbers (as determined by the Secretary of Housing and Urban Development in consultation with the Administrator) to assure a realistic and effective demonstration in support of the objectives of this Act; except that in any event, for purposes of either subparagraph (A) or subparagraph (B) of such paragraph, they shall be considered to have been so manufactured and installed if they are installed in one thousand or more such dwellings under such subparagraph.

(e) The Secretary of Housing and Urban Development, utilizing the National Bureau of Standards and in consultation with the Administrator and the Secretary of Defense, shall have the general function of monitoring the performance and operation of all solar heating and cooling systems installed in residential dwellings under this section, and of collecting and evaluating data and information on such performance and operation; and he shall from time to time make such findings and recommendations and take such other actions (including the submission of special reports to the Congress when appropriate) as may be necessary to assure that the program under this section effectively carries out the objectives of this Act. The Secretary shall in addition maintain continuing liaison with the building industry and related industries and interests, during and after the period of the program under this section, with the objective of assuring that the projected benefits of such program are and will continue to be effectively realized.

DEVELOPMENT OF SOLAR HEATING AND COOLING SYSTEMS FOR COMMERCIAL BUILDINGS

SEC. 7. The Administrator and the Secretary of Housing and Urban Development, in consultation with the General Services Administration and the National Bureau of Standards and concurrently with the conduct of the programs under sections 5 and 6, shall carry out such projects and activities (including demonstration projects) with respect to apartment buildings, office buildings, factories, agricultural structures (including crop-drying facilities), public buildings (including schools and colleges), and other commercial or industrial buildings, taking into account the special needs of and individual differences in such buildings based upon size, function, and other relevant factors, as may be appropriate for the early development and demonstration of combined solar heating and cooling systems suitable and effective for use in such buildings.

FUNDING OF SOLAR ENERGY RESEARCH BY NATIONAL SCIENCE FOUNDATION

SEC. 8. (a) Section 3 of the National Science Foundation Act of 1950 (42 U.S.C. 1862) is amended by redesignating subsections (e) and (f) as subsections (f) and (g) respectively, and by inserting after subsection (d) the following new subsection:

"(e) The Director shall initiate and support basic applied research relating to solar energy development, as provided in section 8(b) of the Solar Heating and Cooling Demonstration Act of 1973.".

(b) The Director of the National Science Foundation is authorized and directed to initiate, support, and fund basic and applied research activities related to solar energy in support of the objectives of this Act. These research activities shall, insofar as practicable, support the new solar heating and cooling technologies demonstrated or to be demonstrated by the National Aeronautics and Space Administration pursuant to sections 4 through 7 of this Act. For this purpose the Director of the National Science Foundation is authorized to utilize funds appropriated to the Foundation pursuant to law or transferred to it from the National Aeronautics and Space Administration or other Federal agencies.

DISSEMINATION OF INFORMATION AND OTHER ACTIONS TO PROMOTE PRACTICAL USE OF SOLAR HEATING AND COOLING TECHNOLOGIES

SEC. 9. (a) The Secretary of Housing and Urban Development shall take all possible steps to assure that full and complete information with respect to the demonstrations and other activities conducted under this Act is made available to Federal, State, and local authorities, the building industry and related segments of the economy, and the public at large, both during and after the close of the programs under this Act, with the objective of promoting and facilitating to the maximum extent feasible the early and widespread practical use of solar energy for the heating and cooling of buildings throughout the United States. In accordance with regulations prescribed under section 12, such information shall be disseminated on a coordinated basis by the Secretary, the Administrator, the National Bureau of Standards, the National Science Foundation, the Patent Office, and other appropriate Federal offices and agencies.

(b) In addition, the Secretary of Housing and Urban Development shall—

(1) study and investigate the effect of existing building codes, zoning ordinances, and other laws, codes, ordinances, and practices upon the practical use of solar energy for the heating and cooling of buildings; and

(2) determine the extent to which such laws, codes, ordinances, and practices should be changed to permit or facilitate such use, and the methods by which any such changes may best be brought about.

(c) (1) In carrying out his functions under subsections (a) and (b) the Secretary of Housing and Urban Development, utilizing the capabilities of the National Aeronautics and Space Administration, Department of Commerce, and the National Science Foundation to the maximum extent possible, shall establish and operate a Solar Heating and Cooling Information Data Bank (hereinafter in this subsection referred to as the "bank") for the purpose of collecting, reviewing, processing, and disseminating solar heating and cooling information and data in a timely and accurate manner in support of the objectives of this Act.

(2) Information and data compiled in the bank shall include—

(A) technical information (reports, journal articles, dissertations, monographs, project descriptions, etc.) on solar energy research, development, and applications;

(B) similar technical information on the design, construction, and maintenance of buildings compatible with solar heating and cooling concepts;

(C) physical and chemical properties of the materials required for solar heating and cooling;

(D) climatic conditions in appropriate areas of the United States, including those areas where the demonstrations are to be located; and

(E) engineering performance of devices utilized in solar heating and cooling or to be employed in the demonstration.

(3) In accordance with regulations prescribed under section 12(a), the Secretary shall provide retrieval and dissemination services to cover the solar heating and cooling information described under paragraph (2) for—

(A) Federal, State, and local government organizations that are active in the area of energy resources (and their contractors);

(B) universities and colleges in their related research and consulting activities; and

(C) the private sector upon request in appropriate cases.

(4) In carrying out his functions under this subsection, the Secretary shall utilize, when feasible, the existing data base of scientific and technical information in Federal agencies, adding to such data base any information described in paragraph (2) which does not already reside in such base.

(d) Each Federal officer and agency having functions under this Act shall include in his or its annual report to the President and the Congress a full and complete description of his or its activities (current and projected) under this Act, along with his or its recommendations for legislative, administrative, or other action to improve the programs under this Act or to achieve the objectives of this Act more promptly and effectively. In addition, the Secretary of Housing and Urban Development shall submit annually to the President and the Congress a special report summarizing in appropriate detail all of the activities (current and projected) of the various Federal officers and agencies having functions under this Act, with the objective of presenting a comprehensive overall view of such programs.

DOLLAR LIMITATIONS ON FEDERALLY ASSISTED OR FEDERALLY CONSTRUCTED HOUSING

SEC. 10. (a) (1) In determining the maximum dollar amount of any federally-assisted mortgage loan (as defined in subsection (b)) or the maximum per-unit or other cost of any federally-constructed housing (as defined in subsection (c)), where the law establishing the program under which the loan is made or the housing is constructed specifies such maximum amount or cost and the structure involved is furnished with solar heating or combined solar heating and cooling equipment under the demonstration program established by section 5, 6, or " of the Act, the maximum amount or cost so specified which is applicable to such structure shall be deemed to be increased by the amount by which as (determined by the Secretary of Housing and Urban Development) the price or cost of the structure including such solar heating or combined solar heating and cooling equipment exceeds the price or cost of the structure with such equipment replaced by conventional heating equipment or conventional heating and cooling equipment (as the case may be,.

(2) In addition, in the case of a federally-assisted mortgage loan, the cost excess specified in subsection (a) shall be fully taken into account in determining the value or cost of the structure involved for purposes of applying any statutory provision specifying the maximum loan-to-value or -cost ratio; except that, if the law specifies different rates

of downpayment for successive increments of such value or cost, the lowest such rate shall apply to the additional cost attributable to the solar heating or combined solar heating and cooling equipment, and such equipment shall otherwise be excluded in determining the total value or cost of the structure.

(b) As used in subsection (a), the term "mortgage loan" means a loan which is made to finance the purchase or construction of a residence or any other building or structure; and the term "federally-assisted mortgage loan" means a mortgage loan which—

(1) is made in whole or in part by any lender the deposits or accounts of which are insured by any agency of the Federal Government, or is made in whole or in part by any lender which is itself regulated by any agency of the Federal Government; or

(2) is made in whole or in part, or insured guaranteed, supplemented, or assisted in any way, by the Secretary of Housing and Urban Development or any other officer or agency of the Federal Government or under or in connection with a housing, urban development, or related program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency; or

(3) is eligible for purchase by the Federal National Mortgage Association, the Government National Mortgage Association, or the Federal Home Loan Mortgage Corporation, or from any financial institution from which it could be purchased by the Federal Home Loan Mortgage Corporation; or

(4) is made in whole or in part by any "creditor" as defined in section 103(f) of the Consumer Credit Protection Act of 1968 (15 U.S.C. 1602(f)), who makes or invests in residential real estate loans aggregating more than $1,000,000 per year.

(c) As used in subsection (a), the term "federally-constructed housing" means (1) residential or multifamily housing which is constructed by agencies of the Federal Government to provide dwelling accommodations for particular types or classes of persons under programs administered by such Federal agencies (including all housing constructed by the Department of Defense to provide dwelling accommodations for personnel of the armed services or for such personnel and their families), and (2) residential or multifamily housing which is constructed by agencies of State or local government, with financial assistance in any form from the Federal Government, to provide dwelling accommodations for particular types or classes of persons under programs administered by such State or local agencies.

ENCOURAGEMENT AND PROTECTION OF SMALL BUSINESS

SEC. 11. In carrying out their functions under this Act, all Federal officers and agencies shall take steps to assure that small business concerns will have a realistic and adequate opportunity to participate in the program under this Act to the maximum extent possible.

REGULATIONS

SEC. 12. The Administrator, in consultation with the Secretary of Commerce, the National Science Foundation, the Secretary of Housing and Urban Development, the Administrator of the General Services Administration, the Secretary of Defense, and other appropriate officers and agencies, shall prescribe such regulations as may be necessary or appropriate to carry out this Act promptly and efficiently. Each such officer or agency, in consultation with the Administrator, may prescribe such regulations as may be necessary or appropriate to carry out his or its particular functions under this Act promptly and efficiently.

TRANSFER OF FUNCTIONS

SEC. 13. Within sixty days after the enactment of the law creating the Energy Research and Development Administration or any other law creating a permanent Federal organization or agency having jurisdiction over the energy research and development functions of the United States (or within sixty days after the enactment of this Act if such a law is enacted prior to the enactment of this Act), all of the research and development functions (and other functions) vested in the National Aeronautics and Space Administration and the National Science Foundation under this Act (and under the amendment made by section 8(a)), along with related records, documents, personnel, obligations, and other items to the extent necessary or appropriate, shall, in accordance with regulations prescribed by the Office of Management and Budget, be transferred to and vested in the Energy Research and Development Administration or such other organization or agency.

AUTHORIZATION OF APPROPRIATIONS

SEC. 14. There are authorized to be appropriated to the Administrator, for the first five fiscal years beginning after the date of the enactment of this Act, such sums, not exceeding $50,000,000 in the aggregate, as may be necessary to enable him (1) to carry out the functions vested in him or in the National Aeronautics and Space Administration by this Act, and (2) to reimburse the National Bureau of Standards, the National Science Foundation, the Secretary of Housing and Urban Development, the Secretary of Defense, and the General Services Administration for expenses incurred by them (during the respective periods of the program under section 4 and the programs under sections 5 and 6) in carrying out the functions vested in them under this Act.

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

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

There was no objection.

AMENDMENTS OFFERED BY MR. TEAGUE

Mr. TEAGUE. Mr. Chairman, I offer three technical amendments and ask unanimous consent that they be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. TEAGUE: Page 1, line 4, strike out "1973" and insert "1974".

Page 5, line 9, strike out "1973" and insert "1974".

Page 17, line 20, strike out "1973" and insert "1974".

The CHAIRMAN. The question is on the amendments offered by the gentleman from Texas (Mr. TEAGUE).

The amendments were agreed to.

AMENDMENTS OFFERED BY MR. MOSHER

Mr. MOSHER. Mr. Chairman, I offer two amendments and ask unanimous consent that they be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. MOSHER: Page 25, line 17. Strike "enactment" and insert in lieu thereof "effective date".

Page 25, line 23. Strike "if such a law is enacted" and insert in lieu thereof "if the effective date of such law occurs".

Mr. MOSHER. Mr. Chairman, we have offered these amendments as committee amendments, and they are strictly technical in nature.

The purpose is to assure compatibility of this bill with H.R. 11510, the bill recently passed by the House, which was designed to create the Energy Research and Development Administration, ERDA. This provides for the transfer of H.R. 11864's responsibilities to ERDA at such time as ERDA will be in operation, and able to accept such responsibility.

I urge the adoption of the amendments.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Ohio (Mr. MOSHER).

The amendments were agreed to.

AMENDMENTS OFFERED BY MR. GUNTER

Mr. GUNTER. Mr. Chairman, I offer amendments, and ask unanimous consent that they may be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. GUNTER: Page 8, strike out lines 13 through 18 and "ble." in line 19.

Page 14, strike out lines 13 through 18 and "much as possible." in line 19.

Page 25, after line 3 add the following new section:

PRIORITIES

SEC. 12. The Administrator will set priorities as far as possible consistent with the intent and operation of this Act, to consider the following criteria:

(a) The residential dwellings referred to in subparagraphs (A) and (B) of section 5(c)(3) and section 6(d)(3) shall be located in sufficient number of different geographic areas in the United States to assure a realistic and effective demonstration of the solar heating systems involved, and of the dwellings themselves, under climatic conditions which vary as much as possible.

(b) The particular need for assistance under this Act in areas with high density of population and prospects for future growth where early development of solar demonstration projects may more quickly reduce reliance on regular fuel supplies now in short supply.

(c) The desirability of encouraging those projects in which funds appropriated by any State or political subdivision thereof for the purpose of sharing costs with the Federal Government, for the procurement of solar heating and combined solar heating and cooling equipment, are committed before or after the date of the enactment of this Act.

Page 25, line 5, strike out "Sec. 12." and insert in lieu thereof "Sec. 13."

Page 25, line 17, strike out "Sec. 13." and insert in lieu thereof "Sec. 14."

Page 26, line 10, strike out "Sec. 14." and insert in lieu thereof "Sec. 15."

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

The CHAIRMAN. Is there objection to

the request of the gentleman from Florida?

There was no objection.

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

Mr. GUNTER. I am happy to yield to the gentleman from Texas (Mr. TEAGUE).

Mr. TEAGUE. Mr. Chairman, insofar as this side of the House is concerned, on the committee, we would accept the amendments.

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

Mr. MOSHER. Mr. Chairman, if the gentleman will yield, I, too, would join with the chairman of the full committee, the gentleman from Texas (Mr. TEAGUE), and say that on our side we would accept the amendments.

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

Mr. Chairman, I would ask if there are any questions that any Member might have as to the amendments?

Mr. SMITH of New York. Mr. Chairman, if the gentleman will yield, I wonder if the gentleman from Florida would explain what his amendments do?

Mr. GUNTER. Mr. Chairman, I will be happy to do that.

This amendment, the first of two I will be offering, was drawn following the markup of H.R. 11864.

In part, it reflects a further legislative response to the tremendous increase in national interest in solar energy as an important and vitally promising alternative form of energy supply.

That interest, which has intensified several times over following the work of the subcommittee and full committee in marking up H.R. 11864, in part as a response to the committee's action, has been extremely encouraging.

I believe it warrants an enthusiastic sign of recognition and response by the House.

This amendment seems additionally important to me, Mr. Chairman, because of some doubts which have been raised, at least in my own mind, by those who may be administering this program when it is enacted, as to the degree of priority that will truly be accorded solar research and demonstration projects.

The amendment I offer should leave no doubt about the clear intent of the Congress, both Republicans and Democrats alike, as to the priority we are legislatively assigning this program.

As a cosponsor of H.R. 11864, I also wish to make it clear that I wholeheartedly support the bill as it stands, and the extremely farsighted and important work done on it by my colleagues on the subcommittee, under the leadership of Chairman MCCORMACK, and by the full committee directed by Chairman TEAGUE, and by the leadership of the ranking minority member, Mr. MOSHER.

This amendment, therefore, is intended to be supportive of, and supplemental to, this very important and, I believe, farsighted piece of legislation.

This amendment is designed, along with a later amendment, basically to make the intentions and response of the Congress more clear to the country as a whole.

But I believe it also provides a basic strengthening of the bill in terms of providing clear guidelines for the administration of the program for the benefit of both the Administrator and the public.

It would clearly spell out criteria to be considered in implementation of the program.

The first criteria mandates sufficiently widespread geographic distribution of demonstration projects. Similar language is already contained in the bill, but I believe that including it within a section setting forth basic criteria will further clarify and emphasize the intention of the Congress that such geographic considerations be treated as a criteria in establishing priorities for administration of the program. The essential purpose is to obtain data on solar research and solar heating and cooling demonstration projects under the most diverse types of climatic conditions in order to fully assess their potential.

The second criteria mandates that the demonstration units be located in regions of high visibility, to the extent possible. The purpose is to make clear, through the language of the legislation, that administrators, developers, and the public at large understand that one of the stated purposes of this legislation is the creation of a national awareness of solar energy, and to promote the accomplishment of that purpose. An equally important feature of the criteria mandates a priority to areas of population density where the earliest practicable development of solar projects might be thought to more quickly reduce reliance on regular forms of energy now in short supply.

The third category in assigning criteria would give priority to States and political subdivisions which already have or hereafter establish programs of State or local support for solar heating and cooling demonstration projects and which share costs with the Federal Government for the procurement of solar-related equipment. It perhaps is apparrent on its face that administrators of the program overall would both reap the advantage of ongoing projects at the State level, and would encourage additional States as well to participate in such development. However, it seems to me to be wise to clearly spell out in the language of the bill a criteria setting forth this procedure as the intent of Congress, and for the Administrator's clear authority and obligation to perform. Beyond this, I believe this criteria will in fact encourage States to provide their own inducements through cost sharing arrangements to enhance the growth of this new industry.

Though assigning this criteria may, as one priority among others, seem to minimize the degree of inducement for States to establish their own programs, I believe the motivation for States to do so rests basically in the energy situation itself we all face and which they face, apart from incentives that might be offered by a single piece of legislation.

Incorporating this priority, however, will make it additionally worthwhile for the States to review their own current role or lack of it, and provide incentive that might be incrementally lacking, while at the same time providing a clear focus of priorities for the Administrator which itself would tend to involve the notice and consideration of the States.

The amendment, in focusing priorities, hopefully might accomplish movement toward objectives that would otherwise require immediate separate legislation moving in a deeper and more technically and financially involved way into other forms of incentives.

Mr. Chairman, I believe this amendment sharpens and strengthens the bill and that hopefully it will further add to focusing a national awareness on the vital role to be played by solar energy. I thank my colleagues for their consideration and urge the adoption of the amendment.

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

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

Mr. WYLIE. I thank the gentleman for yielding.

The second paragraph says:

> The particular need for assistance under this act in areas with high density of population and prospects for future growth. . . .

Does that mean that the demonstration units would not be located in rural areas?

Mr. GUNTER. Not at all. This particular language would simply be one of the three criteria which, as the gentleman sees under section 12, would be considered as far as possible and consistent with the intent and operation of this act, so it does not preclude the establishing of solar demonstration projects in rural areas. It does give priority to areas where population is more dense. I think this is the purpose of the legislation itself. We want to obtain the greatest impact, obviously, from the demonstration projects, so we need to have a majority of these located in high-density areas where the maximum number of people can become educated to the advantages of solar heating and cooling equipment.

Mr. WYLIE. Mr. Chairman, will the gentleman yield for another observation and question?

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

Mr. WYLIE. I thank the gentleman for yielding. I suppose all of the rural areas in America have heating and cooling systems. I do not know if there are areas in the United States where we do not have heating and cooling systems, but it seems to me that in this demonstration project it might be helpful if we did put some in rural areas to find out the viability of the program, too. This would not preclude them?

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. GUNTER

was allowed to proceed for 1 additional minute.)

Mr. GUNTER. Mr. Chairman, let me say again that the language of the amendment does not preclude the establishing of these projects in rural areas. Certainly, some of the projects will be located in rural areas, but priority should be given to the more heavily populated sections of the country to maximize the results of the money we appropriate.

Mr. WYLIE. I thank the gentleman.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Florida.

The amendments were agreed to.

AMENDMENTS OFFERED BY MR. GUNTER

Mr. GUNTER. Mr. Chairman, I offer amendments and ask unanimous consent that they be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. GUNTER: Page 26, immediately after line 8, add the following new section:

GRANT AUTHORITY

SEC. 14. (a). Subject to the provision of this section, the Administrator is authorized, upon his own initiative or upon the application of any individual, partnership, corporation, association, institution, or other entity, to make a monetary award to any such individual, partnership, corporation, association, institution, or other entity, for any scientific or technical development, commercial use, or development of manufacturing and marketing techniques for solar equipment which is determined by the Administrator to have significant value in the conduct of solar energy activities. In determining the terms and conditions of any award the Administrator shall take into account—

(1) the value of the contribution to the field of solar energy;

(2) the aggregate amount of any sums which have been expended by the applicant for the development of such development;

(3) the amount of any compensation (other than salary received for services rendered as an officer or employee of the Government) previously received by the applicant for or on account of the use of such development by the United States;

(4) the contribution to the government of all relevant data concerning the development for which the award was made; and

(5) such other factors as the Administrator shall determine to be material.

(b) If more than one applicant under subsection (a) of this section claims an interest in the same contribution, the Administrator shall ascertain and determine the respective interests of such applicants, and shall apportion any award to be made with respect to such contribution among such applicants in such proportions as he shall determine to be equitable.

(c) No award involving more than $10,000 shall be awarded under subsection (a) before thirty calendar days after the date upon which the proposal for such grant is transmitted by the Administrator to the President pro tempore of the Senate and the Speaker of the House of Representatives.

For purposes of this action, the term "calendar days" does not include days on which the Senate or the House of Representatives is not in session because of an adjournment of more than three calendar days to a day certain or an adjournment sine die.

(d) The Administrator shall prescribe such rules as he deems necessary to carry out this section.

(e) Not later than six months after the date of the enactment of this Act and at six-month intervals thereafter, the Secretary shall transmit reports to each House of the Congress. Each such report shall include a detailed statement of the administration of this section by the Secretary.

(f) The provisions in this section shall be fully reviewed by the Congress two years after the enactment of this Act.

Page 26, line 10, strike out "Section 14" and insert in lieu thereof "Section 15(a)."

Page 26, immediately after line 23 add the following new subsection:

(b) There are authorized to be appropriated to the Administrator, for the first two fiscal years beginning after the date of the enactment of this Act, such sums, not exceeding $2,000,000 in the aggregate as may be necessary to enable him to carry out the functions vested in him in Section 14.

Mr. GUNTER (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendments be dispensed with and that they be printed in the RECORD.

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

There was no objection.

Mr. GUNTER. Mr. Chairman, these amendments are also in furtherance of the purpose of the proposed bill itself. The amendments would simply underscore the activities of small businesses, individuals, and organizations who in the past have carried solar energy and have brought us to this point in our history wherein we are looking at it seriously as an alternate energy source.

The amendments would guarantee that small businesses and creative inventors will share in the allocation of funds for solar energy programs alongside the larger companies.

The amendments establish a grant authority under the Administrator of $2 million in funds, not to exceed $10,000 per grant without prior notification to Congress, for projects that will lead rapidly to demonstration units, and include the participation of smaller business. The amendment establishes specific criteria for the Administrator to consider in the allocation of the grant moneys.

In short, a large, diverse corporation already receiving large amounts of Federal funds under the other sections of this bill would receive low priority under this section compared to a small creative business with evidence of being able to make a substantial contribution to solar development and which does not so share.

It would also facilitate the installation and conversion of solar cooling or heating distribution projects where the project is deemed worthy but lack of funds might otherwise prove an obstacle to such conversion on the large scale basis which it is hoped will occur.

The amendment is only partially intended as a guarantee that small businessmen will share fairly in the allocation of grants, however. It is equally a protection for the goals the legislation is designed to achieve.

It is conceivable to anticipate that the present bill, unamended, might well be administered in such a way as to limit the prototype construction to perhaps 20 or 30 manufacturers—and that only half of these might proceed to final, full implementation.

The testimony before the committee by major manufacturers shows that this many are already actively poised to pursue the incentives offered by this legislation. One consortium has over 40 companies already studying the market and virtually all would be classified as large companies.

Thus, I fear that at most we will find only 30 or 40 approaches presented to the Nation, simply because of the size of the financial pie we are offering.

However, by including this clearly defined small grant program within this bill and by means of the criteria indicated in the amendment, along with a small additional appropriation of funds, we can bring forth an additional group of inventors many times this number.

In this context, I believe it is well to note that so far, in fact, it has been the small businessman who has been the sole advocate of solar heated homes to date.

Although I feel we have turned the corner in interesting big business and their mass-production and mass-marketing capabilities, I feel it would be a mistake not to specifically guarantee the inclusion of those who have pioneered in this field and who might otherwise be left out entirely. I believe it is not the intention of the committee to do so and hope that my amendment might find favor as a method of making the intent of the committee absolutely clear.

The second purpose of the amendment, Mr. Chairman, is the obvious one of promoting greater visibility—not, in this instance, by creating more units alone—but perhaps more importantly by fostering a greater diversity of designs.

In consulting with the chairman of the committee, the gentleman from Texas (Mr. TEAGUE), and the chairman of the subcommittee, the gentleman from Washington (Mr. MCCORMACK), I have found that the committee and the staff—and I serve on the committee—would prefer to approach this area of concern with separate legislation. In deference to my chairmen, I do hereby ask unanimous consent to withdraw the amendments, but I would like to ask the gentleman from Washington (Mr. MCCORMACK), to take the floor if he will and comment on the need for this type of legislation.

The CHAIRMAN. Is there objection to the unanimous-consent request of the gentleman from Florida to withdraw the amendment?

There was no objection.

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

Mr. GUNTER. I yield to the gentleman from Washington.

Mr. MCCORMACK. Mr. Chairman, I have objected to this amendment at this time because I think it is unnecessary and complicated and would cause unnecessary confusion.

I think the idea of having Federal incentives in certain areas of research and development for specific goals is a very viable one. For instance, I think incentives for a battery that would have certain performance characteristics within certain cost characteristics is a viable one. I think an award or a contest for a higher efficiency solar cell is a viable one. But I think we have to set specific goals which we know have not been attained and which may be attainable by some individual or some institution, and this is the sort of thing I would like to see in some future legislation.

Mr. GUNTER. Mr. Chairman, with that goal in mind, it is my understanding that the gentleman from Washington would perhaps be willing to work with me and others on the committee to develop legislation of that nature in the near future.

Mr. McCORMACK. If the gentleman will yield further, I will certainly be glad to work with the gentleman.

Mr. GUNTER. I thank the gentleman from Washington.

AMENDMENT OFFERED BY MR. BARRETT

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

The Clerk read as follows:

Amendment offered by Mr. BARRETT: On page 21, starting at line 20, strike all through line 22 on page 24.

And renumber the succeeding sections accordingly.

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

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

Mr. TEAGUE. Mr. Chairman, this bill has a provision for 4,000 units of different kinds of housing. The gentleman from Pennsylvania, the chairman of the House Subcommittee on Housing of the Committee on Banking and Currency believes we are infringing or encroaching on the jurisdiction of that subcommittee. The gentleman from Pennsylvania has promised me that they will be marking up their bill next week and that they will place this language which is in our bill that pertains to housing, in their bill. If the gentleman concurs in that statement and will make that promise, then we will accept his amendment.

Mr. BARRETT. Mr. Chairman, in reply to the gentleman, we will certainly be glad to take up this very language in our markup of the housing bill for 1974. We have been marking it up and will continue through next week.

My amendment would strike all of section 10 of the bill. Section 10 relates to dollar limitations on federally assisted housing and covers a subject matter which clearly comes under the jurisdiction of the Committee on Banking and Currency.

I would like to emphasize that my chief concern is the fact that this section is clearly an infringement on the proper jurisdiction of the Committee on Banking and Currency—not with its substance.

I would hope that this amendment would be acceptable to the floor managers of this bill. The Housing Subcommittee is now in the process of marking up general housing legislation and I can assure the gentleman that we will review the substance of this section and get appropriate legislation to the floor of this House in sufficient time to avoid any delay in the implementation of the solar heating and cooling demonstrations contemplated in the bill.

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

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

Mr. MOSHER. Mr. Chairman, we on our side of the aisle are extremely reluctant to accept this maneuver. However, speaking at least for myself alone, I will yield to the wisdom of my chairman and I personally am willing to accept the commitment of the gentleman from Pennsylvania, but, I want it on the RECORD, it is with considerable reluctance.

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

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

Mr. WYDLER. Mr. Chairman, do I understand what the gentleman is proposing to the House today is that he is going to personally sponsor this language as part of the bill he is going to mark up in his committee next week?

Mr. BARRETT. What I am proposing today is to drop section 10 which addresses itself to the statutory FHA mortgage limits, the housing which falls within the jurisdiction of the Committee on Banking and Currency.

Section 10 would be an overlapping of the work that we on the Housing Subcommittee and the full committee do. I am grateful to the gentleman from Texas (Mr. TEAGUE) in bringing this bill out today. It is urgently needed, and I think we owe a commendation to the chairman of the subcommittee (Mr. McCORMACK).

In order to be in conformance with the legislative work here, I am asking the gentleman from Texas to strike section 10 of this bill, and we will be glad to go along and put it in the housing bill in our markup of the bill for 1974.

Mr. WYDLER. Mr. Chairman, if the gentleman will yield further, I think the language in this bill regarding FHA provisions is very good language. It is very desirable to get that language into the law. What I am trying to arrive at is, what is going to happen when we strike it out of this bill, so far as this bill is concerned, and who is going to propose it? How is it going to be brought forward?

Mr. BARRETT. Mr. Chairman, I am grateful that the gentleman from Texas has indicated how this would be done, and I feel that I would certainly be responsible and sponsor the provision in the housing bill for 1974 which we are working on now.

Mr. WYDLER. Mr. Chairman, can the gentleman tell me if the housing bill that is being proffered is similar to those omnibus housing bills we have tried to deal with here in the House in the past few years?

Mr. BARRETT. Mr. Chairman, I can say the gentleman from New York puts a very good question. For his information, we are hopeful that we can bring out a housing bill which will be palatable to the Administration.

I believe that we will have a housing bill that will satisfy almost everybody in the House.

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

Mr. Chairman, I reluctantly oppose the gentleman from Pennsylvania, for whom I have a great admiration and with whom I serve on the Committee on Banking and Currency. I am a little surprised that the chairman of the Committee on Science and Astronautics, that he would yield so quickly and willingly. I had, of course, thought of the gentleman from Texas as a kind of tiger, and indeed he is affectionately nicknamed "Tiger" but since he moved from the chairmanship of Committee on Veterans' Affairs to the Committee on Science and Astronautics, he has become a sort of timid tiger, it seems to me.

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

Mr. WYLIE. Mr. Chairman, I yield to the gentleman from Texas.

Mr. TEAGUE. Mr. Chairman, occasionally one gives up a battle to win a war, and this is not over by any means. I would certainly expect, if the House Committee on Banking and Currency does not carry through on this, that it will certainly be in the Senate bill and in no way, form or shape would I yield in conference unless it is in the Senate bill.

Mr. WYLIE. Mr. Chairman, as I have indicated, I have a great admiration for the gentleman from Pennsylvania (Mr. BARRETT) and the work he does on the housing subcommittee, but I think this is the sort of thing that makes the Members of this body look foolish. We are here today and we have language which has been agreed to by everyone. As a matter of fact, the chairman of the Subcommittee on Housing has said that he will place identical language in another bill which is to come on to this floor later on, maybe next week or the week after that.

It seems to me as though some savings, however miniscule it might be, could be realized by not having to reprint the same identical language in another bill which is to be reported from another committee at another time. I would think that this is a good time for us to get on with the adoption of this language, which everybody agrees we need, and not stand on ceremony.

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

Mr. WYLIE. Mr. Chairman, I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, as a point of clarification, I did not say that we would have a bill out on the floor this coming week or the week after. I said that we will be marking it up. We will start next week the markup in the

housing subcommittee. I do not want to let anything be misunderstood here. It will not be out on the floor that quickly, as much as I would like it.

Mr. WYLIE. Mr. Chairman, I thank the gentleman. I think that is all the more reason why we should go ahead and adopt the language in the bill today, because we do not know when the housing bill will be reported. The gentleman has said he will put identical language in the housing bill as we have in the bill which is before us today.

So I do not think anything can be gained by insisting on the gentleman's amendment because of the jurisdictional question.

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

Mr. WYLIE. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, of course, it has been the policy here that our committee never tries to go behind the back of another committee or to infringe on another committee. I think that this is fair.

We will move as expeditiously as we can in order to get the legislation needed on the solar heat and cooling demonstration bill. There will be no holding back.

I think I can leave one satisfactory statement with the gentleman. If on any occasion it developed that our bill was tied up, we would bring forth what would be necessary to help the solar heating and cooling bill, and we would bring it out as a smaller bill so that we could get it through expeditiously.

Mr. WYLIE. Mr. Chairman, I understand the gentleman's position, and I understand his reluctance to give up any of the jurisdiction of his committee.

However, as I say, I believe the amendment should be defeated, and, therefore, I reluctantly oppose it.

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

Mr. Chairman, I rise in opposition to the amendment and in support of H.R. 11864, the Solar Heating and Cooling Demonstration Act and urge its adoption. I believe that it offers real hope for a practical and viable alternate source of energy and opens an avenue for at least partial solution of our energy crisis.

During the past 5 days, I have been in northwest Iowa discussing the many issues which confront us with the people I have the honor to represent in Congress. In many question and answer sessions and personal interviews in 10 of the 22 counties which make up the Sixth District, I found the energy shortage to be uppermost in the minds of my constituents. They are convinced that our Nation must rapidly develop alternate sources of energy to relieve our present dependence on petroleum, especially oil imported from foreign countries. They expressed great interest in solar energy as one such alternate source, and encouraged me to press for the speedy adoption of H.R. 10810, a bill whose introduction I cosponsored with the gentleman from Ohio (Mr. VANIK) on October 9, 1973, or any similar legislation.

Inasmuch as the bill now before us includes provisions closely corresponding to H.R. 10810, I am confident from these recent discussions that the people of northwest Iowa would want me to give it my wholehearted support today.

H.R. 10810 would authorize and direct the Secretary of Commerce to study applications of solar energy, establish a system of grants for solar energy research, and establish the solar energy data bank. This bill was referred to the House Science and Astronautics Committee's Subcommittee on Energy. On October 23, I cosponsored with the chairman of the Energy Subcommittee (Mr. MCCORMACK) and other colleagues the introduction of H.R. 11056, a bill to provide for the early commercial demonstration of the technology of solar heating by the National Aeronautics and Space Administration in cooperation with the National Bureau of Standards, the National Science Foundation, the Secretary of Housing and Urban Development, and other Federal agencies, and for the early development and commercial demonstration of technology for combined solar heating and cooling.

On November 3, I called upon the House Science and Astronautics Committee to expedite action on these proposals. I pointed out the need for early action on this legislation which would provide for a $50 million multiagency program to develop and produce solar heating and cooling units for thousands of American private and public buildings during the next 5 years. Enactment of this legislation would enable installation of solar heating and cooling units in about 2,000 residences on military and other Federal property and in about 2,000 private residences in order to demonstrate the use of solar energy as a means of heating and cooling the average American home. Mobile homes, apartments, and townhouses would be included in this commercial demonstration. The bill also provided for research, development, and demonstration of heating and cooling of commercial and industrial buildings with solar energy.

The project would demonstrate that we can put the Sun to work for us now, providing a critically needed and virtually inexhaustible source of clean energy for heating and cooling for homes and public buildings. It is technically feasible and economically practical. I warned that—

> Solar heating and cooling techniques must be implemented and used on a large scale as shortages of oil and gas become more acute. Although the initial research, testing, and monitoring will be done by Federal agencies, the overall program is to encourage the use of solar energy by the average American homeowner and to help create a viable private enterprise solar heating and cooling industry. We must lose no time in getting solar energy legislation enacted into law and in getting these demonstrations fully implemented.

However, I believed that still other approaches, through legislation before other committees, could also prove to be of value in promoting research, development, and utilization of solar energy devices. On December 20, I therefore introduced H.R. 12064, the Solar Energy Act of 1973, which was referred to the House Committee on Banking and Currency. As I explained in a statement made December 26, my bill would authorize Federal housing agencies to increase ceilings on home mortgages where the homeowner utilizes solar energy heating or cooling devices.

In spite of limited funding for research and development, solar devices to heat homes and water and to cool homes have been perfected to function throughout the country year-round. A major obstacle in preventing installation are the present ceilings on housing loans made, insured, guaranteed, supplemented or assisted by the Farmers Home Administration, the Federal Housing Administration, and other Federal agencies, or by lenders whose deposits or accounts are insured by a Federal agency or which is regulated by a Federal agency.

H.R. 12064 directs the Secretary of Commerce to conduct research into how solar energy can be used effectively and feasibly to heat and cool buildings in various regions of the United States. The Secretary would also develop and test new building designs and construction methods utilizing solar energy equipment and prescribe standards and specifications for such design and construction, after consulting with Federal agencies engaged in housing and building regulation, with National Aeronautics and Space Administration and the National Science Foundation, as well as the construction industry.

H.R. 12064 would also enable a prospective homeowner who is interested in utilizing solar energy devices which meet such standards to have the maximum on his Federal housing loan increased by the amount that the cost of utilizing such a device exceeds the cost of utilizing conventional building design or construction methods. This should provide considerable incentive for increasing diversion from conventional fuel-eating heating and cooling systems to a virtually inexhaustible source—the sun. This proposal, pending before the House Banking and Currency Committee, was complementary to the solar energy bills before the House Science and Astronautics Committee and the various tax-incentive proposals before the House Ways and Means Committee.

In the meantime, the Energy Subcommittee under its able chairman (Mr. MCCORMACK) held hearings on November 13, 14, and 15, on the various solar energy bills before it, including the bills I had cosponsored—23 witnesses from Federal agencies, private enterprise and universities, as well as environmental and consumer groups, all generally supported the concept of this legislation and often were quite enthusiastic. The testimony and statements from others provided a valuable source of excellent ideas, many of which the subcommittee incorporated into the final version of the bill, H.R. 11864, the bill now before the House. The witnesses generally supported increased

Federal funding to encourage rapid initiation of this new form of space conditioning. They broadly endorsed the time scale, funding level, and administrative mechanisms proposed by the legislation. The clean bill, H.R. 11864, was cosponsored by all members of the Energy Subcommittee, and was unanimously reported by the full Science and Astronautics Committee. It deserves the full support of the House.

The purpose of this legislation is to demonstrate within 3 years, using current technology, the practical use on a large scale of solar heating technology; and to develop and demonstrate on a large scale within 5 years the practical application of combined solar heating and cooling technology.

This bill provides $50 million over a 5-year period for the commercial demonstration of solar energy for heating and cooling residential and commercial residential and commercial buildings. H.R. 11864 does not set forth a comprehensive national solar energy research and development program. The hearings before the Energy Subcommittee made it clear that only the area of solar energy heating and cooling of buildings is now ready for commercial exploitation on a large scale, and this bill concentrates on taking the very important and timely next step to implement large-scale and practical use of solar energy in that area, solar energy heating and cooling of buildings.

Only about 30 solar heated buildings have thus far been constructed throughout the world. The operating experience necessary for large scale commercial implementation of this technology does not yet exist. A commercial demonstration of the economic viability of solar heating and cooling is a necessary first step towards attaining the goal of widespread commercial production and marketing of solar heating and cooling systems for millions of American homes.

H.R. 11864 provides a 2-stage demonstration program. The National Aeronautics and Space Administration—NASA—will be in charge of the initial phase which will consist of contracting for the research, development and manufacture of solar heating and combined solar heating and cooling equipment. The Department of Housing and Urban Development will manage the second phase, including responsibility for installation of the equipment, monitoring and dissemination of information.

The bill declares it is this Nation's policy to accomplish the demonstration of the practical use of solar heating technology—using current technology—within 3 years, and to accomplish the research, development, and demonstration of the practical use of combined solar heating and cooling technology within 5 years. The residential solar heating program is programed for 3 years, the residential combined heating and cooling program for 5 years, and the heating and cooling program for commercial buildings for 5 years.

Among the amendments incorporated in this bill are a provision charging the Department of Housing and Urban Development with establishing and operating a Solar Heating and Cooling Information Bank. This bank will collect, review, process, and disseminate information on solar heating and cooling in order to support the objectives of the bill, and encourage the widespread utilization of information related to solar heating and cooling of buildings and water.

These provisions are based on language in the Vanik Solar Energy bill, H.R. 10810, which I cosponsored. I am pleased that the bill before the House incorporates in section 10 language similar to that of my H.R. 12064. This language removes Federal legislative or regulatory restrictions on mortgage loans or units costs to the extent of the increase due to solar heating and cooling systems. The additional costs might include but would not be limited to equipment, special insulation and construction materials, special construction techniques, and the auxiliary heating and/or cooling systems. The proposed amendment to strike this section would remove a very important program from this legislation, and should be defeated.

For some decades, private inventors and other interested individuals have taken the lead in developing the technology for heating and cooling buildings with solar energy. Various government agencies have supported small solar research and development programs, but only in this decade has government support exceeded $1 million annually. In fiscal year 1971, the National Science Foundation budget included $1.2 million for all forms of solar research, with $540,000 devoted specifically to research on heating and cooling of buildings. The NSF budget for solar research and development has continued to grow since, to $1.66 million for fiscal year 1972, $3.96 million for fiscal year 1973, and $13.2 million for the current year, fiscal year 1974—of this last total, $5.9 million is being spent this year on research of heating and cooling of buildings. The Atomic Energy Commission budget for all forms of solar energy conversion for this current year is $600,000, while the Department of Defense budget this year provides $200,000 for that purpose.

H.R. 11864 according to the Science and Astronautics Committee's report is going to cost an estimated $4.5 million for fiscal year 1975, $8 million for fiscal year 1976, $11.5 million for fiscal year 1977, $12.5 million for fiscal year 1978, and $13.5 million for the 5th year, fiscal year 1979, a total of $50 million. This estimate, which includes agency staff, prototype development, and equipment purchases costs for both the residential and commercial portions of the demonstration program, appears quite reasonable considering the urgent need for acting in this field, and is consistent with the recommendations made recently for solar energy research and development as part of the President's proposed $11 billion energy research and development budget for the next 5 years.

The approach taken by this legislation is reasonable and practical. It recognizes that resort to solar energy will not provide any short-run solution to our immediate and urgent energy needs—"solar farms" and "solar satellites" are not now economically feasible power sources, for example. But if we enact and implement this legislation, we will be well on the road to effective utilization of solar energy in the future, helping solve our energy needs over the long run. Solar energy is clean, it creates no pollution and requires no "fuel," depending instead on a free and a limitless source of energy, the sun itself. Solar radiation falling on our rooftops and sidewalks amounts to 17 watts per square foot.

The National Science Foundation has estimated that by the year 2020, solar energy could be the direct or indirect source of 33 percent of total building heating and cooling, 30 percent of the Nation's gas fuel, 10 percent of the Nation's liquid fuel, and 20 percent of the Nation's electricity. This could be achieved only if we initiate research, development, and demonstration programs now, through enactment of the present bill and through proper follow-up in the years ahead. The demonstration projects contemplated by this bill are not to be placed only in highly dense urban centers. The use of energy from the Sun must also be demonstrated on the farm and in rural communities, and in every climate. This is of utmost importance.

I commend the chairman, ranking minority member and other members and staff of the Energy Subcommittee for their dedication and fine efforts in developing this legislation. I respectfully urge all my colleagues to give full support to enactment of H.R. 11864, and to defeat the pending amendment to strike section 10.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. BARRETT).

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

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

A recorded vote was refused.

So the amendment was rejected.

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

Mr. Chairman, I am pleased that there has been such evident interest in this bill and that it has enjoyed such uniform support on both sides of the aisle. Obviously it is a needed program.

I was particularly interested in the changes that were made in the subcommittee, on which I serve, which gave some emphasis to the universities and colleges in the country, because I believe a great deal of significant work can be done in those institutions.

Mr. Chairman, at this time I particularly want to pay my respects to one of our former colleagues who is on the floor here today. I have reference to the former Member and colleague, the Honorable George Miller, who has had an interest in this subject for many years, as he has on every subject that affects the national aeronautics and space program. It is always a pleasure to have the gentleman here, and I think that it must give him a particular feeling of pleasure to be pres-

ent when we move this bill forward, since it is one in which he has had such a great interest.

So, Mr. Chairman, I pay my respects to the distinguished former member and chairman of our committee, the Honorable George Miller.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. VANIK, 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. 11864) to provide for the early commercial demonstration of the technology of solar heating by the National Aeronautics and Space Administration and the Department of Housing and Urban Development, in cooperation with the National Bureau of Standards, the National Science Foundation, the General Services Administration, and other Federal agencies, and for the early development and commercial demonstration of technology for combined solar heating and cooling, pursuant to House Resolution 823, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

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

Mr. HEINZ. 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 253, nays 2, not voting 174, as follows:

[Roll No. 33]

YEAS—253

Abzug	Broyhill, N.C.	Davis, S.C.
Adams	Buchanan	Davis, Wis.
Anderson, Calif.	Burke, Fla.	de la Garza
	Burke, Mass.	Denholm
Andrews, N.C.	Burlison, Mo.	Dent
Annunzio	Burton	Derwinski
Archer	Butler	Devine
Arends	Byron	Diggs
Ashley	Camp	Dingell
Badillo	Casey, Tex.	Downing
Barrett	Chappell	Drinan
Bauman	Clark	Dulski
Bennett	Clay	Duncan
Bergland	Cleveland	Edwards, Ala.
Bevill	Collins, Ill.	Eilberg
Biaggi	Collins, Tex.	Erlenborn
Biester	Conable	Esch
Bingham	Conte	Evans, Colo.
Blackburn	Corman	Evins, Tenn.
Boggs	Coughlin	Fascell
Boland	Cronin	Findley
Bolling	Daniel, Dan	Fish
Bowen	Daniel, Robert W., Jr.	Fisher
Brademas		Foley
Brasco	Daniels, Dominick V.	Fountain
Brooks		Fraser
Broomfield	Davis, Ga.	Fuqua
Gaydos	Mann	Roncallo, N.Y.
Giaimo	Maraziti	Rooney, Pa.
Gilman	Martin, N.C.	Rose
Ginn	Mathis, Ga.	Rosenthal
Gonzalez	Matsunaga	Roush
Goodling	Mayne	Runnels
Grasso	Mazzoli	Ruth
Green, Pa.	Meeds	Sandman
Gross	Mezvinsky	Sarasin
Grover	Milford	Sarbanes
Gunter	Miller	Satterfield
Guyer	Minish	Sebelius
Haley	Mitchell, Md.	Seiberling
Hamilton	Mizell	Shipley
Hammer-schmidt	Mollohan	Shriver
	Montgomery	Shuster
Hanley	Moorhead, Calif.	Sikes
Hanna		Sisk
Hanrahan	Moorhead, Pa.	Smith, N.Y.
Hansen, Wash.	Morgan	Spence
Hawkins	Mosher	Staggers
Hays	Moss	Stanton, J. William
Hechler, W. Va.	Murphy, Ill.	
Heckler, Mass.	Murphy, N.Y.	Stanton, James V.
Heinz	Natcher	
Helstoski	Nedzi	Steed
Hicks	Nix	Steele
Hogan	Obey	Stokes
Holt	O'Brien	Stratton
Howard	O'Hara	Stuckey
Hungate	O'Neill	Studds
Hunt	Owens	Sullivan
Ichord	Parris	Symington
Johnson, Pa.	Passman	Taylor, N.C.
Jones, Ala.	Patman	Teague
Jones, N.C.	Patten	Thompson, N.J.
Karth	Perkins	Thornton
Kastenmeier	Peyser	Tiernan
Kemp	Pickle	Ullman
Ketchum	Pike	Vander Jagt
King	Poage	Vanik
Koch	Podell	Vigorito
Kuykendall	Powell, Ohio	Waggonner
Latta	Preyer	Walsh
Leggett	Price, Ill.	Wampler
Lehman	Price, Tex.	Whitten
Litton	Railsback	Widnall
Long, La.	Randall	Williams
Long, Md.	Rangel	Winn
McClory	Rarick	Wolff
McCollister	Regula	Wright
McCormack	Reuss	Wydler
McDade	Riegle	Wylie
McFall	Rinaldo	Yates
McKay	Roberts	Yatron
Macdonald	Robinson, Va.	Young, Ill.
Madden	Robison, N.Y.	Young, Tex.
Madigan	Rodino	Zablocki
Mahon	Roe	Zwach
Mallary	Rogers	

NAYS—2

Crane	Jordan

NOT VOTING—174

Abdnor	Cotter	Holtzman
Addabbo	Culver	Horton
Alexander	Danielson	Hosmer
Anderson, Ill.	Delaney	Huber
Andrews, N. Dak.	Dellenback	Hudnut
	Dellums	Hutchinson
Armstrong	Dennis	Jarman
Ashbrook	Dickinson	Johnson, Calif.
Aspin	Donohue	Johnson, Colo.
Bafalis	Dorn	Jones, Okla.
Baker	du Pont	Jones, Tenn.
Beard	Eckhardt	Kazen
Bell	Edwards, Calif.	Kluczynski
Blatnik	Eshleman	Kyros
Bray	Flood	Landgrebe
Breaux	Flowers	Landrum
Breckinridge	Flynt	Lent
Brinkley	Ford	Lott
Brotzman	Forsythe	Lujan
Brown, Calif.	Frelinghuysen	McCloskey
Brown, Mich.	Frenzel	McEwen
Brown, Ohio	Frey	McKinney
Broyhill, Va.	Froehlich	McSpadden
Burgener	Fulton	Mailliard
Burke, Calif.	Gettys	Martin, Nebr.
Burleson, Tex.	Gibbons	Mathias, Calif.
Carey, N.Y.	Goldwater	Melcher
Carney, Ohio	Gray	Metcalfe
Carter	Green, Oreg.	Michel
Cederberg	Griffiths	Mills
Chamberlain	Gubser	Mink
Chisholm	Gude	Minshall, Ohio
Clancy	Hansen, Idaho	Mitchell, N.Y.
Clausen, Don H.	Harrington	Moakley
	Harsha	Myers
Clawson, Del	Hastings	Nelsen
Cochran	Hébert	Nichols
Cohen	Henderson	Pepper
Collier	Hillis	Pettis
Conlan	Hinshaw	Pritchard
Conyers	Holifield	Quie
Quillen	Smith, Iowa	Ware
Rees	Snyder	Whalen
Reid	Stark	White
Rhodes	Steelman	Whitehurst
Roncallo, Wyo.	Steiger, Ariz.	Wiggins
Rooney, N.Y.	Steiger, Wis.	Wilson, Bob
Rostenkowski	Stephens	Wilson, Charles H., Calif.
Rousselot	Stubblefield	
Roy	Symms	
Roybal	Talcott	Wilson, Charles, Tex.
Ruppe	Taylor, Mo.	
Ryan	Thomson, Wis.	Wyatt
St Germain	Thone	Wyman
Scherle	Towell, Nev.	Young, Alaska
Schneebeli	Treen	Young, Fla.
Schroeder	Udall	Young, Ga.
Shoup	Van Deerlin	Young, S.C.
Skubitz	Veysey	Zion
Slack	Waldie	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Charles H. Wilson of California.

Mr. Rooney of New York with Mr. Udall.

Mr. Roncalio of Wyoming with Mr. Frelinghuysen.

Mr. Johnson of California with Mr. du Pont.

Mr. Addabbo with Mr. Scherle.

Mr. Carey of New York with Mr. Brown of Michigan.

Mr. Donohue with Mr. Froehlich.

Mr. Kluczynski with Mr. Young of Georgia.

Mr. Carney of Ohio with Mr. Eshleman.

Mr. Gray with Mr. Brotzman.

Mrs. Green of Oregon with Mr. Ruppe.

Mr. Dellums with Ms. Holtzman.

Mr. Holifield with Mr. Andrews of North Dakota.

Mrs. Chisholm with Mr. Kazen.

Mr. Harrington with Mr. Conyers.

Mr. Culver with Mr. Lent.

Mr. Burleson of Texas with Mr. Pettis.

Mr. Alexander with Mr. Abdnor.

Mr. Blatnik with Mr. Anderson of Illinois.

Mr. Flood with Mr. Quillen.

Mr. Edwards of California with Mr. Metcalfe.

Mr. Melcher with Mr. Ashbrook.

Mr. Rhodes with Mr. Roybal.

Mr. Mills with Mr. Bafalis.

Mr. Nichols with Mr. Hosmer.

Mr. Pepper with Mr. Baker.

Mr. Reid with Mr. Lott.

Mr. Rostenkowski with Mr. Beard.

Mr. Rees with Mr. Horton.

Mr. Slack with Mr. Bell.

Mr. St Germain with Mr. Rousselot.

Mr. Stark with Mr. McKinney.

Mr. Stubblefield with Mr. Bray.

Mr. Van Deerlin with Mr. Myers.

Mr. Waldie with Mr. Brown of Ohio.

Mrs. Schroeder with Mr. Cederberg.

Mr. Smith of Iowa with Mr. Chamberlain.

Mr. Danielson with Mr. Dickinson.

Mr. Flynt with Mr. Goldwater.

Mr. Jones of Tennessee with Mr. Broyhill of Virginia.

Mr. Moakley with Mr. Frey.

Mrs. Burke of California with Mr. Don H. Clausen.

Mr. Ryan with Mr. Carter.

Mr. Jarman with Mr. Clancy.

Mr. Stephens with Mr. Gubser.

Mr. Delaney with Mr. Frenzel.

Mr. White with Mr. Gude.

Mr. Henderson with Mr. Del Clawson.

Mr. Charles Wilson of Texas with Mr. Hansen of Idaho.

Mr. Aspin with Mr. Dennis.

Mr. Breaux with Mr. Huber.

Mrs. Griffiths with Mr. Cohen.

Mr. Breckinridge with Mr. Hruska.

Mr. Dorn with Mr. Hudnut.

Mr. Eckhardt with Mr. Landgrebe.

Mr. Fulton with Mr. Dellenback.

Mr. McSpadden with Mr. Hastings.

Mr. Brinkley with Mr. Lujan.

Mrs. Mink with Mr. Mailliard.

Mr. Roy with Mr. Hillis.

Mr. Ford with Mr. Martin of Nebraska.

Mr. Conlan with Mr. Kyros.
Mr. Landrum with Mr. McEwen.
Mr. Brown of California with Mr. Minshall of Ohio.
Mr. Jones of Oklahoma with Mr. Hutchinson.
Mr. Flowers with Mr. McCloskey.
Mr. Gibbons with Mr. Mitchell of New York.
Mr. Cotter with Mr. Nelsen.
Mr. Forsythe with Mr. Pritchard.
Mr. Gettys with Mr. Quie.
Mr. Michel with Mr. Schneebeli.
Mr. Bob Wilson with Mr. Taylor of Missouri.
Mr. Towell of Nevada with Mr. Young of Florida.
Mr. Wyatt with Mr. Snyder.
Mr. Whitehurst with Mr. Symms.
Mr. Shoup with Mr. Ware.
Mr. Young of Arkansas with Mr. Skubitz.
Mr. Thomson of Wisconsin with Mr. Steelman.
Mr. Steiger of Arizona with Mr. Treen.
Mr. Steiger of Wisconsin with Mr. Zion.
Mr. Young of South Carolina with Mr. Wyman.
Mr. Thone with Mr. Whalen.
Mr. Talcott with Mr. Wiggins.

The vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO FILE REPORT ON AVIATION INCENTIVE PAY

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until midnight tonight to file a report on the bill on aviation incentive pay.

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

There was no objection.

SPIRO AGNEW'S SECRET SERVICE PROTECTION

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

Mr. MOSS. Mr. Speaker, on yesterday Spiro Agnew, private citizen, convicted, under sentence for 3 years, a sentence rendered following a plea of no contest by the former Vice President, and characterized by the sentencing Federal magistrate as the equivalent of a plea of guilty, departed the city of Washington accompanied from the city by a force of from 12 to 21 Secret Service agents, bound for Los Angeles and then on to Palm Springs for an 8-day vacation and possibly writing period for his new book.

The Comptroller General of the United States, under a clear ruling on the claimed authority upon which the Secret Service relies for extending this costly protection, made the unequivocal comment that—

I consider the position now advanced by the Department to be untenable.

Mr. Speaker, I believe the practice now underway to be an affront to every taxpaying American.

Mr. Speaker, may I just briefly say that in speaking with the spokesman for the Secret Service last evening, I was told I could have the information of the total number involved in confidence. I refused it because I intend to find it without any stricture of confidence on it, but I think it is an outrageous action.

Mr. Speaker, the letter from the Comptroller General of the United States follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., February 1, 1974.

Hon. JOHN E. MOSS,
House of Representatives,
Washington, D.C.

DEAR MR. MOSS: This refers to our reports to you of December 14, 1973, and January 28, 1974, dealing in part with protection provided by the Secret Service to former Vice President Agnew since his resignation. We held in those reports that there is no statutory authority for Secret Service protection of a former Vice President, and that consequently a Presidential directive requesting that such protection be provided does not constitute legal authority to do so.

The Washington Post of January 30, 1974, in reporting on this matter, quotes a spokesman for the Treasury Department as saying that the Department's position is that: "the statute authorizing Secret Service protection is not exclusive and that in appropriate cases the President may authorize a Secret Service protective detail. Although the Treasury Department cannot speak for counsel to the President, we understand that the President's authority is based on his inherent executive power." (p. A5.)

Since the Department has raised these issues, and in order to make our response to your request complete, we offer the following comments on the reported Treasury Department statement.

"We consider the position now advanced by the Department to be untenable." The statute authorizing Secret Service protection is 18 U.S.C. 3056(a). It provides in this respect as follows:

"Subject to the direction of the Secretary of the Treasury, the United States Secret Service, Treasury Department, is authorized to protect the person of the President of the United States, the members of his immediate family, the President-elect, the Vice President or other officer next in the order of succession to the office of President, and the Vice President-elect; *protect the person of a former President and his wife during his lifetime, the person of the widow of a former President until her death or remarriage, and minor children of a former President until they reach sixteen years of age,* unless such protection is declined; *protect the person of a visiting head of a foreign state or foreign government and, at the direction of the President, other distinguished foreign visitors to the United States and official representatives of the United States performing special missions abroad; * * * and perform such other functions and duties as are authorized by law * * *.*"

(See also Public Law 90–331 set out as a note to 18 U.S.C. 3056, providing for protection of "major presidential or vice presidential candidates who should receive such protection.")

Section 3056(a) of title 18 thus provides for protection of an incumbent Vice President and of a Vice President-elect, and for protection of a former President during his lifetime. Moreover, the Congress has provided for certain services and facilities to be made available to former Vice Presidents, without including provision for Secret Service protection, (act of March 7, 1964, Pub. L. 88–277, 78 Stat. 153), and for protection of candidates for presidential or vice presidential office (see 18 U.S.C. 3056 note). Former Vice Presidents are not among those listed in 18 U.S.C. 3056(a) to whom protection may be provided. It is thus beyond question that there is no statutory authorization for protection of former Vice Presidents.

The Treasury Department contends however that the President has "inherent executive power" to order protection of persons not within the statute. We believe that the President's power *"must stem either from an act of Congress or from the Constitution itself." Youngstown Sheet and Tube Co.* v. *Sawyer,* 343 U.S. 579 (1952). In this case, the act of Congress in question, as already noted, circumscribes any power the President might otherwise have, in this respect, by listing those classes of persons for the protection of which the Secret Service is responsible, without including former Vice Presidents.

With respect to the question of constitutional authority, we note that section 3056(a) gives the President certain discretionary authority to order protection of distinguished foreign visitors to the United States (other than heads of state) or of official representatives of the United States performing special missions abroad, and we are aware that, in the legislative history of the act of January 5, 1971, Pub. L. 91–651, 84 Stat. 1940, which added that discretionary provision to 18 U.S.C. 3056(a), it is said that the President has "inherent constitutional authority" to direct the Secret Service to perform the functions authorized by the act, and that the law is intended merely to clarify the responsibilities of the Secret Service in this respect. S. Rept. 91–1463, 91st Cong., 2d sess., 2. However, the circumstances there involved were that the Department of State had traditionally provided protection for foreign visitors under its general responsibilities for state visits, that this was considered to be a "foreign affairs function," and that the bill merely transferred the existing responsibility from the State Department to the Secret Service. We would agree that, under his constitutional duties to "receive Ambassadors and other public Ministers" (article II, section 3) and to make treaties subject to Senate advice and consent (article II, section 2), the President can provide for protection of distinguished foreign visitors to this country or of official representatives of the United States while they are abroad. Whether he could order the Secret Service to take over such functions from the Department of State without statutory authority it is unnecessary to decide, since the Congress saw fit to give him specific legislation to accomplish this purpose. However, in that situation, it is clear that the claim of inherent executive power finds its justification in furtherance of the President's performance of a constitutional duty, the conduct of foreign affairs. No such justification appears to be present in this case. Accordingly, the claim here of inherent executive power is without foundation.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

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

Mr. MOSS. Mr. Speaker, I yield to the distinguished gentleman from Iowa.

Mr. GROSS. Mr. Speaker, the gentleman from California deserves the commendation of the House for the persistent efforts he has made to divorce the Secret Service from Spiro Agnew, who is now accompanied by agents of the Service, visiting a crony in California.

I wrote to the Secret Service last October 23 in an effort to find out why and by what authority the Secret Service was still protecting Spiro Agnew. I again

commend the gentleman and I am sure the House will commend him for exposing this outrageous expenditure of public funds.

Mr. Speaker, I ask unanimous consent that my remarks and a series of letters follow the remarks of the gentleman from California (Mr. Moss).

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

There was no objection.

Mr. GROSS. Mr. Speaker, the letters to which I have made reference follow:

OCTOBER 23, 1973.

Mr. JAMES J. ROWLEY,
Chief, Secret Service,
Treasury Department,
Washington, D.C.

DEAR MR. ROWLEY: Please advise me whether Secret Service agents are still assigned to former Vice President Agnew and, if so, the statutory authority for such assignment.

Sincerely,

H. R. GROSS.

DEPARTMENT OF THE TREASURY,
U.S. SECRET SERVICE,
Washington, D.C., October 29, 1973.

Hon. H. R. GROSS,
House of Representatives,
Washington, D.C.

DEAR MR. GROSS: We have received your communication of October 23, 1973, concerning the protection of former Vice President Spiro T. Agnew.

In this regard, protection of the former Vice President is in effect, for a period of time, at the direction of the President of the United States.

If we can be of further assistance, please let us know.

Sincerely,

JOHN W. WARNER, Jr.,
Assistant to the Director.

OCTOBER 31, 1973.

Mr. JOHN W. WARNER, Jr.,
Assistant to the Director, U.S. Secret Service, Department of the Treasury, Washington, D.C.

DEAR MR. WARNER: Thank you for your letter of October 29.

Please advise me the date on which President Nixon ordered Secret Service protection for former Vice President Agnew, the nature of the directive, the duration of such protection, and the statutory authority for such an order.

Sincerely,

H. R. GROSS.

DEPARTMENT OF THE TREASURY,
U.S. SECRET SERVICE,
Washington, D.C., November 8, 1973.

Hon. H. R. GROSS,
House of Representatives,
Washington, D.C.

DEAR MR. GROSS: This is in reply to your letter of October 31, 1973.

The United States Secret Service received a verbal Presidential directive to provide protection for former Vice President Spiro T. Agnew on October 10, 1973. This directive was followed up in writing by Secretary of the Treasury George P. Shultz on October 11, 1973. The directive stated that protection would be provided for a reasonable period of time.

If we can be of further assistance, please let us know.

Sincerely,

JOHN W. WARNER, Jr.,
Assistant to the Director.

NOVEMBER 9, 1973.

Hon. GEORGE P. SHULTZ,
The Secretary, Department of the Treasury, Washington, D.C.

DEAR MR. SHULTZ: Please provide me with a copy of your directive of October 11, 1973 to the Secret Service regarding the assignment of agents to former Vice President Agnew.

Sincerely,

H. R. GROSS.

THE SECRETARY
OF THE TREASURY,
Washington, D.C., November 27, 1973.

Hon. H. R. GROSS,
House of Representatives,
Washington, D.C.

DEAR MR. GROSS: As you requested in your letter of November 9, 1973, I enclose a copy of my directive of October 11, 1973, to the Director, United States Secret Service, requesting him to provide a detail for the protection of former Vice President Spiro T. Agnew for a reasonable period of time. A copy of the President's request to which that directive refers is also enclosed.

Sincerely yours,

GEORGE P. SHULTZ.

THE WHITE HOUSE,
Washington, D.C., October 10, 1973.

MEMORANDUM FOR THE SECRETARY OF THE TREASURY

Subject: Protection of former Vice President.

You are hereby requested to direct the United States Secret Service to provide a detail for the protection of former Vice President Spiro T. Agnew for a reasonable period of time.

RICHARD NIXON.

THE SECRETARY
OF THE TREASURY,
Washington, D.C., October 11, 1973.

MEMORANDUM FOR THE DIRECTOR, U.S. SECRET SERVICE

Subject: Protection of Former Vice President.

In accordance with a request from the President, a copy of which is attached, you are hereby requested to provide a detail for the protection of former Vice President Spiro T. Agnew for a reasonable period of time.

GEORGE P. SHULTZ.

FOOD—THE DIMINISHING NECESSITY

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

Mr. BURKE of Massachusetts. Mr. Speaker, the Boston Globe ran a very fine article in its Sunday edition entitled "Food—The Diminishing Necessity" which I commend to each Member's attention. Simply stated, the world is facing critical food shortages and I am sure that the next few years will find us spending much time pondering and debating the domestic and foreign ramifications of this "diminishing necessity."

Although the food supply situation comes as no surprise to anyone in this Chamber, I am afraid that the Department of Agriculture has not yet found out about it. Last year, I introduced legislation which would authorize the Secretary of Agriculture to distribute seeds and plants for use in home gardens. This legislation would cost a minimal amount, yet result in the production of millions of pounds of nutritious food so necessary, not just to the poor and needy, but to everyone in this country. If the energy crisis has taught us one thing, it has taught us that we must begin to reexamine our lifestyles and strive for a new level of self sufficiency in all things. The energy crisis will have a devastating impact on food prices. The level of food production will drop, access to the market place for many will be more difficult, transportation and production related costs as well as a still uncontained inflation will see food costs increase still further. And yet, the Department of Agriculture maintains that they see no need for enactment of the seed and plant bill for the reasons stated in the following report:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 17, 1974.

Hon. W. R. POAGE,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR MR. CHAIRMAN: This is in reply to your request for a report on H. R. 9468, a bill to authorize the Secretary of Agriculture to distribute seeds and plants for use in home gardens. Our report also applies to H. R. 9460, a bill having the same purpose as H. R. 9468.

The Department does not recommend enactment of these bills.

The bills would provide seeds and plants for use in home gardens under such conditions as the Secretary determines to be appropriate. As you are aware, the food stamp amendments found in Public Law 93-86 changed the definition of "food" to permit the use of food stamps to purchase seeds and plants for use in gardens to produce food for the personal consumption of eligible households. Since this provision has already been implemented to benefit needy low-income families, the Department believes the objectives of H. R. 9468 have been substantially accomplished.

In addition, Public Law 93-86 requires each State to implement the Food Stamp Program in every one of its political subdivisions by no later than June 30, 1974, unless a State can demonstrate that it is impossible or impracticable to do so in a particular area. It is anticipated that those areas of the country which had previously relied upon the Federal Food Distribution Program will be receiving food stamp assistance. All households in those areas who are eligible for such assistance will be able to purchase seeds and plants with their food stamps.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

CLAYTON YEUTTER,
Acting Secretary.

I do not believe that the Department of Agriculture has given this situation the attention it deserves. Its report is not only highly unsatisfactory, it is virtually meaningless in the context of today's rising food prices and potential domestic and world shortages.

Again, I must urge my good friend, the chairman of the House Agriculture Committee, Mr. POAGE, to begin hearings on this legislation at the earliest possible time. Expeditious action is required for time is of the essence. The American people should be given the opportunity to produce food in their own gardens if they so desire.

[From the Boston Sunday Globe, Feb. 10, 1974]

FOOD—THE DIMINISHING NECESSITY

(By Richard M. Weintraub)

A restaurant owner in Revere complained recently thaat he was having trouble getting

enough tomatoes to make his sauces and that the cost of garlic had quadrupled.

Supermarket advertisements urge consumers to buy meats now before they become scarce and more expensive.

Secretary of State Henry Kissinger called not too long ago for a world food conference.

Bakers speak in alarmist terms of the $1.00 loaf of bread.

In each of the above cases, the argument could be made that there really is no problem with food availability, other than man-made problems.

The restaurant owner, it could be said, is suffering from kinks in the distribution system; supermarket owners might simply be creating a panic situation leading up to further price increases; Kissinger could be trying to divert attention from oil and Watergate and the bakers just might be trying to get a bigger slice of the consumer's dollar.

WORLD NEAR BRINK

There is another situation, though, that really can't be argued with, one that portends greater problems for all men than the present petroleum situation for industrialized nations. The world, in brief, is teetering dangerously on the edge of a chronic food shortage and the United States, more than any other nation, is in a position to do something about it. So far, nothing has been done.

In the draft of a paper prepared for an upcoming conference in London, Harvard Business School Prof. Ray Goldberg writes:

"In 1966 we had 3.4 billion people in the world and we were concerned with a wheat carryover (surplus) of 555 million bushels in the United States. In 1974 with 500 million more people in the world, we are even more concerned with a wheat carryover of even less—now estimated to be approximately 200 million bushels (the lowest since WW II).

"Of even more concern is that many U.S. farmers have already sold their wheat to exporters for the fall of 1974 and have yet to plant it, let alone grow and harvest it."

FEW SURPLUS AREAS

What makes this situation so alarming is that the United States, along with Canada and sometimes Australia, has become the world's only area of grain surpluses.

If the Russian or the Japanese wants to spend his increased earnings on bettering his diet, he must come to the United States to get the grain to fatten cattle. If the government of India needs to buy grain to ward off famine, the United States, directly or indirectly, is about the only possible supplier.

Or if there is drought or natural disaster which destroys crops and emergency relief supplies on a massive scale are needed, it is to this country that the relief agencies must turn. There is no alternative.

The problem is that the US, as of now, really has no plan to protect either its own people or those elsewhere who might be in desperate need.

Ten years ago the problem for the United States was not how to get enough food to meet requirements but what to do with all the surpluses. Storage areas were filled to overflowing; farmers were paid NOT to cultivate land and huge food aid programs, such as Food for Peace, were developed.

Now, all that is changed. Under the triple pressure of increasing worldwide population, drought in wide areas of the world and rapidly expanding standards of living leading to increased food consumption, the US has become the major marketplace for world food supplies.

FOREIGN PRESSURES

This means that the US consumer must compete right along with the Japanese or Russian consumer for the produce of the nation's farms. This has its implications both for prices and availability of foodstuffs. In addition, there is fierce competition for the fertilizer which is used to increase crop productivity. As Goldberg notes:

"The US food system, that for the past 25 years had been insulated from the world food system because of high US farm supports, has become an integral part of the world food system in terms of production and consumption.

"This fact became emphasized when price controls were placed on US processed food products and overseas buyers were bidding raw material food supplies away from US processors. This also was evident when fertilizer price controls were put on in the United States while Morocco and Tunisia raised their prices 180 percent in October 1973. US supplies were being bid away in the markets and controls were lifted. Prices for nitrogen fertilizer had risen from $65 a ton to $110 a ton by January 1974."

Added to this is a generally increasing shortage of fertilizers due to shortages of petroleum-related products used to make them.

This general food situation, coupled with the Arab use of oil as a foreign policy weapon, has led some in this country to call for the use of this country's food situation as a foreign policy tool.

In recent testimony before the Senate Foreign Relations Committee, Dr. Jean Mayer, the world-renowned professor of nutrition at the Harvard School of Public Health, argued:

WORLD GRAIN TRADE BALANCES

[Million metric tons]

Region	1934–48	1960	1966	1972	1973	Region	1934–48	1960	1966	1972	1973
North America	+5	+39	+60	[1] +88.8	[2] +91.5	Africa	+1	−2	−3	−.8	−5.3
Latin America	+9	0	+2	−3.4	−2.3	Asia	+2	−16	−30	−48.2	−49.3
Western Europe	−24	−25	−23	−18.3	−19.9	Oceania (Australia and New Zealand)	+3	+6	+8	+7.3	+8.3
Eastern Europe (including U.S.S.R.)	+5	0	−14	−25.6	−11.5						

[1] The United States accounted for 70,100,000 metric tons of this total.
[2] The United States accounted for 74,400,000 metric tons of this total.

(+) Net exports.
(−) Net imports.

GRAIN DEFICITS

(Wheat, coarse grain and milled rice in millions of tons.)

1964–65, 10.5; 1969–70—1971–72, 15.5; 1971–72, 18.4; 1972–73,23.4; and 1973–74, 30.3.

"While all of us may have had reservations about certain aspects of our foreign relations since the end of World War II, we can all take pride over the fact that without any possible doubt, during that period, our country has been the world's chief bulwark against hunger. . . . In some cases famines have been relieved. In many cases they have been averted. The good will resultant from these measures has been enormous and has often dispelled the fear and distrust which a nation as large and powerful as ours normally engenders."

WHEAT DEALS HURT

Mayer went on to argue that the huge, governmentally unsupervised deals between private firms and foreign buyers, such as China and the Soviet Union, are endangering this longstanding U.S. policy and ultimately will lead to higher prices in the U.S.

". . . we risk abdicating much of our influence (and potential profit) in using internationally our chief national resource, the products of our agriculture," Mayer said. He then advocated the creation of a central authority to develop a food policy and oversee foreign grain and soybean trade.

In a recent interview, Mayer argued that the recent huge wheat sales to the Soviet Union not only upset the U.S. economy, but subsidized Russian foreign policy since Moscow was exporting grain to India, Bangladesh and Egypt (just before the October war) at the same time it was importing wheat from the U.S.

"I don't see why we should sell heavily subsidized American grain to Russia—at a cost to the American consumer—only to have them use it for their purposes," Mayer said.

"Egypt and Iraq had drastic shortfalls (in grain last year) and couldn't have launched military adventures without Russian grain," he continued.

Mayer argued that the use of food as a foreign policy tool is not "blackmail."

NOT BLACKMAIL

"It's not blackmailing people if we say, if you cut down availability of oil, then we will have to cut down production since our farmers and industry needs oil to keep production at a high level. If we have to make choices, we will feed our friends—like the Dutch—rather than those who denied the increased production to us to start with," he said.

From a strict "national interest" argument, Mayer said it also would not be a bad idea to let food prices rise, since that would lead to vastly increased earrings from exports.

"If we protect the poor and the elderly—perhaps through a policy which provides sufficient reserves for supplementary food programs—then it is in our national interest to have food prices go up," he said.

Goldberg does not share all of Mayer's views on the use of food as a foreign policy tool, but he argues urgently both for national and international food policies, noting that even a minimal crop failure in the US would have severe repercussions for people around the world.

"Wheat, corn, barley, cocoa, coffee, and sugar all have practically doubled in price in the past 12 months. These raw materials prices have been translated into high retail food prices all over the world . . . In addition, the low inventories of most crops add more price pressure as most users are anxious buyers almost to the point of hoarding," he says.

"What is needed, of course, is some kind of national and world food reserve policy."

Even the development of reserves (food stored against emergency on humanitarian needs) would create further pressure on the market, Goldberg noted, but that is a better situation than not having the reserves at all.

The existence of reserves would have a three-fold objective:

To protect the American consumer who is being "whiplashed" by the frantic scramble for available food supplies.

To provide a cushion against the possibility of a bad harvest in this country.

To leave the US at least some limited supplies of food to use for humanitarian purposes abroad as has been the traditional policy of the country.

Doing less than this leaves both the US and the world in a perilous situation bordering on the disastrous.

City	Boneless sirloin steak	Boneless chuck roast	Pork chops	Ham, canned	Cheese (cheddar, edam, gouda)	Butter
Bonn	3.69	2.38	2.20	5.98	1.48	1.41
Brazilia	.74	.59	1.34	1.67	1.82	1.72
Brussels	3.16	1.78	1.82	3.35	1.18	1.38
Buenos Aires	.69	.38	.43	2.43	.91	.96
Canberra	2.09	1.13	1.28	2.25	1.28	.87
Copenhagen	4.04	1.67	2.37	2.18	1.51	1.38
London	2.75	1.30	1.30	1.25	.75	.51
Ottawa	1.77	1.08	1.58	1.80	1.02	.74
Paris	2.54	1.40	2.01	2.46	1.25	1.41
Rome	2.77	2.25	(1)	(1)	1.11	1.51
Stockholm	4.42	2.04	2.21	2.29	1.64	1.18
The Hague	3.24	2.20	2.07	(1)	1.30	1.29
Tokyo	12.83	5.99	2.57	3.66	1.35	1.58
Washington, D.C	2.29	1.49	1.79	2.00	1.27	.95
Median	2.76	1.68	1.82	2.27	1.28	1.24

[1] Not available. Note: Items may vary by quantity and type.

City	Broilers, whole	Eggs, large dozen	Tomatoes	Apples	Oranges, per dozen	Bread, white
Bonn	0.84	1.03	0.19	0.33	1.23	0.45
Brazilia	.69	.70	.24	.12	.68	.20
Brussels	1.04	1.13	.29	.27	1.45	.22
Buenos Aires	.37	.50	.29	.17	(1)	.24
Canberra	1.13	1.08	.74	(1)	.60	.31
Copenhagen	1.58	1.24	.94	.40	2.10	.39
London	.58	.89	.24	.22	1.44	.15
Ottawa	.78	.90	.33	.16	.97	.21
Rome	1.03	.89	.20	.32	(1)	.24
Paris	.90	1.17	.20	.34	1.37	.39
Stockholm	1.28	1.23	.53	.48	1.38	.61
The Hague	.78	1.08	.32	.21	1.51	.17
Tokyo	1.03	.61	.40	.81	6.11	.36
Washington, D.C	.71	.88	.39	.09	1.07	.25
Median	.87	.97	.31	.30	1.38	.25

[1] Not available. Note: Items may vary by quantity and type.

SOVIET JEWRY: RECOMMENDATION BY THE CONSULTATIVE ASSEMBLY OF THE COUNCIL OF EUROPE

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

Mr. FRASER. Mr. Speaker, during a recent visit to Strasbourg, France, and the Consultative Assembly of the Council of Europe, I was deeply impressed by two reports prepared for the assembly's Committee on European Non-Member Countries.

The report I present today is on the situation of the Jewish community in the Soviet Union. I plan to introduce in the RECORD a second report—on the situation in Greece—at a later date.

The report on Soviet Jewry was the basis for a consultative assembly debate held January 21, 1974. The recommendation adopted by the assembly that day is identical to the draft recommendation appearing as section I of the report reprinted below.

This report and the recommendation resulting from it are valuable documents well worth our time in any event, but, I think, of especial interest because of the source of these documents.

Mr. Speaker, many Americans have only a very hazy idea of the various international organizations that link many of the European nations. While my primary interest is the report reprinted at the conclusion of these remarks, it may be useful to quote briefly at this point from the 1974 Press Guide of the Council of Europe:

FACTS AND FIGURES ABOUT THE COUNCIL

ORIGINS, AIMS, MEMBERSHIP

The Council of Europe was the first political organisation to be created in Western Europe and remains the widest by membership. Its Statute, which endowed it with a Committee of Ministers and a Consultative (parliamentary) Assembly, was signed on 5 May 1949 in London and the headquarters were established in Strasbourg the same year.

Although the European scene 25 years later is different in many ways, the Council's aims remain unchanged: to work for greater European unity, to improve the conditions of life and develop human values in Europe, and to uphold the principles of parliamentary democracy, the rule of law and human rights. Any European State can become a member provided it accepts these principles. (In one case, a member country, Greece, was obliged to withdraw from the Council in 1969 because she was no longer able to fulfill these conditions).

The ten founder countries were: Belgium, Denmark, France, Ireland, Italy, Luxembourg, Netherlands, Norway, Sweden and United Kingdom.

Further countries to join were: Greece and Turkey (1949), Iceland (1950), Federal Republic of Germany (1951), Austria (1956), Cyprus (1961), Switzerland (1963), Malta 1965).

The Organisation has seventeen member countries in 1974 and represents the joint interests of some 310 million Europeans. . . .

BRIEFLY, HOW IT OPERATES

The results of the Council's work are obtained by flexible methods of co-operation between parliamentarians, Ministers, government officials and experts, working together to harmonise member countries' policies and to adopt common standards and practices.

The parliamentary Assembly threshes out, in public, issues of European importance and puts its recommendations for joint action by governments to the Committee of Ministers. The Ministers, or their Deputies, decide on the action to be taken and direct the Council's work. Parliamentary committees prepare the plenary sessions of the Assembly; governmental expert committees carry out work for the Ministers and also put proposals for joint action to them.

Part of the Council's work is carried out by institutions set up specially for the purpose e.g. the European Commission of Human Rights, the Court of Human Rights, the European Youth Foundation, the European Conference of Local Authorities etc. With the increasing technicality of many of the subjects dealt with, conferences of specialised Ministers have also become a major feature of the Council's programme. The Council's all round the year work is served by a permanent international Secretariat in Strasbourg.

PARLIAMENTARY ASSEMBLY

The "Consultative Assembly" is the parliament (not to be confused with the European Parliament of the 9-country European Communities which has its offices in Luxembourg but holds most of its sessions in the Chamber of the Council of Europe building in Strasbourg). When created in 1949 it was the first international parliament in history.

Although without legislative powers, the Assembly acts as the "motor" of the Council, initiating European action in key areas by addressing Recommendations to the Committee of Ministers. As the widest parliamentary forum in Western Europe, the Assembly also acts as the "conscience" of the area by voicing its opinions on important current issues. These are embodied in Assembly Resolutions. There are also "Written Declarations" which commit only the signatories. (Voting requirements: Recommendation, two-thirds majority; Resolution, simple majority; Quorum 69). . . .

The Assembly can check on the fate of their Recommendations by written questions at any time or by parliamentary questions for oral answer addressed to the Chairman of the Committee of Ministers when he presents the ministerial progress report to the Assembly at each session.

The Assembly can also give its opinion on current problems of the day by employing "urgent procedure" to introduce a debate (e.g. the situation in Czechoslovakia, 1968; the free movement of peoples in Europe, 1973). . . . [A]

Political debate is held at each of the Assembly's meetings, on some major current problem facing Europe (e.g. East-West détente, the Middle East, relations with the USA, or domestic European problems).

An annual colloquy of parliamentarians and Ministers takes place once a year, in December, to discuss a political question of current importance.

Up to 1970 the Assembly had 147 members (and an equal number of substitutes). With the withdrawal of Greece, the number was reduced to 140, but three of the seats (Cyprus) have been vacant since 1965 due to internal difficulties.

Delegations to the Assembly vary in size from 3 seats for countries with small populations to 18 for those with large ones. Delegation are appointed by national parliaments from among their own members and reflect in general the strength of political parties in the home parliament. For the first time in October 1973 a member State, France, appointed Communist representatives to the Assembly.

Members sit in the Chamber in alphabetical order of individual names and not in national or party groups. There are however multinational political groups of Liberals, Christian Democrats, Socialists and Independents (Conservatives).

Observers: although non-European states cannot become members, a small observer delegation from the Israel parliament has attended Assembly sessions since 1958, but the Assembly decided in 1965 that, until further notice, applications for observer status would only be considered from European States.

Sessions: The Assembly holds a public one-week meeting 3 times a year, in Strasbourg (normally May/September/January).

Most European organisations were created following proposals from the Council of Europe and send their progress reports to be considered by the Assembly; also organisations not restricted to Europe, in order to gain interest and support of European parliamentarians.

The Assembly holds an annual joint meeting with the European Parliament of the Communities on a subject of topical interest. . . .

Parliamentarians from non-member countries often attend Assembly sessions for exchanges of views . . .

Parliamentary committees: 13 specialised committees hold periodic meetings throughout the year to prepare work and reports for debate by the Assembly. The Standing Committee, composed of leading members and meeting at least 3 times a year, can take decisions between Assembly sittings.

COMMITTEE OF MINISTERS

The Committee, composed of the 17 Foreign Ministers of the member countries, is responsible for the whole of the work of the Council of Europe and for common action by member governments. It decides on recommendations addressed to it by the parliamentary Assembly or on proposals submitted by expert governmental committees.

Decisions can take the form of: a Resolution containing common measures recommended to governments; or a Convention or Agreement binding on the States which ratify them (about 80 concluded since 1949). The Committee of Ministers also consults on major political issues of common European concern.

The Ministers normally meet twice a year to review progress in European co-operation and to direct the Council's work: in December in Paris and in May in Strasbourg (for annual colloquy with parliamentarians, see above). In between the Ministers' Deputies, usually Ambassadors, who are appointed as Permanent Representatives of their government to the Council of Europe and are mostly resident in Strasbourg, meet about ten times a year to execute the Council's business. They have the same powers of decision as the Ministers. Ministerial meetings are not public.

The Chairmanship of the Committee of Ministers (and therefore also of the Ministers' Deputies) is taken in turn following the alphabetical order of countries. It changes twice a year after sessions of the Committee of Ministers i.e. after December and May.

Most decisions of the Committee of Ministers (and of their Deputies) are by majority vote, simple or ⅔; unanimity is necessary in some important instances. Some common activities are arranged between a limited group of members States; these are called Partial Agreement activities.

Human rights are a major concern of the Council of Europe. I find it significant that the 1974 Press Guide opens with the following paragraph:

UPHOLDING HUMAN RIGHTS

With the Europe Convention on Human Rights signed in 1950 the Council of Europe instituted a unique international guarantee for basic rights and freedoms—the first in world history. The Convention, which entered into force in 1953, covers the most important of the civil and political rights enshrined in the United Nations Declaration of Human Rights of 1948.

The Council of Europe countries alone have succeeded in transforming the general principles of the Universal Declaration into legal obligations by creating a working system of international judicial guarantee for human rights. Moreover, the European Convention serves as an example to other regions of the world.

The rights defined by the Convention are safeguarded by two independent bodies: a Commission and a Court, as well as by the Committee of Ministers of the Council of Europe.

Fifteen of the seventeen Council of Europe member States have ratified the Convention and are thus bound by it. France signed the Convention in 1950 and Switzerland in 1972. Both are expected to ratify in the near future.

And it is the Council's preeminence in human rights that makes the following report of more than casual interest:

COUNCIL OF EUROPE,
CONSEIL DE L'EUROPE,
December 17, 1973.

[Consultative Assembly—Doc. 3374]

REPORT ON THE SITUATION OF THE JEWISH COMMUNITY IN THE SOVIET UNION

(Rapporteur: Mr Ahlmark)

I. DRAFT RECOMMENDATION

Presented by the Committee on Euorpean Non-Member Countries [Unanimously adopted by the committee on 12 December 1973. Members of the committee: Mr. *Hofer* (Chairman), MM *Jung, Gessner* (Vice-Chairmen), *Abens, Ahlmark,* Arnason, Mrs. Cattaneo-Petrini, MM *Collins* G, Cornelissen, *Ertug,* La Combe, Mason (alternate: *Mendelson*) *Mende,* Mrs. Munkebye, MM Nothomb (alternate: *Adriaensens*), Oestergaard, Radinger, *Reale,* Wall. NB The names of those who took part in the vote are in italic. Secretaries of the committee: MM Massie and Ringheim.]

The Assembly,

1. Recalling its Recommendation 632 (1971) on the situation of the Jewish community in the USSR;

2. Noting with satisfaction that a considerable number of Soviet Jews have been granted permits to leave the Soviet Union since the beginning of 1971;

3. Conscious, however, of the continued harassments of Soviet Jews who apply for exit visas and of the rejection of many such applications without any valid reason;

4. Concerned by the grave human suffering caused by the arbitrary separation of families;

5. Deeply concerned by the repeated reports of police harassment arbitrary arrests and show trials directed against members of the Jewish community in the Soviet Union as well as by the situation of those prisoners already condemned;

6. Concerned at the possibility of further actions against Soviet Jewish citizens who apply for exist visas on the basis of the Universal Declaration of Human Rights and the International Convention on the Elimination of all Forms of Racial Discrimination;

7. Concerned at expressions of so-called anti-Sionist propaganda in the Soviet Union which is often indistinguishable from anti-semitism and liable to provoke latent anti-semitism;

8. Concerned further at the continued restriction of the freedom of Soviet Jews to practise their religion, to maintain Jewish cultural life (books, periodicals, theatres, etc.) and to use in print or to learn Jewish languages such as Yiddish and Hebrew;

9. Mindful of the aims of the current Conference on Security and Co-operation in Europe and, in particular, of Chapter III ("Co-operation in humanitarian and other fields") of the final recommendations of the preceding Helsinki consultations;

10. Recommends that the Committee of Ministers invite member governments to urge the Soviet authorities to contribute further to the improvement of East-West relations, and thus also to act in the spirit of the current Conference on Security and Co-operation in Europe, by taking the following measures:

i. by removing the obstacles and by simplifying and speeding up the procedures for granting exit permits to those Jews who, for various reasons, wish to emigrate;

ii. by guaranteeing that no repressive actions will be taken against Soviet Jews claiming this elementary right to leave the country in pursuance of the Universal Declaration of Human Rights and the International Convention on the Elimination of all Forms of Racial Discrimination;

iii. by granting the Jewish community the cultural and religious rights guaranteed to all national and ethnic groups on a basis of complete equality by Article 123 of the Constitution of the USSR;

iv. by expressly prohibiting anti-semitic propaganda in the form of books or other publications in pursuance of the same article.

II. EXPLANATORY MEMORANDUM BY MR. AHLMARK

1. Introduction

1. The present report is presented to the committee following a decision (May 1973) to re-examine the situation of the Jewish communities in the Soviet Union, previous reports (of which the last was presented in January 1971) having been overtaken by recent events.

2. The Rapporteur was able to obtain numerous documents, petitions, letters, court proceedings, reports, press excerpts translated from Russian newspapers, etc. He also has met numerous Jewish immigrants, both in Vienna and in Israel, and had lengthy interviews with some forty of them. The choice of persons interviewed was such as to cover a fairly complete gamut of opinions and of problems. Thus, your rapporteur met with former prisoners, with families of prisoners still interned, with writers, engineers, doctors, artists, workers coming from various parts of the Soviet Union, with members of separated families, with "activists" who have tried for years to obtain their exit visas as well as with people who had almost no difficulty in obtaining this document. The conversations were extremely frank and thorough. The Rapporteur has also met with experts on Soviet Jewry in Europe.

3. Most of the persons interviewed knew about previous activities of the Council of Europe on their behalf. All asked that such activities should be pursued. For they are convinced that it is thanks to the pressure of world opinion that emigration is possible, that the gates have opened a slight crack, that hardships for those who wish to leave, and for those who will remain, could be diminished.

4. In retrospect, the last report on this subject, presented to the Consultative Assembly in January 1971, by Mr. Bruno Pittermann, came at what might appear to have been something of a turning point in the evolution of the problem of the Soviet Jews. As that time, there was very little emigration: between 1968 and March 1971, only approximately 4,000 Jews were allowed to leave the Soviet Union altogether.

5. The report came, too, immediately after the first Leningrad trial (December 1970) in which a group of Jews had been condemned by a Soviet court to very harsh prison terms. Two originally were condemned to death, their sentences later being commuted thanks to the world-wide outcry on a hitherto unknown scale. International organisations, political bodies (including some Western communist parties), governments and well-known personalities all joined in an outburst of indignation.

6. While severely critical of the attitude of the Soviet authorities, this criticism was applied in a positive spirit. It crystallised into a demand for the full application of the Soviet Constitution, for the application of conventions and agreements entered into by the Soviet Union as well as for the respect of pledges made by various Soviet leaders in their public pronouncements in previous years. It also was to become increasingly clear, from this time onward, that détente in Europe and the world can be fully achieved only through the respect for human rights, as universally expressed and accepted.

The Emigration

7. It is difficult to ascertain authoritatively what were the various reasons, both internal and external, that brought about a certain change in Soviet emigration policy. Any analysis necessarily has to be based both on known facts and on speculation. Yet it is

apparent that since March 1971, the pattern of emigration of Jews from the Soviet Union has changed, at least so far as numbers are concerned.

8. There are no officially published figures concerning this emigration, either in the Soviet Union or in Israel. The following figures, however, based upon information obtained from various publications and interviews, seems to correspond to reality as near as possible.

[Approximate]	
1968–March 1971	4,000
March 1971–December 1971	13,000
1972	31,000
1973 (to November)	28,000
Total	76,000

(This total, incidentally, is in keeping with figures published by the Austrian Government at the time of the crisis involving the Schönau camp, following the terrorist attack on a group of Jews in transit through Austria.)

9. That 76,000 Jews already have been able to reach the country of their choice is a positive development, one that should serve as an encouragement to those who have devoted their efforts to bring about this change. The Council of Europe is not the least among them, as Mrs. Golda Meir, Prime Minister of Israel, declared in her speech before the Consultative Assembly (1 October 1973) speaking about the emigration of Soviet Jews:

". . . If more are coming out, I am happy to say it is probably due to a large extent to the attitude this Council has taken on the subject."

10. Such efforts constituted a worthy reflection and echo of the determination and the courage of Jews inside the Soviet Union itself. Their multiple petitions and open letters of protest sent to public figures and institutions in the USSR and abroad, their demonstrations, hunger strikes and sit-ins in public offices—all served unremittingly to remind world public opinion of their plight. In such fashion the Jews of the USSR, no longer "the Jews of silence", managed—within the law and with tremendous dignity to demand the respect of their guaranteed rights.

2. The present situation

11. The Committee on European Non-Member Countries has deemed it necessary to present a new report on the subject because the evaluation described above, positive as it is, tends to create the false illusion that the plight of the Jews in the Soviet Union has been, or is on the way to being, resolved.

12. This is far from the case; yet because of this illusion one might be tempted to neglect the issue. Actually, as shall be shown here, the situation of the Jews in the USSR is in many respects as grave, even as alarming, as before.

i. The pattern of emigration

13. First, it should be noted, the present emigration is limited and circumscribed, by deliberate policy of the Soviet authorities, to Jews living in certain definite areas. The large majority of the Jews authorised to leave the Soviet Union come from areas containing only a small minority of the Soviet Jewish population. Most of the 3 to 3½ million Soviet Jews are prevented from applying for emigration through methods which will be discussed below.

14. The more "liberal" areas are the Baltic states (mainly Lithuania and Latvia), the areas formerly belonging to Hungary, Romania, Czechoslovakia and Poland and incorporated into the Soviet Union after World War II, and Georgia and Uzbekistan. Of the total Jewish population of Georgia, for instance, more than 40% has now gone to Israel. In Lithuania the corresponding figure is more than 30%. But in the inner parts of the Union and in the republics which belonged to "Old Russia" it is often totally impossible to get a permit. In the Republic of Russia (RSFSR) less than ½% of the Jews have been able to leave, in *East* Ukraina less than 1%—but in *West* Ukraina more than 15% of the Jewish population has left.

15. One might speculate about the reasons for these vast regional differences, which seem to be maintained from month to month. But the conclusion, which can be drawn from the statistics, is that the emigration during the last 2 years has only very little changed the life and the prospects for the future for the large majority of the Jewish community which do *not* live in the geographical periphery of the Soviet Union. At the same time the authorities try by vigorous efforts to limit the "desire to emigrate" (and the possibility) to these specific areas and to prevent it from spreading to the rest of the Soviet Union.

ii. Harassment and Persecution

16. Various measures are applied to implement this "containment" policy. All seek to defer potential candidates for emigration from applying, mainly through the harassment of those Jews who have already taken this step. A constant, virulent campaign is carried on against them, and against those who would wish to emulate them. The harshness and arbitrariness of measures applied vary in intensity even within "Old Russia" itself (Russia, Ukraine, Bielorussia etc.). The further one gets from the big centres—Moscow, Leningrad, Kiev, Odessa, Kharkov—as a rule, the harsher the persecution of the applicant for emigration.

17. The Soviet Union, it should be stressed, continues to authorise only one kind of emigration, that coming under the category of "family reunion". Thus, every candidate for emigration first has to be invited by a relative abroad (usually in Israel). This is done through a document known as the *"visov"*, the "family invitation". Without this *"visov"* no application is accepted. *Visovs* sent through the mail from abroad often are intercepted, and kept by the authorities and are not delivered, in violation of international postal agreements, sometimes for several months. Cases are known where 5 or 6 such *visovs* had to be sent before any of them reached the addressee. In some towns no *visovs* at all are delivered by the post.

Once the *visov* has reached the addressee, he must start a long quest for a whole series of documents, each indispensable for the presentation of the application, and most meant only as obstacles. Two of these documents deserve special mention.

18. Every applicant needs a *"kharakteristika"*. This is a document delivered by the place of work (factory, scientific institution, school etc.) attesting to the "character" of the applicant, and including the recommendations of his superiors. The delivery of this document frequently is preceded by a general meeting of all the workers, a "popular tribunal" as it were, where the applicant is abused and, finally, "condemned"—usually as a "traitor" to his motherland, to his friends and to the nation. The document is then usually delivered mentioning the fact that the applicant wishes to go to Israel. Experience has shown that it makes absolutely no difference whatsoever what "description of the character" is given—whether "good" or "criminal"—as far as granting the exit visa is concerned. This method obviously is meant to serve as a deterrent, and to bring the applicant to a critical confrontation with those around him.

19. A second document required is the *"family approval"*. Each applicant must bring written proof that his parents (or grandparents) agree to his departure. This is the case even if the applicant is himself a head of a family. More and more, one finds impossible situations arising out of this requirement.

20. There are applicants who must seek out fathers who, 10 or 20 years before, deserted their wives, remarried, and never were seen or heard of again. Yet they need his authorization. This of course opens the door to all sorts of pressure. Such parents (who themselves do not wish or cannot leave the Soviet Union) can be and are sometimes forced, through various threats to refuse the requested authorizations or else find themselves in their turn, in direct conflict with the authorities.

21. There are several cases similar to that of a father living alone with his child for many years, long separated from wife and mother, who saw his parental rights taken away from him by the Russian courts at his wife's request simply because both father and child had applied to go to Israel. The court ruled that "by wanting to take his child out of the Soviet Union (he) has shown that he is unfit to be a father" (the Tiomkin Case, 1973). The 15 year old girl concerned was taken away by force and is now being kept in a camp, about 2,000 kms away from her home town.

22. Once an applicant presents these as well as other documents (about a dozen) to the "OVIR" (Ministry of the Interior, Department of Visas) he more than often sees an immediate change in his working conditions. This can take the form of a change of job. In some instances directors of state laboratories have been demoted to being simple technicians in their own laboratory; full professors have become librarians etc. Often, there is outright dismissal. There are today many candidates for emigration who made applications a year or two ago and have not been able to work since. Some university professors earn their living as night-watchmen, others as porters, by occasional translations etc. The Science Academy of the Ukraine went as far as to decree that no scientific work of a would-be emigrant can be published (not even the reprint of previous works) and his name or work cannot even figure as a reference in other scientific publications.

23. Apart from the obvious financial hardships, the applicant's situation can actually be dangerous. There being a law in the USSR as to the obligation to work (the so-called "law on parasitism"; Decree of the Presidium of the Supreme Soviet of RSSR, 4 May 1961) any person found out of work can be prosecuted and sentenced to one year of hard labour. Most of those dismissed cannot find another job, as few would employ a man dismissed after having applied for an exit visa. (Whenever the request for departure to Israel is *inscribed* in the person's "work book", he cannot obtain *any* job whatsoever.) They are thus under constant menace of arrest and at the mercy of local police officials.

24. University students who apply for a visa are usually expelled. The same is true of the children of applicants. These see their studies stopped when their parents ask to go. When they are in primary and secondary schools the teacher sometimes lectures the class about the "misdemeanour" of their parents and urges the others to keep away from the "child of the traitor". The psychological effects on a young child are obvious.

25. In the past 2 years the authorities have resorted to still another method: enforced conscription into the army of applicants (mainly scientists) or their children. The practice being that no one who has served in the army can leave the country within up

to 5 years of demobilisation (because of the presumed "knowledge of military secrets") this method results in practically blocking the possibility of departure. Often people have been incorporated into the army for a period of only 2 to 4 weeks, just in order for the authorities to be able to apply this "5 year rule".

26. People on pension often lose these on presentation of application. (All such rights are lost in the event of departure.) Three men who served as colonels with distinction in World War II and have been out of the army for 30 years, lost their pension rights for that rank. This happened 18 months ago. Since, they have been offered restitution of full pensions, should they withdraw their applications for departure; but this they have refused to do.

27. The measures described above apply to a large part of the applicants. There are, in addition, special forms of harassment reserved for those known as "activists", ie those who have been refused the right to leave for the longest period and who have made thier struggle public through petitions, interviews with foreign correspondents etc. Many of these "activists" have had their telephones cut off.[1]

Their apartments are periodically searched by police officials many are constantly followed and often arrested, usually for periods of up to 15 days. While they are in prison they are particularly roughly treated. One activist has thus been arrested 23 times in the last 3 years.

28. The most acute form of persecution—the arrests, trials and sentences to long periods of imprisonment—will be discussed under a separate heading.

iii. The refusals

29. Harassment is meant to deter potential candidates, by providing "salutary examples". This could be more easily borne were there the certainty that, in the end, be it after a remote and painful period, a positive reply would be forthcoming. This is not the case.

30. A large part of the requests are held almost indefinitely, without any answer whatsoever. This situation can last for a very long period while the harassment of the person concerned, as described above, continues. Most candidates are left in that limbo, with little hope of seeing their situation evolve one way or another.

31. What of those who receive an outright refusal? Usually, this refusal is not justified in any way and the person concerned can obtain no explanation as to why the answer was a negative one. When an explanation is given (never in writing) it can take any of several forms. The most common among them are "knowledge of state secrets", "need for the person's talents", "state interests" etc.

"Knowledge of state secrets"—This term is used very loosely and can apply almost to every person in every profession. It has been applied to teachers of philosophy in the Moscow University, to newspapermen belonging to literary magazines, to a specialist in Soviet constitutional law and to an old shoemaker living in a town situated next to a military installation. This "rule of secrecy" could have been applied in accordance with definite criteria since every person in the Soviet Union having access to any secret whatsoever has to sign a "secrecy pledge", this being of various grades, depending on the importance of the secrets. Yet many of those refused on secrecy grounds never have signed a pledge of any kind. In other instances all citizens of a certain town simply are declared to fall under this category.

"The need for the person's talents"—This rule has been applied to persons dismissed from their jobs 3 years ago and serving since then in menial occupations, or completely unemployed.

"State interests"—This vague formula can, of course, and does mean any whim of the authorities.

32. One can discern a certain trend in the "refusals policy". These refusals are more numerous in "Old Russia" than in the "periphery" and in small towns than in the larger centres. This policy also singles out certain *professional* groups—scientists, newspapermen, artists etc. The fate of those does influence and sometimes determines the attitude and the will of others to engage in this dangerous path of applying for their right. Thus, once more, refusal for a few is used as an efficient deterrent against many potential candidates.

33. Another result of the arbitrary refusal policy is the tragedy of split families. The author of this report had occasion to talk to members of 8 such families: husbands who had to leave behind a wife or else be arrested; parents who saw an official take away the visa of one of their children upon departure at the frontier etc. In certain cases families accepted separation because they were assured by the authorities that this situation would only be temporary, and that the other members of the family would soon be authorised to join them. Those promises have all too often been broken.

34. These 8 persons supplied your Rapporteur with a list of more than 60 such broken families, mostly cases of parents who had to leave behind children or separated husbands and wives.

iv. The Education Tax

35. This arsenal of measures aimed at stifling the desire of a minority from exercising its guaranteed rights was less successful than the authorities hoped and, in August 1972, they resorted to a new and powerful measure, known as the "Education tax", or the "ransom".

36. A Decree dated 3 August 1972, instituted a new system of taxes imposed upon those wishing to leave the country for good. Kept secret at first, this law was applied from 14 August onwards but published only in December 1972. By the terms of this law the taxes imposed ranged from 4 to 30 thousand Rubles (about 30 thousand dollars, equivalent to 15–20 years of salary). The reason given was the right of a state to recover costs invested in the education of its citizens. Various official spokesmen cited as one justification for this law UNESCO resolutions aimed at reducing the "brain drain" from under-developed to more developed countries. That such an argument should be applied to emigration from the Soviet Union to Israel only underlined the real reason for this law—to throw up an almost insurmountable barrier before a large part of the potential emigrants.

37. The "Ransom," as the tax became known all over the world, brought widespread criticism, starting with appeals to the Soviet authorities from scientists and political figures of most countries[2] and culminating in a direct legislative measure taken in the U.S. to bring about the abolition of this tax. Certain scientific institutions in Europe and the U.S. decided to make the abolition of the tax a condition of any further co-operation with Soviet scientists. The result of this protest was the suspension of regulations 532–533. Since 22 March 1973, the levy of this tax has been stopped.

38. While applied, the "ransom law" resulted in a few hundred people paying the toll, essentially those assessed at a comparatively low rate, obtaining the sums needed by selling their possessions, by borrowing large sums and through the generosity of friends.

39. Two points should be stressed:

The tax was by no means a "monetary way" to obtain the exit visa. Contrary to some belief, the payment of the tax was not in itself enough to obtain the exit visa. Only those who already had *obtained* the visa—that is who had gone through the whole proceeds described above and finally received a positive answer—could then pay the tax. All others could not leave, whether they could have mustered the necessary sums or not.

The education tax has *not* been abolished. The tax, while not applied at the moment of writing, is still on the books. It can be reactivated at any moment. Recent articles (*Literaturnaya Gazeta*, 7.11.73) tend to show that this possibility exists.

v. The Trials and the Prisoners

40. A separate problem, undoubtedly the most tragic one, is that of trials of Jews and the situation of these prisoners. This is probably the most cruel form of persecution and the most acute form of intimidation, going far beyond the other methods described.

41. Trials of persons wishing to leave the Soviet Union for Israel have always existed. Since December 1970, 58 Jews have been condemned for alleged "crimes". Most were "activists" who eagerly sought to live in what they consider to be their own country. 37 still are in prison while 21 have been liberated after completing their sentences. (It should be noted that all the liberated prisoners were allowed to leave for Israel almost immediately upon liberation, which makes their imprisonment even more absurd and cruel.) The Rapporteur was able to meet 2 of those liberated prisoners.

42. The most notable (yet by no means the first) attempt to halt emigration through trials was the Leningrad trial, in December 1970. Arrested for "intention to hijack a plane" a group of Jewish men and women, all known as activists, were arrested and condemned to extremely harsh sentences of up to 15 years' prison.[3]

43. A second group, arrested at the same time and for the same reason, was sentenced in May 1971 to slightly shorter terms of imprisonment, no doubt benefiting from the wave of indignation that swept the world after the first trial.

44. The large scale of the trials, the scarcity of evidence and the harshness of the sentences all were meant to serve as a warning to potential candidates for emigration. As such, it failed. One may even infer that much subsequent emigration was, in a sense, a result of the infamous trial, as it proved most vividly to many Jews that their future in the Soviet Union was doomed.

45. Since that date the Soviet authorities have resorted to a different method of trials. Most later trials took place in smaller and relatively remote towns, such as Vinitza, Rostov, Samarkind, Kishinev, Sverdlovsk, Kharkov etc. These towns are distinguished by the fact that they have compartively small Jewish communities, they are not covered by foreign correspondents, and news from these

[1] This measure has been used since May 1972. It was made legal by resolution of the Soviet of Ministers on 1 August 1972.

[2] 115 members of the Consultative Assembly took a very strong stand on the issue (written declaration No. 18, October 1972, Doc. 3197 (3rd edition)).

[3] According to the new Soviet anti-hijacking law they would have been condemned to about 2 years in prison (*Pravda*, 4 January 1973). It should be noted that they were also condemned for "high treason".

towns is hard to come by. The powers of the local authorities, including the security police (KGB) are greater; the possibilities for them to operate independent-style "Police systems" and methods, which would be frowned upon in Moscow, enhanced.

46. In these towns, whenever the authorities decide to "make an example" they arrest a member of the Jewish community. Most often it is an "activist" or a "supposed and potential" one. What the accusation may be is of little importance: the trial is conducted practically "in camera"; the lawyers named by the family are refused by the court; and people who wish to testify for the defendent usually are threatened themselves. In one case (Vinitza) the person accused first was charged with "anti-Soviet propaganda" (a clause that has appeared in almost every accusation act against Jews). When it was found that he never engaged in any public utterance, petition or demonstration, the accusation was changed into "spying for Great Britain." After protest by the British authorities this was, in turn, changed into "spying for Israel." This again could not be proved in any way as the man, a worker in a factory, never had any contacts with the outside world, or even met an Israeli. The verdict (10 years imprisonment later commuted, before Mr. Brezhnev's visit to the US, to 7 years) was justified by the court on the grounds that the man "had a phenomenal memory which could have enabled him, had he gone to Israel, to transmit important secrets to that country." It should be noted that at the time of the trial the man had not even applied for an exit permit as his "*visov*" had been intercepted and kept for months by the authorities. Moreover, his place of work was not a classified one. The effect on the small Jewish community of Vinitza can well be imagined.

47. This case is described in some detail as it is typical of many trials conducted after Leningrad. To make a completely absurd accusation is also typical, since the more improbable the accusation the stronger its "deterrent" effect. One activist was condemned (November 1973) to 3½ years in prison for "having thrown a cake at a girl in the street" (Kiev).

48. Another procedure is the one utilized in Sverdlovsk, where a Jew who refused to testify for the prosecution in the Leningrad trial was arrested a few months later, and condemned to three years in a labor camp. After another few months, a second Jew who refused to bear witness against the first one likewise was condemned to three years in a labor camp.

49. At the time of writing of this report a third Jew, who refused to bear witness against the second one, is in prison, awaiting trial. Thus, with a trial a year, the small Jewish community of Sverdlovsk is "kept quiet."

50. It should be noted that in some cases, mainly before the visit of First Secretary Brezhnev to the US (May, 1973), a few trials were cancelled, because of world outcry and because of the effects that this could have had on the visit. Most notably dropped was a mass trial being prepared in Minsk, in which dozens of Jews from all over the Soviet Union were to be charged with the alleged creation of a "secret Zionist underground." The freedom of human beings thus is being used either for the creation of fear or for the promotion of goodwill, that is, of political capital, with total disregard for facts or basic human rights.

vi. The Living Conditions of the Prisoners

51. Once those condemned are transferred to the place of detention (usually a labour camp in the remote regions of Potma or Perm) a new and cruel chapter begins. Some are detained with common criminals while others are kept with political prisoners. Their lot is worse than that of other prisoners. All are prey to the cruelty of their guardians and their co-detainees who, by constantly attacking the "Zionists", seek to prove their loyalty to a regime which has declared the word synonymous with the worst possible crimes.

52. In some of the camps, posts of responsibility are held by prisoners condemned for life for collaboration with the Nazis during the second world war, with results that one can imagine for the daily life of the Jewish prisoners. Jewish prisoners are those made to spend the longest periods in solitary confinement; or who have their half-yearly visits by relatives cancelled. (On one occasion such a visit was cancelled because the prisoner "had not a proper haircut". His mother, who had travelled for two days to reach the camp, was told to "come again for the next visit, in six months time".) The few authorised parcels are withheld and other "rights" often withdrawn.

53. The result is that many of the "prisoners of Zion" are in an alarming state of health. One of them, a young woman, is critically ill. Others have severe heart conditions or suffer from haemorrhages. When unable to fill their work quotas their meagre food rations are further curtailed, as punishment. If world opinion cannot bring about a change, these people risk the worst.

54. Mention should be made of the fate of the families of those arrested. Here again, neighbours and authorities sometimes feel impelled to vent hatred against them, and thus prove their own loyalty. Constant abuse, petty sadism and tremendous sadness is often their lot. Some, finally, have emigrated to Israel, at the request of the prisoners themselves who—while thus foregoing their visits—feel better, knowing their families are away.

vii. Those Who Leave

55. Your rapporteur has not dwelt on the problems faced by those who have obtained exit permits. Compared with the problems of the "refused ones", these seem minor. Yet, one should mention that an exit visa costs 400 Roubles per person ($400 approximately, or about three months salary); that each departing person above the age of 16 is forced to renounce his Soviet citizenship at a cost of an additional 500 Roubles. Most valuables cannot be taken out and a large part of those that can be quite openly are taken away by customs officials who know that they are facing helpless, stateless people who cannot complain in any way. The frontier station in Tchopp is most notorious in this respect.

viii. How Many Emigrants?

56. Before concluding there is one question to be asked: How many Jews would like to leave the Soviet Union?

It is not possible to advance a figure. What is known is that at the end of October 1973, there were some 120,000 Jews trying to obtain the exit visa; and that the backlog of requests grows by the thousands every month; as the number of applications largely surpasses the number of permits granted.

57. The number of potential applicants depends, and will continue to depend, upon a whole series of conditions: the nature and virulence of repression used against applicants; the proportion of permits granted in relation to the number of applications filed; the course of the anti-Semitic campaign to be described below; the "professional categories" question; etc.

58. In areas where it is comparatively easy to obtain an exit visa, applicants already represent an absolute majority of the members of the existing Jewish community as in Georgia, for example. (Yet it should be remembered that even in those areas the number of refusals is very high.) In towns where anyone applying for a visa is in danger of incurring repression, the number of applications is smaller. It becomes very small in places where some applicants are arrested on one pretext or another.

59. In concluding this part of the report one should again stress that the real problem, as presented in Mr. Pittermann's previous report, has remained virtually unchanged. That a few thousand Jews coming mainly from three or four peripheral republics are able to leave the Soviet Union every month has not altered the basic issue, that is the persecution of those wishing to leave, the difficulties imposed, the effort made to halt emigration, the severe punishments meted out whenever possible and the simple fact that *the largest part of Soviet Jewry is deliberately blocked from emigration and thus has, for the time being, very little hope of realising this right and desire.*

3. The anti-Semitic campaign

60. This campaign, often decried, has assumed most disturbing proportions in the last few years. In the past, the authorities sought to disguise this as "anti-Zionism". They recently, often, drop this subterfuge. While attacks still are usually directed at the "Israelis" or the "Zionists", their form, content and themes are directly derived from the most classic and virulent anti-Semitic tradition, adapted by the simple expedient of changing the word "Jew" into "Zionist". Thus, it is now the "Zionists" who control world finance, do not like to work, dominate the world press and try to conquer the whole world through secret religious organisations. . . .

61. The official government organ, *Izvestia,* for example, wrote in 1972 that "throughout the (second world) war international Zionist organisations supplied arms and war materials to Germany . . . the Jewish leaders applauded Nazi crimes, in the belief that these would result in increased immigration to Palestine."

62. The notorious anti-Semitic writer Trofim Kitchko, whose book "*Judaism Without Embellishment*" was withdrawn from circulation in 1963 as a result of a wave of indignation and protest throughout the world, is still publishing material no less racist in content. He frequently quotes from his first volume and, having recently been decorated by the Ukrainian authorities, is today described on the flyleaf of his new works as the "famous author of *Judaism Without Embellishment,*" notwithstanding the fact that the Soviet authorities have described this book as "a mistake." Kitchko's latest book is called *Zionism, the Enemy of the Young;* but the chapter headings are all too familiar: "Judaism, the Enemy of the Young"; "The Rabbinate in the Service of Reaction"; "the Heder and the Synagogue—the Enemies of Education"; etc. This latest book by Kitchko has also taken up the old custom of mentioning in brackets the Jewish Surnames of the "traditional" enemies: Trotsky (Bronstein), Kamenev (Rosenfeld), etc. A recent film about Lenin has adopted the same method by continuously stressing, that Fanny Kaplan, who tried to kill Lenin, was a Jewess (she used to be described as a counter-revolutionary).

63. Numerous "anti-Israel" cartoons are published daily in the press. The person symbolising Israel is always bald, with a very long nose and a money bag hanging from his belt, in the best *Stuermer* tradition.

64. The entire press, radio and television are used in this campaign, and there is a constant publication of books or articles tainted with anti-Semitism of the most primitive kind.

65. Israeli sportsmen participating in the latest university games in Moscow had the sad experience of being called "dirty Jews" by rows of Red Army soldiers around the stadium, who encouraged the teams playing against the Israelis with the cry "turn them into soap," a reference that could hardly be misunderstood.

66. Recently there has been a new, grave development: Soviet authorities have been inserting texts of an anti-Semitic character

in publications meant for external consumption, both in Europe and in Africa and Latin America. In September 1972, for instance, the Soviet Embassy in Paris published in its information bulletin an article entitled "School for Obscurantism," including the following excerpts:

"Here are the concrete rules governing the relationship between Jews and all other people . . . it is strictly prohibited for a Jew to save from death (a non-Jew) with whom he is living in peace. He is forbidden to cure (a non-Jew) even for money, but is allowed to test a drug on him . . . It is better to throw a piece of meat to a dog than to give it to a 'goy' . . . it is ordained that 'goys' under the divine vaults shall be massacred . . ."

67. Similar articles, containing the same quotations (all, by the way, followed by non-existent references, chapter and verse included, all purely invented, to Jewish Holy Books), were published by the Soviet press agency Novosti in Rome and in some English-speaking countries. The publication of this article resulted in the bringing to trial of the editor of the Soviet Embassy Bulletin in Paris. The trial (March 1973) was, in many ways, an historical one. Its high mark was the presentation to the court of the original book from which these quotations and other parts of the Soviet Embassy article were taken—a book published in 1906, in St. Petersburg, by the "Black Hundreds", calling for programs against the Jews. The Soviet Embassy just copied excerpts from this book, spelling mistakes included. The editor of the Soviet Bulletin was condemned by the court for "incitement and provocation to racial discrimination and to racial hatred" and was heavily fined. But thousands of similar (or worse) publications in the Soviet Union itself not only go unpunished, but receive official encouragement.

68. It is hard to speculate about the reason behind such "export" of anti-Semitic hatred. But for the Jews living in the Soviet Union (and many of them, undoubtedly, wishing to go on living there) there certainly could be some danger because of promotion of anti-Semitism, especially in areas remote from urban centres. Here it doubtless would be difficult for the authorities to prevent outbursts of racial hatred of the kind being implanted and stirred up.

4. Culture and religion

69. The problem of those Jews who might wish to remain in the Soviet Union *as Jews* brings to the foreground the question of religious and cultural life available to them.

70. The situation of the Jewish community as a religious and cultural minority remains unchanged. It is still the only minority in the Soviet Union whose legal status and national identity the authorities persist in denying. The Soviet Constitution guarantees the rights of minorities, but the Jewish people, who number more than 3 million, do not enjoy these rights, and are alone in being denied them.

71. The teaching of Hebrew (or Yiddish) is in practice prohibited. The many petitions by Jewish people on this point to the Soviet authorities, at national and local level, and to international bodies like UNESCO, have been in vain. The authorities' reply has always been that "the teaching of foreign languages is provided for in the study programme established by the Soviet Ministry of Education, and therefore private teaching of the (Hebrew) language is forbidden". (Official letter dated 25 February 1972.)

72. The teaching of Hebrew is not only forbidden, but actually often punished. The special police often break into flats when Hebrew lessons are conducted, search the premises and sometimes arrest the tenant. At some trials, the charges include "possession of anti-Soviet writings", when in fact the writings in question are merely textbooks or Russian-Hebrew dictionaries.

73. There is no longer any such thing as Jewish culture as a separate phenomenon. Some of the greatest Soviet artists are indeed of Jewish origin but, since the execution of Jewish writers (in August 1952), any genuine national culture, in the sense used by the Soviet authorities in connection with other minorities, has vanished without trace.

74. In the Soviet Union today there is thus no permanent Jewish theatre (although it was in Russia and Poland that the Jewish theatre burgeoned and won its fame).

75. Occassionally a book is published in Yiddish, in a limited edition, which is quite out of keeping with the situation of other national minorities in the USSR, whatever their size.[4]

76. The only Yiddish-language newspaper is the *Birobidjaner Stern* which comes out several times a week, printed on a single sheet.[5] There is also a monthly review, *Sovietishe Heimland*, with a circulation of 10,000 (it used to be 25,000), which concentrates mainly on deploring anything which, in its eyes, is tinged with suspicion of "Zionism".

77. Almost the only outlet for Jewish identity in the Soviet Union today is religious life. But even this last outlet is in the process of disappearing. The struggle against the Jewish religion is permanent, virulent, and sometimes violent. Most synagogues have already been closed down. Synogagues were not only places of prayer. They were also used as meeting places, points of social contact, the only remaining ones for members of the Jewish community.

78. Now even the synagogue is denied them. In Kiev, for instance, in early 1972, the police diligently prevented access to the synagogue; and every week, on the Sabbath, people on their way to religious service were arrested and condemned to 15 days in prison. In Moscow, ever since March 1972, barricades were erected near the synagogue and the large crowds unable to find room inside were turned away, as they had not been in previous years, and forced to disperse from the street. Since the Jewish New Year (September 1972) the Moscow police, on every Jewish festival, have been directing motor traffic through Archipova street, where the synagogue stands, thus preventing the worshippers from congregating. Moscow Jews were in the habit of assembling in thousands near the synagogue on the evening of the Simchat Torah festival, a few weeks after the New Year. Since 1972 they are forbidden to assemble there. Those who complained to the municipal authorities received the reply: "It is only by mistake that such gatherings were tolerated in the past . . . from now on they will be prohibited." There were armed police to make sure this measure was enforced.

79. Jewish cemeteries are being gradually shut down, and the consecration of new ones is forbidden. Those existing are periodically desecrated.

80. The many Jews who come to lay wreaths at the Baba Yar memorial are not allowed to linger or pray there, or even to inscribe the word "Jew" on the ribbon attached to the wreath.

81. The manufacture or import of religious objects (prayer shawls, phylacteries) is prohibited. The same is true for the Bible. The Jewish cultural heritage cannot be transmitted and books on Jewish history, culture, art and philosophy are unavailable.

82. Prayer books are often confiscated, and there is at least one known case in which a court ordered the Jewish prayer book (the *Siddur*) to be burned as anti-Soviet literature, and officially notified the plaintiff of its decision.

5. Conclusion

83. The situation of the Jewish communities in the Soviet Union continues to be grave and alarming. It also continues to be a special one.

84. The tendency sometimes expressed to group the Jews with "dissidents" in the Soviet Union is erroneous. In a country where the government spends great effort to develop, or at least to guarantee, the specificity of most minorities, Jews are in a particular situation. Anti-Semitism has become state policy. Jewish culture has been destroyed and manifestations of it are sanctioned. In a country that prides itself on having developed the obscurest languages, Hebrew and Yiddish are forbidden. The limited, but existing minority rights are denied to the Jews, although they are "Hebrew", according to their official nationality identity cards. Jews remain the only minority without a territory of their own (they number only about 8% of the population of Birobidjan, their so-called Jewish "Autonomous Region" and this region has no Jewish facilities whatsoever).

85. While the rest of the Soviet Union has enjoyed a certain measure of liberalisation in the last years it is sad to note that in 1973 there were fewer synagogues, fewer Jews knowing their own language, fewer Jewish students in universities than in Stalin's time.

86. This has brought many Jews to a painful process of soul searching and to the conclusion that, more than 50 years after the Russian revolution, they are unwanted in their own birthplace.

87. There are various "dissident groups" in the Soviet Union—"democrats", "believers" etc., who hope to change, to humanise, to liberalise the Soviet regime. These people wish to live in a *better* Soviet Union. Many Jews have by now lost hope that they will ever find their place, as Jews, in that country. While the "democrats" seek to *alter* their country, the Jews now wish to *leave* it, and this is the basic difference between the two struggles.

88. In concluding this report one cannot but emphasise again the importance of world action on behalf of Soviet Jews. This action provides a rare example of achievement by public opinion of concrete results towards the application of universal human rights. Yet, the problem is very far from being solved.

89. In 1971 Mr. Pittermann concluded his report with the words: "the vigilance of public opinion and above all of governments ought to be maintained". This holds as true in 1974.

---

[4] According to the official Soviet publication "Press in the USSR, 1971" 7 books and brochures in Yiddish were published in 1971 with a total circulation of 18,000 copies. The same year there were published 109 books in Karakalpatic (236,000 citizens) with a total circulation of 532,000 and 25 books in Tabasaranic (55,000 citizens) with a total circulation of 47,000.

[5] As an indication of the kind of paper this is, it may be said that, after the Munich tragedy, it reported the death of the 5 terrorists but did not even mention the massacre of Israeli athletes.

HEARINGS ANNOUNCED ON KOCH BILL TO PROTECT INDIVIDUAL PRIVACY

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

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, for the information of many of our colleagues, I announce that public hearings will be held by the Foreign Operations and Government Information Subcommittee of the House Government Operations Committee on H.R. 12206, a

bill sponsored by Representative EDWARD I. KOCH of New York; earlier versions of this measure—H.R. 667 and identical bills—have also been cosponsored by more than 100 Members of the House.

This measure would amend the Freedom of Information Act (5 U.S.C. 552) to permit access by individuals to certain types of information concerning them that is maintained by Federal agencies.

The hearings are scheduled for Tuesday, February 19, and Tuesday, February 26 at 10 a.m. in room 2203, Rayburn House Office Building.

The subcommittee held hearings in June 1972, on a similar bill, H.R. 9527, but took no further action prior to adjournment of the 92d Congress. The new, modified version of the legislation will help individual Americans to protect themselves against the use of erroneous information maintained in Government files and records by Federal agencies.

Since such extensive hearings have already been held on this measure, these hearings will be limited to 2 days only to discuss modifications in the approach to the problem, as incorporated in H.R. 12206. Members desiring to submit statements for the RECORD may do so by March 8, 1974. The statements should be sent to the subcommittee office—room B-371B, Rayburn House Office Building.

Mr. Speaker, witnesses from the Office of Management and Budget and the Departments of Justice and Health, Education, and Welfare have also been invited to testify on H.R. 12206. Their testimony will take on added significance in view of President Nixon's statement in his recent state of the Union message to Congress in which he pledged:

> We will make a historic beginning on the task of defining and protecting the right of personal privacy for every American . . .

This pledge is directly in line with more than 15 years of effort by Members of Congress to encourage the executive branch to take a stronger stand on the protection of the right to privacy.

REPEAL ECONOMIC STABILIZATION ACT

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

Mr. RARICK. Mr. Speaker, it is a pleasure for me to join with many of our colleagues in calling for the immediate repeal of the economic stabilization act and a return to a free market economy.

Governmental meddling with the economic system has proven to be disastrous and has failed to control inflation much less eradicate its basic causes.

Recent events indicate the disastrous effect of price controls on our economy. The independent truckers demanded that they be allowed to pass through increased costs. Such a demand would not have been necessary had we been in a free market situation.

The problems of the American agricultural community in obtaining fertilizer is another instance of the detrimental effects of a controlled economy. Hearings before the agriculture committee brought out the fact that controlled domestic prices forced fertilizer manufacturers to commit their products to exports in order to obtain increased profits. Action of the cost of living council came too late to aid the American farmers.

Finally, today's Wall Street Journal carries an interesting editorial pointing out the serious and damaging effect of price control maneuvering on the energy crisis. The editorial points out that "the United States may end up with rationing even after the Arab-caused crisis is past," because of the price control actions of the Federal Energy Office and their failure to encourage production.

I include this editorial in the RECORD following my remarks:

GULF CHALLENGE

Gulf Oil Co.'s suit against the Federal Energy Office is far more significant than it appears on the surface. Gulf claims that the crude-allocation program instituted by energy czar William Simon is "confiscatory," and this is no small point. But the more immediate significance of the suit is that it could keep Mr. Simon from prolonging the energy crisis.

With the crude-allocation program, Mr. Simon's whiz kids have figured out a way to drive refinery utilization in the U.S. down to 76%. The Arabs must be jealous, and those in the oil industry who see what's happening report it only hurts when they laugh. Economist Alan Greenspan writes "a different type of oil crisis may be upon us, but one originated from Washington, not the Persian Gulf." Petroleum Intelligence Weekly estimates that Mr. Simon's new moves will *cause* shortages of one million barrels a day during the three months ending April 30.

Why? Because while the program makes life easier for the whiz kids, it is loaded with economic disincentives to find and import more crude oil. Briefly, the companies that have the oil have to give it up with almost no profit; it is, as Gulf would say, confiscated. The companies that do not have the oil do not have to go out and buy it; Mr. Simon will make Gulf give it to them at bargain prices. So neither those who have oil nor those who don't have as much reason to look for more.

It all happened this way: The whiz kids decided they wanted to even out the supply of crude oil to the nation's refineries, so it would be easier for them to allocate the refined products to the states. So it asked each refinery company to make a three-month estimate of its crude supply and what its capacity utilization rate would be. When it had these numbers in hand, the whiz kids simply took from the rich and gave to the poor, so that every refinery in the land could operate closer to 76% of capacity during the three months, 76% being everyone's average. Under the formula, Gulf has to give up 11.9 million barrels of crude to a pool of net buyers including Texaco, Atlantic Richfield, Getty and a host of little independents.

The most direct, although not the largest, cost of this scheme results from the innocence of the whiz kids in thinking a refinery is a refinery is a refinery. Many of the smaller beneficiaries of the program can only make specialty end products and either can't make gasoline or do so at such inefficiencies that much of the crude is simply wasted.

The biggest cost is the indirect one. The government-controlled price of domestic crude is $5.25 a barrel. New domestic crude and foreign crude can be had for $10. A company like Gulf has an assured supply of both for the three-month period, which when mixed in the company's supply stream averages to, say, $7 a barrel. Because this crude supply is higher than the industry average, it must sell 10% of it or thereabouts to companies like Snake Oil Co., which has "forecast" that its supply will only permit it to run at 35% of capacity. Snake pays Gulf $7 a barrel, and will be a little less anxious than otherwise to bring in foreign oil at $10.

Theoretically it should make no difference whether Snake pays $10 a barrel or $7 a barrel, for its selling prices are controlled to reflect these costs. But in fact the prices are only adjusted every 30 days. So for 30 days, Snake gets to buy oil at $7 a barrel and sell it at a price based on costs of $10 a barrel.

Even if not one drop of oil were leaking through the Arab embargo, it's inconceivable that U.S. refineries should be running at only 76%. There is now no huge crude oil shortage in the world, the Arab prices are already showing softness, and product supplies are adequate in most European nations. But the U.S. may end up with rationing even after the Arab-caused crisis is past.

For all we know, Mr. Simon is well aware of all this, but his hands are tied by the congressional mandate for the crude-allocation program. His best bet is to sit back and let Gulf and the courts save him, and the rest of us, from this latest bit of price-control folly.

BILL TO ROLL BACK PROPANE PRICES

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

Mr. MAYNE. Mr. Speaker, I have today introduced a bill imposing a price rollback of propane prices to January 1973 levels. I do so after several weeks of unsuccessfully urging the Federal Energy Office to take such action on an administrative basis. If it will not act, Congress must. Investigations by the Internal Revenue Service have unearthed shocking instances of market manipulations of the price of propane, some of which may well justify criminal prosecution.

While the FEO claims to have met this scandalous situation by belatedly imposing price ceilings on propane on February 1, this was nothing more than locking the barn door after the horse was stolen. The effect was simply to freeze existing high prices which had already risen to unconscionable levels. Mr. Speaker, during the past year the price of propane has increased more than 300 percent in some parts of Iowa, where it is widely used for cooking, heating of rural residences, grain drying, and other essential agricultural and commercial purposes. A rollback of prices to reasonable levels is absolutely necessary to stop profiteering and ease the hardships being inflicted on consumers. All Members of this body should join together in expediting the passage of this or similar legislation.

In addition to introducing today's bill, I am again calling on Energy Administrator William Simon to take immediate administrative action to roll back the price of propane without waiting for passage of this legislation.

LEGISLATIVE PROGRAM

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

Mr. ARENDS. Mr. Speaker, I take this time in order to ask the distinguished majority leader whether he can advise us of any legislative program scheduled for tomorrow.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. Mr. Speaker, I yield to the distinguished majority leader.

Mr. O'NEILL. Mr. Speaker, may I say that the measure scheduled for tomorrow, H.R. 11035, the Metric Conversion Act, was subject to a rule being granted.

The Committee on Rules will meet Tuesday next, so the measure will be scheduled for next week. Consequently, there is no further legislation for the remainder of this week. However, the House will meet tomorrow.

Mr. ARENDS. Mr. Speaker, I thank the gentleman from Massachusetts.

Do I understand that the House will meet tomorrow and go over to Monday?

Mr. O'NEILL. Mr. Speaker, that is correct.

TOWARD MAXIMUM EFFICIENCY OF OUR NATIONAL TRANSPORTATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93–214)

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

To the Congress of the United States:

From the earliest days, ours has been a diverse and mobile society. Americans are constantly in motion. For much of our early existence, the history of America was in great part the history of the constant push westward, with the related development of our canals, our highways, and our railroads. And as we developed our internal transportation system, we also pushed out across the seas in our sailing ships, our steamboats, and later in our tankers and freighters and airplanes.

One of the foundations of our free society is our highly developed system of commerce. And that system of commerce is based on our diverse system of transportation. Transportation accounts for much of the progress we have made as a nation in 200 short years. We have developed sophisticated and effective ways to move goods and produce, and we have developed varied systems for moving people.

Recently, however, the energy crisis has underscored an important lesson: our system of national transportation is not working at maximum efficiency.

It is time to take another hard look at the overall structure of our national transportation system. It is time to improve on existing systems and to develop new ones designed to serve individual needs in individual communities. It is time for innovation and diversity.

As our society grows and our economy continues to expand, we must ensure that the efficiency of this system keeps stride with the changing demands placed on it. Our efforts must center on achieving the goals of *flexibility* in the use of our transportation system, *economy* in the use of our energy resources, and *balance* in the availability of diverse forms of transportation.

—Let us develop an outstanding system of public transportation within and between our cities and towns and rural areas, a system sufficiently flexible to serve the needs of diverse individuals in diverse communities.

—Let us revitalize our railroads so that once again they will be a healthy alternative form of transportation, moving people and freight efficiently and competitively.

—Let us complete the magnificent Interstate Highway System that provides a model for the world.

—Let us maintain our worldwide supremacy in air commerce.

—Let us continue to rejuvenate our maritime fleet so that it once again competes effectively on the world's seas.

—Let us press ahead with our safety programs in the air and on the highways, so that every American can travel free from fear of the drunk driver and the hijacker.

—In short, let us ensure that in the third century of our Nation's existence, our total system of transportation fulfills the promise of our first two centuries.

I. RECENT PROGRESS

Over the past five years, the Federal Government has laid considerable groundwork for a transportation network which can meet the challenges of America's third century. In addition to moving ahead effectively with programs already in existence, we have proposed, and the Congress has enacted, landmark legislation to expand capacity, to ensure safety, and to minimize the adverse impact on the environment of our transportation systems.

One of our highest priorities has been to help our cities reduce transportation pollution, energy consumption, and congestion. Under the Urban Mass Transportation Assistance Act of 1970, Federal financial assistance to urban public transportation has grown from $125 million in 1968 to $1 billion this year. And for the first time, under the provisions of the Federal-Aid Highway Act of 1973, States and localities can now use a portion of their Federal highway funds for public transit purposes.

This assistance has already saved or improved public transportation in more than 150 cities. The annual decline in total transit ridership in the United States has stopped, and for the first time since World War II, the trend is moving upwards.

Five years ago, the steady decline of rail passenger service throughout the country threatened the Nation with the possibility that we might soon lose the alternative of traveling by train. With the enactment of the Rail Passenger Service Act of 1970, that threat was largely erased. AMTRAK, a private corporation created by the 1970 act, has preserved quality passenger service and reversed steadily declining passenger trends. Over the past year, the number of passengers carried has increased by 14 percent.

During the past year we were also faced with a major rail crisis in the Northeast and Midwest. I proposed and the Congress enacted the Regional Rail Reorganization Act of 1973, which provides for the restructuring of eight bankrupt railroads into a new streamlined system. Within the next several years, we expect that this new system will be able to operate profitably and can survive as a producer, not a consumer, of tax revenues.

In the water transportation area, the enactment of the Merchant Marine Act of 1970 marked the most comprehensive change in our approach to the problems of the U.S. flag merchant marine in nearly four decades. We have challenged our ship construction industries to rebuild our fleet at reasonable expense and our ship operating industry to move toward less dependence on subsidy. At the same time, we will continue to provide all essential support to make such a significant transition possible. The results of these efforts are becoming increasingly apparent, with private orders for ships at a record high of $2.4 billion and ship construction subsidy rates at the lowest level in history. Some ships are being built for the foreign trades without direct subsidy, and modern ships which will operate without direct subsidy are now under construction. Comparison of recent trends between our shipyards and those of foreign countries indicates a long-range possibility that we will be able to compete successfully in the world's ship construction market.

Another of our major concerns has been to protect the safety of the traveling public and the Nation's commerce. We have taken resolute and firm action to protect our air passengers from the threat of the hijacker.

The highway safety picture has both encouraging and discouraging aspects. While we have made steady progress in reducing the fatality rate, the total number of deaths has increased. Although the new mandatory 55 miles per hour speed limit seems to have resulted in a somewhat lower rate thus far this year, the problem of highway safety remains one of the toughest we face.

Our comprehensive highway safety program has encouraged the production of safer motor vehicles, eliminated many hazardous areas on the Nation's highways, and sought new ways to improve driver performance. In the next fiscal year, funding for State and community highway safety programs will be increased to $148 million. Half of this increase will be earmarked for a program authorized by the 1973 Highway Act which allows special incentive grants to States which pass mandatory seat belt laws. And continued emphasis will be placed on keeping the drunk driver off the road. In addition, I have proposed in my fiscal year 1975 budget, a $250 million highway safety construction program. This will, for example, help eliminate dangerous obstacles on our highways.

Finally, I would note that over 35,000 miles of interstate highways are now

open—an increase of about 8,000 miles since 1968. By the early 1980's, when completed, this system will carry more than 20 percent of all highway traffic.

II. NEW DIRECTIONS

To continue the forward progress of recent years, I propose that we take new actions in 1974 on two major legislative fronts: public transportation and Federal rail regulations. I am submitting proposals to the Congress in both of these areas. They are designed to increase the flexibility of our Federal transportation programs, to allow State and local officials more latitude in the way they spend Federal transportation dollars and to modernize Federal regulation of the railroads.

1. UNIFIED TRANSPORTATION ASSISTANCE PROGRAM (UTAP)

It has long been apparent that dramatic improvements were needed in our public transportation systems. Now the energy crisis has given new urgency to that need.

Currently most of the Federal funds available for public transportation are provided under the Urban Mass Transportation Act. While this program has enabled us to make a substantial improvement in our urban transportation systems, it can be improved in several important respects. First, it is administered on a project-by-project basis, requiring extensive Federal involvement in reviewing these projects. Priorities have been determined in Washington, not back home where it counts. In addition, communities are unable to predict how much money they will receive from one year to the next. Finally, local communities are restricted in the ways they can spend the money.

By reforming the Federal highway aid program in 1973 to permit some of its funds to be used for public transportation, we took an important step toward increasing the financial resources available to large cities.

As we look to the future, it is apparent that we must further broaden our programs of public transportation assistance, providing more funds and giving greater flexibility to those who spend the money. Our public transportation system itself must be diversified and strengthened. We need not only more physical assets, such as buses, but also sufficient financial support to assure that our buses, trains, and other public conveyances can be operated with greater frequency and reliability and comfort for our communities in both urban and rural areas.

We have also too long taken the transportation systems of rural America for granted. Often, the social and economic needs of our rural citizens are left unfulfilled because of the lack of good public transportation. Expanded public transportation will be a key element in our program to assist rural community development.

To reach these goals, I am submitting to the Congress today legislation to create a unified transportation assistance program. This program would provide $15.9 billion to urbanized areas over a 6-year period and $3.4 billion for small urban and rural areas through fiscal year 1977. This act would mark the largest single commitment by the Federal Government to metropolitan and rural transportation in our history.

This legislation would make several critical improvements over current programs:

—It would permit recipients of funds—State and local communities—to determine their own transportation priorities.

—The recipients could spend the money not only on capital improvements, such as new buses, new rail cars, new rapid transit systems, and non-interstate highways, but also on other transit needs. Broadening the law in this way would permit local tradeoffs between capital investments and costs to improve services. I believe this is the most effective way for the Federal Government to provide transit assistance, and I will continue my strong opposition to any legislation which establishes a new categorical program solely for local operating assistance. Such a program would unnecessarily inject the Federal Government into decisions which can be far better made by State and local governments.

—UTAP also would allocate over two-thirds of metropolitan funds on a population-based formula so that our cities would receive an assured flow of transportation assistance. We are aware of the concerns voiced by some that our proposed formula should be altered to meet the unique problems of some of our largest cities. We intend to work closely with the Congress, elected officials and others, in examining alternative formulas.

—Finally, UTAP would also provide additional, more flexible assistance for public transportation systems in smaller urban and rural areas. Most of these funds would probably be used by the localities for improving the service and safety on main highways and roads. Funds would also be available for public transportation equipment and demonstrations in smaller urban and rural areas.

Enactment of the unified transportation assistance program would augment my budget for fiscal year 1975, which already calls for an increase of 50 percent in spending for transit capital improvements under existing programs.

2. TRANSPORTATION IMPROVEMENT ACT (TIA)

The problem of transporting freight between our communities is as crucial as transporting people within them.

Our railroads, once the pride of the Nation, have been gradually deteriorating. Frequently, the blame is placed upon poor management and rigid labor contracts, but a more fundamental cause lies with our outmoded complex system of Government regulations which govern the railroads. These regulations were drawn up early in the century to protect the public from monopolistic practices by the railroads and to protect the companies within the industry from each other. Over time, however, industry has increasingly given up its managerial powers to the Government, while the rules applied by the Government have become inflexible and inefficient.

This inflexibility is most evident in the ratemaking process where it prevents rail managers from managing their affairs effectively and competitively. The low earnings of our railroads are directly linked to this ratemaking inflexibility.

The current system of regulations is also harmful to the railroads because it prevents them from abandoning lines that have become unprofitable. In 1971 the Interstate Commerce Commission required the railroads to maintain service on 21,000 miles—about 10 percent of the total—of lightly traveled track for which revenues were less than operating costs. To make up the difference, the railroads have sought to charge higher rates on other, more profitable lines. Economic distortions have been inevitable, so that today we often have railroads carrying freight on short runs even though trucks would be more efficient, while trucks carry freight on some of the longer hauls even though the railroads would be more efficient.

The inability to compete in a more open market has seriously affected the railroad industry. Often railroads cannot afford to make necessary improvements in tracks, terminals, and equipment, and their service has steadily declined.

Within recent years the Federal Government has been forced to rescue the Penn Central railroad from collapse and, through the Regional Rail Reorganization Act of 1973, to save seven other railroads of the Midwest and Northeast from undergoing liquidation. While we cannot afford to let railroads like the Penn Central fail, neither can we afford to bail them out every time they get in trouble. Our economy cannot afford it, and our taxpayers will not tolerate it. If we are to revitalize this industry we must instead find a modern approach to Federal regulation of railroads.

To serve that purpose, I am today submitting to the Congress the Transportation Improvement Act of 1974, a bill aimed at restoring this Nation's railroads to their proper place in the national transportation system.

This new legislation would substantially overhaul the Interstate Commerce Act to permit liberalized railroad abandonment in cases where rail service is continually shown to be uneconomic. State and local governments, as well as private interest parties, would have the opportunity to provide an operating subsidy to a railroad for the continuation of such uneconomical service or to arrange outright purchase of the right of way if that is their desire. Furthermore, substitute service by land or water carrier would be required prior to abandonment.

Beyond this liberalization in abandonment policies, the bill would provide improvements in the ratemaking procedures and would abolish discriminatory State and local taxation of interstate rail carriers. If rail managers are truly to direct their own affairs, the ability to raise or lower rates without engaging in a protracted and complex ratemaking process is essential.

The Transportation Improvement Act would also provide significant financial assistance to the railroads for long-term improvements. Some $2 billion in Federal loan guarantees would be provided to finance improvements in rights of way, terminals, and other operational facilities and systems and rolling stock where needed. In addition, $35 million would be available for a research effort to improve freight car utilization through design of a national rolling stock schedule and control system.

The thrust of this entire legislation is to revitalize and modernize freight rail service throughout the country and to provide an economic regulatory environment which would permit the sort of efficient and economical service that can only result from fair competition, free from burdensome and unnecessary regulation.

I recognize that this bill would not solve several basic problems that confront our railways. In the future, substantial investments will be needed in better transportation technology, in improvements and diversification of types of freight service, and in rehabilitation of deteriorating physical facilities. *Before* such investments are made, we must also complete a comprehensive evaluation of the regulatory and institutional structure of both the railways and of the rest of the surface transportation industry. The Department of Transportation and others within the Federal Government will be conducting such an evaluation in the coming months. In the meantime, however, the Transportation Improvement Act can serve as a vehicle for making important improvements in the condition of the railroads, and I urge its enactment during this session of the Congress.

While the focus of the Transportation Improvement Act is on freight service, we must continue to be equally concerned about the quality of passenger service on our railroads. It is clear from the energy crisis that an increasing number of Americans are anxious to build and use a better passenger system. My budget for fiscal year 1975 provides significant new capital and operating funds for AMTRAK to expand and improve its current service. In addition we will move ahead promptly in carrying out the Regional Rail Reorganization Act of 1973.

One of the most exciting moments in our history occurred in 1869 when the Union Pacific Railroad, building west from Omaha, met the Central Pacific, building east from Sacramento. The joining of our Nation in this manner opened a whole new era of economic growth for America. Today our railroads are more necessary than ever. They make efficient use of fuel with little negative impact on the environment, and they deliver nearly 35 percent of the Nation's freight at low cost. The essential tracks are there, the system that crisscrosses the country with a web of steel rails is in place. Now we must make it work again.

III. CONCLUSION

For too long we have focused a great deal of attention on some forms of transportation to the detriment of others, we have permitted decision-making at the Federal level to scramble priorities at the State and local levels, and we have begun to lose the diversity and flexibility in transportation systems that encourage competition and, therefore, great efficiency and greater effectiveness in the employment of these systems.

We have a clear understanding of these problems now, and we have begun to come to grips with them. I believe 1974 will see a crucial breakthrough in expanding and enhancing America's national system of transportation so that it once again serves our Nation with a maximum of flexibility, diversity, and balance.

RICHARD NIXON.

THE WHITE HOUSE, *February 13, 1974.*

CLEAN WATER PROGRAM—BOGGED DOWN IN A MORASS OF IMPOUNDMENTS AND NEEDLESS REDTAPE

The SPEAKER pro tempore (Mr. MAZZOLI). Under a previous order of the House, the gentleman from Texas (Mr. WRIGHT) is recognized for 60 minutes.

Mr. WRIGHT. Mr. Speaker, the clean water program—the bold initiative of the last Congress, by which we sought urgently to put in motion a massive cleanup of the Nation's streams—has lagged and faltered for the past 15 months.

Cut to less than half its intended size by a series of arbitrary executive impoundments, the program has been further emasculated by an almost unbelievable proliferation of administrative redtape.

Incredible though it may seem, the administration has managed to construct a fantastic maze of baffling guidelines, burgeoning regulations, bewildering paperwork, and ever-changing directives which have brought what was an ongoing program to a virtual halt.

These "bureaucratic impoundments" have choked off the flow of funds even more drastically than the overt Presidential impoundments.

During calendar 1973—a year in which Congress had foreseen the expenditure of some $5 billion in a crash program to help the communities of this Nation build badly needed waste treatment plants under the 1972 law—only $17.3 million was actually spent.

Much more than this was obligated, of course, on paper. But that is how much was expended in the calendar year—$17.3 million.

Since last August 1, the grant program has slowed to a trickle. During the 5 months ending on December 31, a period in which the program should have been moving rapidly into high gear, only $33 million worth of projects were approved for the entire Nation.

And this figure does not represent expenditures. It merely represents the pitifully small amount of work that was permitted to begin.

During that 5-month period, a total of some 33 entire States, with an enormous backlog of unmet needs, received no construction grants at all. Not one penny.

These are among the facts unearthed in 3 days of hearings conducted last week by the Public Works Subcommittee on Investigations and Review.

Testifying at those hearings were Mr. John R. Quarles, Jr., Deputy Administrator of the Environmental Protection Agency, and the State water pollution program administrators for New York, Pennsylvania, Texas, and Georgia.

ENORMOUS BACKLOG OF NEEDS

These four States alone have a current backlog of 752 necessary projects in as many separate communities, ready to go with local matching funds approved and construction plans drafted, awaiting only Federal approval to start work on slightly more than $2 billion worth of needed waste treatment facilities. That approval has not been forthcoming.

The nationwide backlog clearly must be measured in the thousands—literally thousands of communities with local money in hand and anxious to get started. Most of them have been awaiting Federal clearance for months. They have been repeatedly delayed, repeatedly required to rewrite their applications in ever more voluminous detail.

Meanwhile, nothing happens. The backlog grows. Our Nation's waters get filthier, our streams more clogged with pollution.

Walter A. Lyon, director of the Bureau of Water Quality Management for the State of Pennsylvania, showed the committee a stack of written reports 13 inches thick which one community in his State had been required by EPA to amass in support of one grant application.

And one Texas city serving some 800,000 people conscientiously rewrote its thick application no less than 9 times over the past 2 years, still apparently not having satisfied the administrative paperwork requirements in sufficient fulsomeness to qualify for a matching Federal construction grant to start the building of a badly needed facility.

Mr. MILFORD. Will the gentleman yield to me at that point?

Mr. WRIGHT. I will be glad to yield to my distinguished colleague.

Mr. MILFORD. I thank my most distinguished colleague for yielding to me.

I wonder if that city of 800,000 the gentleman mentioned would have been the city of Fort Worth, Tex., and if the particular project concerned is not the Village Creek water treatment plant in that city.

Mr. WRIGHT. The gentleman is exactly correct. He properly and accurately identifies the project to which I just made reference.

Mr. MILFORD. If the gentleman will yield further, the gentleman is also aware of the fact that because EPA is holding up that project it is also forcing numerous other downstream projects to be held up, and hence it is not just that one city of 800,000 that is being hurt tremendously but several other cities on downstream from there.

Mr. WRIGHT. I think the gentleman is exactly correct in that analysis, also. It seems to be a general problem everywhere, and in a regional system, which is to serve a number of communities and to replace the outmoded Riverside plant, the whole area is being held up in its necessary waste treatment developments by the prolonged failure of the administration to approve the grant applicant for that particular plant.

The citizens of Fort Worth, as the gentleman well knows, many months ago overwhelmingly voted the bonds necessary to comply with the local share requirements. Not only that, but the community has had to rewrite its voluminous, thick application no less than nine times and still has not gotten the go-ahead to begin construction.

Mr. MILFORD. I thank the gentleman.

Mr. WRIGHT. Mr. Speaker, on the opening day of the hearings, it was announced that the Blue Plains treatment plant, here in the Washington area, would begin dumping 290 million gallons of raw sewage daily directly into the Potomac River. This tragedy was temporarily postponed by a court order and some emergency sludge storage beds. The crisis could have been avoided entirely if money had been forthcoming to expand and modernize that critically overloaded facility and build others.

Almost everywhere, the story is the same. Local money is raised. Applications are written and returned, rewritten and returned again. States expend monumental energies and precious manpower in the preparation of needs studies and priority lists, and these are returned for redrafting, ad nauseum. Meanwhile, the Federal funds are withheld, and the work does not go forward.

The Environmental Protection Agency itself has identified a minimum of $61 billion in existing waste treatment needs. But it does not release the money to meet the needs, and nothing happens—in spite of the fact that all communities are under deadlines to achieve major cleanup goals by July 1, 1977, and subject to court action if they fail to comply.

More than one-third of these identified national needs could have been fulfilled if the authorizations contained in the 1972 act had been released and expended. But they have not been released, and they have not been expended.

Deputy Administrator Quarles acknowledged to the committee that there now is absolutely no way in which the ambitious goal of the 1972 law can possibly be met.

Mr. Speaker, I submit that this is perhaps the classic example of the way in which the boldest plans, the fondest dreams, and the clearest intent of Congress have been frustrated by bureaucratic footdragging.

MONUMENTAL LEGISLATION

More than 15 months ago, Congress in a vote of almost unprecedented dimensions—approximately 10 to 1—overrode the Presidential veto and enacted the Federal Water Pollution Control Amendments of 1972.

That action was hailed by many as a major milestone in the struggle for a cleaner environment. It was viewed as a decisive commitment of money and effort to a top national priority which Congress manifestly regarded as exceedingly urgent.

It was monumental legislation, hammered out in laborious detail after many months of public hearings, vigorous floor debate and 39 separate sessions of a House-Senate conference committee.

The President's veto was overridden on October 18, 1972. For many, both in Congress and out, it was a time of great expectations. After 16 years of solid experience in a Federal-State matching program, we were ready for this effort to move rapidly into a higher gear.

We were mandating that the struggle for clean water should move forward at a much faster pace.

The urgency of our desire was evident in the level of funding which that bill provided.

For the years of 1973 through 1975, the Congress authorized almost $25 billion in Federal spending, $18 billion of this to speed up the building of community waste treatment facilities.

Most of us who helped in the drafting of that law have been deeply disappointed at the appalling lack of progress thus far experienced.

In fairness, we must acknowledge that 15 months is not a sufficient time in which to judge the ultimate impact of this program. But Congress fully expected the achievement by this date of results far more significant than these. And 15 months is clearly long enough to produce results far more dramatic than we have seen.

Results cannot be measured in the number of applications filed, or in the number of reports written, or in the number of studies completed, or in the millions of pages of paperwork generated.

Results can be measured only in the number of waste treatment plants constructed and the number of streams cleansed from pollution.

CONGRESSIONAL MANDATE THWARTED

We cannot fail to be deeply troubled by statements which have been made to the committee and its investigators by responsible State officials. Statements like these:

As result of the Federal Act as it has been administered, we have lost ground, not gained it.

Our program has been set back at least one year and maybe more.

Project time is being sharply extended, causing people to lose confidence.

We are choking to death on documents and paperwork.

Fifteen months most emphatically should have been long enough for the adminstrative agency to let the States and cities know precisely what was expected of them and exactly what cooperation they could expect from the Federal Government in return.

But today, almost a year and a half after the enactment of the legislation, a state of almost chaotic confusion still exists among local officials as to what the agency requires of them.

Eleven separate drafts of the proposed adminstrative guidelines on facilities planning have been circulated.

As recently as last week, communities were being told that the agency would accept no more applications that had not been preceded by a "preapplication conference," and that a preapplication conference could not be held until a "preapplication conference kit" was developed, and that a preapplication conference kit could not be prepared until the final administrative regulations had been written. This, more than 15 months after the passage of the law.

In Texas, 198 communities have been caught in this freeze—unable even to file an application.

Is it any wonder, therefore, that a number of communities, in sheer desperation to cure intolerable local sewage problems, have painfully foregone the 75 percent Federal matching share and moved ahead on their own?

Others have waited, and every month of waiting has increased not only the scope of their problems but the cost of rectifying them.

Administrator Quarles testified that one reason things have been so slow in getting off the ground is that the 1972 law contained new deadlines and objectives, and that it has taken a long time to draft new administrative guidelines to implement those objectives.

There is undoubtedly some truth in this. But we have had an ongoing Federal-State matching program in water pollution construction grants for 16 years. It had been running smoothly and under an orderly system. Why not simply continue operating under the existing system until the new guidelines could be perfected? The following excerpt from the testimony is interesting:

Mr. QUARLES. We did not move ahead under the old ground rules until the new ground rules had been established and could be complied with.

Mr. WRIGHT. Why did you not do that? Why did you not keep it going under the old ground rules until you got new ground rules, keep the money flowing and the construction grants going? Why would that not have been a practical thing to do?

Mr. QUARLES. I think in hindsight probably there is not a person in this room who would not agree that that would have been a practical and common sense thing to have done. It will stand as one of the great mistakes and great tragedies of the conduct in developing this program that that was not done.

Needless to say, I agree with that assessment by the Administrator. It was a great mistake and a great tragedy.

It is true that Congress did write into that law some new requirements and objectives—that new sewage plants and collector systems should be designed so as to guard against excessive infiltration by ground waters and storm runoff, that the best practicable technology should be employed, and that communities should charge fair and proportional user fees to local industries which dump large volumes of effluent into the community treatment systems.

But it was never intended by Congress that these legislative objectives should be used as excuses to slow down the ongoing program and to keep the new program from getting off the ground.

If we had so intended, we emphatically would not have authorized $18 billion for a 3-year crash program of sewage plant construction grants.

DESIGN FOR FOOT DRAGGING

In this connection, however, I cannot help being intrigued by some extremely revealing, indeed prophetic language contained in a letter written on October 11, 1972, by William Ruckelshaus, then Administrator of the EPA to the Office of Management and Budget. Mr. Ruckelshaus was attempting in that let-

ter to persuade the OMB that the President should sign, not veto, the 1972 bill. He seemed to be saying that the intent of Congress for a rapid pickup in construction grant activity could be administratively thwarted even if the bill became law.

At one point in the letter, he wrote the following:

The numerous conditions, limitations and requirements with respect to treatment facility construction grants, which must be articulated in administrative regulations pursuant to the enrolled bill provides a broad range of controls. Through these administrative mechanisms, storm and combined sewer projects could largely be deferred, collection system projects could be minimized, and the phasing of commitments and funding outlays for all projects could be regulated through the rigorous application of stringent requirements.

Administrative mechanisms. The rigorous application of stringent requirements. These are precisely the devices which have been used, far more effectively than the Presidential impoundment of funds, to choke the water pollution control program almost to the point of total strangulation.

Mr. Quarles told the committee that he has not knowingly or intentionally used redtape and bureaucratic delay for the deliberate purpose of slowing down this program. I accept his word for that.

Yet I find it strangely fascinating that someone—perhaps some publicly unknown functionary in the dark and secret inner chambers of the OMB—has contrived so successfully to carry out the design described in the Ruckelshaus letter.

Mr. Ruckelshaus was even more specific as to ways in which the flow of funds could be impeded and the program kept within the less ambitious scope of the President's spending plans, notwithstanding congressional intent. Later in his letter, he said this:

Further, by prioritizing the eligibility criteria as provided within the framework of this legislation and by using cost-benefit tests of Environmental Impact Statements, obligations in the near-term can generally be restricted to only those projects necessary to meet the Administration's commitment to fund facilities.

Prioritizing the eligibility criteria. Using cost-benefit tests of environmental impact statements. These techniques have indeed been employed with a vengeance. They have indeed restricted outlays, not only down to the level of the administration's commitment but in fact far below it.

All kinds of roadblocks and impediments have been erected. Some of the hangups are almost unbelievable.

ALMOST UNBELIEVABLE HANGUPS

Professional engineers, for example, agree that New York State has tougher, tighter requirements to eliminate the infiltration of ground and surface waters into sanitary sewer systems than those imposed by the Federal law. Yet New York has been required to go through a rigorous, burdensome paperwork exercise documenting this fact in the minutest detail on each individual application. This wastes great amounts of precious time and needlessly delays the program.

There ought to be a simple certification process by which the State of New York could simply attest, in one sentence, that these requirements have been met.

Pennsylvania has a more vigorous enforcement program than Federal law requires. That State alone brought more actions and collected more fines from polluters than the entire U.S. Government did nationwide during the years 1971–72.

Yet EPA has not seen fit to give Pennsylvania the authority to enforce compliance with so-called discharge permits and thus save the Federal Government money, time, and duplicated effort.

As Pennsylvania waits—the huge State with some 300 projects ready to go has not had a Federal grant approved anywhere within its borders in more than 6 months—16 communities are banned from making additional sewer hookups. And another 16 communities will have such bans imposed on them in the next 4 weeks.

Any opportunity these communities may have for residential, commercial, or industrial growth is absolutely stymied. And some of them are currently suffering a high rate of unemployment which new enterprises could ameliorate.

One dangerously counterproductive result of the proliferating paperwork is that many States have been forced to pull qualified personnel away from such vital tasks as training sewage plant operators and testing the quality of water in the streams, and tie these people down to desks where they do nothing but shuffle papers.

Recognizing that some additional reporting and paperwork requirements might be placed upon the States as result of the new law, but assuredly foreseeing nothing of the magnitude that has developed, Congress specifically included in the law an authorization of funds expressly earmarked to help the States employ additional personnel to assist them in this planning function.

But the EPA requirements to get even this money are so complicated—and in some cases absurd—that only $4.4 million of an available $50 million had been disbursed to the States half-way through the present fiscal year.

WHAT GOOD, THE HEARINGS?

What good have the hearings accomplished? That remains to be seen.

The EPA has promised to look at its complicated guidelines and proclamations and to simplify them.

Perhaps in 6 months it will only take a 6-inch stack of paper to meet the requirements of a grant application—instead of the 13 inches illustrated in the testimony.

The EPA also promised to try to decentralize its decisionmaking and to examine the possibility of letting qualified State officials simply certify that certain requirements have been met instead of having to write a book with each separate application to prove it.

Perhaps more authority can be delegated—to EPA regional offices and to the States themselves. They are capable. For the past 15 years States and municipalities have been spending far more for waste treatment than the Federal Government.

The subcommittee also asked EPA to review the 1972 act itself and to report to us any specific provisions in the law that may need changing to help move the program forward faster. Nothing is perfect, and to the extent Congress may have been unwittingly culpable in contributing to the delays, we owe it to the Nation to make the necessary corrections.

A MATTER OF WILL

But what it comes down to in the final analysis is the unavoidable question of will.

The Congress—and, I believe, the public—want desperately for the water pollution program to succeed.

From the standpoint of tangible results, a large part of the past 15 months has been irretrievably wasted. We will never recapture it.

But it still is not too late, if we will but move with determination and a sufficient sense of urgency.

By a shameful lack of vision in the perception and execution of our national priorities, we recently have seen the painful development of grain shortages, meat shortages, and fuel shortages with their attendant public inconveniences.

I beg my colleagues—and the administration—simply to ponder for one moment the infinitely more painful prospect of a future national shortage of usable water—one commodity which man cannot duplicate and without which he cannot live.

Solomon wrote that "where there is no vision, the people perish."

May that never become the epitaph of this civilization.

Mr. GONZALEZ. Will the gentleman yield?

Mr. WRIGHT. I yield to my friend from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. I thank the very distinguished gentleman, the chairman of this important subcommittee and also the ranking member of the important Committee on Public Works.

I take this opportunity to compliment once again my distinguished and esteemed colleague from Texas for his leadership.

I might point out to the general membership that JIM WRIGHT has been a pioneer on this water question.

In fact, the gentleman is the author of a book, a very prophetic book, and one that we all ought to keep on our bookshelves so as to be able to refer to it from time to time because, unfortunately, the gentleman's voice may be a lonely one in the wilderness, calling attention to the fact that the Nation can very well be confronted with a similar water situation, as we are now with a fuel and gasoline shortage.

But if we heed the words of a leader like the gentleman from Texas (Mr. JIM WRIGHT) I think we can not only confront such a problem, but we can solve it.

I might say that not only is the gentleman an author on this very important subject matter, but the gentleman has been the main dynamo behind the effort

of Congress to formulate a national policy. And I am very regretful, very sorry and sad to hear that again the administration is in a general retreat. I have pictured the role of the Federal administrative branch under this present administration, particularly in the last 4 years, as one of general retreat and withdrawal. It has withdrawn from commitments on education, where there are similar experiences in programs that have long been established, and in which local administrators do not know what to confront in their budget-making process, because they simply do not know what the administration is going to do. It has also *declared* a withdrawal and retreat in the area of public health.

So I hope that by calling the attention of the House and the Congress to this matter, by his very eloquent and very direct voice, that somehow we can at least stimulate some activity and some exercise of responsibility from the administrative branch of the government.

I thank my distinguished colleague, the gentleman from Texas (Mr. WRIGHT) for giving me this opportunity to speak on this subject.

Mr. WRIGHT. Mr. Speaker, I thank the gentleman from Texas (Mr. GONZALEZ) for his remarks, and I am grateful for his gracious comments.

Mr. Speaker, at this time I would like to yield to my distinguished colleague, the gentleman from New Hampshire (Mr. CLEVELAND) who is the ranking minority member on the subcommittee to which I have referred, and who was extremely active in the conduct of our hearings during the past week.

Mr. CLEVELAND. Mr. Speaker, I thank the gentleman from Texas for yielding to me. I want to say that one aspect of the remarks which I shall submit later should be emphasized at this point in the RECORD. That is that although EPA is clearly at fault in the foot dragging and lagging of activity in some of these cases, I think that it is also important to repeat which I bring out in my remarks—and which perhaps some of the Members may be interested in reading tomorrow—that Congress too, shares some of the blame. The fact is that we passed a somewhat complex law, so some of these delays and instances of foot dragging are the result of congressional action.

I also believe that confession is good for the soul. I do not doubt that the gentleman from Texas is trying to lean a little hard on this administration. This does happen, because I, too, could be accused of having leaned a little hard on another administration not so many years ago when I thought they were at fault regarding certain similar projects in my own district.

So this is something that we all do from time to time, and more often than not with cause and sometimes with results.

But I do want to point out, as I say—and this is included in my remarks—that it can be fairly said that some of these delays and lags are congressionally imposed. This is not to excuse the EPA—I am merely pointing out that the blame can and should be spread around a little bit.

Mr. WRIGHT. Mr. Speaker, I thank the gentleman from New Hampshire for his comments.

I should like to point out to the Members of the House that the gentleman from New Hampshire (Mr. CLEVELAND) has indeed been one of the most active Members in his efforts toward streamlining administrative procedures, not only in this vital program, but in others. And it was at the gentleman's suggestion that 2 years ago this same subcommittee held some hearings on that very same subject.

Mr. Speaker, at this time I am happy to yield to the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Speaker, though I am from another section of the country, I can strongly underscore the very cogent observations the gentleman from Texas has just made. This week, while I was back in my district, I held meetings with one of our county commissioners and with the service director and the managers of utilities and water pollution control for the city of Akron, which is the largest city in the district, and all of them were complaining about this very same thing, the incredible redtape, delays, and foot-dragging that is involved in trying to obtain approval from the Federal bureaucracy for grants under the Clean Water Act.

These gentlemen also had some rather strong complaints to make about some of the language in the act which apparently is enabling this kind of foot dragging—and maybe even encouraging it. I will take up with your committee in due course a possible clarification of some of the provisions of the act to alleviate this.

It is unconscionable that we on the one hand are saying to the cities: You cannot put any more water in the streams unless it meets the Clean Water Act standards, and at the same time the administration not only refuses to spend over half of the money that Congress has authorized for this but by various types of bureaucratic redtape is managing not to spend much of the rest of the authorized amounts. In so doing, it is holding back economic growth and contributing to unemployment.

In many sections of this country, including my own particular district, the construction industry has been very hard hit in recent years, even more so now that we have the energy crisis on top of high-interest rates. There are contractors who have been unable to get work, for example, on the highway program, who are just aching to get at the work of doing some of these jobs that Congress mandated when it passed the Clean Water Act amendments.

I hope that the gentleman's remarks will be listened to in the proper quarters in this town so that we can end this really intolerable situation. I commend the gentleman from Texas for so forcefully bringing the subject up at this time.

Mr. WRIGHT. I thank the gentleman for his kind remarks.

Mr. CASEY of Texas. Mr. Speaker, will the gentleman yield?

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

Mr. CASEY of Texas. I thank the gentleman for yielding. I returned from my district last night after spending a few days there, and it was really coincidental, shall we say, or very timely anyway that I returned to find a note of the gentleman's hearings and his plan to discuss his hearings today.

Last Monday I was called upon by the public works director of the City of Houston as to what help we could give to break the deadlock or foot dragging—I do not know what it is. There are 35 projects badly needed by the city of Houston—the largest city in the South—that have been pending since the fall of 1972. Again I heard the same story that the gentleman told today about redoing the applications and reworking them. In some instances they said that the delays were possibly necessary, but it seems that most of them are apparently bureaucratic redtape, if those are the words one wants to use.

To give an example, they apply, and they say when they file their application: Do you want an environmental impact statement? They say: Well, we do not think we will.

The application sits there for 7 months. Then they call up or notify them and say: You had better prepare an environmental impact statement. That calls for more delay.

Then they will ask: Well, if we amend the application this way, will that be satisfactory?

Well, we are not sure. You redo it and send it to us, and we will let you know.

Frankly, it is not just this particular agency; I have run into it with other agencies. I think the agencies should be there to be of help, not of hindrance. They should not be there to be a nebulous, questionable agency to which one submits something and then waits. They should be there to help prepare the applications and to accelerate them, and not be there to say nothing and give no advice in that regard.

To show the Members how this affects every city financially, not just the city of Houston, some of the smaller communities in my district are suffering the same way. One plant is vitally needed, where raw sewage dumps into a bayou that goes into the Houston Ship Canal which, as has been pointed out, is the filthiest ditch in the world in many ways. We have been trying to clean it up. This is a vitally needed plant.

The city on its own, anticipating it was going to have the money to build the plant, built a big trunk line. It is buried and it is useless until the plant can be built. It is money that is just sitting there. The city also has to appropriate and set aside complete funds when it first approves a project, so those funds are tied up and cannot be used as long as that application is pending.

When we stop and think about it, it must apply all over the country. I thought for a while maybe it was just happening to our community, but I am glad to

know—well, I say I am glad, but I am disheartened to know how extensive it is. I had hoped it was one little instance that just might need clearing up.

I happen to serve on the Subcommittee on Appropriations and I am pretty sure we give them plenty for their help and I do not think they need quite that much help just to have applications sitting around and for them not to be of assistance.

So I am pleased to see the gentleman in the well has had these hearings, but in only 3 days I am sure he has just scraped the surface when he heard from only four States. His committee will probably hear from the other 46 if the same is true all over the country, and evidently it is.

I would say this must be blocked because it is ridiculous when we have all of these needed projects and we have the desires of the people and the desires of the Congress to clean up our country, and the very vehicle which we are supposed to be using to do it has a flat tire, so to speak.

Mr. WRIGHT. I thank the gentleman for his remarks. I think they are very cogent. I would respond to his suggestion by reporting that the committee is indeed pursuing the inquiry into all the States in order to get a total and comprehensive picture. But we have discovered enough already to know the problems as described by the gentleman in Houston are not unique themselves to his State or his area, and they are not unique in New York and Pennsylvania and Texas and Georgia by any means. Those States were selected because the staff investigators believed them to contain problems which probably were characteristic of and fairly well representative of the Nation as a whole.

It is indeed an appalling thing to recognize that this kind of foot dragging and delay and this almost unbelievable jungle of redtape does exist throughout the entire Nation, particularly with reference to this water pollution program. It is incredible that the program which the Congress chose as a crash program—an urgent program, a program which we wanted to go forward—has been the victim of this type of delay.

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

Mr. WRIGHT. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Speaker, I think the record should show we did have a 1-day hearing last summer, in which the gentleman's investigating committee had called to its attention through our New Hampshire people the fact that there was a holdup in some of the funds for the New England region. This was a very small, specific problem but as a result of the hearings before our committee we were able to at least break that particular logjam and move some $236 million in additional obligational authority for the region 1, which is the New England region.

I am mentioning this so someone like the gentleman from Texas (Mr. CASEY) will know we have had a track record of some success so far. But I hasten to add, so the gentleman does not get too enthusiastic and tell his people back home he is going to turn the magic key here, that we have before us, that is, the whole Public Works Committee, a study which shows that even if every nickel which had been authorized and under contract authority were turned loose, we would still fall way short of the known needs which are now about $60 billion, as I recall the figures given to the Public Works Committee several weeks ago.

Mr. WRIGHT. It is my recollection that the Environmental Protection Agency has identified current needs of $61 billion throughout the Nation. If the $18 billion which has been authorized for the 3 years covered in the 1972 act had been made available and expended, we would have accounted for the meeting of approximately one-third of those needs, or perhaps a little more if we add the local contributions to that total amount.

Still, even that would not have cured the national problem. And so it becomes more acute when half the funds are choked off by an overt Presidential impoundment, and then even those are choked off by these bureaucratic devices.

Mr. CASEY of Texas. Mr. Speaker, will the gentleman yield at that point?

Mr. WRIGHT. Mr. Speaker, I yield to my colleague from Texas.

Mr. CASEY of Texas. Mr. Speaker, I am well aware that the task is monumental, but one does not cure it by doing nothing, or practically nothing; $61 billion has been identified, and at the inflation rate which is going on, I have been told that some of these contracts which are called for new bids, each time the price goes up.

I am sure that that $61 billion, as long as we sit around here and they do not turn the money loose, is going to be continuing to climb and instead of making progress, we will be taking one step forward and sliding two steps backward.

Mr. WRIGHT. Mr. Speaker, the gentleman is undoubtedly correct. At least, that has been the history for the past several years, and every year of delay in going ahead with the program probably adds another $2 billion to the total cost of completing the already urgent projects.

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

Mr. WRIGHT. Mr. Speaker, I yield to the gentleman from Texas (Mr. MILFORD).

Mr. MILFORD. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I would like to make a small correction which may possibly be an error as it would show up in the RECORD, where my distingished colleague from Texas (Mr. GONZALEZ) referred to the gentleman in the well as the author of a book.

Lest the RECORD be in error, the gentleman in the well is the author of several books, including one entitled "The Coming Water Famine," and another called "You and Your Congressman," which is very helpful not only to freshman Congressmen, but also to their constitutents.

The gentleman is also a prolific writer for national magazines and of newspaper articles.

Mr. Speaker, I thank the gentleman for yielding.

I am sure there is not a member of this body who has not experienced, in his own district, some of the frustrations and complications which the gentleman from my neighboring district has so well outlined to us here today.

Some of my own problems almost defy belief in the area of bureaucratic nitpicking.

Lewisville, Tex., is a prime example of the problem.

This city is in the vicinity of the new Dallas-Fort Worth Airport, and has grown in population from 9,000 in 1970 to 20,000 in 1972. It is still growing at the same rate.

Lewisville's grant to assist in an obviously needed sewer line extension was finally approved, and a 3-inch thick bid offer—approved by EPA—was issued.

Bids were opened in September of last year. In December, EPA denied the grant on the basis that the bid opening was illegal because one sentence in the document was ruled in error, after the fact.

This problem, fortunately, has been straightened out, but not without considerable effort on the part of the people of Lewisville, myself and my staff, and a great many others determined not to let such an injustice be done.

The city of Kennedale had not been so fortunate.

Kennedale filed all its reports with EPA in June 1972, and was ranked as the No. 3 priority project in the State of Texas by the Texas Water Quality Board. The high ranking was obvious. The raw sewage from Kennedale was flowing directly into Lake Arlington.

So what happened? Twice more Kennedale had to file reports with EPA because of "changes in regulations". Meanwhile, the raw sewage flows. I checked with the city this morning, and am advised that funding may come "sometime in March".

Little Elm, Tex. is another example of this problem. Little Elm is experiencing the same sort of growth that Lewisville is having—but it has no sewer system at all.

I have personally seen sludge from overflowing septic tanks on the school grounds there. When it rains, all this mess is washed into Lake Dallas. And it is only after a rain that the school grounds are fit to walk on.

Little Elm has been working with EPA for more than two years without any positive results.

Mr. Speaker; these and other problems with this agency have convinced me that there exists some sort of "bureaucratic" impoundment of EPA funds.

I would much rather deal with a straight-forward impoundment, than to see the communities I represent wrestle with unnecessary paperwork only to be frustrated time and time again by nitpicking.

During the recent hearings chaired by the destingushed gentleman in the well that were held by the Investigation and Review Subcommittee of the Public Works Committee, our subcommittee heard from Mr. Henry J. Graeser. I have personally known this dedicated public

servant for a number of years. His outstanding work as director of the Water Utilities Department, city of Dallas, Tex. is known nationally.

His statement, in the hearing, very efficiently summarizes the problem we are facing. I would like to have his statement appear in the RECORD for all to see.

Mr. Speaker, I would also like to include in the RECORD a statement of the advisory committee of the Trinity River Authority of Texas Central Region Wastewater System.

STATEMENT OF THE CITY OF DALLAS

Mr. Chairman. Thank you for the opportunity to appear before this committee which is holding hearings to determine if the Nation is making satisfactory progress toward meeting the targets and deadlines established in the 1972 Federal Water Pollution Control Act amendments. My name is Henry J. Graeser and I am director of the Water Utilities Department for the City of Dallas, Texas, the eighth largest city in the United States.

I would like to state at the outest that the mayor and council of the City of Dallas are dedicated to the abatement of stream pollution and to providing the requisite degree of treatment of our waste water to accomplish this goal. It is our objective to be the first major city in Texas to achieve advanced waste water treatment of its total waste load. This achievement is important because the Trinity River, into which our treated waste water effluents are discharged, consists almost entirely of treated sewage during the dry season of the year. In North Central Texas, this means nearly all the summer months and some of the winter months as well.

The city of Dallas has made significant progress towards its goal during the past five years. We now have under construction a $38 million conversion of our existing sewage treatment plant to advanced waste water treatment. This was made possible largely through a 55% Federal grant under the old law. We are not complacent with our progress thus far and my chief purpose in appearing before you today is to provide you with our views as to how the Environmental Protection Agency might more effectively and more expeditiously carry out the mandate of Congress as set forth in the Federal Water Pollution Control Act Amendments of 1972.

First, let me state that it is my belief that undue delays in the grant application process occur because the Environmental Protection Agency is continually changing its rules and formats for applications. Dallas has submitted six applications for grant assistance during the past fifteen months. All of these applications have had to be revised at least once because of changes in procedural rules. One project will have two revisions and another project has undergone three revisions to date. Each time a project is returned to the applicant for revision, we are in effect starting the application process all over again. In none of the six cases just referred to, have there been any design or scope changes by the city. The sole reason for resubmittal has been to comply with the ever-changing instructions from the agency. Title II, section 201, paragraph (4) of the Federal Water Pollution Control Act Amendments of 1972 states that initial rules and regulations for grant applications should be promulgated within 120 days from enactment of the law. As I am sure you are aware, this 120-day requirement was met only by a preliminary draft which was not released to the public. As a matter of interest, the latest revision to the rules that we have received was dated November 18, 1973, 395 days after enactment and is still marked "draft" indicating that more changes are to come.

It should be noted that changed rules are retroactive to grants already in process and this has the effect, even though it may not be the intent, of being a delaying tactic. If acceptable progress is to be made in cleaning up water pollution in this country, the agency is going to have to make up its mind what information is needed on grant applications and not change the rules every time someone thinks that an additional piece of information would be nice to have, or a new format would be easier to file. Moreover, there is a duplication in the information required by various offices within the agency. For example, much of the information contained in the grant application for a treatment plant has to be restructured and resubmitted for the purpose of obtaining a national pollutant discharge elimination system permit for the same plant.

Also, when we apply for a Federal grant for a sewage interceptor line, we have to again restructure and resubmit the information already on file in the agency in our application for a grant for the treatment plant and also in the N.P.D.E.S. permit application. Mr. Chairman, we acknowledge that the Federal Government has us outgunned when it comes to staff and the agency can ask questions faster than we can answer them. The question that needs to be answered is, does the Federal Government really need the mass of information it is requiring in order to carry out the program authorized by the Congress? I think not. I think bureaucracy has gone rampant.

My next topic is the requirement for preparation of a very detailed infiltration/inflow analysis before a grant application can even be considered. The infiltration/inflow analysis is an expensive and time-consuming task and, at least in the Dallas situation, will just confirm a foregone conclusion. That is, it is more economical and cost-effective to provide incremental capacity in the sewage treatment plant to take care of infiltration than it is to tear up city streets and the property owner's front yards to install tighter sewers in the older parts of the city so that the capacity of the treatment plant can be marginally reduced. Moreover, for the past 17 years Dallas has imposed much more stringent requirements in sewer construction to reduce infiltration to the minimum practicable, as a matter of interest, the city of Dallas is paying a consultant more money to prepare an infiltration/inflow analysis of an area approximating 10% of our corporate jurisdiction than the neighboring city of Mesquite budgets for operation and maintenance of sewer service for a year for that municipality. The two areas mentioned are roughly equal in size.

The correctness of the concept of determining the better of two alternates when a choice must be made cannot be argued. What is found objectionable is the money and time that must be expended to reach the same conclusion that we have already determined by experience. We are just as interested as the agency in holding down costs because we must go to our customers for every penny we spend because we, like many municipal utilities, are supported only by revenue and not general tax funds. What we are objecting to is the expenditure of four to six months of time and the employment of a recognized outside expert consultant to confirm what we already know.

We will spend more money engineering the grant application than we would spend in just repairing the obvious leaks in the sewer which will correct 75% of the problem. We understand that the infiltration/inflow guidelines written up for the agency were based on one group's experience in one part of the country but are made applicable nationwide. Let us at least have some relief by delegating some authority to the regional administrators to grant exceptions to the requirement for an infiltration/inflow analysis if in his judgment and knowledge of the conditions in the particular area would so warrant.

Last, I will mention the requirement for recovery and repayment to the Government for those portions of capital costs which can be attributed to industry when a Federal grant is involved. Today, there exists in the waste water treatment industry a great degree of confusion because of the lack of explicit instructions from the agency as to how industrial cost recovery charges are to be formulated and what the resulting revenues will be used for.

To enumerate some of the points of confusion:

1. The source of money for the grant program is income taxes. Industry pays income taxes the same as any other user of sewer service, yet industry is being excluded from the benefit of the Federal grant program. The burden of explaining the equity of this provision is placed squarely on the shoulders of the system operators.

2. There is confusion as to which industry should pay the industrial cost recovery charges. Two approaches are prevalent. The first approach says that only the industries within the area served by a grant project should pay these charges. This means that within a city, an industry located across the street from another industry may be paying a charge because it is served by the grant project while the other industry may not. The second approach is that all industries within the service area of a sewer system should pay the same charges, meaning that some industries will share in the cost of a grant project from which they are not being served. Many cities are constrained to treat classes of customers equally, so this would be the general approach that most would use.

3. Now comes the question of what is to be returned to the Federal Government from industrial cost recovery charges. If all industries within a sewer system's service area are to pay a share of the cost of a Federal grant project, are all the monies collected to be returned to the Federal Government or retained for repair and maintenance of the grant project? This does not seem to be the case. It seems that only those revenues collected from industries within a grant project should be so restricted. This means that the operator must then divide the payment he receives into two pools—those received from the industries within the area served by the grant project and those received from industries not so served. The operators' revenue records must then be adjusted to reflect the division of revenues. Normally, records are not kept in this manner and such a revision would be unwieldy.

4. Assuming that the first three problems are answered, there comes the question of what distribution should be made of the monies collected as a result of industrial cost recovery charges. If we assume that the operator is entitled to use the revenues obtained from the industries not served by the grant project in any manner which he desires, then the operator, in all equity, should use these amounts collected for the benefit of those from whom they were collected. Then all the remaining amount which is collected from the industrtial users within the area served by a grant project must also be treated judiciously.

As EPA Regulations now stand, 20% of industrial cost recovery revenues may be used in any manner the operator wishes, but, in equity, it seems that the 20% should be used for the benefit of the industrial users who contributed this amount thereby reducing their future cost. The problem here is that the future industrial users will not always be the same industrial users that paid the charges.

Thirty percent of the retained amount is to be spent on the repair and improvement of the grant project. With the approval of EPA, it seems that this 30% should accrue solely to the benefit of those industrial users from whom they were collected.

The remaining 50% is to be returned to the Federal Treasury. This is one point that is very clear.

5. So far, we have talked about a single grant project. It seems that it is entirely possible that more than one grant will be provided to a single operator. We then have a layering of these grants, each with a different industrial user cost recovery charge with a different expiration date. In addition, each grant will have a separate reporting system together with industries moving in and out into areas served by the grant. This could result in a monumental accounting chore.

6. The last point in the question is the letter of intent required from "significant" industries. It is not really clear what purpose this letter of intent can serve. In fact, it has the appearance of another source of annoyance. An industry cannot commit itself to being in existence for the useful life of a grant project nor can it commit itself to remain in the same location for the duration of the life of the grant project. So, why bother to have a letter of intent? It will merely call to the attention of the industry the fact that it is being singled out for a special charge that does not apply to other classes of users.

This uncertainty could not come at a more inopportune time. Many municipalities are currently making rate studies and revising their rate structures and they need to know, specifically, what the Federal Government is going to require as the price of obtaining Federal aid.

Thank you for your courtesy and patience in hearing my statement. Please do not construe my remarks as being critical of the many fine individuals in the Environmental Protection Agency that we deal with every day, from Mr. Busch, Administrator of Region VI, down to his engineers and accountants. We find these people genuinely interested in helping us but their hands are tied in many cases because they must carry out the instructions from Washington. Let us not try to run the day-to-day business of the country from a super-headquarters in Washington. Instead we favor granting some flexibility to the people in the field, relying on their judgment to protect the interests of everyone, taxpayers, environmentalists, and last but not least, the operators who must find the money and build and operate the sewage works.

STATEMENT OF THE ADVISORY COMMITTEE OF THE TRINITY RIVER AUTHORITY OF TEXAS CENTRAL-REGIONAL WASTEWATER SYSTEM

Mr. Chairman and members of the Subcommittee on Investigation and Review:

The Central-Regional Wastewater Advisory Committee to the Trinity River Authority is composed of elected officials from nine cities in the Dallas/Fort Worth metroplex. Collectively our System serves approximately 350,000 people at present and will serve almost one million people in the next ten years. We have signed contracts with the TRA to improve and enlarge our System at an estimated cost of $55 million dollars over the next four years. Many of us have already increased our sewer rates substantially and may have to triple our rates over the next three years to pay for the improvements we are willing to make. Much of our cost is necessitated by our planning to meet the requirements of the Federal Water Pollution Control Act of 1972. We have accepted local responsibility, done our part to be in position to move forward and need only the funds promised under your law to enable us to proceed expeditiously.

Our project is ranked as the top priority project in the entire State of Texas and we sincerely hope that it will not suffer crippling and expensive delays while the Federal Water Pollution Control Act of 1972 is still being interpreted.

We have not experienced an insufferable problem in dealing with either the regional office of the Environmental Protection Agency or our state regulatory agency, the Texas Water Quality Board. However, we do have reason to believe that, without streamlined administrative procedures and guidelines which resemble less of a "moving target" than those heretofore promulgated, our efforts to enlarge and upgrade our facilities in harmony with Federal programs and objectives may become bogged down in endless bureaucratic paper shuffling. We do not feel that the problems originate within Region VI of the EPA. Our Regional EPA office has been most responsive to our needs to the extent it has had adequate guidelines under which to respond. It is not the function of the EPA regional office either to make the law or to interpret it, but rather implement the laws passed by Congress and administered by higher authority.

We suspect that much of the confusion and lack of progress to date under the Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500) is because of two reasons:

(1) The Act itself is very complicated, technical in nature, and in some instances unrealistic. The Act was passed in October 1972 and in February 1974 there are still no final guidelines under which to make the Act work. Either the Act is just too complicated or those responsible for developing the guidelines need help.

(2) The second reason for lack of progress, in our opinion, is the failure of the Administration to spend the money which Congress appropriated. We point this out not to belabor the point here, because that is not the purpose of your hearing, but to let you know that, even way down in Texas, we are aware that the tax money we send to Washington is not being to us as Congress has directed.

With respect to the Federal Water Pollution Control Act Amendments of 1972, we think that possibly the Act, when viewed in its entirety, may be unrealistic. For example, can the national goal of "water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water . . . by July 1, 1983" really be achieved in that time frame if, after a year and a half, there is still no direction on how to achieve that goal? The flow of the Trinity River in its upper reaches is more than 90% sewage effluent most of the time. It is possible that this goal can never be achieved with reasonableness, if it can be achieved at all. And, if it can be, we wonder if it can be afforded.

Another proposal by the Environmental Protection Agency which is of particular concern to the Advisory Committee is the proposed limitation of 2% annual growth on wastewater systems. We feel that it would approach gross negligence not to recognize that the Dallas/Fort Worth metroplex is a growing area where the needs of the populace must be anticipated and plans to provide adequate wastewater system expansion must be initiated well in advance of the need. The world's largest airport has been constructed in the heart of the Dallas/Fort Worth metroplex. By its very presence, the airport will serve as an impetus to an expanding community. The Authority's regional wastewater system will play a vital role in meeting the needs of this community. We are opposed to this proposed 2% annual growth rate by the Environmental Protection Agency and strongly urge that it be reconsidered.

We cite these examples Mr. Chairman, not to judge whether or not, in the final analysis, the Act will work. We hope that it will, although, in its present form, we have our doubts.

We understand that the National Study Commission on Water Quality will be conducting studies and making recommendations over the next two years on the 1972 Act. In the meantime, it is imperative that planning and construction of facilities go forward. The Environmental Protection Agency should with dispatch finalize its rules and regulations under P.L. 92-500, particularly in the area of construction grants, and should move forward without delay in funding necessary projects.

In summary, Mr. Chairman, we are saying that progress to date under the Federal Water Pollution Control Act of 1972 has been painstakingly slow. We are still optimistic that, perhaps spurred by hearings such as this one, the momentum will pick up and we will get on with the intent of the law as passed by Congress, to clean up our rivers and streams. If this momentum does not develop, then it will be obvious that either the law, the agency administering it or both need a careful re-examination. We wholeheartedly concur with Section 101 (F) of the Act which states:

"It is the national policy that to the maximum extent possible the procedures utilized for implementing this act shall encourage the drastic minimization of paperwork and interagency decision procedures, and the best use of available manpower and funds, so as to prevent needless duplication and unnecessary delays at all levels of the Government."

MEMBERS OF THE REGIONAL WASTEWATER SYSTEM ADVISORY COMMITTEE

The Honorable Willie Mae McCormick, Councilwoman, City of Euless, 201 Ector Drive, Euless, Texas 76039 (817) 267-1274.

The Honorable S. J. Stovall, Mayor Protem City of Arlington, P. O. Box 231, Arlington, Texas 76010 (817) 334-2224.

The Honorable Weldon Parkhill, Mayor Pro-tem, City of Grand Prairie, 701 East Main, Grand Prairie, Texas 75050 (214) 264-2545.

The Honorable Dan Matkin, Mayor, City of Irving, 835 West Irving Boulevard, Irving, Texas 75060 (214) 266-4129.

The Honorable Tommy Standridge, Mayor, City of Carrollton, P. O. Box 535, Carrollton, Texas 75006 (214) 242-5415.

Mr. J. C. Pace, Jr., Member, Dallas/Fort Worth Regional Airport Board, 1205 Commerce Building, 307 West 7th Street, Fort Worth, Texas 76102 (817) 332-1219.

Mr. R. R. Blevins, City Manager, City of Bedford, P. O. Box 157, Bedford, Texas 76021 (817) 283-4646.

Mr. J. W. Wade, City Secretary/Director of Finance, City of Farmers Branch, P. O. Box 34435, Farmers Branch, Texas 57234 (214) 247-3131.

The Honorable L. A. Murr, Councilman, City of Dallas, 210 City Hall, Dallas, Texas 75201 (214) 381-1166.

Members Ex-officio

Mr. Frank Barron, Member, Board of Directors, Trinity River Authority of Texas, P. O. Box 13407, Fort Worth, Texas 76118 (817) 284-1461.

Mr. Charles W. Wooldridge, Member, Board of Directors, Trinity River Authority of Texas, P. O. Box 6331, Dallas, Texas 75222 (214) 748-5411.

Mr. David H. Brune, General Manager, Trinity River Authority of Texas, P. O. Box 5768, Arlington, Texas 76010 (817) 265-3151.

Officers

Mayor Dan Matkin, chairman.
Mr. T. C. Pace, vice chairman.
Councilwoman McCormick, secretary.

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

Mr. WRIGHT. I yield to the gentleman from Georgia, who is a member of the subcommittee which held the hearings last week.

Mr. GINN. Mr. Speaker, one of the most fortunate things to happen to me since coming to Congress in January of last year was to gain membership on the Committee on Public Works and shortly thereafter to be assigned to the Subcommittee on Investigations and Review, which is so ably chaired by the distinguished gentleman from Texas (Mr. WRIGHT).

I think that all reasonable men will admit that the Environmental Protection Agency has one of the more difficult jobs of any of the Federal agencies at this particular time.

However, as I participated in the hearings held and chaired by the gentleman from Texas (Mr. WRIGHT) just a few days ago concerning where we are and where we are heading in this country in combating pollution, I sat in disbelief when I heard of the unnecessary red tape and restrictions and guidelines that are coming out of EPA.

Mr. Speaker, I, for one, would like to commend the chairman of that subcommittee, the gentleman from Texas (Mr. WRIGHT) for the great job he is doing in pointing out this problem, and I am here today to place with him my continued support as he leads us all in our attempt to help EPA streamline its guidelines and policies so that the State of Georgia and all the other States in this Nation and all the communities in this Nation can get on with the job of combatting pollution.

Mr. Speaker, I thank the gentleman for yielding to me.

Mr. WRIGHT. Mr. Speaker, I thank the gentleman for his cogent comments.

Mr. CLEVELAND. Mr. Speaker, I wish to commend my friend and colleague, the gentleman from Texas (Mr. WRIGHT), for scheduling this special order to alert Members of this body to the problems plaguing the clean water program and what we are trying to do about them. Our goal is clean rivers and streams, and our chief means to that end is the massive program we enacted with great fanfare in 1972. The program is in grave trouble, as documented in 3 days of sworn testimony last week before the Subcommittee on Investigations and Review of the Committee on Public Works. Our effort to get the program back on the track, if successful, will mean as much to the Nation's clean water effort as the multi-billion-dollar Water Pollution Act Amendments of 1972.

JIM WRIGHT was kind enough to furnish me in advance with a copy of his prepared remarks, with most of which I heartily concur. Rather than duplicate his overview, I shall elaborate on some points meriting emphasis and add others from my perspective as ranking minority member on the subcommittee.

NEW LAW BACKFIRES

One point which cannot be exaggerated is that the massive package we voted 15 months ago over the President's veto has resulted—incredibly enough—in a slow-down in construction of wastewater treatment facilities rather than the accelerated and expanded effort we clearly intended.

Second, Congress and yes, our Committee on Public Works, created part of the problem by enacting a complex piece of legislation, and by our insistence on higher standards of performance and a quick start on putting them into effect. But the Environmental Protection Agency, rather than attempting to minimize the problems inherent in the legislation, has made an admittedly difficult situation impossible by embarking on a bureaucratic binge of incredible proportions. Funds available, after impoundment—and they have been substantial—could not be and have not been spent.

Third, EPA has now burrowed out from under its mountain of paperwork and is predicting a new surge of grant application approvals. But even with the carryover of unused obligation authority, there would not be enough money to do the job and we will confront a backlog.

This much was admitted by witnesses from EPA itself and largely supported by testimony from representatives of four States: Georgia, Texas, New York, and Pennsylvania. My own conclusion is that the problem runs much deeper.

RIVALING INTERSTATE HIGHWAYS

With all respect to EPA, I have emerged from these hearings with the conviction that no Federal agency, EPA or any other, with its current personnel complement or any successors, can run a program of this scope and complexity entirely on its own discretion. I cannot overemphasize the magnitude of the effort, which now gives every indication of exceeding the interstate highway program as the major peacetime public works undertaking in the Nation's history.

I have long had the highest respect for the commitment and competence of the officials responsible for water pollution abatement in New Hampshire. With perhaps understandable pride in my own State, I thought them unique among the States in general. But now, with the history of other States' efforts on record for comparison with EPA's performance, I am overwhelmingly impressed with their capabilities. The wonder is that they have performed as well as they have with the admittedly mind-blowing task of dealing with EPA. And Public Law 92–500. Accordingly, I am convinced that we must devise a means whereby those States with demonstrated track records can be given vastly expanded authority. They must be made true partners—peers—rather than the puppets at the end of EPA's string.

To be sure, there was good news at the hearings. At my prodding, EPA agreed to begin making partial, interim payments to States and communities owed a total of $1.9 billion in reimbursements under the act for some construction undertaken prior to its passage. New Hampshire alone has $12.3 million coming, and EPA's delay has cost nearly $1 million in interest to date, an unnecessary tax levied on the people of my State. This is money appropriated by Congress 15 months ago.

SPENDING DROPS

But the rest of the record is pretty dismal. Funding available has risen as follows over the past 5 years: $214 million, $800 million, $1 billion, $2 billion and $3 billion for the current fiscal year. Another $4 billion will be available next year, which when combined with $3.2 billion in unused authority, will total a staggering $7.2 billion available now, today.

Yet obligations for new projects for the last 6 months of calendar 1973 under the new law were only $153 million, little better than one-tenth of the $1.4 billion for the last 6 months of 1972 under the old law which we in Congress scrapped as totally inadequate to do the job.

One witness compared the two programs as a Model T chugging along with modest horsepower versus a Cadillac with 10 wheels, five steering wheels and a gallon of gas in the tank.

Now we have estimates that needs will total $60 billion, which prompted one subcommittee member to inquire of Mr. Quarles of EPA in what century our clean-water goals would be met. Members of this body might as well be on notice as of today that deadlines will not be met and that our problems of credibility will be even worse 8 months, 10 months and a year from now when our communities are told there are not enough funds available to the survivors of the paperwork jungle.

JIM WRIGHT has given us an excellent summary of instances of bureaucratic bungling. I share in particular his concern over whether EPA is using the administrative mechanisms to slow down spending, a possibility I mentioned in advance of last week's hearings and which I raised with Mr. Rhett of EPA in the hearings. He gave me this assurance:

We're not using our internal procedures to try to further lower the allocations.

This may be so. But the effect is the same, with the bureaucratic system of consultation, coordination, confirmation which resembles a Rube Goldberg system for twisting pretzels and which Mr. Ruckelshaus stated could be used in control spending.

NEW FEDERALISM NEEDED

A greater concern reflected at the hearings was a disposition on the part of EPA to dismiss the experience of the States and the Federal Government as if the existence of water pollution had just been newly discovered by EPA in Washington. It is the NIH syndrome—not invented here. This is reflected in the Agency's failure to progress under the rules of the old program where applicable guidelines going beyond the traditional, conventional engineering concepts, and rigidity in their application. We also received convincing testimony to the effect that Washington is insensitive to the experience of the States and it often ignores the recommendations of its own regional administrators who are of necessity more fa-

miliar with the problems the States are encountering and the competence and dedication of State officials with whom they deal.

If any program needs a strong dose of "new federalism" it's this one.

We heard, moreover, a disturbing suggestion that "no-growth" advocates are seizing on the procedures for approval of waste treatment facilities to obstruct them and thereby choke off a community or area's capacity to develop. In effect, they would condemn the community to continuing degradation of the environment rather than see it grow in an orderly manner consistent with environmental quality. And this presumably in the name of the environment.

This appears analogous to obstruction of the trans-Alaskan pipeline through NEPA. Were the oil flowing today from the North Slope reserves, we might not find ourselves quite so compelled to readjust our clean-air efforts on a short-term basis. In this connection, JIM WRIGHT made a comment to the effect that some of this thinking may underlie EPA policy. He mentioned a community experiencing difficulties in obtaining approval of its environmental impact statement concerning siting of a treatment facility. The concern was over the project's potential impact on air pollution, the rationale apparently being that the community might be enabled to grow, generate more automobile traffic and hence lower the quality of its air. Make no mistake, these concerns are legitimate. But they should be confronted honestly, openly, and in a straightforward fashion rather than as ancillary issues.

Another concern of interest to members at large concerns one thing EPA did properly, in my judgment, in approving a number of projects immediately prior to the effective date of regulations requiring user-fee recovery. This has been subjected to some criticism in the other body and the General Accounting Office has been asked to investigate. Members should be aware that I for one—and other members of the subcommittee may feel the same way, though I cannot speak for them—I will resist any such finding.

SLOWDOWN'S IMPACT PERVASIVE

Members also should be aware that the subcommittee is keenly conscious of another aspect of the situation: the real dimensions of the problem. Our concern is fully justified in view of the urgency of the clean-water effort in its own right. But the impact of the slowdown is far broader. With sewer bans or moratoria in effect and likely to proliferate, the economy of many communities and areas is at stake.

Their ability to meet the needs for housing, business and commercial development, and industrial expansion is being rigidly curtailed, not to mention the construction industry which in many areas represents a major sector of the local economy. With all our problems of inflation and energy shortages, this we do not need. It is all the more unconscionable for being totally unnecessary.

NOTE ON REFORM

On a concluding note, Mr. Speaker, the Select Committee on Committees has recommended that each standing committee establish a committee on oversight and review, comparable to the function of the Investigating Subcommittee of the Committee on Public Works. I think this is an excellent suggestion and invite the scrutiny of Members concerned with this much needed reform. The vigor and responsiveness of this subcommittee, the quality of its staff work, and the totally nonpartisan manner in which its proceedings are conducted—and, hopefully its results in this most important undertaking—make it well worth emulating other committees.

Mr. PICKLE. Mr. Speaker, I want to commend my colleague, and good friend JIM WRIGHT for holding this special order today on the many problems and frustrations that have been encountered in trying to implement our water pollution programs.

No one is comfortable about the delays and the confusion caused by the administration's policies of impoundments and withholdings. This is not just a policy that is debated in theory, for it reaches down to the communities of America and affects the people.

Critical pressures are being felt by the Texas Water Quality Board. This past month a delegation from this organization came to Washington to see if there were any definitive policy in this area. We surely owe it to our State leaders to be more forthright with our Federal programs.

This month I have received a letter from a community in my district that has been caught and frustrated in this policy. This city has been dealing with the Department of Housing and Urban Development for water and sewer improvement. I know that this is not exactly the topic of my friend's special order today, but it is very much related. It is related because proper sewerage handling and water systems are so much a solution to our water pollution problems. This is why I speak up today during this special order—to high-point what delays and confusion can mean to a community.

The letter that I received I want to insert in the CONGRESSIONAL RECORD. It tells the story of days and weeks and years of frustration. HUD wants to help. The fine people who work at HUD want to help. But help is not forthcoming, as there always seems to be a new policy or a new lack of direction from Washington. I personally intend to deliver this letter to the Secretary of Housing and Urban Development, James T. Lynn, to show him why complex policy decisions in Washington can affect the faith that the average community has in its Government. If the city of Bastrop in my district is typical of the frustrations and disappointments of communities trying to improve the quality of their life, then the Lord help us.

I do not make the point that there is a lack of feeling or a lack of interest on the part of the personnel of HUD—in fact, I believe they have tried to be most helpful. But they cannot be helpful when the policy is one of "withhold and impound" and one that leaves the local people dangling. One wonders if the dangling is sometimes not policy twisting in the wind. We cannot play games with the quality of life in our communities.

Mr. Speaker, I insert the letter from the mayor of Bastrop, Tex., Hon. Benton Sims, in the RECORD at this time:

CITY OF BASTROP,
Bastrop, Tex., February 4, 1974.

Hon. J. J. PICKLE,
The House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: I feel that the City of Bastrop has received unfair treatment from the Department of Housing and Urban Development, as well as from other government agencies, and in this letter I will set forth some reasons why I feel this way.

To my knowledge, the only grant money the City of Bastrop has ever received was the grant received recently from Environmental Protection Agency for aid in constructing a new sewerage disposal plant. All the surrounding towns have received federal grants for many and various projects, but not Bastrop. H.U.D. did help the Bastrop Hospital Authority build a new hospital; but, there was no grant money involved in this as H.U.D. purchased the Authority's bonds.

Bastrop is in need of aid to repair, replace, and improve the water system and is also in need of help to drain the town. The poor drainage affects our sewerage system and could very well someday cause an epidemic in our town. Bastrop filed an application with H.U.D. for assistance on such a project but, because of the impoundment of funds by the Bureau of the Budget at the instruction of the President, the application has been returned to us. I want to say at this time that the Area Director of H.U.D. in San Antonio, Mr. Finnis E. Jolly, and his staff have always been most interested and helpful to us and would have funded our project had the money been available.

Now I would like to summarize for you our efforts for assistance over the period of the last five years.

In February, 1969, the City of Bastrop made application to H.U.D. for a loan to finance the preliminary and final engineering planning for the drainage project and some water improvements that were most pressing at that time.

In August, 1969, we contacted the H.U.D. Regional Office in Fort Worth telling them our needs, and two weeks later we received an application packet from them.

On October 27, 1969, we received a letter from Mr. Travis Miller, Assistant Regional Director of H.U.D., approving our application for $12,000. for the preliminary planning and engineering. As this program was being phased out, there were no funds approved for the final plans.

On November 17, 1969, we advised our engineers, Bryant-Curington Inc. of Austin, Texas, to proceed with the planning and on May 5, 1970, they completed the plans.

On April 29, 1970, we hand delievered to H.U.D. Regional Office in Fort Worth the completed application packet we had received the previous August and had a review of the application with Mr. Larry Brown and others.

In July, 1970, after several phone conversations with H.U.D. representatives, we received a check list of corrections to be made on the application. These corrections were made and the application was returned to H.U.D. in Fort Worth on August 8, 1970.

In March, 1971, having received no further word from H.U.D. concerning the application, we called the Fort Worth office and were re-

ferred to the new area office in San Antonio. Phone calls were made to various department heads in the San Antonio office and we were told that some of the files had not yet been unpacked and that still others had not arrived in San Antonio from the Fort Worth office.

In October, 1971, we were informed by the San Antonio office that the application had been lost in transit from Forth Worth. We immediately prepared another set of the application packet, and it was submitted to them.

In early 1972, we hand delivered another set of the application to San Antonio.

On March 13, 1972, the Bastrop City Council passed a "Resolution of Governing Body of Applicant" (Budget Bureau Form No. 63-R116 and H.U.D. Form No. 4140 1A) authorizing the filing of application for a grant under P.L. 89-117.

On August 15, 1972, we transmitted a revised application and about this time our application was assigned a number, WSF-TX-06-59-1048.

On September 19, 1972, the completed, formal application with all supporting documents was delivered to H.U.D.

On September 29, 1972, a letter of transmittal with three binders containing copies of the revised application was sent to H.U.D. as per their request of August 28. At this time, they were advised that the City of Bastrop had passed a $495,000 Bond Issue to finance the city's share of the project.

On October 5, 1972, a letter of evaluation was submitted at the request of H.U.D.

On November 7, 1972, a letter revising the evaluation was submitted after a call from the H.U.D. office in San Antonio.

On November 15, 1972, a letter was sent to H.U.D. including the originals of all documents signed by the mayor as per their request by phone on November 13, 1972.

On December 8, 1972, a letter of transmittal was submitted with letters from Dr. B. J. Marshall, Bastrop City Health Officer, Senator Bentsen, Senator Tower and the Texas State Health Department.

The latter part of November 1972, we were informed that we were at the top of the priority list and that we should soon be funded. Then we were informed that the H.U.D. Regional Office had captured the area office money but had promised to return the money to San Antonio in December; but this was not done.

On January 5, 1973, all H.U.D. funds were impounded.

On July 17, 1973, our application was returned from the San Antonio office with the statement that no funds were available for fiscal year 1974 for water and sewer facilities grant programs and that all such applications in the nation were being returned to the applicants.

In utter frustration, I wrote President Nixon asking that impounded funds be released. I received an answer from the White House saying that we should use our Revenue Sharing funds for this purpose.

The City of Bastrop is receiving only about $26,000 a year through revenue sharing and it was set up to last only five years.

In March, 1973, H.U.D. conceived the Annual Arrangements concept to be funded by special revenue sharing under the Better Communities Act. After many more man hours of work, the City of Bastrop was approved to participate in this concept on May 22, 1973. As you are well aware, this plan was supposed to go into effect in the fiscal year 1974 (starting July 1, 1973); but to date it has not gotten off the ground and, personally, I do not think it will.

As you know, Bastrop has an old water system that was constructed in 1943. While we have seven water wells in the system, we are now able to use only four of them because the other three wells have sanded in. The old pump station and the lines running from the pump station to the elevated tank (some miles away) are all over forty years old and we know that they could go at any time. We have no water storage in town, and if the transmission line from Camp Swift to town, some eight miles away, should rupture, the town would be without water. The State Health Department, as well as the State Insurance Department, have been on us for many years to construct a one million gallon storage tank in town. Plans for this were included in our application to H.U.D. It will cost $50,000 more to construct this tank today than it would have cost one year ago. On a project that was estimated to cost $135,000 a year ago, this will give you an idea how much money has been lost because we were not funded.

The City of Bastrop is not only serving the citizens of Bastrop with water, but we also serve some 1500 customers of Aqua Water Supply Corporation. Aqua has about 500 miles of lines serving customers not only in Bastrop County, but also in Lee, Travis, and Williamson Counties. I would estimate that the City of Bastrop system supplies water for at least 12,000 people.

Bastrop was recently given 18 acres of surplus land at Camp Swift to be used to drill more water wells. It will take money to drill these wells, and it will take help to get the money. Our problem is that no one seems to care whether or not Bastrop ever receives any help.

Sincerely,

D. B. SIMS,
Mayor.

Mr. GROVER. Mr. Speaker, the chairman of the Subcommittee on Investigation and Review of the Committee on Public Works, by good friend from Texas, JIM WRIGHT, and the ranking minority member, my good friend from New Hampshire, JIM CLEVELAND, deserve a full measure of credit for initiating hearings on our clean water program.

Just over 2 years ago, the Congress passed over the President's veto the 1972 amendments to the Federal Water Pollution Control Act. This massive new approach toward providing the quality of water that our Nation needs and deserves was hailed as the finest piece of environmental legislation ever passed by the Congress. Even so, those of us who served on the committee on conference on the part of the House were concerned at that time that control requirements by specific dates may have been too strict. The agreement reached with the representatives of the other body, however, was embraced by all, and we expected great progress in our water pollution control efforts.

I recognize that the Congress set out many and varied, new and difficult requirements in the legislation. However, we did not expect that our requirements would become stumbling blocks and excuses for making the water pollution control progress we expected and required. The bill set requirements that were stringent. We expected, however, that a new, dedicated, energetic agency would seize every opportunity to move ahead rather than delay the effort.

It seems to me from what I heard during the 3 days of hearings held to date that there has been a strong tendency to use opportunities to delay rather than forthrightly to develop techniques and methods consistent with the law for moving ahead. We heard one witness state that the Environmental Protection Agency tended to adopt a rigid interpretation of the law when a rigid interpretation would add delays, and that the Environmental Protection Agency tended to adopt a flexible interpretation when a flexible interpretation would cause delays. I certainly hope this has not been the case, because I know there are many able and dedicated people within the Environmental Protection Agency. Unfortunately, one who had the opportunity to participate in the subcommittee's hearings, as I did, is led to believe that where there is smoke there must fire. There have been delays, and they all do not have a reasonable excuse.

One overriding aspect of the 1972 amendments was clearly defined in section 101(b):

> It is the policy of the Congress to recognize, preserve, and protect the primary responsibiltiy and rights of states to prevent, reduce, and eliminate pollution, to plan the development and use . . . of land and water resources and to consult with the Administrator in the exercise of his authority under this Act.

We meant what we said.

As we have learned from our hearings, it is obvious; neither this policy as declared by the Congress nor the spirit of the law that was enunciated has been carried out.

Some States, certainly not all, have had, do have, and will continue to have superior capabilities to handle water pollution control programs. It is encumbent upon the Environmental Protection Agency to recognize the capability of the States, to coordinate with the States, to turn over as much as possible to the States, and then to depend upon the States to do the job.

I urge the Environmental Protection Agency to concentrate their efforts in the next few months on determining how they may lawfully structure the grant program and operate it in a manner to start more new construction projects. I urge the Environmental Protection Agency to work with the States and municipalities to get more new construction underway. On the other hand, I urge the Congress, and particularly the other body, to recognize that it is more important to get new construction projects started, consistent with the intent of the law, than it is to dot every "i" in every regulation and requirement.

I, at this time, would like to urge the Committee on Investigation and Review to continue these most worthwhile hearings on the water pollution control program throughout the next 5 or 6 months or more. I would suggest that the Members and staff consider at least 3 days of hearings each month to review various aspects of the water pollution control program. For example, I believe it will be useful to devote our scrutiny to the questions of industrial effluent limitations; the impact of the user fee requirements; the research and development program; the planning program, or lack of it; the enforcement program; control of toxic materials; and last but not least, the results in the way of clean water that have been achieved to date.

An important and laudatory effort has

been started by Chairman JIM WRIGHT and JIM CLEVELAND and the subcommittee. There is a lot more to do, Mr. Speaker, and I look forward to the coming months.

GENERAL LEAVE

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

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

There was no objection.

THE EFFORT TO STOP IMPORTATION OF RHODESIAN CHROME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. SIKES) is recognized for 15 minutes.

Mr. SIKES. Mr. Speaker, the House Committee on Foreign Affairs has pending before it a bill of importance to every American. It is of especial significance to the Members of the House because it is in the House that the bill must be defeated. It already has the approval of the Senate.

This bill, S. 1868 would prohibit the United States from importing chromium ore from the friendly nation of Rhodesia. This would reinstate the sanctions imposed by the United Nations which had an adverse and costly effect upon our country and which served no useful purpose whatever. The net effect would be that we would become dependent on Soviet Russia for our chrome supply. This was the case while sanctions were in effect and we paid a costly premium for chrome, much of which was transshipped from Rhodesia through Russia to the United States with a handsome profit to the Russians.

I know of no nation on earth which should cut off its supply of a vital and strategic material from a friendly power and place itself at the mercy of an enemy country for essential defense metals. Yet, that is exactly what the pending legislation will do if enacted into law. Please remember, chrome is essential for America's defense.

The Senate bill would set aside the action of both Houses of Congress which allowed us to purchase Rhodesian chrome. It was necessary for the earlier bill to be passed because the United Nations had instructed us not to buy from Rhodesia. Ever. though this edict was against our own national interest, the U.S. Government went along and refused to purchase high-grade, low-cost chrome from our friends in Rhodesia.

It was at that time that we turned to the Russians. We turned to the Communists who gladly sold us low grade, high cost chrome for use in manufacturing the steels we require to keep our defenses strong. The cost was substantially double what we had previously paid. When the Byrd amendment was adopted, most of us thought the United States had returned to a sensible policy. But in December, the Senate passed S. 1868, which would set the clock back and place us at the mercy of the Russians for chrome ore requirements. It has been referred to the Foreign Affairs Committee where it is now pending.

Hopefully, the committee in its wisdom will not give a favorable report to the measure, but if the bill comes to the floor for action, it should be soundly defeated. It makes no sense to punish our friends and reward our enemies. It makes no sense to place ourselves in a position of dependence for chrome on Soviet whims. It makes no sense to put an embargo on ourselves. It makes no sense to pay a costly premium out of the pockets of the American taxpayer.

To refuse to buy Rhodesian chrome would be akin to refusing to buy Arab oil because we do not always agree with their policies of government. The proposal just does not make sense.

I trust the House of Representatives will make it clear to the United Nations and to the world that the United States knows how to place its own interests above the interests of others.

REPRESENTATIVE JACK KEMP CALLS UPON CONGRESSIONAL LEADERSHIP TO INVITE ALEXANDER SOLZHENITSYN TO ADDRESS A JOINT SESSION OF CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, I was heartened to learn this morning that Alexander Solzhenitsyn, the courageous voice of conscience in the Soviet Union, had been freed by Soviet authorities, after his arrest yesterday.

I was, of course, dismayed that he had, first, been arrested for refusing to subjugate himself to "interrogations" by the Office of the State Prosecutor, a principal cog in the Soviet police state machinery, and second, that he had been forceably exiled from the Soviet Union during the past 24 hours.

While Solzhenitsyn's journey to freedom gives all of us a degree of relaxation—that this man, at least, is now free of the abuses of the Soviet system, that relaxation should not lull us into thinking that all is well there. It is far from it.

I think several things are now in order.

INVITATION TO ADDRESS A JOINT SESSION OF THE CONGRESS

Mr. Speaker, I think it would be fitting and most appropriate for the distinguished leadership of both the House and Senate, majority and minority, to formally invite Solzhenitsyn to address a joint session of the Congress. I avail myself of this opportunity to make such a request of the leadership.

We work daily in this Chamber and in the committees of the Congress on issues which affect the foreign policy of the United States. Most recently we have debated the important questions of the use of America's economic strength to foster changes in Soviet internal policies, as preconditions to liberalized trade policies; of the propriety of certain types of trade—and I wish to add, parenthetically, that I favor trade and liberalized trade policies, provided that those policies are used as economic weapons for freedom by engendering badly needed domestic reforms in Communist countries, provided that we are paid in cash or gold and not through long-term, low-interest credits subsidized in part by the American taxpayers, and provided that such trade is not in strategic or potentially strategic goods; of the financial terms in which trade would be financed by the Soviet Government; and of the relationship between trade policies and a genuine realization of détente and its worthwhile objectives.

Solzhenitsyn's message to this body, I believe, would be a clear one. It would graphically demonstrate the realities which we should consider the basic premises for our actions. It would be a symbol to the Soviet Union that we, the Members of Congress, were hearing his voice, as against their empty promises.

Again, I call upon the leadership to extend such an invitation.

ADMINISTRATION SHOULD RETHINK ITS POSITION

Over the past several months, the Soviet heirarchy has heard the voices of those who warn against any harm befalling Solzhenitsyn. From the Halls of Congress, from spokesmen from the news media, and from the academy have come warnings against Kremlin recriminations. But, there has been one place of noticeable silence—the instruments of official U.S. foreign policy.

The Kremlin has, apparently, devined the will of this administration to be insufficient to do more than a smokescreen fight against continuing Soviet repression. In the simplest of terms, the Soviet heirarchy apparently feels it can get away with the arrest of Solzhenitsyn, and probably many others now, because the United States simply will not be moved into a specific plan of action to mount world opinions, and to impose sanctions, against them.

I hope—I hope very much—that they have misread the administration's will. But, one thing is certain: It is time now for the administration to act demonstrably to show a resolve to oppose Soviet repression.

Our failure to use our economic power as a weapon for human freedom would be as disastrous to the world today as if we had not used our military power to stop the spread of Nazism 25 years ago. Just as the spirit of Munich neutralized Western military power in the 1930's, we must not let such a spirit neutralize our economic power in the 1970's.

The administration has, to date, opposed the Jackson-Vanik amendments to the pending Trade Reform Act, amendments which would precondition a relaxation of U.S. trade policy with respect to the Soviet Union upon a visible demonstration on their part that they have relaxed significantly their denial of basic individual liberties in the Soviet Union. This administration policy has been in-

consistent with the previous statements made by the President on this issue. I wish to take this opportunity to remind him of some of those statements.

In October of 1963, at the time of the Kennedy administration's announcement of the massive wheat deal with the Soviet Union, Mr. Nixon declared:

One of the minimum goals we should set is to get the governments of Communist countries to adopt policies which will allow people to leave if they desire to do so.

* * * * *

Programs of trade and aid are our biggest potential weapons.

No American action should be taken if it strengthens a Communist government's stranglehold on the people.

* * * * *

The (Kennedy) Administration is drifting toward a policy of negotiating away the freedom hopes of . . . people under Communist rule.

It would be shockingly immoral for the U.S. to do anything directly or indirectly which would give the impression that we accept Khrushchev's price—namely—that in return for peaceful coexistence we accept as permanent the Communist enslavement of . . . millions (of) Europeans.

* * * * *

The great and vital issue of freedom for the oppressed is being kept on the back burner. It is high time for us to put it on the front burner, to make it a top-priority objective in every international negotiation.

We should do nothing for any of the Communist governments unless its purpose and effect will be to help the people get relief for Communist oppression.

* * * * *

And in a Saturday Evening Post article that month, Mr. Nixon wrote:

Americans have always contended that if we are to retain freedom for ourselves, we must support the cause of freedom for *others*. It is ironical that in the United States some of those who pride themselves on being "liberal" in foreign and domestic policy are the most violent opponents of any move to launch a peaceful offensive for freedom for (Soviet Citizens).

* * * * *

I believe that we must have a single standard for freedom. Its denial in whole or in part any place in the world, including the Soviet Union as well as the United States, is surely intolerable.

These statements are certainly in contrast to the State Department's and administration's 1970 response to a single incident which bears repeating today: The case of Simas Kudirka. Kudirka wished to leave the Soviet Union. When the Soviet ship *Sovyetskaya Litva* was in the U.S. territorial waters, Kudirka jumped on board the U.S. Coast Guard vessel *Vigilant* and asked for asylum. After extensive communications with Washington, the *Vigilant* allowed Soviet personnel to actually board the Coast Guard vessel, seize Kudirka, actually beat him in the presence of American officers, and forcibly remove him to the Soviet ship. The American action was a direct and flagrant contravention of paragraph 23 of the Geneva Convention. Kudirka was subsequently sentenced to 10-years labor in a strict regime camp with confiscation of personal property. This was a shameful act on the part of our Government. It should never have happened; it must never be permitted to happen again.

The incident of this week—of Solzhenitsyn's arrest and forced exile—affords this administration an opportunity to harness public opinion in support of a change in its official policy, adopting thereby the Jackson-Vanik position and using our Nation's preponderant economic strength as weapons for freedom.

I appeal to the President to institute such a change in policy.

ADDRESS AT LAST NIGHT'S SOLZHENITSYN SYMPOSIUM

I had the honor last evening to be one of the featured speakers at a Solzhenitsyn Symposium at the American University, here in the Nation's Capital under the auspices of the ad hoc committee for intellectual freedom at Georgetown University, American University, University of Maryland, Johns Hopkins University, and Howard University. This symposium, while it had been scheduled weeks ago, became the center of national press attention in light of this week's revelations. The symposium audience was composed of political scientists, historians, professors, government employees, and students, as well as members of the general public. The support for Solzhenitsyn and for an official change in U.S. policy was overwhelming.

At this point in the RECORD, because I think it sets the tone and substance in which we must examine the entire issue of repression in the Soviet Union, I wish to insert the full text of my remarks last evening. The address follows:

SOLZHENITSYN: THE UNCONQUERABLE VOICE OF THE HUMAN CONSCIENCE

(Address by Representative JACK KEMP before the Solzhenitsyn Symposium, the American University, Washington, D.C., February 12, 1974)

The events of recent months have brought forth a renewed wave of disclosures on the plight of human existence for those who dare to exercise freedom of thought within the Soviet Union.

These revelations afford each of us an opportunity to focus, *specifically*, on the denial in the Soviet Union of even the most basic of human rights, and, *generally*, on what the powerful and courageous voice of this man, Alexander Solzhenitsyn, should mean to anyone who cherishes freedom, joined, of course, by others like Andrei Sakharov and Avraham Shifrin.

The publication of Solzhenitsyn's new work, "Gulag Archipelego: 1916–1956", serves as the central beacon for our new focus. But, its release symbolizes much more than that. It is almost as if it had opened the doors behind which the voices of millions had been silenced for decades. It does no good to cry out against shame when there are no ears to hear that cry. Now, buttressed by Solzhenitsyn's courage and borne onward by a more sympathetic press and responsive public, others too have begun to speak from the depths of moral conviction. They speak both of the horror stories of oppression and of the classic awareness of how man's inhumanity to man can become a norm, not an aberration, in a closed society. Each carries its message. And, these messages are not the shrill cries of a fanatical anti-communism; they are the reasoned voices of libertarian philosophy, however perceived or unperceived it may be.

I will not catalogue for you this evening the seemingly endless number of horror stories—those terrifying, specific instances when life and its meaning were extinguished by the violence of consciously sanctioned state policy. Others are doing that, and I commend them for providing us with the factual bases for our conclusions.

I wish, rather, to discuss with you for a few moments what I believe to be the lessons we should, *and must*, learn from what we witness through Solzhenitsyn's experience.

We have been witness to one of the most courageous acts in the annals of modern history. The word "hero," long in disrepute, has been redeemed by Solzhenitsyn. He has the courage, the power of mind, and the strength of spirit to speak the truth to the entire world. His career has come to symbolize the resistance of uncompromising integrity to the forces of evil state action. His courageous challenge to the overwhelming power of the Soviet totalitarian state is a political act without real precedent in the 56 years since the Bolshevik Revolution.

Solzhenitsyn speaks to us in the West. We are the primary audience of GULAG and his other principal works. What does he tell us?

He tells us much.

He tells us that what we see through his works are the realities against which the rhetoric of detente must be measured, and when so done, that reality is found wanton, in letter and spirit. For whatever reasons, our fantasized notions of the philosophical ideals and premises of communism, in theory, are totally inconsistent with the stark, naked realities of state action. A true détente must be based on individual liberty.

His indictment is universal, for it is an indictment of totalitarian society no matter what its form—fascist, socialist, or communist. It is an indictment of that which can happen in any society in which there is no, or inadequate, regard for human life and liberty.

Our failure to use our economic power as a weapon for human freedom would be as disastrous to the world today as if we had not used our military power to stop the spread of Nazism 25 years ago. Just as the spirit of Munich neutralized Western military power in the 1930's, we must not let such a spirit neutralize our economic power in the 1970's.

He tells us that anti-intellectualism is a foundation for the Soviet system. It uses violence, not persuasion. It functions from emotion, not reason. It uses intimidation, not conviction. It censors at will; suppresses without restraint. Due process is not a concept to be skirted; it simply does not exist. There is no freedom—political, economic, moral, or intellectual. In summary, it is the basest of all forms of human society.

He speaks to us of cowardice. About the conditions of his fellow men, he observes:

"The timid civilized world has found nothing with which to oppose the onslaught of a sudden revival of barbarity, other than concessions and smiles."

And, if we have "held back" because of a fear of jeopardizing the superficial relaxation of tensions between our nations, he adds:

"The one who speaks about crimes committed does not harm peace and good relations between peoples and nations. The ones who committed them does that."

His inferences are clear: That the West, no matter what its protestations to the contrary, is so materially and spiritually satisfied as to symbolize the moral decadence which Solzhenitsyn contends arises naturally when good men refuse to do nothing about evil.

In few ways could this be more graphically demonstrated than our government's

timidity and reluctance to use our preponderant economic power to insure relaxations so badly needed within the internal Soviet system. Solzhenitsyn and his collaborator, the famed nuclear physicist, Andrei Sakharov, have made repeated calls for the U.S. to use its leverage at the negotiating table to force a real detente—a detente based on liberty, a liberalization of Soviet society in order to insure that Soviet deeds will match their rhetoric. Certainly, we should use our economic power to force a relaxation in Soviet emigration laws, for the right to leave and to return to one's country is one of the most basic rights of men. I agree with Senator Jackson, the prime Senate sponsor of measures to use our trade policies in such a manner, when he said:

"I believe that our economic power at this point in history can be far more effective than our military power alone. It is our trump card.

"I would put top on the list the freer movement of people, the freer movement of ideas across frontiers."

This policy, inculcated in the Jackson-Vanik bills, should be immediately implemented.

Solzhenitsyn tells us of our own misdirections in addressing the questions of war and violence:

"Shaken by two gigantic world conflicts in quick succession, recent generations have committed an emotional wrong. They saw the threat against mankind's peaceful, just and good existence as almost exclusively deriving from war. But man's existence is torn and shattered not alone by the violent arms of war but also by the unending, inhuman processes of violence. Permanent state violence—a concept covering the violation of human rights is the most threatening danger in our world of today."

What he is telling us, in this passage, I believe, is that war is the *second* worst activity of mankind, the *first* being aquiescence in slavery. We must never let a fear of confrontation lead us into acquiescence in slavery—of ourselves or of others.

Conscience. It is a strange word that sends shivers up the spine of those who can think only in collective terms. It has the ancient, honorable connotations of spiritual virtue and intellectual integrity about it. From time to time in history a single events reminds us precisely what conscience means and what it can achieve: This, my friends, is what Solzhenitsyn is all about.

His voice speaks of man's unquenchable thirst for freedom, a quest which has produced mankind's greatest moments of enlightenment and a quest which drives the human mind and body forward when all else seems abandoned. Listen, listen to what Solzhenitsyn says of this quest, as he wrote in the Nobel Prize Address he was never allowed to deliver:

"In order to mount this platform from which the Nobel Prize lecture is read, a platform offered to far from every writer and once in a lifetime, I have climbed not three or four makeshift steps, but hundreds and even thousands of them, unyielding, precipitous, frozen steps, leading out of the darkness and cold where it was my fate to survive, while others—perhaps with a greater gift and stronger than I have perished."

Our tasks become clear against this passage. This man of individual conscience in an age of philosophical and moral anarchy is calling us forth to the exercise of an affirmative responsibility to end the silence which has allowed untold injustices to be perpetrated upon our fellow men. Many within the intellectual community of the West turned their backs on the pleas of dissidents and intellectuals in the Soviet Union during the Stalinist purges of the Thirties. This must never be permitted to happen, ever again. Acquiescence would be unforgivable; we would, then, bear part, if not much, of the guilt.

What is it we now hear from the Soviet Union? That they have heard Solzhenitsyn's message? That they are willing to begin the long and arduous process of restoring liberty? No. Quite to the contrary, today's wire stories carry the news of Solzhenitsyn's arrest for having refused to answer a summons of the State Prosecutor, one of the principal instruments of the Soviet police state. This might be the beginning of a new wave of repression, for the Soviet hierarchy is incapable of allowing intellectual freedom in the Soviet Union. For, that hierarchy is part and parcel of the system of terror itself; Solzhenitsyn himself has well documented that fact.

I predict, with the assurity of nearly sixty years of communist rule, that the Soviet Union will get away with a new wave of persecution, *unless* we, the free nations, exert every conceivable pressure upon them in the court of world opinion. As Solzhenitsyn has said, we who now exert that pressure do not endanger détente; those who made that pressure necessary did that.

I call upon the President of the United States and his Secretary of State—

To immediately cease all trade negotiations, public and private, between the United States Government and U.S. corporations with any Soviet bloc nation or instrumentalities.

To immediately withdraw all scientific, educational, and cultural exchange missions now within their borders and to stop all planning on any such future missions.

To instruct our Ambassador to the United Nations to call for an emergency session of the U.N. Security Council for the purpose of insisting upon an immediate enforcement of the Declaration of Human Rights.

And, I call upon the heads of government of other free nations to take similar actions. These sanctions should remain in full force until Solzhenitsyn is released—and left alone.

We owe it to all the people of the Soviet Union, we owe it to ourselves, we owe it to peace—to impose these sanctions.

Let us resolve that the climb made by Alexander Solzhenitsyn and others up those unyielding, precipitous, frozen steps shall not have been in vain. Let us resolve that we will never take our freedoms so lightly that we will make less than a total commitment to their preservation. Let us resolve that we will never be so materially or spiritually satisfied as to stand unmoved while voices of conscience, no matter in what language, cry out. For if *we* sustain the high sense of purpose that brings us to this Symposium tonight, if we will work together intelligently and effectively in the years ahead, we will shape our future and safeguard the sacred ideals of liberty which shine as a beacon for all mankind.

Let us never be asked what we were doing that we deemed more important than striving for the cause of human freedom.

In light of this morning's announcement that Solzhenitsyn was being spirited to West Germany, rather than being incarcerated or extinguished, I think it depicts well the ability of U.S. opinion to bring about changes in the Soviet Union. While he was exiled, at least it was not a worse fate for him.

WHAT COURSE OF ACTION NOW?

Because Solzhenitsyn is free—and it is not yet even clear whether or not they will permit his family to leave the Soviet Union—we must remember that countless others are not free and that individual liberty is not on the upswing in the Soviet Union.

Listen to what this morning's newspapers reported Solzhenitsyn as saying yesterday afternoon with Western newsmen:

Oh, freedom-loving leftist thinkers of the West. Oh, leftist laborites. Oh, progressive American, German, and French students. For you, all of this counts for little. For you, my book amounts to nothing. You will understand it all when they bellow at you, 'You are under arrest,' and you, yourselves, trudge off to our (prison) archipelego.

We must heed these words—all of us.

We must renew our Nation's historic commitment to the freedom of all people. We must not surrender from this challenge.

As I said in my remarks last evening:

Let us never be asked what we were doing that we deemed more important than striving for the cause of human freedom.

APPLICATION OF NATIONAL ENVIRONMENTAL POLICY ACT TO EPA

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

Mr. DINGELL. Mr. Speaker, I am introducing legislation today to amend the National Environmental Policy Act to clarify the application of its reporting requirements to the Environmental Protection Agency.

This issue has never been resolved in any definitive manner since EPA was created over 2 years ago. I have publicly stated my belief on any number of occasions that EPA must comply with the requirements of the act just as, and to the extent that, any other agency must comply. Colleagues in this body and in the other have supported this position. Courts have adopted this same position.

Opponents of this view have argued with vigor that NEPA does not apply to EPA in this regard. I might mention parenthetically that it is only the environmental impact statement requirement of section 102(2)(C) of the act which is involved in these discussions—to my knowledge the agency has never argued that it is free of the other obligations created by the act.

To settle the question once and for all, I have drafted this legislation to exempt EPA from the necessity of complying with the section 102(2)(C) requirements of NEPA with respect to its enforcement activities alone. Standard setting and like responsibilities of EPA—which seem to me to be the correct point for environmental analysis—remain covered, and will have to be accompanied by full environmental review.

We hope soon to be in a position to hold hearings on this legislation. If there are individuals or groups which oppose it as undesirable public policy, they will be given ample opportunity to communicate their views to the committee. But this is an issue which has been left hang-

ing too long, and which I think we have an obligation to resolve.

The text of the bill is as follows:

A bill to amend the National Environmental Policy Act of 1969 in order to specify those actions of the Environmental Protection Agency for which environmental impact statements are required

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) is amended by inserting "(a)" immediately after "SEC. 102.", and by adding at the end thereof the following new subsection:

"(b) For purposes of subsection (a), the term 'other major Federal actions' includes actions taken by the Administrator of the Environmental Protection Agency (hereafter referred to in this subsection as the 'Administrator') under the authority of any of the environmental protection laws which he administers, except the following actions:

"(1) Any civil action, suit, or proceeding, including any action, suit, or proceeding to obtain temporary or permanent injunctive relief.

"(2) Any action, suit, or proceeding to impose any civil fine, penalty, or forfeiture.

"(3) Any action or proceeding to impose a criminal penalty.

"(4) Any request by the Administrator to the Attorney General to institute, on behalf of the United States, any criminal prosecution or civil action (including judicial proceedings to secure the abatement of pollution) authorized by any environmental protection law.

"(5) The issuance, denial, amendment, revocation, or suspension of any permit, license, registration, or certificate of conformity (or the prescription of any terms or conditions thereof), but only if the requirements of subsection (a)(2)(C) have been complied with with respect to the standards or criteria under which any such permit, license, registration, or certificate is granted.

"(6) Any proceeding with respect to the issuance of any compliance order (other than a proceeding with respect to the issuance of an order which has the effect of granting the respondent a variance), but only if the requirements of subsection (a)(2)(C) have been complied with with respect to the standards or criteria under which compliance is determined.

"(7) Any action to implement provisions of environmental protection laws which prohibit Federal contracts from being made with, or Federal assistance or loan guarantee from being extended to, persons convicted of applicable offenses under such laws.

"(8) Any emergency implementation of enforcement actions or proceedings, whether judicial or administrative in nature, the standards of criteria for which are subject to the requirements of subsection (a)(2)(C)."

NATIONAL VOCATIONAL EDUCATION AND NATIONAL VOCATIONAL INDUSTRIAL CLUBS OF AMERICA (VICA) WEEK

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

Mr. GONZALEZ. Mr. Speaker, earlier this year I had introduced a resolution cosponsored by 38 Members to have this second week in February designated as National Vocational Education and National Vocational Industrial Clubs of America—VICA—Week.

As all Members of the House know last October one of our Members objected to the time-honored congressional custom allowing commemorative resolutions to be approved under unanimous consent agreements, and as a result the Judiciary Committee has not, since that time, brought any of the commemorative resolutions to the House floor.

So while this week has not been officially declared by Congress as National Vocational Education and National Vocational Industrial Clubs of America Week, I would like to take this opportunity to recognize all of the young people across this Nation who are involved in vocational and industrial educational programs and those who are members of VICA.

Vocational education is an area that I believe deserves our attention and support. For years we have encouraged young people to continue their studies by attending college, and have neglected to encourage young people to develop vocational and industrial trades.

Our Nation has been built on diversity. The people that founded our country were not all great scholars; there were farmers, blacksmiths, candlemakers, silversmiths, and many more who worked with their hands. It took people in all kinds of trades to build this Nation and we need this diversity today.

We must make a genuine effort to encourage young people to pursue careers in vocational and industrial areas; otherwise, we will find that we have an overabundance of people to fill jobs requiring a college degree while other areas that require vocational expertise will be vacant.

Today I salute all of the young people seeking careers requiring vocational training, and I wish them well in their endeavors.

RESOLUTION ON U.S. RECOGNITION OF GUINEA-BISSAU

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

Mr. DIGGS. Mr. Speaker, the Women's International League for Peace and Freedom has recently considered the question of the new Republic of Guinea-Bissau, a former Portuguese colony in West Africa which is still fighting to expel Portuguese occupation of parts of its territory. The League's National Board passed a resolution on this issue.

I ask unanimous consent that this important resolution be included in the RECORD:

"Whereas the WILPF supports the UN Declaration on the granting of independence to colonial countries and people; Whereas the National Peoples Assembly of Guinea-Bissau announced its independence from Portugal on September 26, 1974; Whereas the National Peoples Assembly of Guinea-Bissau was chosen in a general election by the people of Guinea-Bissau; Resolved, that the U.S. Section of WILPF urges:

1. Immediate U.S. recognition of the independent government of Guinea-Bissau, and

2. The Immediate admission of the independent government of Guinea-Bissau to the United Nations."

JUSTICE FOR KOREAN WAR WIDOWS: DANIELS CUTS REDTAPE FOR BENEFITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. DOMINICK V. DANIELS) is recognized for 10 minutes.

Mr. DOMINICK V. DANIELS. Mr. Speaker, all of us are well familiar with the normal and expected process of bureaucratic delay and we tend to do little about it. But when bureaucracy denies to the widows of those who died in defense of their country the compensation to which they are concededly entitled under the laws enacted by Congress, it is time to speak out.

Last year when the Select Subcommittee on Labor, which I chair, considered amendments to the Federal Employees Compensation Act, I discovered that certain widows of reservists who died during the Korean conflict had received no increase in their compensation for the last 20 years. I investigated the situation thoroughly and found that these widows were entitled to elect veterans' benefits—which have been regularly increased—rather than the frozen FECA benefits that they have been receiving. I then requested that the VA confirm my views—and it did so. I asked that the Labor Department confirm my views—and it did so. All that remained to be done was notify these ladies that they had the right to elect to receive higher benefits. I pursued this matter vigorously over the last 5 months, and with the assistance of Herbert Doyle, Director of the Office of Federal Employees Compensation, and certain officials at the Veterans' Administration, my efforts have been rewarded. I am pleased to report to my colleagues that I was today informed that measures are being undertaken by the Office of Federal Employees Compensation in coordination with the VA to infrom these widows of their additional rights.

It is unfortunate that administrative redtape denied increased benefits to these ladies for this long a period of time, but it is gratifying to discover that persistence and the good faith of several administrative officials can achieve just results in spite of the bureaucratic delay we have come to think of as inevitable.

Copies of my correspondence with these agencies and their replies are for the information of my colleagues:

JULY 17, 1973.

Mr. DONALD E. JOHNSON,
Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C.

DEAR MR. JOHNSON: The Select Subcommittee on Labor, of which I am Chairman, has jurisdiction over the Federal Employees' Compensation Act. As you know, this Act provides for death benefits to widows and dependents of certain military reservists whose deaths occurred prior to January 1, 1957.

Public Law 84-881 (Servicemen's and Veterans' Survivor Benefits Act) terminated FECA benefits to reservists of the Armed Forces effective on or after January 1, 1957. This termination of coverage did not deprive any person of benefits such person was eligible to receive by reason of disability or death occurring prior to January 1, 1957. Thus, beneficiaries eligible for compensation for death occurring prior to January 1, 1957, continue to receive benefits under the FECA unless they opt to receive benefits under Public Law 84-881.

It has come to my attention that there are a number of widows of reservists in the lower ranks who are presently receiving much less under the FECA than they would under the Dependency and Indemnity Compensation provisions of Title 38, U.S. Code. In reading Section 416 (Dependency and Indemnity Compensation in Cases of Prior Deaths), Chapter 13, Title 38, U.S. Code (Veterans' Benefits), it is my interpretation that these widows are eligible to receive DIC benefits if they apply for them. They will, of course, become ineligible for FECA once they are granted DIC benefits.

My Subcommittee is quite concerned over the low benefits received by certain of these widows under the FECA, and it is my plan to contact the Director of the Office of Federal Employees' Compensation at the Labor Department urging him to notify these widows of their right to apply for DIC benefits in lieu of FECA. However, before I take such a step, I would appreciate confirmation from you that under the Veterans' Benefits law, these widows are still eligible to exercise their option to elect DIC benefits.

I am attaching a list of points in support of my contention as to the eligibility of these widows to apply for DIC benefits at this time.

As your opinion on this question will be directly relevant to proposed amendments to the FECA now under consideration by my Subcommittee, I would appreciate a definitive reply at the earliest possible date.

Thanking you in advance for your cooperation, I am,

Sincerely,

DOMINICK V. DANIELS,
Chairman.

POINTS IN SUPPORT OF CURRENT ELIGIBILITY OF CERTAIN WIDOWS FOR DEPENDENCY AND INDEMNITY COMPENSATION

1. The Servicemen's and Veterans' Survivor Benefits Act (Public Law 84-881) places no time limitation on applications for DIC benefits by widows and other eligible persons making claims for death occurring on or before December 31, 1956. The absence in the law of a time limitation was deliberate, as indicated by the fact that "Plan A," considered by the Select Committee on Survivors Benefits, contained a one-year limitation (see hearings before the Select Committee on Survivors Benefits in 1955, Page 614).

2. As a matter of law, widows were not given an "election" between Federal Employees' Compensation and Dependency and Indemnity Compensation. Rather, they remained under the FECA unless they opted for DIC (see Sections 206, 208 and 603(b) of Public Law 84-881).

3. Although 5 USC 8116(b) provides for an election of benefits under the FECA to be made within one year after the injury or death, this is applicable only to persons who are entitled to benefits "because of the death of an *employee*." (emphasis added). Reservists entitled to benefits under the Servicemen's and Veterans Survivor Benefits Act are not included in the definition of "employee." (See 5 USC 8101(1)); hence, this provision is not applicable to them. This is confirmed by the fact that these beneficiaries are not entitled to the cost-of-living adjustments which were limited to "employees" in the 1966 Amendments to the FECA.

4. It was the intention of the Congress in enacting the Servicemen's and Veterans' Survivor Benefits Act to provide equity between the widows of reservists and other military personnel. Although the legislative history focuses on reservists receiving higher compensation than other military personnel, there was no indication that the Congress intended to place the widows of reservists in a worse position (see House Report 84-993, Page 18).

VETERANS' ADMINISTRATION,
Washington, D.C., July 27, 1973.

Hon. DOMINICK V. DANIELS,
House of Representatives,
Washington, D.C.

DEAR MR. DANIELS: Mr. Johnson asked me to tell you that your communication concerning the election of VA benefits by persons presently under the Federal Employees' Compensation Act who are eligible for service connected death benefits from the VA is receiving our attention and that he will write you soon.

Sincerely yours,

ODELL W. VAUGHN,
Chief Benefits Director.

AUGUST 21, 1973.

Mr. DONALD E. JOHNSON,
Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C.

DEAR MR. JOHNSON: Reference is made to my letter to you of July 17 concerning the election of VA benefits by persons presently under the Federal Employees' Compensation Act who are eligible for DIC benefits. I have received an interim reply from Mr. Odell W. Vaughn, Chief Benefits Director of the VA dated July 26.

Since my Subcommittee will commence hearings on H.R. 9118, my bill to amend the FECA, on September 5, I will be most appreciative of a reply from you prior to that date.

Thank you for your cooperation.

Sincerely,

DOMINICK V. DANIELS,
Chairman.

VETERANS' ADMINISTRATION,
Washington, D.C., September 4, 1973.

Hon. DOMINICK V. DANIELS,
Chairman, Select Subcommittee on Labor, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Your letter of July 17 requested an opinion as to current application of section 416 of Title 38, U.S. Code, as it pertains to widows of reservists who are receiving benefits under the Federal Employees' Compensation Act because of the veteran's service connected deaths prior to January 1, 1957.

The provisions of such section 416, extending the right to elect dependency and indemnity compensation to persons eligible for death compensation on December 31, 1956, remain in full force and effect. Thus, unless section 8116(b) of Title 5, U.S. Code constitutes a bar, the cited section 416 is available to the group of widows about whom you express concern.

We note that your point 3 in the attachment to your letter suggests that no such bar attaches to this group of beneficiaries because of the definition contained in section 8101(1) of Title 5, U.S. Code. As that section is basically administered by the Office of Federal Employees' Compensation, we are requesting their views as to this matter. We will advise you further when we receive their reply.

Sincerely,

DONALD E. JOHNSON,
Administrator.

SEPTEMBER 12, 1973.

Mr. HERBERT A. DOYLE, Jr.,
Director, Office of Federal Employees' Compensation, Employment Standards Administration, Department of Labor, Washington, D.C.

DEAR MR. DOYLE: Enclosed are copies of correspondence between Mr. Donald E. Johnson, Administrator of the Veterans Administration and myself regarding entitlement of certain widows of reservists now on the FECA rolls to elect DIC benefits.

In the third paragraph of his September 4 letter to me, Mr. Johnson states that he has requested your views on a particular portion of my inquiry. I will be most appreciative if you will furnish me with this information at your earliest convenience.

Sincerely,

DOMINICK V. DANIELS,
Chairman.

U.S. DEPARTMENT OF LABOR,
Washington, D.C. October 26, 1973.

Hon. DOMINICK V. DANIELS,
Chairman, Committee on Education and Labor, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing further in reply to your letter of September 12, 1973, concerning the entitlement of widows of military reservists now receiving benefits under the Federal Employees' Compensation Act to elect dependency and indemnity compensation from the Veterans Administration.

Since writing to you on September 26, 1973, I have obtained advice from our legal counsel in the Office of the Solicitor of Labor to the effect that the irrevocable election provision of 5 USC 8116(b) does not apply to those cases where benefits of the Federal Employees' Compensation Act are being paid because of a death which occurred while the person killed was on active duty with the military reserves.

I have accordingly notified the Veterans Administration this date of this opinion and have asked for their concurrence of this Office's proposal to notify all applicable beneficiaries of their right to elect benefits of the Veterans Administration if they so desire.

I will write to you further upon receipt and review of their reply.

Sincerely,

HERBERT A. DOYLE, Jr.,
Director, Office of Federal Employees' Compensation.

FUQUA PROPOSES OSHA AMENDMENTS

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

Mr. FUQUA. Mr. Speaker, the enactment of the Occupational Safety and Health Act in 1970 was brought about by an increasing awareness that work-related accidents were disabling a large number of American workers. American businessmen have a great stake in providing a safe working place, not only because of their personal interest in their employees, but because of the costs associated with accidents resulting in a 1970 loss of about 250 million man-days of work. When the act was first passed a number of us questioned whether or not the establishment of a new huge Federal bureaucracy was the answer to the problem of employment safety. Not surprisingly, the act has met with a great deal of controversy and has been criticized from several quarters.

One reason for this criticism has been the unwillingness of the Occupational Safety and Health Administration to approach the problem of work safety in a spirit of cooperation, looking not to condemn, but to assist American employers in coming into compliance with OSHA standards. An illustration of this expansion by OSHA of its congressionally derived powers is described in a letter cosigned by me and 56 of my colleagues addresses to President Nixon:

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: During debate and passage of the Occupational Safety and Health Act of 1970, one of the most important issues concerned the need for due process safeguards in OSHA citation procedures. Until recently the Department of Labor—guided by specific legislative history—has properly withheld from its OSHA inspectors the authority to issue on-the-spot citations. A proposed citation had to be reviewed by the Area Director to insure appropriate and consistent application of the standards. This practice precluded the possibility of hasty, arbitrary action against an employer.

On September 7, 1973 OSHA reversed this careful procedure. In an *unannounced* program directive, OSHA granted some inspectors authority to cite employers on-the-spot.

The intention is a good one. It aims to decrease the administrative burden of compliance officers and thereby increase the number of inspections. It must be said, however, to increase the number of inspections at the expense of due process is diametrically counter to the intent of Congress.

OSHA is not a numbers game. Compliance with safety standards, not more enforcement, is the central purpose of the Act. While inspections are important, overall compliance must be firmly grounded in the certain knowledge of employers and employees alike that each will get a full and fair shake at every step of the standards setting and enforcement procedures. *The action of September 7 does violence to that concept.*

We question both the legal and policy bases for this program directive. We are writing to you to urge its immediate withdrawal.

Respectfully yours,

——— ———.

The President responded in a prompt and responsible fashion as demonstrated in the following letter:

DEAR DON: I have received and read the letter which you and 56 of your colleagues in the House addressed to me regarding on-site ciations issues by the Labor Department's Occupational Safety and Health Administration (OSHA).

Because of the concern for due process evident in your request for withdrawal of the Program Directive that permits this activity, I requested a personal report from the Secretary of Labor.

I find that OSHA officials issued the directive believing it importantly serves the needs of due process, management efficiency and Congressional intent. Let me discuss each of those three points.

First, with respect to due process, I understand OSHA felt that an interval between the conclusion of a workplace inspection and the issuance of citations which ran weeks—in some cases, close to a month—denied an employer the protection of due process because of such a lengthy period of uncertainty. Such a protracted period, of course, also would deprive employees of an establishment the benefit of an immediate start toward correction or abatement of the hazards which a compliance officer (inspector) found present.

On the matter of management efficiency, the Labor Department, along with all other Executive agencies, has been instructed to avoid administrative duplication and assure the best use of its personnel.

Finally, and I think most crucial, OSHA wanted to fully recognize Congressional intent in directing their compliance personnel. Certainly we all would agree that our professional staff in carrying out the field compliance responsibilities should exercise judgment. The Program Directive accordingly includes those provisions. However, I am advised that a further study of the program is now being undertaken based on the two months that the program has been effective in the field.

In the two months that the directive has been in force, I have been told by the Secretary of Labor that his Department has issued a total of 123 on-site citations. I am further informed that these have not been met by employer antagonism nor other adverse reactions. Notwithstanding this fact, I believe that a further study of the question is in order. The Department has indicated they are prepared to follow this course. During this period of time, pending a final resolution, the present order will be in suspension.

Sincerely,

RICHARD NIXON.

Although the President responded favorably to our request and ordered the program directive suspended until a final determination can be reached, I believe that Congress must clarify its position regarding onsite inspections and, if necessary, change the law to preclude arbitrary and harassing citations of first-time violations. The States have been successful in developing industrial safety inspection teams which work in concert with the employer advising him how he can come into compliance. Then, if the employer refuses to take the necessary steps to abate a dangerous situation or take precautionary steps to protect his employees, the full coercive effect of the law should be exerted against him. I do not, however, support the inspection procedures of the present act.

Accordingly I have introduced H.R. 8519 which I feel would improve considerably the more onerous provisions of the present law. Essentially, my bill would eliminate "first visit citations and fines" where an employer is found not to be in compliance with some OSHA rule or regulation. This is not to say, however, that an employer would avoid penalty if he was willfully or repeatedly in violation of the requirements of the act.

The problem is that many thousands of small businessmen simply cannot afford the vast amount of legal and technical research necessary to completely analyze the OSHA regulations and they need and deserve assistance from the Department of Labor in meeting the standards. I know that most firms have been assisted by trade associations or other organizations so that the regulations are better understood. The Department of Labor was kind enough to honor my request that they travel to Madison, Fla., to brief a group of local businessmen at the Chamber of Commerce. But this does still not address the situation where an employer made a good faith effort to come into compliance and has fallen short, because of uncertainty in the regulations or there is a question whether or not the particular standards apply to his business.

Accordingly the legislation I have proposed would strike about that section of the enforcement procedures—section 10(a)—empowering the Secretary to assess a penalty against the employer for first-visit citations. My bill, however, remains intact the next subsection which empowers the Secretary to assess a penalty if he has reason to believe that an employer has failed to correct a violation for which an order has been issued.

Several conforming amendments are also proposed and would eliminate the heavyhanded approach to compliance which is embodied in the present act and regulations. It is appropriate then, that the penalties assessing civil penalties of up to $1,000 for first-visit violations be striken. The final provision is also a conforming amendment which strikes out the definitional section relating to the first-visit violation.

My bill does not, however, attenuate in any respect the power of the Secretary to assess a civil penalty of not more than $10,000 for each violation where the employer has wilfully or repeatedly violated the requirements of the act. Likewise, any employer who fails to correct a violation for which a citation has been issued within the period permitted for its correction, may be assessed a civil penalty of not more than $1,000 for each day during which such failure or violation continues.

By leaving these provisions in the present law, it would demonstrate a strong desire on the part of Congress to insure that every American is provided a safe working place. As in any policy decision, there must be a balancing of countervailing considerations. On the one hand, strong safety and health legislation is certainly an appropriate interest of the Federal Government. On the ether hand, the program of compliance must be one of partnership and cooperation rather than an aggressive and insensitive one.

The Occupational Safety and Health Administration has shown, unfortunately, a willingness to step outside of the bounds of the act and of congressional intent in authorizing onsite citations. Similarly, the regulations which were promulgated are voluminous and overly technical. Massive paperwork and posting requirements are involved and in order to make this important program effective and fulfill its worthy purpose, greater cooperation must be gotten from the OSHA.

It is for this reason that I am pleased to learn that Subcommittee Chairman DOMINICK DANIELS has scheduled oversight and amendment hearings commencing March 19 in order to gather information relating to the act and its impact. I am most hopeful that my colleagues will join with me in appealing to the subcommittee to provide the kind of essential relief so much needed by the small business community and consistent with the otherwise good provisions

and purposes of the act. First-visit consultation rather than citation would better serve the needs of the American worker as well as the small businessman. My proposed amendment would provide this consultation and guidance and I encourage its adoption.

AMENDING THE ARMS CONTROL AND DISARMAMENT ACT

THE SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. MORGAN) is recognized for 10 minutes.

Mr. MORGAN. Mr. Speaker, today I am introducing by request of the President legislation authorizing appropriations for the Arms Control and Disarmament Agency for fiscal years 1975 and 1976.

The administration is asking for an authorization of $21 million for the 2-year period, $1 million less than the Congress authorized for the preceding 2 fiscal years. Of the $21 million, $9.5 million has been budgeted for fiscal year 1975.

The legislation also amends the Agency's authority to procure the services of experts and consultants in order to make it comparable to what is said to be the generally prevailing practice in the executive branch.

It is my expectation that the Committee on Foreign Affairs will begin hearings on this authorization in the near future. The occasion also will permit us to exercise our responsibilities of oversight and review of ACDA's operations.

At this point in the RECORD I wish to insert the communications which have been received from the President and the text of the authorization bill:

THE WHITE HOUSE,
Washington, February 7, 1974.

Hon. CARL ALBERT,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I am transmitting herewith proposed legislation to extend the appropriation authorization for the Arms Control and Disarmament Agency, along with a letter from the Director of that Agency in support of this legislation.

Major progress has been made toward this Administration's high priority foreign policy and national security objective of establishing effective arms control arrangements. Most importantly, the Strategic Arms Limitation Talks with the Soviet Union have resulted in definitive treaty limitations on strategic defensive systems and an agreement for interim limitations on strategic offensive systems. The continuing Strategic Arms Limitation Talks, accelerated by agreements reached at the June, 1973 Summit Conference, now are focused on achieving definitive treaty limitations on strategic offensive systems. Also of major importance was the initiation last year of negotiations to reduce the military confrontation in Central Europe.

The objective of this Administration to replace the dangers of a continuing unchecked arms race with the greater security afforded by the establishment of reliable controls over armaments has been well served by the Arms Control and Disarmament Agency. This has been demonstrated especially by the Agency's key role in the Strategic Arms Limitation Talks and the talks on mutual and balanced force reductions in Central Europe. The work of the Agency in these and other forums is vital to future progress in the difficult area of arms control and disarmament.

The draft legislation I am transmitting today would authorize appropriations for the Arms Control and Disarmament Agency for fiscal years 1975 and 1976. It also amends the Agency's authority to procure the services of experts and consultants so as to make this authority comparable to that prevailing elsewhere in the Executive Branch. This change is necessary for the Agency to continue to attract highly qualified consultants to assist it in its tasks.

I urge the Congress to give this bill prompt and favorable consideration.

Sincerely,

RICHARD NIXON.

U.S. ARMS CONTROL AND
DISARMAMENT AGENCY,
Washington, D.C., January 28, 1974.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: Enclosed for your approval and transmittal to the Congress is a draft bill that would amend the Arms Control and Disarmament Act to extend the authorization for appropriations for the Agency. The current two-year authorization expires on June 30, 1974, and the proposed legislation would authorize appropriations for the two-year period of fiscal years 1975 and 1976. New legislation will be required to keep the Agency operating, and early enactment is essential to permit timely Congressional consideration of the Agency's 1975 budget. The draft bill also amends the Agency's authority to procure the services of experts and consultants (section 41(d) of the ACDA Act) to make it comparable to the generally prevailing authority in the Executive Branch.

This authorization request is supported by plans for what I believe will be a sound, effective and well-conceived arms control and disarmament effort by the Agency over the two-year period. The Strategic Arms Limitations Talks and the negotiations on mutual and balanced force reductions in Europe will continue to require a major portion of our resources. As you know, this Agency now has the principal support responsibility for both the SALT and MBFR negotiations. Other important arms control activities, including those at the UNGA, the Conference of the Committee on Disarmament in Geneva and other multilateral forms, as well as supporting research for these negotiations, will also be funded under this authorization.

Of the total amount of the proposed authorization of $21 million for two fiscal years, the Budget for fiscal year 1975 would include $9.5 million for ACDA.

Respectfully,

FRED C. IKLE, *Director.*

Enclosed: Draft amendment to the ACDA Act.

A bill to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Arms Control and Disarmament Act, as amended, is further amended as follows:

(1) Section 41(d) (22 U.S.C. 2581(d)) is amended by—

(a) deleting "as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed $100 per diem for individuals," and substituting therefor "as authorized by section 3109 of Title 5 of the United States Code," and;

(b) deleting from the first proviso thereof "one hundred days" and substituting therefor "one hundred and thirty days".

(2) Section 49(a) (22 U.S.C. 2589(a)) is amended by inserting in the second sentence thereof immediately after "$22,000,000," the following: "and for the two fiscal years 1975 and 1976, the sum of $21,000,000.".

AMERICAN LAW ENFORCEMENT

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, on January 19 an Escambia County deputy sheriff was shot and killed while in the performance of his duties near Pensacola. This tragic event prompted a listener of radio station WBSR to comment on the public's role in enforcing the law. This was in response to an invitation from the radio station soliciting public opinion on issues of the day. The radio station, much impressed by the simplicity and sincerity of the statement, has given it wide publicity.

The simple eloquence of this listener's statement is a message to all Americans that the upholding of the law is not just a matter for the police, but for each of us. The statement is all the more moving in that the identity of the caller is not known. It is not an effort to gain renown by taking up a just cause. Rather, it is one man's expression of his deep concern for his neighbors and his Nation.

I commend this statement to my colleagues in the Congress. It follows:

JANUARY 22, 1974.

AMERICAN LAW ENFORCEMENT

The incident of Saturday past—the slaying of Deputy Charles L. Wilkerson—is merely a part of the triggering process of all the confrontations and the workload that may put these United States under military or martial law. This has been my thought since 1969.

It has been noted in the past 15 years that the general public has had the attitude of: "I don't want to get involved." I know this view is changing nationwide, and I might add—it had better.

Police officers—whether they be local, county, state, or federal—are not pigs . . . they have never been pigs . . . nor will they ever become pigs. They have . . . they are . . . and they always will be the fairest and the best protectors of private property in the world

The essence of my message is to you, fellow listeners: Support all police efforts—not just by telling your buddy that you believe, not just by your monetary ocntributions, not just by putting a bumper sticker on your car—do what the police suggest. When you see a crime, report it. When someone is in trouble . . . help; Don't just watch. I know—because if anytime I can help, I do. Don't help handcuff the law. Thank you.

THE "GO IT ALONE" FRENCH STRIKE AGAIN

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, the "go it alone" French have struck again, this time in an effort to obstruct joint world efforts by the major oil-consuming powers to agree on common objectives

which can alleviate the fuel shortage problems confronting each.

This refusal to cooperate for the common good is incomprehensible. It gains France nothing except the hope of currying favor among the Arab States whose greedy pricing policies already threaten French economic security. The French attitude could lead to a breakdown of joint efforts among Western Powers in key areas such as security.

More and more Americans have expressed displeasure at the heavy costs of mutual defense in Europe, to which we are the principal contributor. France long ago refused to participate, but continues to get the benefit of joint defense efforts by other nations.

If France wants only to "go it alone," that is her option. But she should have the good grace to stop interfering with other nations which recognize and seek to solve common world problems.

France should take a look at history. In 1871 the Germans, with little difficulty, conquered France when she had no allies. In World War I, France was helpless to deal with the Germans and would have collapsed without Allied intervention. In World War II, France was overrun and only survives because that nation was rescued by the Allies.

The French then accepted huge payments which a generous America provided to put their country on its feet and, in characteristic fashion, later welched on all indebtedness to the United States, including many billions in lend-lease supplies during the war.

It was France that kicked the foundations out from under the NATO alliance by refusing to participate and requiring that NATO facilities and commands be moved out of France. This cost billions of dollars, weakened the alliance, and imposed new burdens on the remaining partners. Yet the French blandly continue to accept the benefit of the NATO shield provided by other countries.

This is the France which today has only policies of obstruction.

AN INTERVIEW WITH SENATOR EDWARD M. KENNEDY, BY CONGRESSMAN JOHN BRADEMAS

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, notwithstanding the estimated printing cost of $522.50, I ask unanimous consent to insert in the RECORD the text of an interview I conducted with the distinguished senior Senator from Massachusetts, the Honorable EDWARD M. KENNEDY, that was shown on station WSJV-TV, South Bend-Elkhart, Ind., on Saturday, February 2, 1974.

The text of the interview, one of a "Washington Insight" series I am privileged to conduct for this station, follows:

WASHINGTON INSIGHT

Mr. BRADEMAS. Welcome to another edition of Washington Insight. The nation's economy, the energy crunch, health care, Watergate, the state of the Presidency—all these are issues facing Congress in the year ahead and here to discuss these and other concerns with me today is one of the nation's leading figures, Senator Edward M. Kennedy of Massachusetts.

Senator Kennedy has served in the Senate since 1962 when he won the seat formerly held by the late President John F. Kennedy.

Senator Kennedy serves on the Labor and Public Welfare Committee where he chairs the important Subcommittee on Health and on the Judiciary Committee, where he chairs the Subcommittees on Administrative Practices and on Refugees.

And, of course, all the major public opinion polls show Senator Kennedy as the leading contender for the Democratic nomination for President in 1976.

Ted, I'm glad to have you with me.

Senator KENNEDY. Well, I'm glad to be with you, whether out in your Congressional district or here in Washington, John.

Mr. BRADEMAS. I'm going to ask you some tough questions. What do you think the top legislative priorities of the country should be in the session of Congress that has just begun?

COST OF LIVING THE NO. 1 ISSUE

Senator KENNEDY. Well, I find in my own state, John, that the number one question really on people's minds is prices, the cost of living. It's the housewife who goes to the supermarket and is paying an ever-increasing part of her budget for milk and eggs and other essentials. It's related, of course, to increased costs of home heating oil up in New England, where we have cold winters, and increased gasoline prices and all the problems that are associated with workers having to spend too much time going from gas station to gas station to get gasoline and find that the cost of it has risen and that there is a limited amount even when they get there.

And the uncertainty that surrounds that . . . about their jobs and job futures. . . . And the desire that Congress take some important legislative action in this area. . . . So I think it's economic issues.

The people of my state have really made up their minds on Watergate. They have their own opinion about what should be done about the President. They have deep feelings about it. But I think it's the cost of living, the economic issues, which are the prime concern and which we are going to have to work towards resolving.

And I don't think they are satisfied with the President's statement that there would be no recession. That was about the extent of his comments and just words are not going to make the cost of living increases go away.

Mr. BRADEMAS. That's what I was going to press you about a little further because both of us were in the Chamber of the House of Representatives Wednesday night when the President delivered his State of the Union Message, and I wondered if you felt the President had responded adequately to the concerns you have outlined about the state of the economy?

HITS LACK OF PROGRAMS IN THE PRESIDENT'S STATE OF THE UNION ADDRESS

Senator KENNEDY. Well, I don't think so. First of all, not on the economy. Now all we really heard from the President is that there will not be a recession. But we didn't have any program for action. I think the American people want some program. They want leadership in the Executive and Congress to do something about these increased costs of living that they are facing—the elderly person, the worker and the housewife.

And secondly, I think the other matter which was on the minds of all Americans, certainly on the minds of so many of the Senators and Representatives in Congress, is the willingness of the President to cooperate with the House Judiciary Committee on these matters. People want this matter of Watergate resolved once and for all, and I think they have increasing awareness that under our Constitution the House Judiciary Committee is really the Committee that's going to have to make these recommendations to the House of Representatives.

NIXON'S REMARKS ON WATERGATE WON'T SATISFY THE AMERICAN PEOPLE

I think they wanted to hear from the President last night—from him, not from his Minority Leader in the Senate and not from the Vice President—they wanted to hear from him that *he* was going to cooperate completely in every way, and I think we really got a mixed reaction. It seemed that he indicated at one time that he was going to cooperate and the next time, he really put a qualification on it.

Mr. BRADEMAS. Let me just make an observation on that second part, and then I want to come back to the economy.

The President said that he would cooperate with the Judiciary Committee in the impeachment inquiry in any way that "I consider consistent with my responsibilities as President."

And I think I'm right in saying that Congressman Hutchinson, my neighbor from Michigan, who is the number one ranking Republican on the Judiciary Committee, has already gone on public record as saying that the executive privilege doctrine would not apply to an impeachment inquiry.

So I think a lot of my Republican colleagues were very upset by the President's indication that he might not cooperate fully with Congress on that matter.

Senator KENNEDY. I think the American people will probably have a pretty clear idea of the amount of cooperation when the Judiciary Committee requests the documents which they feel are essential to conduct their investigation in response to the law, and so we'll know the answer to that much more quickly.

Mr. BRADEMAS. Let me come back to the question of the economy, Senator, because in 1973 we faced a staggering inflation, and I was reading on the wire service ticker that the prices of raw farm goods had leaped up about nine percent from mid-December to mid-January. How do you see us coping with a possible recession? What kind of actions do you think we ought to do to cope with two problems: one, inflation, and the other, recession?

URGES TAX CUT TO FIGHT RECESSION

Senator KENNEDY. This is the extraordinary situation that we find ourselves in with both of those—inflation and recession—and one of the few times in the history, if not the first time, that we've been saddled with this particular dilemma.

But I think there are steps that can be taken in both of these. First of all, I think when we had the recession, at least the stagnant economy in the early part of the 1960's, we saw a tax cut in 1962. And as we remember, between 1960 and 1963 we had the longest period of economic growth and price stability in the history of the nation. There was only 3 percent inflation during that period of time. We have had 18 percent in the last year.

So I think what is necessary now is that we try to put some money back into the economy. This has been suggested and supported by the Chairman of the former President's Council of Economic Advisors, Walter Heller, and Art Okum and Joe Pechman as sound economics.

And I think the best way we could do that is to provide an increase in the personal exemption, raise that from $750 to $850, make it evident this year. That would give every family an additional $100 for every exemption. That would provide a stimulus to the economy at a time when it needs it, which is now. It would provide a sense of equity because so many of the families are paying increased costs of food, as well as energy, and it makes a good deal of sense.

Mr. BRADEMAS. What about the jobs side of the picture?

DON'T DISCARD WAGE-PRICE CONTROLS

Senator KENNEDY. We know we're going to lose jobs. We have 7 percent unemployment in my own state of Massachusetts, the highest unemployment that we've had really in the last twelve years.

We're going to have a good deal more if we find a recession. Obviously, I think that what this would do would provide a stimulus to the economy. We're still going to have to, I think, find that we shouldn't discard the wage-price guidelines authority.

I can understand the feeling of many workers who supported that initially and they were willing to hold their wages down to the 5½ percent and saw that they had authorities always looking over their shoulder to hold those wages down while the profits were going right out through the ceiling. And so it's difficult to blame any workers who say, "Don't give me that same medicine again. The last time we tried it, it wasn't evenhandedly handled."

And they say, "Can you give any assurance that it would be in the future?", and that's a tough question to respond to.

But I think as a practical and a technical matter, we have seen in the past—we saw in the early '60's when we had voluntary restraints where it worked, and I think if it was evenhandedly applied, it would work again.

SEES FURTHER INFLATION

But we have no indication that it would be evenhandedly applied, and so it concerns me that we may be in for still a considerable time of inflation.

Mr. BRADEMAS. I noted only this last week—I sat with Speaker Albert and a number of mayors of the cities of the country, who were in town for the U.S. Conference of Mayors meeting, including Mayor Jerry Miller of South Bend, whom I know you know, Senator—and it was very clear that one of the top concerns of the mayors was that the President might again impound funds that they needed for summer job programs, for example. Have you had conversations with some of the mayors in your area?

Senator KENNEDY. They are concerned about it. One of the programs which we passed, the Public Service Employment Program, has been one of the most successful in providing some opportunity for local mayors to put people to work in important vital servcies for local communities. It was widely supported, and this was, of course, over the reluctance of the Nixon Administration.

But we passed it again now, and I am hopeful that that can make some difference in terms of employment.

Mr. BRADEMAS. Let me turn to another subject that's obviously directly related to the questions of recession and inflation that are much on your mind, I'm sure, as a Massachusetts Senator and as a national leader, and that's the problem of the energy crunch. What do you think we ought to be doing in terms of major approaches in dealing with it?

Senator KENNEDY. We've passed in the Senate, I think, a good authorization bill—$20 billion over ten years to look into the different opportunities that exist in solar, geothermal, coal gasification and the other sources of energy, as well as nuclear and atomic power.

But the thing that concerns me now and what we're trying to do in the Congress with our Office of Technology Assessment—that board the legislation for which you've supported, and the Board on which I sit—is take time to assess the opportunities.

It's good that we are prepared to expend these resources, but we ought to know if we are going to be wasting a lot of money by doing a lot in one area when we could break through in an earlier amount of time in a different area. And we ought to have that information available. And, of course, we haven't been able to get it to date because the oil companies refuse to provide us with adequate data as well as data on the other resources of energy which, in many instances, the oil companies own.

URGES FEDERAL CORPORATION TO DEVELOP OIL ON PUBLIC LAND

But I think this is something that we must move toward. And there is a number of things that can be done in terms of the immediate oil situation. I think that what we might very well consider is to establish a Federal corporation to develop the oil and gas resources that exist on public lands.

The excess profits tax is another area, although that's complicated. I think that many of the people feel it would be good if the oil companies paid their taxes, let alone their excess profits taxes.

And there are other suggestions, the data bank to collect the information on the amount of oil and gas that actually exist.

So there are some things we have to do initially in order to have the information. And I have found that in Massachusetts, although people are concerned about energy, none of them really believed we had an energy crisis. They thought they were just being manipulated by the major oil companies, and to a great extent, that's true.

Mr. BRADEMAS. That's exactly one of the reasons that in the House I've sponsored a bill that I think some of you over in the Senate are working on that would establish an Energy Information Office in the Department of Commerce to mandate that the oil companies and other energy producers tell us what we need to know to make intelligent plans.

What about the inquiries that Senator Church has been conducting on the tax credits that oil companies in the United States have been receiving as a result of the taxes that they have been paying to the Arab states. Do you think we can do something to cure that?

Senator KENNEDY. I hope so. The major oil companies, of course, would be affected. They get the intangible drilling costs, they get the oil depletion allowance and the foreign tax credit. And these are advantages that no other industry has.

OIL COMPANIES PAY ONE-QUARTER THE NORMAL CORPORATION TAX

As a matter of fact, the major companies or the corporations of this country average 40 percent on their income. The average family is 20 percent, but the major oil companies, which are perhaps one of the largest major industries in this nation, average 7 percent on earnings. Now, that just isn't right, and it's impossible to convince any working person who's working hard and paying those taxes that this is fair and equitable.

CRITICIZES NIXON FOR NO TAX REFORM MEASURES

And this brings me to one other point, John, that I was disappointed in the President's speech. There was nothing on tax reform and tax equity. I think the American people are sick and tired of paying their taxes to an inequitable system. I personally feel that the largest welfare bill of all is the Internal Revenue Code, and I think we've got a real responsibility to see about providing some equity and fairness in the tax system.

HITS SILENCE ON CAMPAIGN FINANCING REFORM

I wish that he had talked about reform of campaign financing. Not a word about that. The major lesson of Watergate this year has been the corruptive and corrosive power of large corporate funds in the political system. I think we ought to support some sort of public financing of campaigns, so that Congressmen and Senators alike are going to be accountable to the people and not to those with the big pocketbooks.

Mr. BRADEMAS. I might say in respect to the matter of energy, that we have a very serious problem growing up in Elkhart County, where you've been with me, because we are one of the major producing areas in the country of mobile homes and recreational vehicles, and the energy crunch has, of course, frightened a lot of people away from buying these so-called RV's.

And that's one of the reasons that on the 11th of February at Notre Dame, in cooperation with local chambers of commerce and county labor councils, the UAW and the AFL-CIO, I am putting on a conference at the Center for Continuing Education on the subject of jobs, business and energy, bringing in some top people from Washington and state and local leaders to see what we can do to cope with some of the problems at the local level.

Senator KENNEDY. Well, that's an excellent suggestion, and I think people will very much appreciate it. Too often we get local people blaming the state people and the state people blaming the Federal people and the fact that you'll be able to bring the kind of groups together that you've outlined here should make a great deal of difference. I think it could be a model and a pattern for many of the rest of us.

Mr. BRADEMAS. I told the Federal Energy Office people when I invited them to send one of their spokesmen that although many of us in Congress were at odds with the President, the country still has to go on, we have tough problems, and there are areas in which we can work together, and this is one of them.

Let me come back to something you mentioned earlier, Senator, and that is the question of campaign financing reform. You indicated that Mr. Nixon didn't really touch on that subject in his State of the Union Message, and I know you've been one of the top leaders in the Senate pushing for such legislation. Could you give us a general idea of the kind of legislation you think we ought to have?

Senator KENNEDY. I am hopeful that we can have a system by which we take private campaign funding out of the election process for Presidential, senatorial and congressional campaigns.

SEVENTY-FIVE MILLION DOLLARS: A SMALL PRICE TO PAY FOR INTEGRITY

I think there should be an opportunity for matching contributions to attract small matching contributions, perhaps in the primary system, but we can deal with that. But I think the program which we had actually enacted in the Senate last year, passed by 12 votes in the Senate of the United States, and that dealt with the Presidential, senatorial and congressional campaigns, would have cost $75 million a year. I think when you figure we vote on $273 billion a year in direct appropriations and approximately $100 billion beyond that in trust funds, it seems to me that this could be the most valuable

money invested by the American taxpayer in the integrity of the political process by which the Senators and Congressmen and President are elected.

And so I think both of us can understand the reluctance of Congressmen and Senators of funding your opponent. I don't want to be funding mine in a few years—and you don't have to worry about these things, John—but in any event, we can understand this, and there will be many Members of the Congress and Senate who will go home and say, why do this, we should use those public funds in programs for the elderly or education or health programs. I am hopeful that this can be a central theme and an issue in this campaign.

We had bipartisan support for this amendment. Senator Scott, the Republican Leader in the Senate, myself and a number of other Republicans, and I am hopeful that we can make Democrat and Republican alike stand up for this bill.

Mr. BRADEMAS. I happen to be a member, as you know, of the House Administration Committee that has jurisdiction over that legislation, so I am pushing my chairman, Mr. Hays, as vigorously as I can to move us ahead on that issue and get out in front.

I must say that this is my twentieth year in Congressional politics now, and I think the one thing about the experience of being in Congress—which I enormously enjoy—which troubles me more than any other is the difficult problem of having to raise a substantial amount of money every year to put on a campaign. Yet it's necessary to have it to do what has to be done in the way of television and radio and newspapers and all the rest, so if we can move in the direction of diminishing this problem, I think it would encourage more people to go into public life, even though they may be running against you and me.

Let me ask you about another issue where you are a recognized national leader, Senator Kennedy, and that's the field of health.

The President said in his State of the Union Message that he would propose a new health care program, and I know you have had your own health care program bill. I wonder if you would tell us what yours is and how you think it stacks up alongside Mr. Nixon's?

PRESIDENT HAS MADE PROGRESS WITH HEALTH CARE LEGISLATION

Senator KENNEDY. First of all, I think the Administration has gone a long way down the road towards a better health program than they had introduced two years ago.

But there are certain very glaring deficiencies in the program. Those of us who believe in health security and support health security legislation believe in one very basic and fundamental fact, and that is good quality health care ought to be a right for all Americans and not a privilege for all Americans. Now, that's the basis of our Health Security Act. That's not the basis of the Administration's program.

You are still going to have to pay a premium of $675 for every family. They're going to have to pay that premium, and they are going to have to pay a $150 deductible every time any member of the family goes to the doctors for service, up to three members of the family. They are going to have to pay 25 percent of any medical expenses they have. And then they are going to have for the workers in your district . . . they ought to understand their health benefits package which is negotiated in a wage-price agreement is not taxable to the workers as income. Under the Administration's program it is, which means that they are going to collect about $5 billion from workers.

BELIEVES INSURANCE COMPANIES MAKE PROFIT OVER HEALTH OF AMERICAN PEOPLE

So the workers are going to have to pay for this program. They are still going to have deductibles. They are still going to have coinsurance, and it's not going to assure any of the working people or people who live in rural or inner cities that there is going to be a doctor at the other end of the phone when they dial it because the Administration proposal does absolutely nothing about improving the delivery of health care, which the Health Security Act does.

And finally, of course, they work with the private insurance companies. Now, private insurance companies are in business to make a profit, which is fine. But I don't think that they should do so over the health of the American people, with $3.3 billion last year that was retained by the private insurance companies. Now, I'd like to see the benefits, that $3.3 billion, reinvested in health programs for people and not distributed to stockholders as profits.

I think we have seen in the past what happens when major industries, such as the oil industry distributing their profits, and I don't want to see the same thing happen in health care. I think we can avoid it. I want to work with the Administration, and I think all of us do. We want to make sure that decent health care is available, so I want to be positive and constructive and willing to work with them, but not to compromise these principles.

Mr. BRADEMAS. Could you say very briefly what your so-called HMO bill was that Congress has just approved?

HMO'S: AN INTERACTION OF DISCIPLINE

Senator KENNEDY. The Health Maintenance Organization bill is a partial answer to providing, reaching out into the communities, building of facilities and delivering health services in a single unit to those who are in need of health care, and doing it primarily with a prepaid program.

So, when you need a doctor, no matter what, when you have something wrong with your stomach, you don't know whether it's tummy ache, or if you are going to need surgery, or if you are going to need an internist, or maybe it's a psychological problem, or whatever, and if you have a child who needs eyeglasses, you can go to one facility to get it. You don't have to shop around. You can go to one place, you know it is going to be open and available to you all the time and you know you are going to get quality care because of the interaction of the different disciplines in these centers.

Mr. BRADEMAS. Let me just ask you some questions, Senator Kennedy, about two other areas. One is Presidential politics. You've heard of that?

Senator KENNEDY. I think I know what your question is going to be, John.

Mr. BRADEMAS. The latest Harris polls showed that you were leading the field for the Democratic Presidential nomination with about a third of the Democrats favoring your candidacy out of six potential contenders, so, Senator Kennedy, are you going to run for President in 1976?

STILL PLANNING ONLY TO RUN FOR SENATE IN 1976

Senator KENNEDY. I know at some time I will have a responsibility to indicate to the people of my state and certainly to the members of our party my plans, but I have no intention now of doing anything other than running for the Senate in Massachusetts. I know there is wide speculation. I intend to be active within the party affairs and hope to be a constructive force within party affairs, and obviously be extremely interested in the future of our party, but at this time I can only be a candidate for the Senate.

Mr. BRADEMAS. Well, let me just ask you—let me be a newsman and ask you a follow-up question. What do you think ought to be the qualities that characterize the Democratic nominee for President in 1976?

Senator KENNEDY. I think the quality that I think is of great importance is the great gift I think President Kennedy gave to the American people in 1960 and 1961, and that was a sense of confidence to the American people that the problems that we've faced, although they were problems of extraordinary magnitude and complexity and difficulty, were problems that could be coped with and dealt with by what is best in Americans. And I think it's going to be the challenge to America, the most important thing, from 1976 on through the future.

I think we've gone through a period when there have been those who have appealed to the more base motives and emotions in people, and really have failed to call out the best in them. And I think Americans have always responded best when they're challenged, and I think it's important that we consider what the problems are that we're facing in this nation, we are going to be able to develop programs in these areas that we touched on here, and, of course, a wide variety of others, that are going to be challenging, that are going to be responsible, that are going to be addressed towards the real needs.

And the American people are going to welcome that challenge. They want to do something about this country.

Mr. BRADEMAS. Let me ask you, finally, Senator Kennedy, a question that I find put to me again and again, as I, like you, travel around the country, and especially speak to young people, and that is the general direction our country is taking as we move toward the bicentennial year. One finds in some places a sense of skepticism, even syniсism, and I wonder what you could say, especially to young people who look at their responsibility in politics?

Senator KENNEDY. In the ten years I have been in the United States Senate, the young people have been right on really the important issues.

They were right about the civil rights issues. They were the ones in the early 1960's that really awakened the conscience of the country on the civil rights issue.

They were right about the war, and they are the ones that awakened the conscience of the country on this matter.

They have been right about the environmental movement.

So, on very important issues, they have been right, and I think the real question for the young people to decide is whether they are going to be actively concerned like their older brothers and sisters were in the period of the 60's, or whether they are going to say politics is bad, politics is rotten, and therefore I am going to work toward my own personal goal and not care about the country. That's something that they are going to have to resolve.

But let me just say in talking with young lawyers and young doctors, they are right in the front on these issues, they want to become involved, and I am very hopeful, and I believe they will be involved. That, I believe, is the best hope for the country.

Mr. BRADEMAS. That's a very encouraging note on which to end this discussion with Senator Edward M. Kennedy on our latest edition of Washington Insight.

FEDERAL HOUSING ACT OF 1974

(Mr. BLACKBURN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BLACKBURN. Mr. Speaker, last week I introduced H.R. 12702, the Federal Housing Act of 1974.

This legislation would create an independent Federal agency for unsubsidized Federal housing programs. I think the time has come for all of us to consider carefully the role of the Federal Government in its basic unsubsidized housing programs and the present condition of FHA. It is no secret that the FHA is experiencing deepening difficulties and it is assumed by many in Congress that these troubles essentially stem from all of the programs that this agency administers. This is only partly true. It is both inaccurate and unfair to damn all of FHA's programs because of the difficulties it has experienced in those which are subsidized.

I have spent a great deal of time considering the best approach to resolving FHA's program difficulties and have concluded that the most workable solution is to totally sever the subsidized from the unsubsidized housing programs for which HUD is responsible and to create an independent Federal insuring agency which will be responsible for the administration and proper execution only of FHA's original standard risk unsubsidized programs.

I wish to make it clear, however, that it is not my intention to desert such subsidized housing programs as the Congress wishes HUD to pursue. On the contrary, I believe we will get a great deal better service out of both the subsidized and unsubsidized programs if they are completely separate as to the agencies responsible for their management. While my proposal may have some technical imperfections, it represents the best efforts of my staff and various private organizations with which I have conferred on this problem, most notably the Mortgage Bankers Association of America. I welcome the comments of Members of the House and urge all Members to support the concept embodied in my proposal.

Succinctly stated, this legislation would:

First. Create an independent Federal agency for the purpose of administering the sound, unsubsidized mortgage insurance functions of the Federal Housing Administration;

Second. Charge this new agency with the responsibility of maintaining sound standards of property and credit underwriting and of maintaining a self-supporting operation;

Third. Transfer to the new agency the appropriate insurance reserves and related liabilities of FHA's unsubsidized programs, including the Treasury backstop of the agency's debentures; and

Fourth. Provide authority by which the new agency could handle the mortgage insurance requirements for housing for which subsidies may be granted, with the proviso that such housing subsidies would be administered by a different agency of the Federal Government.

My proposal differs from others that have been before the Congress in that it provides for a clean break between the unsubsidized and subsidized programs for which FHA is now responsible. This would put HUD in a far better position to marshal its resources to resolve the housing problems of the cities and to develop and utilize sound workable subsidy programs to that end. It would also eliminate the fiction that a sound insurance program, such as the Mutual Mortgage Insurance Fund, and a subsidy program, which is in reality a Government guarantee, are the same and can be managed by common principals and personnel.

Above all, the solvency of the Mutual Mortgage Insurance Fund must be preserved. The President's recent budget message indicates that the status of the reserves of FHA's four insurance funds is as follows:

[In millions of dollars]

	1973	1974	1975
Mutual mortgage insurance fund	1,755	1,836	1,912
Cooperative management housing insurance fund	23	22	21
General insurance fund	−137	−413	−715
Special risk insurance fund	−320	−485	−810
Total	1,321	960	408

It is clear that a merger of these four funds, as proposed by H.R. 10036, the Housing and Urban Development Act of 1973 which the Housing Subcommittee is now considering, will assure that appropriations will soon be needed as the losses of the general and special risks funds quickly deplete the assets of the Mutual Mortgage Insurance Fund. This latter fund has always paid its own way and requires no Treasury borrowing. It is the basis for the creation of the new independent insuring agency.

A separate Federal agency should not be an anathema to either the Congress or the administration. Such independent agencies often have been created before, the Federal Home Loan Bank Board being a classic case in point. You will remember the Board was once a part of HHFA until it was made a separate independent agency by the Housing Amendments of 1955.

The preservation and strengthening of HUD's basic insured programs would provide the basis on which we could halt the severely declining housing starts. Total FHA insured loans have been decreasing at an alarming rate for the past year and FHA activity is now at its lowest point since 1951. The 1973 figures show only 83,000 unsubsidized and subsidized new units were insured with only a small portion of this total being unsubsidized. This trend cannot be permitted to continue.

The proposed Federal Housing Act of 1974 is the tool by which we can begin to mount a strong program to assure the FHA can provide extremely needed housing to the forgotten moderate-income Americans.

Accompanying my remarks is a section-by-section analysis of my proposal and an in-depth discussion of the need for FHA, prepared by the Mortgage Bankers Association of America:

SECTION-BY-SECTION ANALYSIS: FEDERAL HOUSING ACT OF 1973

Section 1: Short title.

Section 2: This section sets forth the purposes of the bill.

Section 3: This section amends the National Housing Act by adding to it a new Title XIV which is then set forth.

Section 1401—Creation of FHA: This section creates a new government corporation, called the Federal Housing Administration (FHA) in the executive branch, outside the Department of Housing and Urban Development, to carry on mortgage insurance programs.

Section 1402—Existence, powers of FHA: This section gives the FHA permanent existence, and provides for its powers to continue without interruption until the corporation is formally dissolved by Congress, makes the FHA a resident of the District of Columbia for purposes of venue in civil suits, and establishes the FHA's principal office in the District of Columbia with authority to set up offices in other places as needed.

Section 1403—Board of Directors: This section provides that the FHA is to be governed by a 6 member Board of Directors, and a Commissioner who is also Chairman of the Board. Other members of the Board are the Chairman of the Federal Home Loan Bank Board, the Chairman of the Federal Reserve Board, the Secretary of the Treasury, the Secretary of the Department of Housing and Urban Development, and the Comptroller of the Currency, or their delegates. No member of the Board may, during his time in office, be an officer or director of a mortgage financing institution or hold any stock in such an institution.

Section 1404—Powers, duties of Board: This section gives the FHA permanent existence ,and provides for its powers to continue is to exercise general direction and supervision over the functioning of the FHA. The Board must approve actions taken by the Commissioner in setting maximum mortgage amounts, fees and premiums, and mortgage market interest rates.

Section 1405—FHA Commissioner: This section establishes the Commissioner of the FHA as the administrative and executive head of the corporation. He is to be appointed by the President for a six year term, may be reappointed for an additional six year term, and may be removed for cause by the President. In addition to supervising the day to day operations of the FHA, the Commissioner is Charged with advising the Board and the President on housing matters under the scope of the Act and providing information and technical assistance on the subject of housing to state and local governments.

Section 1406—Liaison with Congress: This section makes the Commissioner responsible for maintaining liaison with Congress for the FHA, and with making a yearly report to the President for submission to the Congress on the FHA's activities.

Section 1407—Assistant Commissioners, General Counsel, other employees: This section provides for the appointment of up to three assistant commissioners, and a general counsel, with the approval of the Board. Such other employees as the FHA may need are to be appointed by the Commissioner under the civil service laws.

Section 1408—Transfer of functions from HUD: This section transfers to the FHA all of the functions, powers and duties now committed to the Department of Housing and

Urban Development under certain sections contained in Title I and Title II of the National Housing Act.

Section 1409—Insurance of Financial Institutions: This section embodies the former section 2 of Title I of the National Housing Act. It empowers the Commissioner to insure loans made for the purpose of financing the renovation and repair of existing structures and the building of new structures including the financing of the purchase of a mobile home to be used as a principle residence. The Commissioner is authorized to set standards for the type of improvements and repairs which can be insured, and minimum standards for mobile homes and the sites on which they are to be located. Maximum mortgage amounts, maturity periods, *and premium* charges for the obligations to be insured under this section are provided in subsection (b). Subsection (c) empowers the Commissioner to deal with any obligations or real property assigned to him in connection with foreclosure or the payment of insurance. Subsection (d) authorizes the Commissioner to transfer insurance when the loan is sold by one financial institution to another. Subsection (e) authorizes the Commissioner to waive compliance with regulations prescribed by him under this section under certain circumstances. Subsection (f) authorizes the Commissioner to set premium charges for the insurance issued under this section. Subsection (g) provides that payments made by the Commissioner to an approved financial institution for loss under this section are to be incontestable, in the absence of fraud or misrepresentation on the part of the institution, after two years. Subsection (h) authorizes the Commissioner to make rules and regulations to carry out the provisions of this section.

Section 1410—Insurance of Mortgages: This section contains the provisions formerly found in section 203 of Title II of the National Housing Act. Subsection (a) contains definitions of terms found in the rest of the section. Subsection (b) authorizes the Commissioner to insure mortgages which are eligible under this section, and to make commitments for the insuring of such mortgages. Subsection (c) sets forth the criteria which must be met for a mortgage to be eligible for insurance under this section. Included are standards as to mortgage amount, loan to value ratio, and length of maturity period for different kinds of housing. Under this subsection the Commissioner is to determine credit standards to be met by mortgagors, interest rates and other terms and conditions of the mortgage to be insured, and the minimum amount of cash which must be paid by the mortgagor as a down payment. Under subsection (d), the Commissioner fixes premium charges for the insurance of mortgages. Subsection (e) provides that any contract of insurance issued by the Commissioner is to be conclusive evidence of the eligibility of the loan or mortgage for insurance, and that the validity of any contract of insurance is to be incontestable after it has been issued to a financial institution or mortgagee. Subsection (f) provides for the insurance of mortgage loans made to reconstruct single family homes destroyed by flood, fire, hurricane, earthquake, storm, riot, or other catastrophe, under the Disaster Relief Act of 1970. Subsection (g) empowers the Commissioner to insure mortgages in outlying areas or small communities where he finds that it is not practical to obtain conformity with many of the requirements for mortgages on housing in built up urban areas. Subsection (h) provides that loans secured by mortgages under this section shall not be taken into account for purposes of computing the amount of real estate loans which a national bank may make in relation to its capital and surplus or its time and savings deposits. Subsection (i) provides for insurance of home improvements loans on certain types of housing. Subsection (j) provides for the Commissioner to insure mortgages on vacation or seasonal homes subject to certain standards and under certain circumstances.

Section 1411(a) provides for the payment of insurance by the Commissioner, and attendant proceedings including foreclosure, conveyance of title and assignment of claims by the mortgagee, issuance of debentures and certificates of claim in lieu of cash if the Commissioner elects to do so, and payment of the costs of foreclosure. Subsection (b) authorizes the Commissioner to consent to release of the mortgagor or the property from the lien of the mortgage. Subsection (c) prescribes the form and denominations of debentures to be issued under this section. Subsection (d) deals with the execution, negotiability, terms, and tax exemption of debentures issued under this section. Subsection (e) governs the issuance of certificates of claim under this section. Subsection (f) governs the disposition of any excess of proceeds of sale over amounts paid by the Commissioner upon conveyance to him of the property, as well as with the settlement of certificates of claim. Subsection (g) gives the Commissioner the power to deal with, in all respects, and in his discretion, any property conveyed to him in exchange for debentures and certificates of claim. Subsection (h) provides that no mortgagee or mortgagor is to have any right or interest in any property or claim conveyed or assigned to the Commissioner, and that the Commissioner does not owe any duty to any such mortgagee or mortgagor with respect to the handling or disposition of such property or claim. Section 1411(i) provides for the determination of the rights of the mortgagor or mortgagee upon foreclosure or payment in full of the obligation. Subsection (j) provides that the Commissioner is authorized to include in the amount of debentures which he issues in payment of insurance, amounts reasonably incurred by the mortgage in the course of foreclosure for protecting and operating the property, and conveying the property to the Commissioner.

Section 1412—Mutual Mortgage Insurance Fund: This section provides for the continued maintenance of a General Surplus Account and a Participating Reserve Account within the Mutual Mortgage Insurance Fund. Subsection (b) provides for the allocation of aggregate net income or loss sustained by the Mutual Mortgage Insurance Fund between the General Surplus Account and the Participating Reserve Account by the Commissioner. Subsection (c) provides that after a mortgagor has paid his mortgage in full, and the insurance thereon has thereby been terminated, the Commissioner is to distribute to such mortgagor his share of the Participating Reserve Account. Subsection (d) provides that the determination of the Commissioner as to any amount to be paid out of the Participating Reserve Account to a mortgagor shall be final and conclusive and no mortgagor or mortgagee is to have any vested right in any credit balance or be subject to any liability arising out of the mutuality of the Fund.

Section 1413—Rental Housing Insurance: This section embodies the former section 207 of Title 2 of the National Housing Act. Subsection (a) contains the definitions of terms used later in the section. Subsection (b) authorizes the Commissioner to insure mortgages on rental housing designed to provide housing for families at moderate rentals. The mortgagor may be either a public housing authority or a private developer. A public housing entity must be one which is regulated by Federal or state law as to rents, charges, capital structure, rate of return, or methods of operation, and such a private developer must be regulated by the Commissioner as to these same items for as long as the insurance remains in effect. Subsection (c) sets forth maximum mortgage amounts and loan to value ratios for projects insured under this section along with the Commissioner's authority to change such amounts with the approval of the Board. Subsection (d) provides for the payment of premium and appraisal charges for the insurance of mortgages under this section. Subsection (e) gives the Commissioner the authority to adjust premium charges upon final payment of the mortgage. Subsection (f) provides for the payment of insurance to the mortgagee upon default by the mortgagor, and the terms and conditions of such payment, including the conveyance to the Commissioner of title to the property, the assignment to him of all claims of the mortgagee against the mortgagor, and the payment of insurance to the mortgagee. Subsection (g) provides for the issuance by the Commissioner of certificates of claim as part of the payment of insurance under this section, together with debentures and cash. The subsection also provides for the disposition of any excess realized upon the sale of property over the amount of insurance payments made. Subsection (h) provides for the issuance of debentures in payment of insurance issued under this section. Subsection (i) sets forth the form and denominations of such debentures. Subsection (j) provides for the acquisition of title to property by the Commissioner by means of voluntary conveyance or foreclosure under this section. Subsection (k) gives the Commissioner authority to deal with property acquired by him under this section, and likewise to pursue and settle all claims assigned to him under this section. Subsection (l) sets forth the rights of the parties in the case of default or payment of the mortgage under this section. Subsection (m) provides for reissuance of insurance issued prior to the enactment of the National Housing Act amendments of 1938. Subsection (n) provides for a service charge to be paid by the mortgagor for a mortgage assigned to and held by the Commissioner.

Section 1414—Labor Standards: This section provides for application of the prevailing area wage rate standards of the Davis-Bacon Act to construction upon which there is a mortgage insured under this Act.

Section 1415—Cooperative Housing Insurance: This section embodies the provisions of the former section 213 of Title 2 of the National Housing Act. This section provides for insurance of mortgages on cooperative housing projects owned and operated by a non-profit cooperative ownership housing corporation or trust, a non-profit corporation or non-profit trust organized for the purpose of construction of homes for members of the corporation or beneficiaries of the trust, or a mortgagor which will sell the property or project to a non-profit cooperative housing corporation or trust. Terms and conditions of mortgages to be insured under this section are prescribed in subsections (b), (c), (d), and (e). Subsection (j) provides for supplementary cooperative loans for improvements or repairs of the property covered by such a mortgage, and cooperative purchases and resales of memberships, subject to terms and conditions set forth in the subsection. The provisions of section 1415 are to be funded by the Cooperative Management Housing Insurance Fund. Under subsection (l) the fund is to continue to have a General Surplus Account and a Participating Reserve Account, and upon termination of the insurance obligation by payment of an insured mortgage or loan, the Commissioner is authorized to distribute a share of the Participating Reserve Account to the mortgagor or borrower.

Section 1416—Issuance of Commitments: This section authorizes the Commissioner to process applications and issue commitments for insurance of mortgages even though the permanent mortgaging financing may not be insured under this Act, and also gives the Commissioner the authority to insure mortgages where the mortgagor is not the occupant of the property by reason of military service where he intends to occupy the property upon discharge from military service.

Section 1417—Appraisal for Home Buyers: This section requires that the purchaser of property approved for mortgage insurance under this Act be provided by the seller or builder with a written appraisal of the property prior to the sale of the property.

Section 1418—Builder's Cost Certification: This section provides that no mortgage covering new or rehabilitated multifamily housing is to be insured unless the mortgagor has provided the Commissioner with a cost certification showing that the approved percentage of actual cost equalled or exceeded the proceeds of the mortgage loan, or that any excess is to be paid forthwith to the mortgagee for application to reduction of the principal obligation of the mortgage. The terms "new or rehabilitated multifamily housing," "approved percentage," and "actual cost," are all defined in this section.

Section 1419—Voluntary Termination of Insurance: This section authorizes the Commissioner to terminate insurance under this Act upon request of the borrower or mortgagor, and the financial institution or mortgagee, and payment of a termination charge.

Section 1420—Acquisition of Mortgages to Avoid Foreclosure: This section gives the Commissioner the right to acquire the mortgage, upon payment of insurance benefits to the mortgagee, for the purpose of avoiding foreclosure by the mortgagee.

Section 1421—Mortgage Insurance for Condominiums: This section provides for mortgage insurance for condominimus. It set forth the terms and conditions for mortgages to be insured, and in addition to individual mortgages, provides for insurance of blanket mortgages under certain circumstances and subject to certain terms and conditions.

Section 1422—Transfer of Assets, Liabilities: This section transfers the personnel, assets, contracts, property, unexpended appropriations, etc., used in the programs under the sections of the National Housing Act being transferred, to the new FHA. Subsection (b) provides that the FHA is to assume all existing insurance in force arising from the programs transferred to it under this Act, and provides for the transfer to the FHA of the Mutual Mortgage Insurance Fund, the Cooperative Management Housing Insurance Fund, and a portion of the General Insurance Fund.

Section 1423—Further Powers, Duties of Commissioner: This section provides for the establishment of mortgage fees, interest rates, and premium charges sufficient to meet the expenditures of the FHA and provide adequate reserve funds. Subsection (a) also empowers the Commissioner to sue and be sued in his official capacity, and to appoint advisory bodies to assist him. It is also provided that all civil suits to which the FHA is a party are to be deemed to arise under the laws of the United States. Subsection (b) authorizes the Commissioner to contract with other government agencies for use of their services by the FHA and for the use of the FHA's services by such other agencies, and authorizes the Commissioner to cause a seal of office to be made for the FHA and for judicial notice to be taken thereof. Subsection (c) authorizes the Commissioner to delegate his functions, powers and duties to such officers and employees of the FHA as he designates. Subsection (d) authorizes the Commissioner to issue temporary and permanent regulations to implement the programs, administration and activities of the FHA.

Section 1424—Power To Borrow Money, Invest Money; Issuance of Debentures: This section authorizes the FHA to borrow from the Treasury such funds as the Board deems necessary for insurance purposes. Subsection (b) provides for investment of money of the FHA not otherwise employed in obligations of the United States or obligations guaranteed as to principal and interest by the United States. Subsection (c) provides for the banking or checking accounts of the FHA. Subsection (d) provides for the Commissioner to set the rate of interest on debentures issued pursuant to this Act in payment of insurance claims, and specifies that such insurance claims may be paid in cash if the Commissioner so elects. Subsection (e) provides that debentures and other obligations of the FHA shall be exempt from all state and Federal taxation, and the FHA, including its franchise, capital, reserves, surplus, and income shall be exempt from all state and Federal taxation, except that the FHA's real property may be taxed as other real property is taxed. Subsection (f) provides for the preparation and printing of notes debentures, bonds, or other obligations needed by the FHA. Subsection (g) specifically authorizes the FHA to acquire, hold, and dispose of real property. Subsection (h) gives the FHA free use of the United States mails in the same manner as other departments of the government.

Section 1425—Authority of Federal Instrumentalities To Purchase FHA Mortgages: This section authorizes other federal instrumentalities, including federally chartered banks and savings and loans associations, currently authorized to purchase mortgages insured under the National Housing Act, to purchase mortgages insured by the FHA.

Section 1426—Non-Abatement of Actions: This section provides for non-abatement of actions by or against agencies whose functions are being transferred by this Act. Subsection (b) provides that all powers and authorities conferred by this Act are to be cumulative and in addition to any powers and authorities otherwise existing, that all actions taken prior to the effective date of this Act by agencies and officers whose powers are being transferred by this Act are to remain in full force and effect until they are modified or rescinded, and that reference to the officer or agency whose powers are being transferred in the other Federal, state or local law is to be understood to mean the new FHA or the Commissioner.

Section 1427—Annual Audit: This section provides for the auditing of the affairs of the FHA annually by the General Accounting Office, and the rendering of a report of the results of that audit.

Section 1428—Savings Clause: This section provides for severance of any part of the Act which might at a future time be declared unconstitutional, and for the continued validity of the remainder of the Act.

Section 1429—Certain Sections Repealed: This section repeals certain portions of the National Housing Act.

Section 1430—Effective Date, Temporary Appointments: This section establishes the effective date of the Act as sixty (60) days after its approval, and provides for the appointment of officers by the President on an acting basis pending final approval of the President's permanent appointments by the Senate.

RESTORING THE VITALITY OF FHA—AN ESSENTIAL NEED

In apparent contradiction of four decades of achievement, FHA's basic programs are now declining in absolute as well as relative importance; declining when both residential construction and conventional mortgage lending are reaching for new records. While low-income families are aided by subsidies in increasing numbers and the affluent find credit and housing readily available in the conventional market, middle-income families are confronted with a dwindling volume of houses being built at prices they can afford and a dwindling volume of credit available from traditional FHA lenders. Sellers, builders and lenders are no longer willing to cope with FHA programs—their arbitrarily fixed interest rates, red tape, processing delays and a long list of new and impractical laws and regulations.

The purpose of this paper is to define the causes underlying the decreased use of federal mortgage insurance for unsubsidized housing, to affirm the continuing public need for federal mortgage insurance and to provide a proposal for restoring its vitality.

CONTRIBUTION OF FHA—A CONSPICUOUS RECORD OF ACHIEVEMENT

Federal insurance of mortgage credit—a major social invention of our times—has been singularly responsible for the growth and development of the nationwide distribution of mortgage funds. The Federal Housing Administration (FHA) has insured $104 billion of residential mortgages for nearly 9 million borrowers under its basic programs [Secs. 203(b)], making home ownership a reality for millions of middle-income families.

These achievements flowed directly from the original purposes of the federal mortgage insurance system: (1) assure the accomplishment of essential reforms in home mortgage lending, and (2) induce the infusion of new money into the mortgage market. It achieved both objectives, relying wholly on private sources for mortgage funds, operating costs, and the creation of insurance reserves. Launching expenses advanced by the Reconstruction Finance Corporation were repaid with interest.

At the same time, FHA generated significant reforms in mortgage lending practices. The principal accomplishments were:

1. Brought into universal acceptance the principle of complete amortization of a home mortgage loan through regular monthly payments of principal and interest over a long period of time. The amortized mortgage helped the borrower avoid the risks of finding himself unable to pay the loan when due or unable to have it renewed; risks that were inherent in the short-term, non-amortized loan that was characteristic of the period prior to the Great Depression and that greatly aggravated the economic disaster that followed.

2. Adopted the practice of requiring the monthly payment of a sum calculated to maintain real estate taxes and casualty and mortgage insurance. This practice has proven to be an important means of helping the borrower avoid delinquency, even foreclosure, and of providing the community with a built-in and reliable means of collecting taxes.

3. Eliminated the possibility of excessive drains on the insurance reserves in times of serious natural or economic catastrophe by paying insurance claims with long-term, interest-bearing, marketable, government-guaranteed debentures rather than with cash. The debenture assured investors that FHA, in its infancy, would not be wrecked by overwhelming demands for cash payments as were earlier mortgage guaranty companies. Once FHA's reserves were soundly based, FHA began saving the interest cost of outstanding debentures by paying insurance claims in cash.

4. Provided that excess reserves be returned to borrowers on a mutual insurance basis, thereby creating an additional incentive to

borrowers to keep up their mortgage payments.

5. Established standards for appraisal and credit underwriting, as well as construction, that gave insured mortgages a degree of uniformity and market acceptability that had not been customary with conventional loans.

6. By setting high but practical construction standards for structures that could qualify as security for an insured loan, the system has had a significantly beneficial effect on building practices.

7. Rendered advisory services on design and subdivision planning that contributed to the legislative mandate "to encourage improvement in housing standards and conditions . . ."

Significant consequences flowed from these reforms in mortgage lending practices:

1. A form of mortgage that increased the safety of borrower and lender alike was created.

2. A demonstration that investment in mortgages that were soundly underwritten was not inconsistent with low downpayments or long maturities.

3. A system adaptable to, and encouraging of, confident investment over areas remote from the source of funds and creating the basis for development of a nationwide mortgage market.

4. A reduction in geographical differentials in mortgage interest rates.

5. An increase in residential mortgage investment by nonspecialized as well as in specialized mortgage lending institutions.

6. An increase in the size and regularity of transactions in closed mortgages that led to the development of advance commitments from lenders which, in turn, helped capital-short builders obtain construction credits and maintain building programs.

7. An expansion of the availability of home-ownership to large numbers of credit-worthy families, whose limited resources and income exclude them from the market for conventional mortgages.

All of this was accomplished without cost to the taxpayer. FHA's underwriting practices and prudently set premiums and fees made it possible to cover all operating expenses. It appears that 1972 will be the first year since its beginnings that FHA will have been a drain on the budget; but only because fees and premiums will not cover the increased cost of carrying the operating expenses of the *subsidized* programs. Taken separately, unsubsidized programs remain self-supporting. They have paid all claims on unsubsidized loans, and accumulated adequate reserves. FHA's creators believed that loss reserves accumulated under the system would be adequate to meet all anticipated claims of loss and they were proven to be correct.

DETERIORATION OF FHA—A CONFUSED RECORD OF FAILURE

After nearly 40 years of useful service, the future of FHA's basic insurance programs is seriously threatened by recent misadventures and by the accumulated baggage of programs and objectives loaded on FHA, however far removed they may be from its original purposes and functions.

The declining role of FHA's basic programs is already evident. In 1950, Sec. 203(b) loans comprised 18 percent of total single-family starts. By 1972, this percentage had declined to approximately 6 percent. In 1950, the 203(b) program made up virtually 100 percent of FHA's single-family insuring activity. In fiscal 1971, 203(b) loans made up approximately 68 percent of FHA insurance for existing houses and only 30 percent for new construction. FHA insurance has been losing ground even more rapidly in recent months. For the first half of 1972, total starts jumped 19 percent from the same 1971 period and permits increased 18 percent—both attaining record levels. In sharp contrast, applications for all FHA insurance programs declined 29 percent and insurance issued declined 10 percent during the same period.

This contradictory movement between FHA activity and overall housing construction and finance cannot be attributed to a single factor. If any generalization can be drawn, it is that the current problems stem mainly from FHA's initial success and market acceptance. Mortgage insurance was eminently successful for the purpose for which it was created, particularly in attracting private investors. The conclusion was soon reached that FHA would be equally successful in dealing with other purposes and that builders and lenders alike would succumb to these diversions.

Special and social purpose programs

Beginning in 1938, FHA mortgage insurance has been repeatedly thrust into the attempt to accomplish social, economic, and political objectives. However commendable, these objectives were often of questionable adaptability to the insurance device or to personnel trained in underwriting mortgages. They usually made it necessary to lower underwriting standards and, in so doing, invited chicanery.

Over the years, FHA was called upon to insure mortgages on housing for defense workers, servicemen and their families, critical defense areas, the elderly and the poor, as well as mortgages on nursing homes, hospitals, and facilities for group medical practice. Many of these special and social purpose programs were not acceptable to private investors, not for lack of confidence in federal mortgage insurance, but from past experience that told them the loans would not survive. This apparent contradiction was an outgrowth of the lender's experience with special purpose programs. From the earliest diversion from FHA's original purpose, lenders had learned that when special purpose housing was no longer needed (e.g., critical defense housing which depended upon defense production jobs to maintain the market and the mortgage loan) foreclosures would follow and they, the lenders, would become the scapegoat for the program's eventual failure. Few of these special purpose loans found their way into the private market. Yet, their eventual troubles brought bad publicity to all of the FHA programs.

Other objectives added to the FHA programs included enforcement of wage standards (in rental housing construction), civil rights, environmental protection, and a wide variety of consumer protections relating to property conditions, repairs, construction, and defalcations of builders and sellers—all extraneous to, or beyond the purview of, mortgage lenders and none required to maintain a sound mortgage insurance operation; each another thorn in the side of builders and lenders who still found it necessary to use FHA programs.

As early as 1938, FHA was urged to lower its standards and accept higher risks in order to check a recession. The result, not surprisingly, was an increase in foreclosures.

Perhaps the most notable adaptation of federal mortgage insurance was the "608" program. Section 608 was added to FHA's programs in 1942 to provide housing for war workers. Under war-time restrictions, the program had generated only $175 million in apartment projects by 1946. The Congress, the press, and the public were expressing grave concern over the postwar housing shortage. To help relieve the housing shortage, Congress provided for FHA insurance of multifamily projects up to 90 percent of FHA's "estimate of replacement cost," and FHA literally "sold" the new program to builders and developers on the basis of its profit potential.

The program picked up steam and by 1950, when the program was terminated, FHA was insuring "608" housing at the rate of $1 billion per year. By the end of 1953, when "608" commitments were completed, 7,046 projects with 465,680 units had been completed under Section 608. Contrast this figure with the 80,471 units produced under Section 207 between 1935 and 1955 and it becomes clear that the Section 608 program did accomplish its objective.

The objective was accomplished because the program allowed developers to capitalize fully on rising land values and to borrow the full cost of the project. Specifically, the replacement cost approach—in a period of rapidly rising prices, heavy demand, and federal encouragement to break the housing shortage—assured the program's success.

In 1954, the Commissioner of Internal Revenue reported large windfall profits on 1,149 rental housing projects. Congress conducted investigations in 1954 and 1955 and found that FHA's estimated replacement costs exceeded the builder's estimated costs and his actual costs. If he was particularly efficient, he did very well. Developers were widely accused of taking windfall profits, of fraud and deceit. Fraud and malfeasance by FHA personnel was uncovered. FHA management was blamed for failure to control the program it had been encouraged to push. Lawyers defending their clients were excoriated. Lenders were accused of providing funds for those "excessive" mortgages, which had, of course, been approved by FHA.

No one can condone fraud or malfeasance by FHA officials or by those who do business with them. This could have been avoided by filling FHA positions with trained and experienced personnel—few multifamily projects had come to FHA before the war and none required the expertise necessary to estimate replacement costs in a rapidly inflating economy—and by vigilant controls that prevent as well as uncover fraud. When these fail, criminal penalties are available and should be used.

The point to be made here is that the replacement cost approach was unsound, an inviting "cookie jar" for entrepreneurs who were attracted by substantial profit possibilities as well as those who would resort to fraud. Can the lawmakers shirk all blame for the events that followed?

This long recitation of the "608" experience is presented here, because it exemplifies the result of diverting federal mortgage insurance programs to other purposes, displays the source of the problem, and reveals that the root of the deterioration of FHA began long before the present crisis.

Investigations were common in the mid-Fifties. Urgent housing demands imposed on the homebuilding industry exceeded their prewar capacity and new builders were entering the market with little experience or capital. It was not surprising that Congress deplored the resulting inadequacies of some of the products built under FHA and VA auspices. It is surprising that they continued to pour funds into housing and to insist on still larger volumes of construction.

The so-called scandals of 1964, related to a variety of special purpose construction such as nursing homes, are noteworthy here only in the allegations made that FHA, sometimes against its better judgment, had approved project loans under pressure from individual Congressmen.

Builders and lenders chafted under investigations that blamed the industry for failure to respond to one program and for zealously responding to another. They did, in fact, succumb to the additional red tape and the incursions on market decisionmaking processes. Whenever possible, both moved into the conventional market to escape the growing baggage imposed on FHA lending.

Despite their disenchantment, builders and lenders repeatedly returned to FHA programs, because the process of deterioration was slow in developing, and alternatives were not con-

sistently available. A large group of borrowers needed the FHA low-downpayment loan and FNMA, later FNMA and GNMA, provided a reasonably reliable source of funds when credit conditions tightened.

From the builder's point of view, these conditions changed when the Federal Home Loan Bank Board opened up the low-downpayment conventional loan, when private insurance established itself, and when the FHLB Board adopted an aggressive attitude during periods of credit restraint. These changes, coupled most recently with the flood of savings to thrift institutions, have provided builders with an alternative to FHA programs.

From the lender's point of view, the additional disruption caused by fixed FHA rates, out of touch with the credit markets and often supported by FNMA, became an intolerable barrier to FHA lending much earlier. As a result, today's market for FHA loans is limited to government agencies and thrift institutions that are locked into residential lending. Many life insurance companies, long the mainstay of FHA and VA home mortgages, are no longer interested. Mutual savings banks have become more prone to invest in corporate bonds and mortgages on income properties. If the Hunt Commission has its way, and it is not a foregone conclusion that it will not, savings and loan associations will be free to move away from FHA constraints as well as the conventional loans they now prefer to consumer loans.

Clearly, the deterioration of FHA's basic programs, which is so evident today, began many years ago with the gradual distortion of the original purpose of federal mortgage insurance. With or without federal mortgage insurance, it is doubtful that mortgages circumscribed by extraneous restrictions, for whatever good purpose, will be attractive to private investors.

This outpouring of sensational news stories has also drawn attention away from the problem and the real issues. The problem is not whether the abuses could have been avoided or can be stopped, but how can the nation provide adequate housing for the nation's poor? Surely not by condoning past abuses nor by assuming that the subsidy delivery system cannot or should not be improved. The problem of finding a more effective way to house low-income families will remain after all possibility of abuse has been removed from the programs. The problem must be resolved and its solution must be part of any effort made to restore the vitality of FHA's unsubsidized programs. That is why MBA is already re-examining the subsidy delivery system in an effort to find ways to improve its performance.

The principal issue is one of costs: the overall cost of getting the job done, the cost the nation is willing and able to fit into each year's budget, the costs of greater risks taken to house the inexperienced and poorly educated, to finance housing in the center city, to counsel the uninformed, and to manage subsidized properties. These costs must be recognized, not hidden by the relaxation of property, location, and credit standards, for they will surely surface in some unexpected place.

The issue that is being examined here, largely unnoticed in the press reports and Congressional investigations, is the deterioration of FHA's basic unsubsidized programs. Is there any relationship between the so-called scandals in subsidized housing and the deterioration in the volume of housing financed under Sec. 203?

Without doubt the investigations conducted in FHA offices by HUD, the FBI, and Congressional staff have adversely affected performance. The time of FHA personnel, consumed in large quantities, may be overlooked as a one-shot drain. The aftermath of these investigations is quite another matter. They left behind a maze of new regulations, a demoralized staff, and, in many offices, a fear of making decisions. As late as mid-June 1972, a survey conducted by MBA indicates that many local FHA officials were still unwilling to make decisions and unable to obtain decisions from Washington. As this breakdown applies to unsubsidized as well as subsidized programs, there can be no doubt that the scandals have influenced FHA's overall level of performance.

Some will hold that the cause of the breakdown also applies to both types of program, because defaults and foreclosures in unsubsidized programs also rose in the inner city. On this point, it should be acknowledged that FHA offices consciously processed some "acceptable risk" loans under the Sec. 203(b) program. This questionable practice was stopped and was not a significant factor.

It should also be recognized that thrusting the subsidy programs on the inner city and the acceptable risk standard on FHA had a destructive impact on the value of properties financed with unsubsidized loans and contributed to the rise in defaults in these programs. Consider the inner-city neighborhood of low- and middle-income families that was stable. Properties were being maintained reasonably well, some homes were paid for, some were being financed with FHA unsubsidized loans. The subsidized buyer enters the scene and provides an opportunity for present owners to move up the housing ladder, perhaps to leave the inner city. A number of the subsidized buyers find themselves unable to cope with home ownership and, in the end, they abandon the property. The abandoned properties are quickly vandalized and the neighborhood deteriorates.

It is all too easy to lay the blame on HUD's management of the subsidy programs and its failure to recognize the problems implicit in the new home ownership programs. Alternatively, it is easy to claim that the highly disparate subsidized and unsubsidized programs can be managed under one roof. After all, HUD officials have admitted their failure and have promised to bring off effective changes. On the other hand, one can contemplate serious doubts about the ability of any administration of HUD to respond to the pressures to achieve results in subsidy programs, to adjust to continued change in the form of subsidy, and, in fact, to perform miracles.

When the record is considered from a historical viewpoint, it is difficult to hold that HUD's problems in 1972 rose solely from its subsidized programs. They have been part of the housing scene for many years. The pressure from Congress and from its constituents, principally inner-city minorities, as dissatisfaction with public housing and FHA's progress in housing low-income families increased, was first evident in 1954 when Sec. 221 was added to FHA's responsibilities. Designed to assist low- and moderate-income families, particularly those displaced by urban renewal, 221 did not impose an "economic soundness" criterion and paragraph (f) specified that, "The property shall comply with such standards and conditions as the Secretary may prescribe to establish the acceptability of such property for mortgage insurance."

Some years passed before Congress targeted in on the inner city. The Demonstration Cities and Metropolitan Development Act of 1966 provided a more explicit exemption from the "economic soundness" criterion and reliance on the "acceptable risk" concept. Still, the die was not cast until the fall of 1967 when the FHA Commissioner, responding to Congressional concern, told FHA office directors that they would be expected to take the risks inherent in inner-city loans. At a conference of FHA insuring office directors on October 23, 1967, the FHA Commissioner stated:

". . . Risks are inherent in an insurance program (otherwise there would be no justification or need for insurance) . . . This does not by any means require the elimination of prudence and common sense . . . I want us to develop and support projects which give reasonable promise of success, which give reasonable promise of improving the housing conditions of low- and moderate-income families, and improving the inner city. A project should be rejected if it does not appear to give reasonable promise of accomplishing these objectives. It should not be rejected simply because it involves poor people, or because it is in a portion of the city you have been accustomed to rejecting or redlining for oldfashioned, arbitrary reasons."

The time is long past when we should stop looking for a scapegoat and start looking at the problem realistically. The nation has a social problem of finding ways to provide adequate housing for poor families. It can be argued that there should be no difference in the property inspection and appraisal standards applied to the properties if we insist on using federal insurance as a social device. It cannot be argued, however, that there is no difference in the credit underwriting standards that are to be applied. Standards exist for underwriting economically sound mortgages and they have been applied with great success by FHA lenders for nearly four decades. On the other hand, it is nonsense to claim that there can be credit standards for underwriting acceptable risk loans. This requires a social awareness, an ability to counsel, capacity to make the decision whether a particular poor family is ready for the responsibility of home ownership. These are hard problems that have yet to be faced, that will continue to impinge upon HUD secretaries and their freedom to manage the resources of HUD and FHA.

Clearly, social pressures led to a letting down of economically sound underwriting standards, and appraisal and property inspection standards. Investors who remained with the FHA programs relied on federal mortgage insurance. If the federal government was willing to insure these loans, they were acceptable. Originators, in a highly competitive market, were unable to stay in the FHA market and apply credit and property standards that were more stringent than FHA. Many originators, who did attempt to apply stricter standards, were pressured by local groups to make the loans and, too often, were told by FHA to send in the application and FHA would decide whether it was acceptable or not.

The foreclosures that inevitably followed might have been avoided or at least reduced in number by more careful management and tighter control. Still, the questions remain as to whether any Secretary can resist the persistent pressures to take excessive risks and allocate available resources to subsidized programs and whether mortgage insurance is the appropriate vehicle for subsidizing home ownership for low-income families.

Management

In recent months, HUD's management of FHA's programs, particularly the subsidized programs, has been severely criticized by a number of quarters. HUD officials, themselves, have been critical of their own performance. It is not difficult to claim that all of the current problems are the result of mismanagement. Similarly, it is not difficult to be captivated by the idea that good management can set matters right.

What, then, needs to be done? To prepare a comprehensive and complete answer to that question would require a thorough management study, preferably by a third-party consulting firm with full confidence and support of HUD officials. This may, in fact, be an excellent first recommendation. Not having the advantage of such a study,

we must rely on facts known to outsiders, outsiders that do business with FHA every day. These facts include:

1. HUD Secretaries and before them, Housing Administrators have all squirmed under their lack of full control over FHA.

Recorded testimony by Albert Cole, then Housing and Home Finance Administrator, on the proposed independence of the Federal Home Loan Bank Board clearly specifies the concern of top policymakers when a piece of the governmental housing system is outside of or about to be taken outside of their purview. Secretary Romney has expressed similar concerns. Former Administrator and Secretary Weaver, testifying on the current proposal to reorganize the executive departments, clearly expresses the same view.

2. Reorganization plans under consideration prior to the present Administration were adjusted moderately and put into effect. Over the past two years, HUD and FHA have undergone three reorganizations.

3. The timing of organizational changes was unfortunate, as they were incomplete when the investigation and indictments struck.

4. Morale of personnel, particularly old FHA hands, has been driven to a rock-bottom level by:

a. Investigation that indiscriminately tarnished all FHA programs and all FHA personnel.

b. Experienced FHA personnel being subordinated to inexperienced personnel, transferred to new locations, charged with responsibilities where they had no experience.

c. The departure of many experienced FHA personnel who have retired, found other employment, or are seeking other employment.

Clearly, any attempt to restore vitality to FHA's programs, whatever form it takes, will require rebuilding of a trained staff and reviving the morale of trained personnel that remain.

5. The reorganization seems to have:

a. Changed all Assistant Secretaries to staff positions, without line authority to the field.

b. Created Regional Offices which do not have or cannot exercise decision-making authority. They have become roadblocks instead of overseers.

c. Placed decision-making in Area Offices and cut the lines of authority to central offices just at the time when investigations struck. Decision-making stopped and deterioration set in.

d. Resulted in widely disparate interpretations of regulations issued to the central office, adding costs and frustration to operations of multi-state originators.

6. The reorganization as well as the original establishment of the 1968 subsidy programs posed new problems which FHA was ill-equipped to handle, without consideration or understanding of the problems, and, despite warnings from several quarters, without necessary administrative controls.

The mixing together in a single organization, under common administration of two diametrically opposed activities—one designed to serve self-supporting, market-oriented activities and based on sound principles and standards of investment and insurance underwriting; the other directed to serve families needing welfare assistance while requiring heavy subsidization—works to the detriment of both programs.

Problems have arisen from the assumption that credit and welfare activities can be efficiently performed by the same bureaucratic hierarchy and the same personnel handling these programs interchangeably. The fact is that persons capable of handling one of these activities by disposition and/or training are rarely able to handle the other capably. The determination of credit worthiness requires an analysis of financial competence. Welfare, on the other hand requires an analysis of need. Few of the attributes that concern the credit examiner concern the welfare worker. In fact, the very absence of these attributes may add to the eligibility of the welfare applicant and demonstrate more fully the need he may have for aid. The internal competition between these two programs has enormously strained the operational efficiency of HUD.

7. Legislation designed to achieve special social objectives added more unknown fields to FHA's responsibilities.

The Congressional response to a variety of problems ranging from integrating racial housing to environmental control has been to impose compliance requirements on FHA developers and lenders only. These include (1) project selection criteria, (2) affirmative marketing, (3) management program, (4) environment clearance, and (5) equal opportunity hiring.

Here again, HUD was ill-equipped to administer these programs. The survey conducted by MBA in June, 1972, is revealing on this point. Respondents indicated that undue processing delays had been caused by (1) processing compliance requirements in series and (2) giving authority to the official in charge of each requirement which superseded consideration of the viability of the project and was wielded by personnel without experience in construction or financing. Interestingly, a number of respondents reported that they had no objection to the requirement itself, but that its administration was unduly burdensome. In some cases, a single requirement, e.g., environmental clearance, would subvert the objective of another requirement, e.g., project selection criteria. Accordingly, many felt that these requirements cannot accomplish their mission and, in trying, will encourage more and more builders and developers to abandon FHA programs. In the end, the nation will achieve more and more social and ecological goals for fewer and fewer families.

For present purposes, the points to be made are: (1) HUD failed to manage these programs effectively, (2) the attempts added to FHA's deterioration, and (3) the requirements are simply not compatible with the task of administering FHA insurance programs.

Competition

Savings and loan associations have traditionally dominated the single-family residential market. Limited in the geographic area they could serve and favoring the higher-yield and freedom of conventional mortgages, savings and loan associations tended to serve the more affluent borrower. Life insurance companies, lending over long distances, preferred the protection of FHA insurance and VA guarantee. Mutual savings banks were limited to FHA and VA mortgages when they reached beyond their state in which they are located. By making the nationwide market feasible, FHA lenders provided competition for local conventional lenders and credit for the less affluent homebuyer.

This statutory division of local markets began to break down in 1958 when savings and loan associations were permitted to make 90-percent loans.

Until the revival of private mortgage insurance, many savings and loan associations were reluctant to provide more competitive terms. The advent of private insurance for the top 20 percent of the loan reduced their risk to familiar limits and encouraged them to make the high-ratio loans. The concept of private insurance has developed steadily and has contributed to expansion of the mortgage market, principally by traditional conventional lenders. Today, eight private insurance companies are in operation. Over the past year, they have been beneficiaries of change in regulations as well as market conditions.

1. The FHLB decision to lift the maximum loan-to-value ratio for savings and loan associations to 95 percent greatly widened their potential market.

2. The Federal Home Loan Mortgage Corporation and the Federal National Mortgage Association provides a resale market facility for 95-percent conventional mortgages carrying private insurance.

3. Comparatively, FHA statute leaves federal mortgage insurance and its prospective borrowers at a disadvantage.

FHA may insure a loan in excess of 95 percent but only up to $19,950, while private insurers may go up to $36,000 on a 95-percent loan and to $45,000 on a 90-percent loan.

4. The savings and loan industry has experienced a remarkably rapid and sustained growth, providing raw material for expansion and a growing interest in purchasing mortgages originated outside their normal lending territories.

Recent years have seen a rapid expansion of business between mortgage bankers, as producers, and savings and loan associations, as investors. This typically involves greater use of FHA mortgages as the principal nationwide market vehicle.

With the developing back-up of federal facilities—FNMA and FHLMC—and growth of private insurers, however, conventionally-insured mortgages have become a significant factor in the nationwide market. This development of private insurers as competitors to FHA-insured loans is aided materially by the prevailing low level of performance by FHA. It provides the discouraged builder, broker and lender with an alternative.

Presumably all segments of the market will benefit from competition between FHA and private insurers. However, when FHA is hamstrung by statute, regulation, red tape, and inefficient operations, the benefits of competition will not materialize. In 1971, for example, the oldest and largest private insuring company generated more business than FHA. As a business-oriented operation, private insurers naturally avoid insuring loans where the risk of default is very high. Conventional lenders relying on private insurance tend to prefer larger loans and, accordingly, do not reach down the income scale for mortgage investments. As a result, FHA is left with the higher-ratio, smaller loans and, if its unsubsidized programs are abandoned or permitted to dry up, many middle-income borrowers will find credit unavailable.

The only equitable and economic solution is for Congress to permit, indeed to encourage, FHA to compete with private insurance in housing middle-income families.

Supervision of FHA-approved mortgages

The clear and unfortunate aspect of scandals in the mortgage market is that the errors and outright malfeasance of a few HUD employees and mortgagees tarnishes the reputation of the entire industry and raises the specter of increased supervision.

The industry cannot escape by repeating the truth that FHA audits and controls, for which ample authority already exists, could have prevented most of the current problems. Unfortunately, complete reliance on FHA for underwriting, particularly where FHA insisted that it would underwrite loans questioned by the originator, places those who would be willing to do an effective job at an intolerable competitive disadvantage.

Any solution to the problem of restoring the vitality of FHA's subsidized programs must accept, probably ask for, a system that provides for thorough and regular auditing, that is beyond the reach of political influence and that is not subject to political patronage. This may be an opportunity rather than a disadvantage to originators. If the approved mortgagee is willing and able to accept more responsibility for underwriting FHA mortgage loans, a responsibility he must accept in the conventional market, he can materially reduce processing time, better

serve the homebuyer, and overcome the excessive reliance on FHA that only protects those who will not or cannot do a sound underwriting job.

ARE FHA'S UNSUBSIDIZED PROGRAMS NEEDED?

Is restoration of the vitality of FHA's unsubsidized programs in the public interest? Or, have the basic FHA programs served their purpose, outlasted their usefulness?

For analysis purposes, let us assume that FHA's unsubsidized programs were terminated yesterday. What would the result be?

Life insurance companies

Observers, who conclude from the changes in the mortgage market of the past decade that federal mortgage insurance is no longer needed, would begin their argument with the gradual disenchantment of life insurance companies with FHA home loans. Important FHA lenders for decades, life insurance companies have not increased their holdings of FHA mortgages since 1967.

This is true. However, it ignores the continued need for FHA mortgage investments by both the very large life companies which need a wide range of investments and the smaller life companies which are unable to invest in large commercial projects. A significant volume of residential mortgage credit would be cut off by the termination of FHA's basic programs.

Some observers believe that even those life companies which have abandoned lending or single-family mortgages will return to the market when: (1) their savings flows exceed investment opportunities in corporate bonds and commercial property mortgages, and (2) the administered FHA rate and FNMA support encourages rather than discourages private investors from holding single-family mortgages. Of course, this reflow of life company funds into single-family mortgages cannot happen if FHA's basic programs have been terminated and life company investments in single-family mortgages remain limited to 75-percent loans. They would be restricted to low-ratio loans the affluent borrower can afford and the public's interest, particularly middle-income families, would not be served.

Savings and loan associations

To a significant degree, savings and loan associations have filled part of the gap left by life companies. During the postwar years, each time the fixed FHA rate drove life companies into other investments, savings and loan associations' lending expanded. The expansion seldom fully offset the decline in FHA lending and total mortgage lending declined. In the mid-Sixties, the inflation-borne interest rates reached state usury limits and the ability of savings and loan associations to move in when FHA lenders reduced their activity came to an abrupt end. More recently, the rapid increase in savings flows to thrift institutions has encouraged them to escape the usury limits as well as to meet their investment needs by entering the nationwide market for FHA mortgages.

Accordingly, if one could guarantee that savers will continue to flood mortgage-oriented thrift institutions with funds, the complacency of those who would permit FHA's basic programs to wither away would be understandable. It seems more likely that, human decisions being what they are, fiscal and monetary decisions will bring on another period of disintermediation, tight credit, and high interest rates. It seems likely that savers, investing in deposits with thrift institutions because they lost principal values on the stock market in the mid-Sixties, will again return to the stock market. It seems likely that *Regulation Q* will be relaxed further, if not removed, and will place thrift institutions at a competitive disadvantage with commercial banks.

Under these probabilities, savings and loan associations cannot be expected to continue to fill the gap left by a termination of FHA's basic programs. They could not turn to FHA mortgages when conventional interest rates exceeded usury limits. They could not continue their recent entrance into the nationwide market for FHA mortgages.

Mutual savings banks

Savings banks have remained a major source of credit for FHA and VA loans. Located in capital surplus areas, they must reach out for high-yielding investments to compete for savings and, in major savings bank states, are not permitted to hold out-of-state conventional loans. Even so, savings banks have shown a proclivity for investment in corporate bonds and, where permitted to go conventional, for large commercial project loans. If FHA were terminated, they would be forced to seek legislation permitting out-of-state conventional lending and to increase their bond holdings. The middle-income borrower would be the principal loser.

Federal facilities

The Federal Home Loan Bank System has made material contributions to the flow of conventional mortgage funds, principally by aggressively expanding advances to savings and loan associations and borrowing on FHLB Consolidated Obligations in the securities markets. With other lenders restricted by loan-to-value and usury ceilings in the conventional market, with the reliance of other federal facilities on FHA and VA mortgages, and with thrift institutions operating under the effect of disintermediation—the termination of FHA's basic programs would increase the burden upon the FHLB System. Even at today's low volume of FHA lending, the termination of FHA could increase FHLB Bank borrowings by 15 percent to 20 percent.

Inasmuch as the present market organization, with FHA in existence, regularly leads the FHLB System to borrowing at rates high enough to draw funds from thrift institutions, it is difficult to consider additional borrowing pressures on the System with complacency.

FNMA and GNMA have made significant contributions to the flow of mortgage funds. In both cases, their stock in trade is the FHA and VA mortgage, although FNMA has recently entered the conventional single-family market. Having terminated FHA's basic programs, by our original assumption, FNMA would be limited to FHA's subsidized mortgages, conventional single-family mortgages and VA mortgages. Looking back over FNMA's difficulties in maintaining a positive spread between its borrowing and lending costs and forward over the likelihood of repeated bouts with inflation, one cannot consider the termination of economically sound FHA mortgages with complacency. Surely, FNMA's borrowing costs, if not its financial condition, would be materially affected by significantly increasing the proportion of high-risk FHA mortgages and untested, privately-insured conventional mortgages that would enter its portfolio.

GNMA's mortgage-backed security was conceived with the concept that the Treasury's obligation would not be materially increased because the mortgages were insured by FHA. It seems most unwise, if not unlikely, to consider providing a Treasury guarantee for securities backed by conventional mortgages, even privately-insured conventional mortgages. Nor does it seem wise to have all GNMA securities backed by subsidized FHA mortgages. Clearly, the costs and risks issuers would have to accept could be carried by few, if any issuers, if the FHA unsubsidized program were terminated.

In both cases, the public interest would not be served. The volume of lending would decline, the number of alternative sources of funds would be reduced, and borrowing costs would increase.

Hunt Commission Proposals

Add to the assumption that FHA's basic programs are terminated the assumption that the proposals of the Hunt Commission are largely enacted into law. Despite arguments to the contrary, thrift institutions with wider lending powers are not likely to invest the same, let alone a larger proportion of their assets in residential mortgages. The comparative yield available in consumer loans must command their interest to a greater extent, or mortgage interest rates must rise markedly.

If depository institutions become less interested in mortgage lending, the available alternative is the securities markets—the GNMA security. Having closed down the basic FHA programs, as assumed above, the GNMA security would not provide the needed alternative. Again, the public interest would not be served by terminating FHA's basic programs.

Nationwide Market

Consider also the view that private mortgage insurance can replace FHA. Private insurance has widened the mortgage market by providing local lenders a means of reducing the risk of low-downpayment conventional loans. With all of its contributions, it has not provided the assurances required by long-distance lenders. Moreover, many long-distance lenders (i.e., mutual savings banks and life insurance companies) are not permitted to invest in low-downpayment conventional home mortgages, nor are they permitted to invest in conventional mortgages out-of-state, with or without private insurance can maintain the nationwide market.

Yet, the nation needs the involvement of long-distance lenders, made possible since 1934 by FHA insurance and later by the VA guarantee. These vehicles make it possible for financial institutions in capital surplus areas to pay higher interest rates and encourage savings in those areas because they can reach beyond their local areas for higher-yielding mortgages. The saver benefits, as does the economy.

At the same time, by sending their funds to distant areas where savings are in short supply, the long-distance lender competes with local lenders for mortgage interest rates in those distant localities. The borrower benefits whether he uses a conventional or an FHA mortgage because it is the average interest rate that is affected by the influx of out-of-state lenders.

The demise of the nationwide market would also result in a widening of regional rate differentials and, thereby, less construction and home financing in growing areas as well as increased costs to borrowers.

What evidence is there that low-downpayment home mortgage financing would cost the consumer more without the FHA unsubsidized programs? Several alternative sources of funds need to be examined. First, a conventional high-downpayment first mortgage coupled with a second mortgage. The median interest rate in the 1950 Census of Housing on the conventional first mortgage where there was also a conventional second mortgage was a half percentage point higher than FHA financing (5.0 vs. 4.5 percent) and the median interest rate on the second mortgage was one and a half percentage points higher (6.0 vs. 4.5 percent). The 1960 Census of Housing has less complete data but the spread widened to 1.4 percentage points between the median interest rate on conventional first mortgages, which also had a second mortgage, and the median rate on FHA mortgages. (The 1970 Census of Housing has not yet been tabulated.)

Another measure is a comparison of the regional spreads in yields on home mortgages. The FHA data are based on an opinion survey of secondary market yields in the six FHA regions. From 1962 through 1965 the monthly spread between the regions with the lowest and highest yields ranged from 16 to 26 basis points. During 1966 and 1967 the range was between 6 and 18 basis points. During 1968 and 1969 the range was between 11 and 47 basis points. Since 1970 the range has been between 7 and 30 basis points with 1972 falling between 13 and 20 basis points.

These spreads are consistently much narrower than the geographic yield spreads on conventional home mortgage loans. The FHLB Board survey provides the effective yield for 18 metropolitan areas. The spread between the low and high areas ranged from 62 to 91 basis points in 1964. In 1965, 1966, 1967 and 1968 the range was from 88 to 149 basis points; during 1969 and 1970 from 104 to 229 basis points and from 1971 to date, 79 to 145 basis points.

Except for a few months in 1970, the FHLB Board conventional yield in the high-rate area has regularly averaged 50 basis points higher than the high-rate FHA region. This is true even though the FHLB Board series includes conventional mortgages of all loan-to-value ratios, whether low, medium or high. Presumably, the high-ratio conventional loans in the SMSAs would have a still higher effective yield and larger premium over FHA loans.

Middle-income borrowers

From the public interest viewpoint, termination of FHA's unsubsidized programs would (1) decrease the availability of credit for a larger proportion of the middle-income families which require FHA low-downpayment loans (roughly estimated at 40 percent to 50 percent) and (2) raise the spectre of still larger federal subsidies to accommodate these families. When considering the massive subsidies required to provide for a part of the nation's low-income families, the prospect of subsidizing borrowing by middle-income families boggles the imagination and provides the most telling need to restore the vitality of FHA's unsubsidized programs.

ALTERNATIVE SOLUTIONS

Whether viewed from this Association's self-interest or from the public interest, the obligation of government and private industry to rebuild FHA's basic programs is irrefutable and urgent. How can this be accomplished and, once accomplished, made secure?

To the extent that a consensus was reached by the Board of Governors on September 6, it left three alternative solutions open for further consideration:

I. Reorganize and improve management of HUD.

II. Re-establish FHA as an independent, constituent agency of HUD.

III. Create an independent federal agency for unsubsidized programs only.

Reorganize and improve management of HUD

This alternative would bring about corrective change by consultation with HUD officials, by persuasion, and, when appropriate, by public criticism and political pressure. It is distinguished from alternatives II and III, because it would not require legislation.

This alternative already is and should remain a part of the Association's continuing effort to expand and improve the performance of the nationwide market for residential mortgages. The Association's track record in obtaining improvements in FHA's performance has varied widely over the years. These variations have been, in part, a failure on the part of the Association to maintain liaison and to develop ideas and methods to aid in FHA's search for solutions to its problems. In larger measure, the variations in the Association's track record are the result of the political system itself.

Politically appointed administrators tend to be uninformed on the intricacies of the market and are not prone to take advice from special interest groups. Recognition of the proper and effective use of expertise available in the ranks of special interest groups, such as trade associations, develops slowly. Each new administration must make its own way in developing procedures that choose judiciously among contradictory views and that perceive the fine line between views that serve a broad public interest and views that serve only a special interest. It must develop an understanding of the role of trade associations and market participants and both parties must construct a communication system that is built on mutual respect and trust.

All of this takes time and effort on both sides. When the performance of the federal agency is satisfactory and the public servants that make it satisfactory are secure in their positions, the relationship is readily developed and maintained. When these conditions are not present, the relationship is haphazard and likely to be unproductive.

The current administration of HUD began with an open door policy, but it lacked confidence in the advice it received. Advice from industry was on its face suspect and top administrators were unable to evaluate whether the advice was, in fact, in the public interest. The sorting process began early, but it was thwarted by reorganizations, shifts in personnel, and investigations. During the past year, the sorting process was finally completed, respect established, and communications systems worked out. In recent months, progress has been made in revised processing procedures and regulations that benefit FHA, market participants and, most importantly, borrowers.

Note that this progress has been limited to technical improvements and is another phase in the up and down variation of the Association's ability to communicate with HUD management. It seems quite likely that the rebuilding process will begin again in a few months when a new Secretary comes on board, brings his own staff and shifts personnel. If the President's plan to reorganize the executive departments is adopted in 1973 or 1974, the rebuilding process will begin still another time. This raises serious doubt about the feasibility of alternative I contributing to restoration of vitality in FHA's unsubsidized programs over any reasonable period of time.

Moreover, it is unreasonable to assume that any trade association will determine who will be on the management team, particularly to assume that individuals indebted to the association may be appointed. Indeed, such a relationship would be highly undesirable. Whatever benefits might be received, they would be short-lived and the trade association that succeeded in creating such an arrangement would find its credibility questioned by the public, the Congress, and by future management teams of HUD. Of course, it is appropriate to seek out qualified men and to recommend their consideration by the Administration—but the matter should rest there. In the end, history tells us to expect the selection of individuals to fill the top positions to be influenced heavily by political decisions and to expect another cycle in the rebuilding process.

Note also that the progress made during the last year has not affected the fundamental causes of FHA's deterioration—political and social pressures, new programs, and new distortions of FHA's original purpose. This raises the critical question as to whether consultation and persuasion or even public criticism, can make a dent in the longer-range task of revitalizing FHA's basic programs. Several points should be considered.

First, many of the new burdens carried by HUD and the baggage distorting the role of federal mortgage insurance are creatures of Congress. They could not be reversed by any Secretary, no matter how well he managed the Department.

Second, it does not seem to be reasonable to assume that sound management alone can reverse the decline in FHA's basic programs. The management problem has been repeatedly aggravated by the diversion of FHA from its original purpose and the "scandals" that followed. The subsidy programs imposed on an ill-equipped FHA in 1968 draw attention to the new management team, but the deterioration of FHA is the result of an accumulation of programs assigned to HUD as well as to FHA over a long period of time. The size of the iceberg simply was not revealed until this year.

It does not seem to be reasonable to assume, therefore, that a new management team, however qualified, can overcome the effects of this accumulated burden of urban and social programs on FHA's basic programs. One need not oppose the nation's will with regard to its social programs to reach that conclusion. It is only necessary to realize that (1) the resources required to manage complex urban problems and critical subsidized housing are far greater than those required to manage FHA's basic programs, (2) different knowledge and skills are required, and (3) FHA's basic programs will lose out in the competition for HUD resources.

Until Congress recognizes the operating cost of subsidy programs and provides enough resources to get that job done without draining resources from FHA's unsubsidized programs, no management can resolve the problems or respond to protestations, persuasion, and advice from trade associations and others to revive FHA's basic programs.

In short, legislation prescribing a separation of these disparate FHA roles and providing adequate resources must be provided before the best of management can get the job done.

Third, the Association's track record on its long-range policy throws light on this point. When the Association's first policy statement was published in 1953, it stated:

"We suggest that a complete reorganization of the Housing and Home Finance Agency should be considered by the responsible governmental office. This office should weigh all the advantages of separating those self-supporting agencies dealing with credit, such as the Federal Housing Administration and the Home Loan Bank System, from those agencies administering direct Federal loans and grants-in-aid programs, both of which are now grouped under the Housing and Home Finance Agency.

"We believe that the Housing and Home Finance Agency should act solely as a policy making and co-ordinating body, leaving all administrative duties to the agencies themselves."

By the time of its next published policy statement MBA had concluded that the inclusion of FHA in HHFA had been a mistake, to be rectified only by its removal from the "coordinating" agency. The pertinent section of the 1956 Statement is as follows:

"That the Federal Housing Administration be incorporated as a government owned corporation; managed by a board of directors and presided over by a president—all appointed by the President.

"That the FHA be made fully accountable for its operating policies, reporting directly to Congress and the President."

With slight modifications, this remains the policy of MBA. At the May, 1972 meeting of the Board of Governors, the earlier policy was, in fact, reaffirmed.

"Association officers shall use necessary financial and staff resources to develop legislation and to organize an effective campaign to promote a federally-chartered corporation devoted to the original purposes of

FHA. Specifically, the effort shall seek to divorce the unsubsidized FHA programs from the Department of Housing and Urban Development."

These facts cannot be viewed lightly. Following the procedures implicit in alternative I for at least two decades, MBA has not only failed in its efforts to gain acceptance of its policy on this matter by successive administration of HHFA and HUD, it has seen the deterioration it feared actually take place. Even under administrations where communications were excellent and technical improvements were accomplished, the inroads on FHA's basic programs and its independence continued.

Perhaps the Association was lulled into inaction by periodic technical improvements and less evident inroads into FHA's capacity to perform. At any rate, it took the legislative road only once. On that occasion, the Association did not pursue a positive legislative program directed towards achievement of its policy. Instead, it reacted belatedly to the failure of its policy by fighting for at least the recognition of FHA in the newly formed Department of Housing and Urban Development. As a result, the title FHA Commissioner was retained, but nothing more. All powers were vested in the Secretary and as a result, it can be argued that today the Commissioner is the only FHA employee in HUD. If this Administration's reorganization plan should become law, even that vestige of FHA will disappear.

In summary, the implicit assumptions of alternative I are:

1. The HUD management team is knowledgeable in all areas and most capable.

2. The relationship between MBA and HUD management is developed and maintained on the basis of mutual respect and a mutual interest in serving the public good.

3. Congress has given the management of HUD the resources and authority necessary to respond to recommendations in the public interest, including recommendations to help restore the vitality of FHA's basic programs.

4. Congress and the Administration desire to restore the vitality of FHA's basic programs.

Assumptions 1 and 2 are quite possible; the record over two decades raises doubts that assumption 3 will be fulfilled; and the record of the past few years at least suggests that the Administration is convinced that conventional lenders can supplant FHA's basic programs. Under these conditions, it seems highly unlikely that this Association, and its allied Associations, can stop the deterioration in FHA through consultation with HUD or Administration officials. And, it seems highly likely that the long-range objective can be accomplished only through legislative reform.

As John J. Corson, experienced consultant to business, industry, and government testified before Congress on the current proposal to reorganize the executive departments:

"Harold Seidman, in *Politics, Position, and Power* . . . says that the idea that 'we can resolve deep-seated and intractable issues of substance by reorganization' is simply a myth, a persisting myth."

Reestablish FHA in an independent, constituent agency of HUD

Legislative reform can take two forms. It can create an independent agency or provide for independence within HUD.

As he pointed out earlier, the historical deterioration of FHA's basic programs began in 1938, when the purpose of federal mortgage insurance was diverted to stimulate economic recovery. The process continued, but FHA maintained its independence and its ability to keep its basic programs in good order. In 1947, FHA was absorbed into the newly formed Housing and Home Finance Agency as a constituent agency, that is, it maintained a degree of independence similar to that of a wholly-owned subsidiary of a corporate conglomerate.

The Administrator found that he did not have the authority to integrate FHA into the HHFA and, when the Department was formed in 1965, Congress gave the Secretary authority to make organizational changes deemed necessary to "bring FHA into the Department." This process would culminate in this Administration's proposed reorganization of executive departments. Specifically, the Administration's proposal to establish a Department of Community Development (DCD) would provide for a housing administrator, but mortgage insurance would be only one of his many responsibilities and the line organization under the housing administrator would parallel the present HUD structure.

This process will have to be reversed if FHA's basic programs are to be revived. And, this can be accomplished only by legislation that clearly provides for separate administration of federal mortgage insurance programs that are self-supporting from administration of socially-oriented programs. The fact that a house is a house, that certain processing functions may be identical, is not relevant. If those functions that are not identical, e.g., credit underwriting, and those goals that are not identical, e.g., housing the poor, continue to be mixed, we must expect repeated breakdowns in the self-supporting programs. This result must be expected not because one individual cannot apply two distinct standards of credit underwriting, but because he cannot resist the shading of one set of standards into the other when Congressional and/or Administration economic and social objectives demand that the standards be stretched. At one time, his performance is measured by housing production, another by the number of poor families provided with shelter, and another by his ability to maintain quality standards. The latter measure of performance should be applied consistently, not revived after each new diversion reveals the cost of losing sight of quality standards.

The crux of the matter, then, is that the arm responsible for FHA's basic programs must maintain singularly firm quality standards in processing, appraisals, inspections, credit underwriting, and approval and auditing of approved mortgagees. This can only be done and made secure by maintaining federal mortgage insurance as a separate and distinct departmental function, untainted by efforts to stimulate or slow down the economy or by social objectives, and free from the task of bringing disparate views together.

Programs for achieving social objectives should be administered separately from FHA. Mortgage insurance is unnecessary and a costly fiction in subsidy programs. It is not the insurance reserve that makes the program marketable. It is the federal subsidy and federal support. In the case of Sec. 235 housing, for example, the socially-oriented arm could determine which families are ready for home ownership, provide the necessary counseling and subsidy funds, and provide a federal guaranty of the mortgages. The self-supporting FHA arm would then apply its standards to the house and the mortgage without the tearing conflict that exists today. The mortgage would be attractive to the private investor. The government would not be faced with today's scandals, nor would it have paid to subsidize the extra cost of putting buyers in the housing they want instead of the housing they can afford. Moreover, this separation would not require serious duplication of manpower in the field if FHA stayed out of the subsidy business and the rest of HUD stayed out of the mortgage insurance business. It requires only that the standards established by the mortgage insurance be maintained without distortion and clearly separated from other HUD functions.

The legislation required would not be complicated. Among other things:

It would specifically establish and make secure the Federal Housing Administrator as the individual responsible for mortgage insurance programs.

It would provide for separate accounting for budget purposes, thereby providing Congress with a more accurate view of the cost of administering subsidies.

It would make the Administrator explicitly responsible for establishing and maintaining standards for appraisals, inspections, property and credit underwriting and the quality of services provided by approved mortgagees.

It may permit the FHA contract rate to be market determined, perhaps limiting the discount to a maximum of 3 points.

If Congress recognizes the ability of the FHA to be self-supporting, it need no longer hold to the view that interest rates should be controlled because the mortgages are federally insured. If it desires to subsidize through the interest rate, the subsidy payment should flow directly to the borrower and should be a federal commitment that qualifies or does not qualify the borrower for a federally-insured loan.

It should permit FHA to compete vigorously with private insurers, e.g., to provide for insurance premiums that vary with the risk.

It should not saddle federally-insured mortgages with any requirements, e.g., compliance requirements, that are not applicable to conventional loans.

It should permit FHA to contract with HUD's research and legal arms or with outside consultant services as needed.

Above all, it should be insulated from the pressures that now bear upon the Secretary and, in the end, result in lower standards for federal mortgage insurance.

This would require ending the practice of holding FHA hostage to other housing legislation. If the legislation proposed here is enacted, subsequent housing legislation should not involve FHA's role as keeper of the standards for federal mortgage insurance, as continuation of this practice would be untenable. As long as FHA is self-supporting, the need for annual appropriations and renewal of its authorization to insure—the weapons for holding FHA hostage—would disappear. Nevertheless, it would remain advisable for Congress to review the performance of FHA annually and for GAO to audit FHA's accounts and to maintain continued surveillance to prevent as well as to uncover fraud and malpractice. The latter would be less of a problem in an agency that is maintaining standards that are periodically reviewed than one where the standards are more or less elastic. If Congress feels that it must rely upon annual authorizations and appropriations for control purposes, such annual reviews should be scheduled by statute in a way that mandates review and action separate from housing or other legislation.

Admittedly, there is little legislative precedent for specifically prescribing how a part of an executive department should be managed; the legislation outlined here would be difficult to achieve; and, once achieved, it could be made secure only by continued vigilance against legislation that would whittle away the constituent agency's independence.

Create an independent Federal agency for unsubsidized programs

This alternative does not differ markedly from alternative II. A few additions should be written into the legislation. These would include:

Appointment of the directors and chief officers of the agency by the President, with advice and consent of the Senate. These appointments should be for terms that are staggered and long enough to protect the agency from political pressures.

A direct line of responsibility to the Congress and the President.

Transfer of personnel and protection of their retirement rights.

Transfer of appropriate insurance reserve funds. (This would not affect the federal budget.)

Tax exemption on net income going into reserves.

Full faith and credit support of debentures issued against foreclosed mortgages.

A clear statement charging the agency with maintenance of standards in federal mortgage insurance and of self-supporting operations.

This alternative differs from II by providing greater assurance that the separation could be made secure. Having made a clean break, it would be more acceptable for it to (1) provide for greater reliance on FHA mortgages for underwriting, (2) provide for sanctions when mortgagees do not perform adequately, and (3) maintain the break in the bond between FHA mortgages and special purpose legislation. It would make a clear contribution to the improvement of morale and restoration of the esprit de corps that once typified FHA.

The separate agency, if structured as suggested, would reduce the likelihood of political patronage and general political pressure as well as the pressure from individual political figures. This is a significant difference between alternatives II and III.

At the same time, HUD would be in a better position to marshal its resources to resolve the problems of the cities and to develop workable subsidy programs. Consumer groups would be more, not less, able to communicate with HUD officials. Both Congress and HUD would be forced to design subsidy programs that are workable in the private market, unclouded by the fiction that a self-supporting insurance program can somehow provide a subsidy and manage the complex and different problems inherent in providing subsidies.

It should be recognized that a separate federal agency is not necessarily anathema to either the Congress or the Administration. Even after the proposed reorganization of executive departments, 50 independent agencies would remain. After years in housing agencies, the FHLB Board managed to regain its independence in 1954. As might be expected, Housing Administrator Cole opposed the separation. The reasons given by proponents of the separation were quite different from those advanced here to create an independent FHA. For the most part, proponents of separating the FHLB Board from HHFA argued that it was no longer necessary to keep the Board in HHFA, that the Banks were privately owned, and that a greater volume of funds would be made available if the separation were permitted. In the FHA situation, it has been self-supporting for most of its existence and it is necessary to separate FHA's mortgage insurance function from HUD's other activities if the nationwide market is going to survive. If Congress can be convinced that an independent agency is in the public interest, it will provide the necessary legislation.

CONCLUDING REMARKS

FHA must formulate practical, efficient, and workable regulations and Congress must permit FHA to compete with conventional lenders and private insurers. The only alternative is to permit the prevailing deterioration to run its course.

Once on this road, the nation would be faced with the task of providing financing for those middle-income families which cannot obtain conventional financing, as builders do not move from $20,000 FHA housing to $20,000 conventionally-financed housing but to $40,000 conventionally-financed housing. This could be accomplished by accepting the cost of subsidizing a still broader income range of home buyers or requiring conventional lenders to invest a specified portion of their funds in mortgages to house middle-income families. The former would require still larger federal expenditures and the latter would require statutory and regulatory control over the entire credit system.

The 1972 housing legislation introduced by the House Banking and Currency Committee would set a precedent for filling the gap left by a failure of FHA to house middle-income families. An eleventh hour amendment would have authorized federal direct lending when borrowers could not obtain credit at a 6.5 percent rate. This concept has been proposed often enough to create concern in the private market. If the federal government persists in its apparent belief that the effect of inflation—the most significant cause of high housing prices and high interest rates—can be overcome by direct federal lending, it is only a step away from direct lending to fill any gap that might be created by FHA's failure to perform. Despite the enormous, but hidden, costs of such a program, the current proposal suggests that its possible use and expansion is not mere speculation.

Clearly, the only economically and socially feasible alternative is to restore the vitality of FHA's basic, unsubsidized programs. It seems equally clear that this can be done and made secure only through legislation.

Legislative objectives are most apt to succeed when a crisis is at hand. The crisis in FHA is already upon us and will come into sharper focus with each passing month. Numerous Congressmen are aware of HUD's failure to perform and would listen to concrete recommendations. A few Congressmen are pursuing their own studies. HUD, itself, is concerned. Even before the publicity broke on subsidized housing, Under Secretary Richard C. Van Dusen stated before a conference sponsored by the *New York Law Journal* on May 12, 1972:

"Finally, let me simply touch on a suggestion which I advanced about a year and a half ago in a speech at the Harvard Business School. I suggested that the Business School students might want to undertake as a case study the problems and opportunities which might be presented by a 'spin off' of the conventional mortgage credit insurance operations of the Federal Housing Administration.

"Basic responsibility for the subsidy and other special risk programs would, of course, have to remain a governmental function. But the FNMA example suggests the possibility that the basic credit insurance operations of the FHA, which have been well established and have proven thoroughly successful, might be 'spun off' to private operation in the manner that the secondary market operations of FNMA 'went private' in 1970."

This Association's Board of Governors concluded in September 1972, on the basis of a consultant's report, that a privately-owned and controlled FHA would not be acceptable to Congress or the Administration, but it remained dedicated to its long-standing policy that FHA's basic programs and function as mortgage insurer should be separated from its social programs and from the hosts of other responsibilities assigned to HUD.

Both Congress and the Administration are faced with a serious breakdown in FHA programs, a heavy federal budget, and a growing number of mortgage borrowers who cannot obtain credit or are forced to pay inordinately high interest rates. Accordingly, they should be receptive to recommendations for reform that can resolve their dilemma and not increase the budget deficit.

As the world's greatest book says, "To everything there is a season, and a time to every purpose under the heaven." If MBA's policy of two decades will ever see its season for legislative accomplishment, the time is now.

GREAT VICTORY FOR MARSHALL UNIVERSITY

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, I would like to thank my colleagues who took time out yesterday to extend personal greetings to the great Marshall University basketball team which visited the U.S. Capitol yesterday. Among the Members of Congress who spoke with the Marshall players were Representative LOUIS STOKES of Ohio, who met the players at the National Airport; Representative CHARLES BENNETT of Florida, Representative AUGUSTUS HAWKINS of California, Representative JAMES WRIGHT of Texas, Representative CHARLES MOSHER of Ohio, and Senator LOWELL WEICKER of Connecticut. I would also like to extend special, personal thanks to Speaker ALBERT for making available the Speaker's Dining Room to honor these fine players and coaches. "Fishbait" Miller gave the team his customary red-carpet treatment when they visited the Doorkeeper's office.

Lincoln's Birthday was a highly appropriate day to visit the Capitol, even though the House and Senate were not meeting yesterday. It was also the birthday of 11-year-old Scott Daniels, son of Coach Bob Daniels. The Marshall team had an opportunity to visit the floor of the House and Senate, the Prayer Room, and all sections of the Capitol. I was very impressed with the questions and discussion of the team members, who have a keen interest in public issues before the Congress and the Nation.

In midafternoon, the Marshall team headed out to Fort Myer to practice for their crucial game with the George Washington University Colonials last night. With a 12–1 record on its home floor, Memorial Field House in Huntington, W. Va., and only a 1–5 record away from home prior to last night's game, the odds clearly favored George Washington University. Using aggressive ball-handling tactics, Marshall sprang into an early lead and dominated the play throughout the game. I was honored to join hundreds of loyal Marshall rooters from the Washington-Virginia-Maryland area who turned out to cheer Marshall on to a convincing 63 to 57 victory over G.W.

The Marshall team making the trip included Cocaptain Greg Imperi of Huntington, W. Va., a graduate of St. Joseph's Central High School in Hunting-

ton, W. Va.; Cocaptain Wayne Smith of Milwaukee, Wis.; Thomas Ferrell of Kenova, W. Va., a graduate of Ceredo-Kenova High School; Earl Williams of Lanham, Md.—born in Beckley, W. Va.; Joe Hickman of Woodstown, N.J.; Jack Battle of Knoxville, Tenn.; Dave Mastropaolo of Falls Church, Va.; Pete Polo of Riverdale, N.J.; Kenny Hurst of South Point, Ohio—born in Huntington, W. Va.—Charles Novak of Goshen, N.Y.; Frank Austin of Cleveland, Ohio; Eric Bachelor of Eminence, Ky.; and Bill Mannefeld of Plano, Texas.

Head Basketball Coach Bob Daniels and his staff deserve a lot of credit for the superior performance of the Marshall team. Accompanying Coach Daniels were assistant coaches W. Stewart Way and Bill Robinette; director of athletics, Joe McMullen; Ed Starling, assistant director of athletics; Sam Stanley, sports information director; Vic Winburn, trainer; Bob Chinn, equipment manager; and Mike Holman, student manager.

SOUTH FLORIDA MEDIA COOPERATE FOR RESPONSIBLE JOURNALISM

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, last year two representatives of the Knight Newspapers' Washington Bureau—Bureau Chief Bob Boyd and Clark Hoyt—were awarded the coveted Pulitzer Prize for their actions and their story involving the medical history of the then Vice Presidential nominee, Senator EAGLETON. The reporters learned of the Senator's record of medical treatment and, instead of printing the story and getting a "scoop" on their competition, they first went to the Democratic Presidential candidate, Senator MCGOVERN, and advised him of what they had learned. The Senator then released the story to the rest of the media.

Last week, a prominent Miami attorney, Mr. Charles Courshon, was kidnaped and held for ransom. News of his capture did leak out and the press learned of it. However, despite enormous pressures to be first to break the story, the local news media, including the Knight paper, the Miami Herald, complied with the request of the FBI and did not release the news. Fortunately, Mr. Courshon was able to escape his captors and they were apprehended.

A free, competitive press and media is one of the most basic safeguards to a democratic system of government and it must be defended and protected to the highest possible degree. It must be free to print or tell the story or to cooperate in withholding a story for a greater public benefit such as saving a person's life.

I commend the Miami Herald and the rest of the South Florida media for their restraint in this instance. I call to the attention of our colleagues an article written by Mr. Steve Rogers, Metropolitan Editor of the Herald, which tells why the Herald and other local press and media held back a page one story:

WHY WE HELD BACK ON PAGE 1 STORY

(By Steve Rogers)

We're in the business of putting news into the paper. If something important happens today, we want you to read about it tomorrow morning.

Our urgency to report the news as quickly as we can usually is tempered only by our insistence on reporting it fully and accurately. Thus were we and other Knight newspapers scooped by our own story, one of the biggest stories of 1972—the history of the mental health problems of Tom Eagleton, the vice presidential candidate. We withheld the story until we could get Eagleton's comments. Aware of what we knew, the Eagleton camp gave its own version to other media.

Rarely is there any other reason to withhold a story. But one came up last week and we and other media temporarily held back the day's major local news story. The result was that South Floridians did not learn of the kidnaping of Miami Beach lawyer Charles Courshon until 18 hours after the fact.

We delayed our story at the urging of Kenneth Whitaker, the regional director of the FBI, and Miami Beach Police Chief Rocky Pomerance.

They made their plea to newsmen, who relayed it to their editors and news directors, at a briefing in Miami FBI headquarters at 1 a.m. Wednesday, about eight hours after two men grabbed Courshon at gunpoint as he walked from his law office.

By that time, through anonymous tips and leaks, reports of the kidnaping had spread. Reporters were questioning the FBI for details.

Whitaker gave some details, but only after he had extracted this promise from newsmen—we would not use the story prior to another briefing, scheduled for 11 a.m., unless Courshon was released in the interim.

Larry Jinks, our executive editor, had discussed our policy with me. We would agree to do nothing until 11 a.m., which meant keeping the story out of our final edition of Wednesday's paper. Mike Haggerty, an assistant city editor in charge of the city desk at the time—who had a staff cranked up to rush in a story—passed the word to Jay Maeder, our reporter at Whitaker's briefing.

We usually don't take kindly to suggestions from the FBI or anyone else to keep news out of The Herald. (These suggestions are sometimes demands or threats; they come often these days from government at all levels.)

But Whitaker was persuasive. To release the story, he argued, was to jeopardize Courshon's life.

Is this so? Who knows for sure?

The rationale is that the sooner the ransom is paid and the case is solved the better the chances the victim will escape unharmed.

Written into the kidnaper's script, when he makes his demand for ransom, is this threat: Don't call the FBI.

One suspects that this warning is almost universally ignored; the police or the FBI are called in and their investigation progresses as quietly as possible. The kidnaper may or may not assume that the FBI has been alerted. Either way, he may panic when he learns they are. Is not the victim's life in greater jeopardy?

Courshon himself certainly thought so.

He found himself listening to the news in his kidnapers' apartment Tuesday night.

"When the radio told about the Hearst girl's kidnaping, I almost fell over," Courshon was quoted as saying after his escape Wednesday, "I was sure mine would be next. And that, I felt, would have endangered things."

Yet there is far from unanimity of thought among news executives over whether reports of a kidnaping, or any story for that matter, should be withheld.

One Florida editor blistered the Associated Press in a letter protesting the decision by AP and other media to delay reports on the Hearst kidnaping. He accused AP of suppressing the news, adding:

"None of us, of course, would ever want to do something which would jeopardize the life of anyone. But the police and others are always asking us not to print something—and they always have an urgent reason. Since when do we make those censorship judgments . . ."

He recalled "The New York Times' unfortunate decision" to suppress its story on the Bay of Pigs invasion at the request of President Kennedy.

Then he recounted some journalistic triumphs that came over government protests, specifying reporting of the Vietnam War and the publication of the Pentagon Papers. Of the latter, he said:

"We gave an award to The New York Times for printing the Pentagon Papers in spite of government protestation that it seriously damaged the entire fabric of the U.S. effort in Asia and threatened the lives of countless GIs in Vietnam."

The editor's argument falls on one point, which he refers to as "censorship judgments." They're made at The Herald, at his paper and every paper in the country hundreds of times each day.

They're made on what stories we cover; they're made on which stories (of the hundreds available) we'll run each day; they're made on what goes in, and does not go in, each story.

We make other censorship judgments. We edit for good taste and thus edit obscenity and profanity out. We won't identify witnesses to crimes if we believe they may suffer as a result. We won't run a story about an impending police drug raid.

A reader recently upbraided us for reporting in some detail how a bank raised a ransom in another kidnaping. That information, he felt, might encourage other kidnapings. We disagreed in part. We don't think kidnapers are inspired by newspapers. We did agree that prudence might have edited out a few of the specifics.

The editor who complained to AP said he believed in "telling it like it is" and "letting the chips fall where they may." A colleague sent him this rejoinder:

"I don't think our decision-making responsibility is that simple, despite the historic example of The Times and the Bay of Pigs.

"We are all paid to make judgments. I've never found any guides that eliminate the

need for case-by-case examination when there are conflicting pressures.

"Any good journalist leans toward full reporting, as quickly as possible. That doesn't make our decision automatic when an innocent human life may be at stake."

We call ourselves "Florida's Complete Newspaper," a slogan that implies that if we have news that's important or interesting or useful to Floridians, we'll print it.

One day last week we weren't as complete as we could have been. We're glad we weren't.

KISSINGER SIGNS AGREEMENT ON PRINCIPLES WITH PANAMA

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, last Thursday with Senator McGEE, Congressmen LEGGETT and FORSYTHE, I had the privilege of accompanying our very able Secretary of State Henry Kissinger to Panama for the signing of an agreement on a set of fundamental principles to govern negotiations of a new Panama Canal treaty. Secretary Kissinger's personal involvement in the signing of the principles is indicative of the importance he attaches both to the resolution of our problems with Panama and to improve relations with all the nations of the hemisphere.

Because of the widespread interest in the House in our negotiations with Panama, I include in the CONGRESSIONAL RECORD the text of a joint statement by Secretary Kissinger and Panama's Foreign Minister Juan Antonio Tack which incorporates the list of principles agreed on by the United States and Panama.

I am also including the text of a major address given by Secretary Kissinger while in Panama. The positive and constructive thrust of the speech is a welcome indication that the United States is at last intent on again giving to the affairs of our own hemisphere the attention they deserve:

JOINT STATEMENT BY THE HONORABLE HENRY A. KISSINGER, SECRETARY OF STATE OF THE UNITED STATES, AND HIS EXCELLENCY JUAN ANTONIO TACK, MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF PANAMA, ON FEBRUARY 7, 1974, AT PANAMA

The United States of America and the Republic of Panama have been engaged in negotiations to conclude an entirely new treaty respecting the Panama Canal, negotiations which were made possible by the Joint Declaration between the two countries of April 3, 1964, agreed to under the auspices of the Permanent Council of the Organization of America States acting provisionally as the Organ of Consultation. The new treaty would abrogate the treaty existing since 1903 and its subsequent amendments, establishing the necessary conditions for a modern relationship between the two countries based on the most profound mutual respect.

Since the end of last November, the authorized representatives of the two governments have been holding important conversations which have permitted agreement to be reached on a set of fundamental principles which equitable treaty eliminating, once and for all, the causes of conflict between the two countries.

The principles to which we have agreed, on behalf of our respective governments, are as follows:

1. The treaty of 1903 and its amendments will be abrogated by the conclusion of an entirely new interoceanic canal treaty.

2. The concept of perpetuity will be eliminated. The new treaty concerning the lock canal shall have a fixed termination date.

3. Termination of United States jurisdiction over Panamanian territory shall take place promptly in accordance with terms specified in the treaty.

4. The Panamanian territory in which the canal is situated shall be returned to the jurisdiction of the Republic of Panama. The Republic of Panama, in its capacity as territorial sovereign, shall grant to the United States of America, for the duration of the new interoceanic canal treaty and in accordance with what that treaty states, the right to use the lands, waters, and airspace which may be necessary for the operation, maintenance, protection and defense of the canal and the transit of ships.

5. The Republic of Panama shall have a just and equitable share of the benefits derived from the operation of the canal in its territory. It is recognized that the geographic position of its territory constitutes the principal resource of the Republic of Panama.

6. The Republic of Panama shall participate in the administration of the canal, in accordance with a procedure to be agreed upon in the treaty. The treaty shall also provide that Panama will assume total responsibility for the operation of the canal upon the termination of the treaty. The Republic of Panama shall grant to the United States of America the rights necessary to regulate the transit of ships through the canal, to operate, maintain, protect and defend the canal, and to undertake any other specific activity related to those ends, as may be agreed upon in the treaty.

7. The Republic of Panama shall participate with the United States of America in the protection and defense of the canal in accordance with what is agreed upon in the new treaty.

8. The United States of America and the Republic of Panama, recognizing the important services rendered by the interoceanic Panama Canal to international maritime traffic, and bearing in mind the possibility that the present canal could become inadequate for said traffic, shall agree bilaterally on provisions for new projects which will enlarge canal capacity. Such provisions will be incorporated in the new treaty in accord with the concepts established in principle 2.

AN ADDRESS BY SECRETARY OF STATE KISSINGER AT PANAMA FEBRUARY 7, 1974, ON THE OCCASION OF THE SIGNING OF THE JOINT STATEMENT OF PRINCIPLES FOR NEGOTIATIONS ON A NEW PANAMA CANAL TREATY

We meet here today to embark upon a new adventure together. Our purpose is to begin replacing an old treaty and to move toward a new relationship. What we sign today hopefully marks as well the advent of a new era in the history of our Hemisphere, and thus makes a major contribution to the structure of world peace.

Meeting as we do on this Isthmus which links North with South and Atlantic with Pacific, we cannot but be conscious of history—a history which has profoundly changed the course of human affairs. Four centuries ago the conquistadors landed here bringing faith and taking booty. They were representatives of the traditional style and use of power. Seventy years ago, when the Panama Canal was begun, strength and influence remained the foundation of the world order.

Today we live in a profoundly transformed environment. Among the many revolutions of our time, none is more significant than the change in the nature of world order. Power has grown so monstrous that it defies calculation; the quest for justice has become universal. A stable world order cannot be imposed by power; it must derive from consensus. Mankind can achieve community only on the basis of shared aspirations.

This is why the meeting today between representatives of the most powerful nation of the Western Hemisphere and one of the smallest holds great significance. In the past our negotiation would have been determined by relative strength. Today we have *come* together in an act of conciliation. We recognize that no agreement can endure unless the parties to it have a stake in maintaining it. Participation in partnership is far preferable to reluctant acquiescence.

What we do here today contains a message, too, for our colleagues in the Western Hemisphere who, in their recent meeting in Bogotá, gave impetus to this negotiation. The method of solution and the spirit of partnership between Panama and the United States as embodied in this agreement are an example of what we mean by the spirit of community in the Western Hemisphere—it can be the first step toward a new era which we believe will be given fresh hope and purpose when we meet again with the Foreign Ministers of all the Hemisphere in two weeks' time.

THE UNITED STATES AND PANAMA

The relationship between Panama and the United States is rooted in extraordinary human accomplishment—the Panama Canal, a monument to man's energy and creative genius. But as is so often the case, man's technological triumph outstripped his political imagination.

For sixty years, the safe, efficient and equitable operation of the Canal has given to Panama, to the United States and to all nations, benefits beyond calculation.

Yet, the Canal still operates under the terms of a treaty signed in 1903, when the realities of international affairs were still shaped by traditional precepts of power.

The tensions generated by these contradictions—the endless debates over the costs and benefits of the Convention of 1903—have jeopardized the ability of our two countries not only to work together to meet future demands upon the canal but also to develop constructive relationships as friends.

We must assess the document we have just signed against this background of reward and frustration. Above all, we must judge it in the context of what is means for the peoples of the United States and Panama and what

is can mean for the people of the Western Hemisphere.

The eight principles in this agreement constitute, as General Torrijos has said, a "philosophy of understanding." Sacrificing neither interest nor self-respect, Panama and United States have made a choice for partnership. Meeting in dignity and negotiating with fairness, we have acknowledged that cooperation is imposed upon us by our mutual need and by our mutual recognition of the necessity for a cooperative world order. Foreign Minister Tack and Ambassador Bunker have shown that Panama's sovereignty and the vital interests of the United States in the Panama Canal can be made compatible. They have engaged in an act of statesmanship impelled by the conviction that we are part of a larger community in the Americas and in the world.

In that spirit of partnership the United States and Panama have met as equals and have determined that a just solution must recognize:

First, that Panama and the United States have a mutual stake in the Isthmus: Panama in its greatest natural resource—its strategic location—and the United States in the use and defense of the canal;

Second, that the arrangement which may have been suitable seventy years ago to both the United States and Panama must be adjusted to meet the realities of the contemporary world;

Third, that a new treaty is required which will strengthen the relationship between us while protecting what is essential to each. A new agreement must restore Panama's territorial sovereignty while preserving the interests of the United States and its participation in what is for us an indispensable international waterway.

Our agreement is the culmination of a long and difficult negotiation.

While we have taken a great stride forward, we must still travel a difficult distance to our goal. There is opposition in both our countries to a reasonable resolution of our differences. Old slogans are often more comforting than changes that reflect new realities. It is the essence of revolutions that to their contemporaries they appear as irritating interruptions in the course of a comfortable normalcy. But it is equally true that those who fail to understand new currents are inevitably engulfed by them.

We are determined to shape our own destiny. Our negotiators will require wisdom, purposefulness, tenacity. They will meet obstacles and disagreements. Yet, they will succeed—for our relations and our commitments to a new community in this Hemisphere demand it.

In the President's name, I hereby commit the United States to complete this negotiation successfully and as quickly as possible.

THE WESTERN HEMISPHERE COMMUNITY

We are here today not just as two sovereign nations but as representatives of our Hemisphere. We meet at a point of time between the meetings of Foreign Ministers in Bogotá and Mexico City which can mark an historic turning point in Western Hemisphere relationships.

I know that many of my country's southern neighbors believe they have been the subject of too many surveys and too few policies. The United States is accused of being better at finding slogans for its Latin American policy than at finding answers to the problems that face us all.

Some of these criticisms are justified. At times rhetoric has exceeded performance. But the United States has been torn by many problems; only from afar does it appear as if all choices are equally open to us. We have not been willfully neglectful. And in any case, we have recognized that the time for a new approach is overdue.

I have come here today to tell you on behalf of our President that we are now fully committed to a major effort to build a vital Western Hemisphere community. We understand our own needs:

To live in a hemisphere lifted by progress, not torn by hatreds.

To ensure that the millions of people south of us will lead lives of fulfillment not embittered by frustration and despair.

And, above all, to recognize that in the great dialogue between the developed and the less developed we cannot find answers anywhere if we do not find them here in the Western Hemisphere.

For with all our differences, the nations of this Hemisphere share similar histories and comparable aspirations. They have a common view of the dignity of man. They have the human and economic potential for great acts of common creation.

It is in this spirit that I shall meet my colleagues in Mexico City later this month to deal with the issues posed by them in their Bogotá meeting. We attach particular significance to the fact that the meeting in Mexico City—its substance and its impetus—is the product of Latin American initiative. It is a response to the necessities of the time such as the United States had hoped to achieve with partners elsewhere in the world.

The United States will not come to Mexico City with a program that presumes to have all the answers. Nor will we pretend that our lost opportunities can be remedied by yet another freshly-packaged program labeled "Made in the U.S.A." But we shall come with an open mind and, perhaps more importantly, with an open heart. We are at a moment of truth, and we shall speak the truth.

We know that our neighbors are worried about the blackmail of the strong. We want them to know that we are sympathetic to this concern. At the same time, blackmail is no more acceptable from any other source. We need each other. So let us seek solutions free of pressure and confrontation, based on reciprocity and mutual respect. In Mexico City we can but lay the foundations for the future. But building upon what we achieve in Mexico City we can, over the months and years ahead, erect an edifice of true partnership, real trust and fruitful collaboration.

Thus we approach the meeting in Mexico with but one prejudice: a profound belief that the Americas, too, have arrived at a moment of basic choice, a time of decision between fulfillment together and frustration apart. Our choice will be found in the answers we give to these critical questions:

Can we make our diversity a source of strength, drawing on the richness of our material and moral heritage?

Can we define together, concretely and realistically, the role for the United States in support of Latin American efforts to build a better Western Hemisphere?

Can we together determine how Latin America's new identity and strength can contribute to a hemispheric community?

In short, can the countries of Latin America, the Caribbean, and the United States, each conscious of its own identity, fashion a common vision of the world and of this Hemisphere—not just as they are, but as they are becoming and as we feel they should be—so that we can move together toward the achievement of common goals?

We will conduct the broader dialogue we have all set for ourselves in Mexico City with the same commitment to reciprocity, the same consideration of each other's interests, that marked the negotiations between the United States and Panama.

Thus, in Mexico we seek to initiate a process. We want to shape a new relationship harnessing the political and economic forces of our time to move us toward beneficial cooperation rather than apart into destructive confrontation. Justice—not size or strength—should be the test of our relations.

We begin the quest aware that we are old friends. If we cannot creatively arrive at a modern relationship, the implications will be somber indeed for a global community which shares neither our sense of common destiny nor our history or collaboration.

For centuries men everywhere have seen this hemisphere as offering mankind the chance to break with their eternal tragedies and to achieve their eternal hopes. That was what was new about the New World. It was the drama of men choosing their own destinies.

An American poet has written:
"We shall not cease from our exploration,
And the end of all our exploring
Will be to arrive where we started
And know the place for the first time."

Panama and the United States have now begun this exploration. Our sister republics can make the same choice. Our creativity, our energy and our sense of community will be on trial. But if we are equal to the opportunity, we will indeed arrive where we started—a hemisphere which again inspires the world with hope by its example. Then we shall indeed know the place for the first time because for the first time we shall truly have fulfilled its promise.

VEHICLE WEIGHT INCREASE EMERGENCY ACT OF 1974

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, today, the Honorable CHARLES MOSHER and I have introduced a bill to suspend temporarily the vehicle weight limits imposed by the Federal-Aid Highway Act. The proposed suspension would be effective only to September 30, 1974.

I believe that the prompt enactment of this bill would contribute materially toward ending the truckers' strike and avoiding any similar strike by independent truckers in the near future. Furthermore, it will contribute to this end without raising costs to consumers or creating any appreciable increase in fuel consumption.

I am sure that all of us condemn the

lawless violence of a small minority of truckers and commend the resolute actions of Governors and other officials to curb such violence. At the same time, we have to recognize that the independent truckers had legitimate complaints and that unless those complaints are effectively dealt with in a reasonable time, violence will continue and possibly increase.

Congressman CHARLES MOSHER, Congressman JOHN ASHBROOK, and I have been among the representatives who have met with truckers and officials from the executive branch in an effort to understand and help resolve the crisis. We were informed that many independent truckers find themselves on the brink of complete financial collapse, because of the rapid rise in fuel costs which they are unable to pass on to their customers in the form of higher freight rates. As a result, hundreds of these small businessmen have been forced to operate their trucks at a loss. Nor can they simply discontinue operations, since many of them have interest payments to make on their vehicles.

Fortunately, the bill passed by the Congress last week, which requires the ICC to take action by the end of this week to provide some relief in freight rates, should begin to relieve the truckers' situation. Obviously, a rollback in fuel prices, which, hopefully, the House will vote on next week, should further relieve the situation.

A substantial number of the truckers who are being squeezed the most are those who haul steel and other very heavy materials. A 10- to 20-percent increase in the amount of load that these truckers can carry will immediately reflect itself in a corresponding increase in their income. For this reason, we were advised by truckers' representatives that action to authorize such a load increase would be recognized by all truckers as tangible evidence that the Government is acting to relieve their distress.

Unfortunately, after discussions with the Office of Federal Energy Director William Simon and Secretary of Transportation Claude Brinegar, both of whom demonstrated a most constructive attitude, it became apparent that even a temporary weight increase could not be authorized unless the vehicle weight limitations imposed on the States by the Federal-Aid Highway Act are suspended. In the absence of such suspension, it was the opinion of officials in the Department of Transportation that the act would require the Secretary to cancel Federal highway aid to any State during any period in which the act's vehicle weight limits are followed in that State.

It is understood that the Senate Public Works Committee plans to commence hearings next week on the whole question of uniform interstate vehicle width and weight limits, vehicle licensing, and related matters. Since they will involve a whole range of complex subjects and deal with long term changes in the laws affecting interstate motor vehicle operations, the hearings are likely to be lengthy and be followed by lengthy period for the markup of legislation. Obviously, if we are to provide effective relief to avoid the imminent financial collapse of thousands of independent truckers, we cannot wait for the completion of new permanent legislation.

Accordingly our bill simply suspends the limitations on vehicle weights in the Federal-Aid Highway Act until September 30, which should be ample time for the enactment of more comprehensive legislation. Our bill does not affect vehicle lengths or widths. It does not require any State to change its vehicle weights, but merely makes it possible for the States to do so.

In conversations with the office of Gov. John J. Gilligan of Ohio, the State where much of the strike activity originated, I was advised that the Governor would be prepared to ask the State legislature to take effective action to provide for a temporary vehicle weight increase if the administration and Congress indicated the desirability of such action.

In view of the urgency and importance of this proposal, I would hope that it would receive strong bipartisan support and, in particular, support from the Department of Transportation.

As the truckers' strike has so clearly demonstrated, the tragedy of the independent truckers is not one which the rest of our country can ignore. Even during the short period when the strike and the related violence were at a peak, thousands of workers in other industries were laid off, factories were closed, and the people in many areas faced critical shortages of food, fuel, and other necessities.

We must not allow this situation to happen again. Only this week, a national opinion poll indicated that the public's overall job rating of Congress has fallen to an alltime low. By prompt enactment of the Vehicle Weight Increase Emergency Act, Congress would demonstrate that it can respond effectively to this emergency and would provide new and tangible evidences of our Members' concern for the well-being of all the people of our country.

POW RELEASE ANNIVERSARY

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

Mr. CASEY of Texas. Mr. Speaker, yesterday we observed the first anniversary date of the initial release of the brave Americans held as prisoners of war in Vietnam.

I think it is fitting today that we take a moment to once again express our gratitude to them for what they endured so admirably in the name of justice and liberty of men.

All Americans who served in Vietnam deserve our praise, but the hardships brought on our POW's and their families constitute a debt we can never fully repay.

I know I speak for my colleagues and all Americans when I say once again to our former POW's that they have our continuing gratitude for service so very far above the call of duty.

We must also remember that there are still many of our gallant Americans who remain unaccounted for in Southeast Asia, those who are listed as missing in action.

Mr. Speaker, today, I call on our administration and this Congress to renew efforts for a full accounting, under the terms of the Vietnam agreement, of all Americans who remain MIA's. I join their families in demanding an answer about what happened to these men while serving our country.

SPACE TRIUMPH BY SKYLAB

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

Mr. CASEY of Texas. Mr. Speaker, since this House of Representatives last sat in session our Nation has proudly witnessed an event that will be recorded in history as one of the most significant achievements in man's pioneering ventures into outer space.

Gerald Carr, William Pogue, and Edward Gibson returned to Earth last Friday afternoon after working in our Skylab 3 space station for almost 3 months. The records they established are too numerous to list as they pushed America even further into world leadership in the scientific study of outer space.

I know that all my colleagues here today join me in stating that we, along with all Americans, are proud of the superb performance of not only our astronauts, but the entire team of the National Aeronautics and Space Administration, during their 84-day voyage.

The significance of this mission is much greater than just another in a long line of statistical achievements for America. The Skylab 3 experiments will bring a wealth of scientific knowledge to benefit all men for many years to come.

Astronauts Carr, Pogue, and Gibson did far more than prove that man can live and work in a prolonged state of weightlessness.

They did medical studies, observations of the Sun, studies of the Earth, and experiments involving a variety of chemical and biological processes that man has never done before and could do no other way.

For example, the astronauts found they could make metal alloys in zero gravity that are impossible to make on Earth.

It will take a year or longer to fully analyze the mass of data gathered on this space trip, but we are already certain that the achievements of our Skylab project are a total success and that our investment in space exploration is well spent.

The success of the Skylab program is a tribute to all our Nation's citizens who have joined in supporting the accomplishment of an American dream.

But especially, the credit for these achievements must go to our space team, from Washington to Cape Kennedy and to the L. B. J. Space Center that I am proud to say is in my home district at Houston.

Mr. Speaker, I am convinced that nothing this Nation has ever achieved will be recorded more favorably in history than our effort to go beyond this planet in seeking knowledge where no one had gone before, and then to share it with all mankind.

I hope that my colleagues will join me in telling the American people that our pioneering spirit does not end here, but that we will shall continue to extend our discoveries in space and to apply the benefits of our research here on Earth.

And I know that every Member of this Congress joins me in saying to these three brave Americans who were the crew of Skylab 3: We salute you for a job well done.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JOHNSON of California (at the request of Mr. O'NEILL), for February 13 and 14, on account of illness.

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

Mr. MOSS, from February 15, close of business, through March 5, 1974, on account of medical treatment under doctor's orders.

Mr. PETTIS (at the request of Mr. ARENDS), for February 13 and balance of week, on account of official business.

Mr. RONCALIO of Wyoming (at the request of Mr. O'NEILL), for today, on account of necessary absence.

SPECIAL ORDERS GRANTED

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

Mr. SIKES, for today, for 15 minutes.

Mr. SIKES, for February 14, 1974, for 15 minutes.

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

Mr. HANRAHAN, for 30 minutes, February 20, 1974.

Mr. KEMP, for 15 minutes, today.

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

Mr. DINGELL, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. DIGGS, for 5 minutes, today.

Mr. ROY, for 5 minutes, today.

Mr. REUSS, for 10 minutes, today.

Mr. DOMINICK V. DANIELS, for 10 minutes, today.

Mr. FUQUA, for 5 minutes, today.

Mr. MORGAN, for 10 minutes, today.

EXTENSION OF REMARKS

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

Mr. BRADEMAS and to include extraneous matter notwithstanding the fact it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $522.50.

Mr. FRASER and to include extraneous matter notwithstanding the fact it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $1,149.50.

Mr. BLACKBURN and to include extraneous matter notwithstanding the fact it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $1,985.50.

Mr. GROSS to revise and extend remarks made in connection with dispensing of Calendar Wednesday business.

Mr. CLEVELAND, and to include extraneous material immediately following Mr. WRIGHT's special order today.

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

Mr. PEYSER in five instances.
Mr. FRENZEL in two instances.
Mr. YOUNG of Alaska.
Mr. SARASIN.
Mr. ARCHER in two instances.
Mr. ZWACH.
Mr. WALSH.
Mr. HUNT in two instances.
Mr. SMITH of New York.
Mr. DERWINSKI in three instances.
Mr. GILMAN in two instances.
Mrs. HOLT.
Mr. DUNCAN.
Mr. KEMP in two instances.

(The following Members (at the request of Mr. THORNTON) and to revise and extend their remarks:)

Mr. CORMAN in five instances.
Mr. HAMILTON in 10 instances.
Mr. ANNUNZIO in six instances.
Mr. JONES of Tennessee in six instances.
Mr. OWENS in five instances.
Mr. BOLLING in two instances.
Mr. GONZALEZ in three instances.
Mr. RARICK in three instances.
Mr. MONTGOMERY.
Mr. HARRINGTON in four instances.
Mr. SISK.
Mr. DINGELL.
Mrs. MINK.
Mr. OBEY in six instances.
Mr. ROONEY of New York.
Mr. MATHIS of Georgia.
Mr. HARRINGTON in four instances.
Mr. CAREY of New York.
Mr. PATTEN in two instances.
Mr. MOORHEAD of Pennsylvania in 10 instances.
Mr. WRIGHT.
Mr. HUNGATE.
Mr. DENT.
Mr. MURPHY of New York in three instances.
Mr. ASHLEY.
Mr. ROSENTHAL in five instances.
Mr. EDWARDS of California.
Mr. LITTON.
Mr. MADDEN.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 184. An act to authorize and direct the Secretary of the Interior to sell interests of the United States in certain lands located in the State of Alaska to the Gospel Missionary Union; to the Committee on Interior and Insular Affairs.

S. 194. An act to authorize the Secretary of the Interior to convey to the city of Anchorage, Alaska, interests of the United States in certain lands; to the Committee on Interior and Insular Affairs.

S. 1863. An act to designate the Weminuche Wilderness, Rio Grande and San Juan National Forests, in the State of Colorado; to the Committee on Interior and Insular Affairs.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 37. An act to amend the Budget and Accounting Act, 1921, to require the advice and consent of the Senate for future appointments to the offices of Director and Deputy Director of the Office of Management and Budget, and for other purposes.

ADJOURNMENT

Mr. THORNTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 9 minutes p.m.), the House adjourned until Thursday, February 14, 1974, at 12 o'clock noon.

COMMITTEE EMPLOYEES

COMMITTEE ON AGRICULTURE

January 9, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Permanent staff:		
John F.O'Neal	General counsel	$18,000.00
Hyde H. Murray	Associate counsel	17,985.72
John V. Rainbolt	do	13,783.94
Fowler C. West	Staff director	15,357.75
Louis T. Easley	Press assistant	13,875.62
George F. Missibeck	Printing editor	11,569.44
Betty M. Prezioso	Staff assistant	9,212.67
Martha S. Hannah	do	9,212.67
Marjorie B. Johnson	Secretary to associate counsel.	9,212.67
Peggy L. Pecore	Calendar clerk	9,212.67
Steven S. Allen	Staff counsultant	8,190.78
Investigative staff:		
Mildred P. Baxley	Staff assistant	9,212.67
Mary P. Shaw	do	7,492.62
Doris Lucile Farmarco	do	7,492.62
Julia W. Kogut	Secretary to staff director.	7,678.89
Glenda Louise Temple	Secretary to general counsel.	7,678.89
Nan S. Hunter	Staff assistant	4,482.33
Lydia Vacin	do	1,797.90
Anita R. Brown	Staff assistant (from July 9, 1973).	6,366.13
Emily K. Wulff	Staff assistant (from Sept. 24, 1973).	1,828.89
Stephen J. Pringle	do	3,376.43
Nancy Gail Glass	Staff assistant	1,900.05
Janet L. Jaenke	Staff assistant (through Aug. 24, 1973).	840.01

Funds authorized or appropriated for committee expenditures	$150,000.00
Amount of expenditures previously reported	45,444.88
Amount expended from June 30, to Dec. 31, 1973	62,730.58
Total amount expended from Jan. 1 to Dec. 31, 1973	108,175.46
Balance unexpended as of Dec. 31, 1973	41,824.54

W. R. POAGE, Chairman.

COMMITTEE ON APPROPRIATIONS

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Keith F. Mainland	Clerk and staff director	$18,000.00
Jay B. Howe	Reemployed annuitant	4,446.00
G. Homer Skarin	Staff assistant	18,000.00
Eugene B. Wilhelm	Reemployed annuitant	4,840.00
Samuel R. Preston	Staff assistant	18,000.00
Hunter L. Spillan	do	18,000.00
Henry A. Neil, Jr.	do	18,000.00
Aubrey A. Gunnels	do	18,000.00
George E. Evans	do	18,000.00
Earl C. Silsby	do	18,000.00
Peter J. Murphy, Jr.	do	18,000.00
John M. Garrity	do	15,195.68
Robert B. Foster	do	15,120.68
Milton B. Meredith	do	15,539.81
Thomas J. Kingfield	do	13,084.37
Donald E. Richbourg	do	13,084.37
Robert C. Nicholas	do	12,906.27
George A. Urian	do	11,675.93
Dempsey B. Mizelle	do	12,198.88
Charles W. Snodgrass	do	11,991.24
John G. Plashal	do	9,419.16
Byron S. Nielson	Staff assistant	$9,165.48
J. David Willson	do	12,011.09
Americo S. Miconi	do	11,924.58
Derek J. Vander Schaaf	do	14,877.24
Robert L. Knisely	do	8,012.11
Richard N. Malow	do	12,748.60
Frederick F. Pfluger	do	16,189.50
John G. Osthaus	do	10,321.85
Paul E. Thomson	do	9,200.03
Charles G. Hardin	do	8,955.10
Edwin F. Powers	do	11,970.67
Edward E. Lombard	Staff assistant (from Oct. 1).	9,000.00
Lawrence C. Miller	Editor	14,775.32
Paul V. Farmer	Assistant editor	10,487.98
Gerard J. Chouinard	Administrative assistant.	9,205.03
Austin G. Smith	Clerical assistant	8,653.49
Dale M. Shulaw	do	7,472.90
Gemma M. Weiblinger	do	5,356.16
Virginia M. Keyser	do	6,330.73
Jane A. Meredith	do	5,035.11
Betty A. Swanson	do	7,804.44
Eva K. Harris	do	4,823.65
Marcia L. Matts	do	5,734.85
Sandra A. Gilbert	do	7,166.97
Randolph Thomas	Messenger	6,546.28
Francis M. Hugo	Minority clerk	15,375.00
B. Enid Morrison	Staff assistant to minority.	13,062.51
Mary H. Smallwood	Clerical assistant (majority).	7,949.79
Samuel A. Mabry	do	7,949.79
Catherine M. Voytko	do	7,629.75
T. Robert Garretson	do	7,629.75
Naomi A. Rich	do	7,678.89
Laura E. Lineberry	do	7,223.31
Susan L. Shaw	do	7,629.75
George F. Allen	do	7,949.79
Rachel Shugars	Clerical assistant (to Oct. 31)(majority).	4,874.99
Robert M. Walker	Clerical assistant (majority).	6,143.10
Michael J. O'Neil	Clerical assistant (from Aug. 15) (majority).	8,573.45
Freda J. Sheppard	Clerical assistant (from Nov. 1) (majority).	2,916.66
David K. Kehl	Clerical assistant (minority).	8,299.98
Patience S. Vaccaro	do	7,525.29
Mary Ann Bond	do	6,189.48
Anna L. Lamendola	do	6,757.29
Lawrence W. Siegel	do	8,369.39
Charles M. Seeger	do	10,929.01
Stephen T. Adams	do	11,250.00
Karen S. Vagley	do	10,250.01
Thomas H. Hardy	Clerical assistant (to Nov. 30)(minority).	6,593.96
James W. Dyer	Clerical assistant (to July 31)(minority).	1,666.67
Paul Imse	Clerical assistant (to Aug. 31)(minority).	3,750.00
Douglas Mulligan	Clerical assistant (to Sept. 30)(minority).	2,949.99
Richard Roberts	Clerical assistant (from Aug. 13) (minority).	6,324.12
James E. Donahue	Clerical assistant (from Sept. 1 to Oct. 31)(minority).	3,666.66
Warren S. Chase	Clerical assistant (from Sept. 1) (minority).	6,905.18
Lawrence R. Klur	Clerical assistant (from Nov. 1) (minority.)	2,666.66
Beverly B. Thierwechter	Clerical assistant (from Dec. 1) (minority).	1,000.00

Amount expended from July 1 to Dec. 31, 1973	$752,896.77
Total amount expended from July 1 to Dec. 31, 1973	752,896.77

GEORGE MAHON, Chairman.

COMMITTEE ON APPROPRIATIONS

Investigations staff:

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Cornelius R. Anderson	Chief, surveys and investigations staff.	$18,000.00
Leroy R. Kirkpatrick	Director, surveys and investigations staff.	17,799.99
David A. Schmidt	1st assistant director, surveys and investigations staff.	17,405.43
Dennis F. Creedon, Jr.	2d assistant director, surveys and investigations staff.	16,791.12
Mary Alice Sauer	Administrative assistant.	8,347.26
Genevieve A. Mealy	Secretary	5,006.13
Frances May	do	7,223.34
Sharon K. Tinsley	do	4,575.06
Agriculture, Department of:		
Donald S. Lauder	Investigator	1,810.84
R. W. Brannon	do	7,710.95
U.S. Army Audit Agency:		
Stephen E. Keefer	do	4,478.82
Defense Contract Audit Agency:		
Maurice A. Herron	do	12,566.25
Commerce, Department of:		
Edward Lombard	do	2,958.24
Air Force Audit Agency:		
Donald J. Gibb	do	3,458.04
General Services Administration:		
Kevin F. Flanagan	do	8,118.37
H. H. Jones	do	2,410.87
National Aeronautics and Space Administration:		
Bernard F. Carey	do	3,272.22
Francis Stepka	do	12,624.50
Federal Bureau of Investigation:		
Stuart W. Angevine	do	14,145.76
William M. Baker	do	4,250.40
Carl L. Bennett	do	14,819.44
Willis Bennett, Jr.	do	13,984.56
Lane M. Bonner, Jr.	do	3,790.40
Andrew P. Bosko	do	13,132.24
Donald A. Brummitt	do	2,065.60
Ronald B. Carpenter	do	6,636.80
Gerard C. Carroll	do	14,145.76
W. Dana Carson	do	14,819.44
John F. Connaughton	do	4,250.40
Bernard E. Currigan	do	7,533.84
Robert M. Franklin	Investigator	14,145.76
Paul K. Funkhouser	do	4,915.68
John G. Goedtel	do	14,293.60
James H. Geer	do	12,120.24
Eugene C. Gies	do	9,680.72
William P. Haynes, Jr.	do	12,601.92
Russell N. Kamin	do	10,512.40
Edwin J. Kelly	do	4,121.52
Martin F. Maher	do	6,648.00
Joseph Malyniak, Jr.	do	13,811.92
James P. Mansfield	do	14,145.76
Richard F. McEliece	do	14,370.40
Hugh B. McGahey	do	11,797.20
Joseph E. Michalski	do	14,188.00
Earle J. Morris	do	13,811.92
William C. Nash	do	5,816.80
John J. Radican	do	13,811.92
Marion S. Ramey	do	16,008.80
Thomas C. Reneghan	do	4,065.60
Edward V. Schaum	do	14,145.76
Charles E. Szoke	do	14,145.76
Raymond E. Talley	do	13,132.24
John A. Van Wagenen	do	12,241.68
William H. Welch, Jr.	do	14,819.44
H. Branch Wood	do	14,819.44
Ann K. Stull	Clerical assistant	3,906.96
Marie L. Strittmatter	do	4,142.24
Health Benefits (FBI)		3,794.03
Life insurance (FBI)		1,455.16
Retirement (FBI)		25,401.53
FICA (FBI)		228.57
Travel expenses		160,687.58
Miscellaneous expenses		2,689.45

Funds authorized or appropriated for committee expenditures	$1,612,000.00
Amount of expenditures previously reported	
Amount expended from July 1, to Dec. 31, 1973	764,610.52
Total amount expended from July 1, to Dec. 31, 1973	764,610.52
Balance unexpended as of Dec. 31, 1973	847,389.48

GEORGE MAHON, Chairman.

COMMITTEE EMPLOYEES—Continued

COMMITTEE ON ARMED SERVICES

January 8, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Frank M. Slatinshek	Chief counsel	$18,000.00
William H. Cook	Counsel	17,950.00
John J. Ford	Professional staff member.	17,848.83
Ralph Marshall	do	16,467.39
George Norris	Counsel	15,814.38
James F. Shumate, Jr.	do	15,814.38
William H. Hogan, Jr.	do	13,060.35
H. Hollister Cantus	Professional staff member.	11,531.10
Oneta L. Stockstill	Executive secretary	14,196.03
Earl J. Morgan (through Aug. 15).	Professional staff member.	1,875.00
Berniece Kalinowski	Secretary	10,363.11
L. Louise Ellis	do	10,363.11
Edna E. Johnson	do	10,363.11
Dorothy R. Britton	do	10,363.11
Innis E. McDonald	do	7,779.42
Ann R. Willett	do	6,473.40
Emma M. Brown	do	6,473.40
Nancy S. Jones	do	5,912.73
Diane W. Bowman	do	5,394.51
Mary Ann McKibben	do	5,375.22
William B. Short, Jr.	Clerical staff assistant	8,517.60
James A. Deakins	do	7,836.21
Issiah Hardy	do	5,745.33
Staff, Armed Services Investigating Subcommittee (pursuant to H. Res. 185 and H. Res. 264, 93d Cong.):		
John T. M. Reddan	Counsel	17,950.00
John F. Lally	Assistant counsel	16,467.39
Richard A. Ransom (through Oct. 15).	Professional staff member.	8,664.41
Rose C. Beck	Secretary	7,779.42
Adeline Tolerton	Clerk	6,814.11
Joyce C. Bova	Secretary	5,912.73

Funds authorized or appropriated for committee expenditures H. Res. 264	$225,000.00
Amount of expenditures previously reported	73,194.61
Amount expended from July 1 to Dec. 31	74,098.95
Total amount expended from Jan. 1 to Dec. 31	147,293.56
Balance unexpended as of Jan. 1, 1974	77,706.44

F. EDWARD HÉBERT, Chairman.

COMMITTEE ON BANKING AND CURRENCY

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Paul Nelson	Clerk and staff director	$18,000.00
Orman S. Fink	Staff director, minority	18,000.00
Curtis A. Prins	Chief investigator	18,000.00
Charles B. Holstein	Professional staff member.	18,000.00
Benet D. Gellman	Counsel	18,000.00
Joseph C. Lewis	Professional staff member.	18,000.00
Graham T. Northup	do	18,000.00
Mary W. Layton	Secretary to minority	12,213.84
Donald G. Vaughn	Administrative assistant.	10,559.37
Total		148,773.21
Investigative (H. Res. 306):		
Deborah Ambourgey (Alt.).	Secretary	$3,770.12
Annette M. Bouchard	do	5,119.23
Richard C. Barnes	Professional staff member.	11,356.83
James P. Caldwell, Jr.	do	15,357.75
L. Marie Chaillet	Minority secretary	8,190.78
Davis O'Connell Couch.	Counsel	11,806.26
Jane N. D'Arista	Professional staff member.	8,446.77
Delores K. Dougherty	Research associate	9,944.22
Cheryl Dykstra	Secretary	1,069.45
Michael Paul Flaherty	Assistant counsel	10,764.75
Helen Ritz	Administrative assistant.	11,626.05
John P. Hollihan	Assistant clerk	1,000.00
Lorraine G. Inman	Secretary	5,814.56
Joseph J. Jasinski	Professional staff member.	16,634.49
Richard M. Kay	Assistant clerk	2,095.41
Mary E. Kirk	do	6,986.85
Joann Kniphfer	Secretary	2,688.06
Ellen Marie Larkin	Research assistant	4,607.34
Robert Edward Loftus	Professional staff member.	11,774.28
Joel V. Lumer	Assistant clerk	1,611.11
Mary-Helen McGrath	Secretary	5,968.08
Kelsay Ray Meek	Professional staff member.	15,615.63
Mildred S. Mitchell	Assistant clerk	10,471.35
Clifford E. Payne	do	799.22
Margaret L. Rayhawk	Research associate	10,250.07
Yan Michael Ross	Minority counsel	15,869.67
Merrill Stevenson	Assistant clerk	8,611.83
Jeanne Carolyn Smith	Secretary	6,359.82
Richard L. Still	Professional staff member.	16,137.57
Catherine M. Taber	Secretary	3,400.62
Barbara Ann Thompson	do	2,891.34
Robert E. Weintraub	Staff economist	18,000.00
Stephen M. Welch	Research assistant	4,285.90
Total		269,325.41

Funds authorized or appropriated for committee expenditures	$818,800.00
Amount of expenditures previously reported	232,446.36
Amount expended from July 1 to Dec. 31, 1973	309,609.30
Total amount expended from Jan. 3 to Dec. 31, 1973	542,055.66
Balance unexpended as of Dec. 31, 1973	276,744.34

WRIGHT PATMAN, Chairman.

SUBCOMMITTEE ON HOUSING OF THE COMMITTEE ON BANKING AND CURRENCY

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Brent B. Barriere	Assistant clerk	$1,552.79
M. Wendell Belew, Jr.	do	1,552.79
Marilyn A. Donahue	Minority secretary	6,143.10
Jane Carey Enger	Secretary	10,471.35
David Glick	Counsel	18,000.00
George Gross	do	18,000.00
Emily Hightower	Executive secretary	9,594.09
Mercer L. Jackson	Minority staff member	15,701.87
Raymond K. James	Counsel	15,327.65
Benjamin B. McKeever	do	17,288.22
Gerald R. McMurray	Staff director	18,000.00
Wanda Jean Raupach	Secretary	7,672.59
Carolyn Sheredy	do	3,000.00
Catherine M. Smith	Minority secretary	6,143.10
Mary Elizabeth Sullivan	Assistant clerk	4,313.68
Anthony Valanzano	Minority counsel	16,893.54
Doris M. Young	Assistant clerk	10,755.42
Total		180,410.19

Funds authorized or appropriated for committee expenditures	$407,500.00
Amount of expenditures previously reported	166,152.48
Amount expended from July 1 to Dec. 31, 1973	195,922.19
Total amount expended from Jan. 3 to Dec. 31, 1973	362,074.67
Balance unexpended as of Dec. 31, 1973	45,425.33

WRIGHT PATMAN, Chairman.

COMMITTEE ON THE DISTRICT OF COLUMBIA

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Dorothy Quarker	Chief of staff (P)	$18,000.00
Robert B. Washington	Chief counsel (P)	18,000.00
John E. Hogan	Minority counsel (P)	18,000.00
Ruby E. Martin	Counsel (P)	13,714.79
Daniel Martin Freeman.	Counsel	11,774.28
Ralph Ulmer	Professional staff member minority (P).	8,142.00
James T. Clark	Staff assistant (C)	16,338.38
Dale Maclyer	do	12,798.12
Jacqueline Wells	do	11,262.33
Maria L. Otero	Office administrator (C).	10,179.37
Mary B. Wyatt	Staff assistant (C) to Aug. 31, 1973.	4,500.00
Dr. Alvin D. Loving	Scholar in residence (C), education expert from Sept. 1, 1973.	7,500.00
Linda Smith	Staff assistant (C)	10,084.92
Total		160,294.19
Investigative committee:		
Manley, LaVonne	Secretary	7,166.97
Worsham, Wanda	do	7,166.97
Middleton, Joan	do	7,166.97
Stultz, Jean	do	7,166.97
McDaniels, Lorraine	do	6,143.10
DeMaio, Grace	do	5,506.18
Walters, Susan	do	5,354.82
Richardson, Theodore	Clerk	4,863.30
Winston, Louise	Receptionist	4,863.30
Hughes, Wilbur	Investigator	7,678.89
Gantt, Joyce	Secretary to Aug. 31, 1973.	1,916.66
Hilder, Leonard	Research assistant (minority).	12,260.61
Jones, Diana N	Secretary from Sept. 1, 1973.	3,279.96
Boyer, Spencer H	Special assistant, (effective Sept. 1, 1973, terminated Dec. 31, 1972).	5,333.32
Hams, Jacqueline E.	Clerk (effective Nov. 1, 1973, terminated Dec. 31, 1973).	1,396.94
Anderson, Dorothy	Secretary (effective Nov. 1, 1973).	1,746.16
Parker, Jane E.	do	2,022.22
Chappelle, Yvonne R.	Research assistant (effective Nov. 1, 1973).	2,500.00
Moore, Rebecca	Subcommittee consultant, Subcommittee on Business, Commerce, and Taxation.	7,678.89
Hoffman, Margaret	Subcommittee research assistant, Subcommittee on Business, Commerce, and Taxation.	5,119.23
Clair, Joseph	Subcommittee counsel, Subcommittee on Education.	11,262.33
Duberstein, Michael	Subcommittee research assistant, Subcommittee on Education.	1,535.79
Depuy, Jacques	Subcommittee counsel, Subcommittee on Government Operations.	10,970.68

COMMITTEE EMPLOYEES—Continued

Name of employee	Profession	Total gross salary during 6-month period
Darneille, Ann	Subcommittee research assistant, Subcommittee on Government Operations (terminated Sept. 15, 1973).	$1,041.67
Daniels, Harley J	Subcommittee counsel, Subcommittee on Judiciary (terminated Nov. 31, 1973).	10,615.41
Lee, Howard	Subcommittee consultant, Subcommittee on Judiciary.	1,176.46
Pugh, Muriel	Subcommittee research assistant, Subcommittee on Judiciary (effective Dec. 1, 1973).	1,006.25
Swaim, Stephen	Subcommittee consultant, Subcommittee on Revenue and Financial Affairs.	8,702.73
Mosbaek, Margi	Subcommittee research assistant, Subcommittee on Revenue and Financial Affairs.	3,583.47
Kirschten, Joseph D	Subcommittee on Labor, Social Services, and the International Community.	11,313.54
Fleischer, Karen	Subcommittee research assistant, Subcommittee on Labor, Social Services, and the International Community.	1,484.58
Total investigative		169,024.37

Funds authorized or appropriated for committee expenditures	$275,000.00
Amount of expenditures previously reported	77,991.96
Amount expended from July 1 to Dec. 31, 1973	174,049.53
Total amount expended from Jan. 2 to Dec. 31, 1973	252,041.49
Balance unexpended as of Dec. 31, 1973	22,958.51

CHARLES C. DIGGS, JR., Chairman.

COMMITTEE ON EDUCATION AND LABOR—STANDING COMMITTEE

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Donald M. Baker	Chief clerk and associate counsel (from July 1 to Dec. 31, 1973).	$18,000.00
Donald F. Berens	Administrative assistant (from July 1 to Dec. 31, 1973).	14,284.14
Louise Maxienne Dargans.	Research director (from July 1 to Dec. 31, 1973).	18,000.00
William F. Gaul	Associate general counsel (from July 1 to Dec. 31, 1973).	18,000.00
Hartwell D. Reed, Jr	General counsel (from July 1 to Dec. 31, 1973).	18,000.00
Benjamin F. Reeves	Assistant to chairman and assistant clerk (from July 1 to Dec. 31, 1973).	18,000.00
Austin P. Sullivan, Jr	Legislative director (from July 1 to Dec. 31, 1973).	18,000.00
Louise M. Wright	Administrative assistant (from July 1 to Dec. 31, 1973).	$15,175.62
Marian R. Wyman	Special assistant to chairman (from July 1 to Dec. 31, 1973).	17,838.33
Minority Staff:		
Robert C. Andringa	Minority staff director (from July 1 to Dec. 31, 1973).	18,000.00
Charles W. Radcliffe	Minority counsel (from July 1 to Dec. 31, 1973).	18,000.00
Louise W. Finke	Assistant to minority staff director (from July 1 to Dec. 31, 1973).	8,380.93

Funds authorized or appropriated for committee expenditures	Contingent fund
Amount of expenditures previously reported	$198,816.36
Amount expended from July 1 to Dec. 31, 1973	200,179.02
Total amount expended from Jan. 1 to Dec. 31, 1973	398,995.38
Balance unexpended as of Dec. 31, 1973	Contingent fund

CARL D. PERKINS, Chairman.

COMMITTEE ON EDUCATION AND LABOR—FULL COMMITTEE INVESTIGATING STAFF

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Carole J. Ansheles	Assistant clerk (from July 1 to Dec. 31, 1973).	$3,537.26
Portia A. Battle	Assistant clerk (temporary) (summer) (from July 1 to July 8 and Aug. 1 to Aug. 31, 1973).	633.33
Patricia R. Bowley	Administrative assistant (from July 1 to Dec. 31, 1973).	6,727.98
William H. Cable	Counsel (from July 1 to Dec. 31, 1973).	13,008.14
Katherine Kennedy Clark.	Research assistant (from July 1 to Dec. 31, 1973).	9,946.65
Ronald M. Constine	Assistant clerk (temporary) (summer) (from July 1 to Aug. 6, 1973).	600.00
Elizabeth A. Cornett	Administrative assistant (from July 1 to Dec. 31, 1973).	9,944.04
Lelia T. Cornwell	do	8,858.34
Karen Y. Foley	Assistant Clerk (temporary) (summer) (from July 1 to Aug. 14, 1973).	733.33
Katherine Gaudette	Secretary (from July 1 to Nov. 30, 1973).	3,566.78
Eric M. Hall	Assistant clerk (temporary) (from Sept. 17 to Dec. 31, 1973).	
Marilyn L. Hargett	Assistant clerk (temporary) (summer) (from July 1 to Aug. 16, 1973).	766.67
Kevin J. Jennier	Assistant clerk (temporary) (summer) (from July 1 to Aug. 31, 1973).	1,000.00
Douglas P. Katcher	Research assistant (from July 1 to Dec. 31, 1973).	4,305.90
Shirley R. Mills	Secretary (from July 1 to Dec. 31, 1973).	8,858.34
Lewis D. Morris, Jr	Assistant clerk (temporary) (summer) (from July 1 to Sept. 4, 1973).	$1,066.67
Michael Lee Moye	Assistant clerk (temporary) (summer) (from July 9 to Sept. 4, 1973).	933.34
David S. Putnam	Staff assistant (from July 1 to Dec. 31, 1973).	5,516.01
Timothy T. Reese	Assistant clerk (from July 1 to Dec. 31, 1973).	4,158.7
Peter Schott	do	4,497.39
W. Thornton Scott	Assistant clerk (temporary) (summer) (from July 1 to Aug. 10, 1973).	
Michael D. Sherman	Assistant Clerk (temporary) (Summer) (from July 1 to Aug. 22, 1973).	866.67
Mary L. Shuler	Secretary (from July 1 to Dec. 31, 1973).	8,073.57
Jeanne E. Thomson	Legislative assistant (from July 1 to Dec. 31, 1973).	10,842.93
Robert H. Van Meter III	Assistant clerk (temporary) (summer) (from July 1 to Aug. 17, 1973).	783.33
John E. Warren	Research assistant	6,143.10
Minority:		
Kim Allnger	Secretary (from July 1 to Dec. 31, 1973).	4,500.00
Edith Carter Baum	Minority counsel (from July 1 to Dec. 31, 1973).	15,541.65
Mildred Sue Blumel	Secretary (from July 1 to Sept. 30, 1973).	2,200.93
Christopher T. Cross	Minority legislative associate (from July 1 to Dec. 31, 1973).	17,587.50
Susan Connolly DeMarr.	Secretary (from July 1 to Dec. 31, 1973).	4,875.00
Janet Craig Haddesheimer.	Minority research assistant (from July 1 to Aug. 31, 1973).	1,750.00
Karen L. Huester	Minority clerk-typist (from July 1 to Aug. 31, 1973).	1,200.00
Martin L. LaVor	Minority legislative associate (from July 1 to Dec. 31, 1973).	15,529.32
John B. Lee	Minority research assistant (from Sept. 1 to Dec. 31, 1973).	4,416.68
Jo Anne Pierson	Secretary (from July 1 to Dec. 31, 1973).	4,995.16
Silvia J. Rodriguez	do	6,040.71
John Charles Sheerlin	Minority counsel for labor (from July 1 to Dec. 31, 1973).	18,000.00
Yvonne Franklin Smith.	Minority legislative associate (from July 1 to Dec. 31, 1973).	19,152.37
Dorothy L. Strunk	Secretary (from July 1 to Dec. 31, 1973).	7,042.02
Patricia Ann Sullivan	Minority secretary (from Sept. 1 to Dec. 31, 1973).	3,901.41

Funds authorized or appropriated for committee expenditures	$720,000.00
Amount of expenditures previously reported	217,699.63
Amount expended from July 1 to Dec. 31, 1973	254,491.67
Total amount expended from Jan. 3 to Dec. 31	472,161.30
Balance unexpended as of Dec. 31, 1973	247,838.70

CARL D. PERKINS, Chairman.

GENERAL SUBCOMMITTEE ON EDUCATION, NO. 1

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

COMMITTEE EMPLOYEES—Continued

Name of employee	Profession	Total gross salary during 6-month period
Eydie Gaskins	Special assistant (from July 1 to Dec. 31, 1973).	$9,365.34
John F. Jennings	Counsel (from July 1 to Dec. 31, 1973).	18,000.00
Toni E. Painter	Secretary (from July 1 to Dec. 31, 1973).	3,583.47
Ivan Swift	Legislative assistant (from July 1 to Dec. 31, 1973).	10,750.44

Funds authorized or appropriated for committee expenditures	$90,000.00
Amount of expenditures previously reported	33,268.13
Amount expended from July 1 to Dec. 31, 1973	43,855.06
Total amount expended from Jan. 3 to Dec. 31, 1973	77,123.19
Balance unexpended as of Dec. 31, 1973	12,876.81

CARL D. PERKINS, Chairman.

SPECIAL SUBCOMMITTEE ON LABOR, NO. 2

(Representative Frank Thompson, Jr., Chairman)

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Jeunesse M. Beaumont	Clerk (from July 1 to Dec. 31, 1973).	$9,409.11
A. Jefferson Dodds	Assistant clerk (from July 1 to Aug. 10, 1973).	577.77
James Edward Fox	Assistant clerk (from July 1 to July 31, 1973).	500.00
Donald J. Kaniewski	Research assistant (from July 1 to Dec. 31, 1973).	3,594.85
Cheryl G. Matcho	Secretary (from July 1 to Dec. 31, 1973).	5,119.23
Richard A. Millner	Assistant clerk (from Dec. 1 to Dec. 31, 1973).	128.33
Robert E. Moss	Counsel (from July 1 to Dec. 31, 1973).	13,725.23
Daniel H. Pollitt	Special counsel (from Sept. 1 to Dec. 31, 1973).	2,666.68
Richard Shaffer	Research assistant (from July 1 to July 31, 1973).	541.67
Timothy F. Wulinger	Assistant clerk (from July 1 to July 31, 1973).	1,000.00

Funds authorized or appropriated for committee expenditures	$90,000.00
Amount of expenditures previously reported	39,716.16
Amount expended from July 1 to Dec. 31 1973	39,664.39
Total amount expended from Jan. 3 to Dec. 31 1973	79,380.55
Balance unexpended as of Dec. 31, 1973	10,619.45

CARL D. PERKINS, Chairman.

GENERAL SUBCOMMITTEE ON LABOR, NO. 3

(Representative John H. Dent, Chairman)

January 15, 1973.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Barbara A. Dinuson	Secretary (from July 1 to Dec. 31, 1973).	$3,867.95
Adrienne Fields	Clerk (from July 1 to Dec. 31, 1973).	9,419.16
Karen L. Heck	Assistant clerk (from July 1 to Aug. 31, 1973).	650.00
Robert E. Vagley	Director (from July 1 to Dec. 31, 1973).	17,593.74

Funds authorized or appropriated for committee expenditures	$90,000.00
Amount of expenditures previously reported	32,993.32
Amount expended from July 1 to Dec. 31, 1973	33,414.41
Total amount expended from Jan. 3 to Dec. 31, 1973	66,407.73
Balance unexpended as of Dec. 31, 1973	23,592.27

CARL D. PERKINS, Chairman.

SELECT SUBCOMMITTEE ON LABOR, NO. 4

(Representative Dominick V. Daniels, Chairman)

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Joseph D. Alviana	Associate counsel (from Sept. 1 to Dec. 31, 1973).	$5,178.89
Loretta A. Bowen	Clerk (from July 1 to Sept. 30, 1973).	4,025.01
Alexandra J. Kisla	Research staff assistant (from July 1 to Dec. 31, 1973).	6,655.02
Daniel H. Krivit	Counsel (from July 1 to Dec. 31, 1973).	16,074.45
Laura Stanton Wyman	Research assistant (from July 1 to July 31 and Oct. 1 to Dec. 31, 1973).	3,003.74

Funds authorized or appropriated for committee expenditures	$90,000.00
Amount of expenditures previously reported	35,570.63
Amount expended from July 1 to Dec. 31, 1973	35,564.94
Total amount expended from Jan. 3 to Dec. 31, 1973	71,135.57
Balance unexpended as of Dec. 31, 1973	18,864.43

CARL D. PERKINS, Chairman.

SELECT SUBCOMMITTEE ON EDUCATION, NO. 5

(Representative John Brademas, Chairman)

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Jack G. Duncan	Counsel (from July 1 to Dec. 31, 1973).	$15,357.75
Eleanor M. Finver	Secretary (from July 1 to Dec. 31, 1973).	4,095.42
James Harvey	Deputy assistant (from July 1 to Dec. 31, 1973).	2,175.00
Frederick V. Mulhauser	Research assistant (from Sept. 1 to Dec. 31, 1973).	$3,750.00
Christine M. Orth	Staff assistant (from July 1 to Dec. 31, 1973).	650.01
Gladys Marie Walker	Secretary (from July 1 to Dec. 31, 1973).	5,351.40

Funds authorized or appropriated for committee expenditures	$90,000.00
Amount of expenditures previously reported	41,449.06
Amount expended from July 1 to Dec. 31, 1973	34,992.68
Total amount expended from Jan. 3 to Dec. 31, 1973	76,441.74
Balance unexpended as of Dec. 31, 1973	13,558.26

CARL D. PERKINS, Chairman.

SPECIAL SUBCOMMITTEE ON EDUCATION, NO. 6

(Representative James G. O'Hara, Chairman)

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Rosanne Aceto	Assistant clerk (from July 1 to Dec. 31, 1973).	$4,359.75
Alfred Carl Franklin	Counsel (from July 1 to Dec. 31, 1973).	11,410.65
James B. Harrison	Staff director (from July 1 to Dec. 31, 1973).	15,124.50
Bernard M. Murphy, Jr.	Research assistant (from July 1 to Sept. 12, 1973).	1,039.99
Elnora Helen Teets	Clerk (from July 1 to Dec. 31, 1973).	6,781.80

Funds authorized or appropriated for committee expenditures	$90,000.00
Amount of expenditures previously reported	36,790.40
Amount expended from July 1 to Dec. 31, 1973	41,433.14
Total amount expended from Jan. 3 to Dec. 31, 1973	78,223.54
Balance unexpended as of Dec. 31, 1973	11,776.46

CARL D. PERKINS, Chairman.

SUBCOMMITTEE ON EQUAL OPPORTUNITIES, NO. 7

(Representative Augustus F. Hawkins, Chairman)

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
William J. Beckham, Jr.	Director (from July 1 to Dec. 31, 1973).	$15,275.99
Patricia S. Fleming	Research assistant (from July 1 to Nov. 6, 1973).	5,392.52
Susan Durkee Grayson	Special assistant (from July 1 to Dec. 31, 1973).	8,405.67

COMMITTEE EMPLOYEES—Continued

Name of employee	Profession	Total gross salary during 6-month period
Mary F. Higginbotham	Staff assistant (from Nov. 1 to Dec. 31, 1973).	$2,737.50
Carole M. Schanzer	Clerk (from July 1 to Dec. 31, 1973).	5,516.36
Elizabeth Hewitt Ross	Receptionist (from July 31, 1973).	390.00

Funds authorized or appropriated for committee expenditures	$90,000.00
Amount of expenditures previously reported	33,605.95
Amount expended from July 1 to Dec. 31, 1973	41,248.08
Total amount expended from Jan. 3 to Dec. 31, 1973	74,854.03
Balance unexpended as of Dec. 31, 1973	15,145.97

CARL D. PERKINS, Chairman.

SUBCOMMITTEE ON AGRICULTURAL LABOR, NO. 8

(Representative William D. Ford, Chairman)

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Virginia E. Anstead	Secretary (from Dec. 1 to Dec. 31, 1973).	$1,000.00
Meredith P. Branson	Clerk (from July 1 to Aug. 31, 1973).	2,833.34
Roy P. Dyson	Research aid (from July 1 to Dec. 31, 1973).	4,687.49
Michael J. Ferrell	Special assistant (from Oct. 1 to Oct. 31 and Dec. 1 to Dec. 31, 1973).	2,000.00
Thomas R. Jolly	Counsel (from July 1 to Dec. 31, 1973).	13,615.41
Patricia R. Morse	Clerk (from July 1 to Dec. 31, 1973).	7,866.97
Daniel H. Pollitt	Assistant clerk (from July 1 to Dec. 31, 1973).	5,019.89
Susan H. Pollitt	Assistant clerk (from Nov. 1 to Nov. 15, 1973).	158.34
Jill M. Zorack	Assistant clerk (from July 1 to Aug. 31, 1973).	1,083.34

Funds authorized or appropriated for committee expenditures	$90,000.00
Amount of expenditures previously reported	32,315.02
Amount expended from July 1 to Dec. 31, 1973	41,546.70
Total amount expended from Jan. 3 to Dec. 31, 1973	73,861.72
Balance unexpended as of Dec. 31, 1973	16,138.28

CARL D. PERKINS, Chairman.

TASK FORCE ON WELFARE AND PENSION PLANS, NO. 9
GENERAL SUBCOMMITTEE ON LABOR

(Representative John H. Dent, Chairman)

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Vance J. Anderson	Counsel (from July 1 to Dec. 31, 1973).	$13,821.99
Kathleen Berish	Stenographer (from Oct. 1 to Dec. 31, 1973).	1,714.36
Patrice C. Connerton	Clerk-typist (from July 1 to Sept. 14, 1973).	1,480.00
Suzanne Hays	Staff assistant (from July 1 to Dec. 31, 1973).	4,991.88
Leonard T. Kelley	Assistant clerk (from July 1 to Aug. 10, 1973).	433.33
Russell J. Mueller	Actuary and minority legislative associate (from July 1 to Dec. 31, 1973).	14,333.88
Robin Reid	Minority secretary (from July 1 to Dec. 31, 1973).	4,504.92
Frances M. Turk	Clerk (from July 1 to Dec. 31, 1973).	6,655.02

Funds authorized or appropriated for committee expenditures	$220,000.00
Amount of expenditures previously reported	54,276.51
Amount expended from July 1 to Dec. 31, 1973	53,361.65
Total amount expended from Jan. 3 to Dec. 31, 1973	107,638.16
Balance unexpended as of Dec. 31, 1973	112,361.84

CARL D. PERKINS, Chairman.

COMMITTEE ON FOREIGN AFFAIRS

January 10, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Marian A. Czarnecki	Chief of staff	$18,000.00
Albert C. F. Westphal	Staff consultant	18,000.00
Harry C. Cromer	do	18,000.00
Everett E. Bierman	do	16,078.23
John J. Brady, Jr.	do	14,847.21
John H. Sullivan	do	14,847.21
Robert K. Boyer	do	12,798.12
John Chapman Chester	do	14,763.87
Peter A. Abbruzzese	do	13,628.16
Lewis Gulick	do	13,905.32
Sanford T. Rainwater	Legal consultant (effective Dec. 1, 1973).	1,000.00
George R. Berdes	Subcommittee staff consultant.	14,196.03
Robert B. Boettcher	do	14,196.03
Goler T. Butcher	do	14,196.03
R. Michael Finley	do	12,798.12
Clifford P. Hackett	do	14,196.03
Charles S. Levy	Subcommitte staff consultant (terminated Sept. 30, 1973).	6,249.99
Michael H. Van Dusen	Subcommittee staff consultant.	12,798.12
Thomas R. Kennedy	do	13,706.79
George M. Ingram IV	Subcommittee staff consultant (effective Oct. 1, 1973).	5,500.44
Helen C. Mattas	Senior staff assistant	13,292.94
Mary Louise O'Brien	Staff assistant	11,862.51
Paula L. Peak	do	9,875.22
Ray Sparks	do	10,361.66
Thelma H. Shirkey	do	6,707.72
Arlene M. Atwater	do	6,446.76
Shirley A. McManus	do	7,381.92
Bernadette M. Jenkins	Staff assistant (terminated Nov. 17, 1973).	4,911.49
Donna Gail Wynn	do	5,449.17
Jalayne R. Bruce	do	5,520.48
Jeanne M. Salvia	do	5,824.13
Karen J. Patterson	do	5,185.90
Josephine R. Weber	do	$5,169.23
Diane Lyn Miesel	do	4,247.78
Nancy K. Stout	Staff assistant (effective Sept. 2, 1973).	3,938.53
Joan C. Sullivan	Staff assistant (effective Nov. 15, 1973).	1,469.44
Ellen B. Pinnes	Staff assistant (effective Dec. 3, 1973).	622.22
Andrew B. Vanyo	Clerical assistant	5,451.27
Robert A. Stoner	do	4,776.96
Dona Sims	Special assistant (terminated Aug. 17, 1973).	1,044.45
Theana C. Yatron	Special assistant (terminated Aug. 24, 1973).	1,200.01

Funds authorized or appropriated for committee expenditures	$607,500.00
Amount of expenditures previously reported	231,415.71
Amount expended from July 1 to Dec. 31, 1973	245,569.60
Total amount expended from Jan. 1 to Dec. 31, 1973	476,985.31
Balance unexpended as of Dec. 31, 1973	130,514.69

THOMAS E. MORGAN, Chairman.

COMMITTEE ON GOVERNMENT OPERATIONS

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Expenses July 1, 1973, through Dec. 31, 1973:		
Full committee		$12,808.51
Special investigative staff.		64,085.35
Legislation and Military Operations Subcommittee.		36,280.38
Government Activities Subcommittee.		83,040.44
Intergovernmental Relations Subcommittee.		67,359.21
Conservation and Natural Resources Subcommittee.		67,179.31
Foreign Operations and Government Information Subcommittee.		74,474.51
Legal and Monetary Affairs Subcommittee.		46,523.15
Special Studies Subcommittee.		66,387.60
Total		518,138.46
Standing Committee (Hon. Chet Holifield, Chairman):		
Herbert Roback	Staff director	18,000.00
Elmer W. Henderson	General counsel	18,000.00
Miles Q. Romney	Counsel-administrator.	18,000.00
Douglas G. Dahlin	Associate counsel	14,077.95
Dolores L. Fel'Dotto	Staff member	9,944.22
Ann E. McLachlan	do	9,638.52
Catherine S. Cash	do	8,666.76
Marilyn F. Jarvis	do	8,549.04
Lilian M. Phillips	do	7,858.86
John Philip Carlson	Minority counsel	18,000.00
Warren B. Buhler	Minority professional staff member.	12,798.12
Clara Katherine Armstrong	Minority research assistant.	8,870.40

COMMITTEE EMPLOYEES—Continued

Name of employee	Profession	Total gross salary during 6-month period
Standing Committee (Hon. Chet Holifield, Chairman):		
Expenses		$12,808.51
Total		12,808.51
Special investigative staff (Hon. Chet Holifield, Chairman):		
Stephen M. Daniels	Minority staff member	9,780.00
Richard L. Thompson.	do	9,780.00
Lawrence T. Graham	Minority staff member (from July 9, 1973).	9,355.46
James L. McInerney	Minority staff member (from Sept. 24, 1973).	5,346.02
Sheila G. Nathanson.	Minority secretary	4,926.64
Karen L. Tauber	do	4,709.73
Eileen W. Theim	Staff member	6,727.98
Ralph T. Doty	Clerical staff	5,086.95
Paul N. Nelson	do	4,305.90
Robert F. Carmody	Minority staff member (through Sept. 1, 1973).	4,066.67
Total		64,085.35
Legislation and Military Operations Subcommittee (Hon. Chet Holifield, Chairman):		
Charles Goodwin	Subcommittee counsel	8,040.00
Michael T. McGinn	Defense analyst	8,702.73
Catherine L. Koeberlein.	Research assistant	9,102.84
Mary Etta Haga	Clerk-stenographer	5,678.43
Wanda C. Johnson	Clerk-stenographer (from Oct. 21, 1973).	2,139.06
Michael A. Vorhaus	Clerical staff (from Sept. 5, 1973).	1,737.55
Expenses		879.77
Total		36,280.38
Government Activities Subcommittee (Hon. Jack Brooks, Chairman):		
William M. Jones	Subcommittee staff director.	15,070.68
William H. Copenhaver.	Counsel	14,333.88
C. Don Stephens	Research analyst	11,808.45
Lynne Higginbotham	Clerk-stenographer	7,898.85
Kathryn J. Ruksenos	Secretary	4,351.35
Expenses		29,577.23
Total		83,040.44
Intergovernmental Relations Subcommittee (Hon. L. H. Fountain, Chairman):		
James R. Naughton	Counsel	17,362.41
Delphis C. Goldberg	Professional staff member.	17,362.41
Gilbert S. Goldhammer.	Consultant	11,496.09
Gary E. Bombardier	Professional staff member (from July 2, 1973).	9,164.65
Pamela R. Horsmon	Clerk-stenographer	5,678.43
Margaret M. Goldhammer.	Secretary	4,766.25
Expenses		1,528.97
Total		67,359.21
Conservation and Natural Resources Subcommittee (Hon. Henry S. Reuss, Chairman):		
Phineas Indritz	Counsel	17,362.41
David B. Finnegan	Associate counsel	15,067.98
David H. Baris	Legal assistant	8,606.73
Robert J. Hellman	Staff analyst (from Oct. 10, 1973).	3,150.01
Josephine Scheiber	Research analyst	9,082.65
Ruth M. Wallick	Stenographer	6,948.78
Frances B. Lee	do	4,984.83
Expenses		1,975.92
Total		67,179.31
Foreign Operations and Government Information Subcommittee (Hon. William S. Moorhead, Chairman):		
William G. Phillips	Subcommittee staff director.	$17,362.41
Norman G. Cornish	Deputy subcommittee staff director.	17,362.41
Harold F. Whittington	Professional staff member.	13,542.81
L. James Kronfeld	Counsel	12,798.12
Martha M. Doty	Clerk	5,887.14
Nancy E. Wenzel	Secretary (from Nov. 1, 1973).	1,416.66
Almeda J. Harley	Secretary (through Oct. 31, 1973).	2,806.15
Expenses		3,298.81
Total		74,474.51
Legal and Monetary Affairs Subcommittee (Hon. Wm. J. Randall, Chairman):		
Erskine Stewart	Subcommittee staff director.	14,333.88
William G. Lawrence	Associate counsel	10,238.52
Wanda J. Reif	Professional staff member (from Sept. 10, 1973).	6,405.18
D. Faye Taylor	Clerk	5,887.14
Eleanor M. Vanyo	Secretary	5,119.23
Jeremiah S. Buckley	Assistant counsel (thorugh July 16, 1973).	789.82
Expenses		3,749.38
Total		46,523.15
Special Studies subcommittee, (Hon. Floyd V. Hicks, Chairman):		
Joseph C. Luman	Subcommittee staff director.	14,333.88
Jacob N. Wasserman	Counsel	16,220.73
Dean S. Kalivas	Professional staff member.	10,238.52
James L. Gyory	Investigator	9,214.65
Geraldine A. Fitzgerald.	Secretary	4,812.09
Wileen O. Moore	Clerk (through Aug. 31, 1973).	1,825.00
Expenses		9,742.73
Total		66,387.60

Funds authorized or appropriated for committee expenditures, H. Res 277-93d Congress	$1,219,700.00
Amount of expenditures previously reported	436,879.70
Amount expended from July 1 to Dec. 31, 1973	518,138.46
Total amount expended from Jan. 3 to Dec. 31, 1973	955,018.16
Balance unexpended as of Dec. 31, 1973	264,681.84

CHET HOLIFIELD, Chairman.

COMMITTEE ON HOUSE ADMINISTRATION

January 29, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John T. Walker	Staff director	$18,000.00
Frank B. Ryan	Director, information systems.	18,000.00
Robert D. Gray	Chief auditor	17,819.34
John Warren McGarry	Attorney	3,000.00
John Blair	Assistant to the staff director.	14,763.87
Ralph Smith	Minority clerk	18,000.00
Ralph Murphy	Assistant clerk (minority).	$13,455.96
Mary F. Stolle	Assistant clerk	8,073.57
Evelyn H. Wilson	Office manager	8,073.57
Robert Anton	Assistant legal counsel	7,678.89
Charlene Brimmer	Assistant clerk (minority).	2,383.34
V. Tomlinson Youngblood.	Assistant clerk	5,357.30
Johanna Lucas	do	6,458.85
M. Lynn Hayes	Assistant clerk (minority).	3,156.17
David Carlton	Clerk, Police Subcommittee.	1,245.83
Sebastian Tom	Clerk, E. & M. Subcommittee.	8,546.77
Judith Simmons	Clerk, Accounts Subcommittee.	4,966.23
Gurney Jaynes	Assistant clerk	8,446.77
Shirley Harris	do	5,426.40
Joseph Ventura	Clerk, Personnel Subcommittee.	9,726.57
John Boos	Clerk, Library and Memorials Subcommittee.	11,250.36
Eric Honick	Clerk, Elections Subcommittee.	1,600.00
Cynthia Cortese	Assistant clerk	4,521.55
Margaret Dinneen	do	866.67
Pamela Bussen	Assistant clerk, Personnel Subcommittee.	4,654.89
Barbara Giaimo	Assistant clerk, E. & M. Subcommittee.	4,963.30
Vicki Moser	Assistant clerk	5,382.39
William Sudow	Clerk, Printing Subcommittee.	10,500.00
Thomas Pappas	Clerk, Accounts Subcommittee.	9,982.53
Ronald Merenbach	Assistant clerk	6,450.27
Cathy McMaster	Assistant clerk, Police Subcommittee.	375.00
Ollievia Frasier	Assistant clerk	2,314.35
John Ford	Assistant clerk, Elections Subcommittee.	1,842.93
Robert Byrd	Assistant clerk	500.00
Paul DiLorenzo	do	1,000.00
John Maxwell	Intern	509.19
James Burnes	Assistant clerk	3,559.62
Richard Oleszewski	Clerk, Elections Subcommittee.	4,317.17
Edgar Russell	Clerk, Contracts Subcommittee.	1,111.11
Elizabeth Ray	Assistant clerk, Police Subcommittee.	767.52
Linda Rogers	do	3,176.39
William Phillips	Assistant clerk	2,235.26
Candis Whitley	do	780.00
Sharon Kite	do	833.33

Funds authorized or appropriated for committee expenditures	$450,000.00
Amount of expenditures previously reported	174,751.55
Amount expended from July 1 to Dec. 31, 1973	144,795.91
Total amount expended from Jan. 1 to Dec. 31 1973	319,547.46
Balance unexpended as of Dec. 31, 1973	130,452.54

WAYNE L. HAYS, Chairman.

INFORMATION SYSTEMS, HOUSE ADMINISTRATION

January 29, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Noah St. Clair	Senior systems programer.	$9,448.21
Timothy Gunter	Programer	6,309.48
David Brazeal	Systems analyst	8,539.95
Pauls B. Weirather	Receptionist/secretary	1,021.58
William Hill	Junior systems analyst	9,632.12
Benjamin Candler	Programer analyst	7,841.72

COMMITTEE EMPLOYEES—Continued

Name of employee	Profession	Total gross salary during 6-month period
Antoinette Gauthier	Communications terminal operator.	$4,645.88
Robert Mamma	Computer operator	5,360.37
Stuart Robinson	Senior information systems specialist.	3,114.80
Curtis Merrick	Junior project manager.	11,819.34
Vernon J. Walters	Programer analyst	7,403.46
Florence D. Franklin	Communications terminal operator.	2,180.49
Lynn Alcock	System factors specialists (junior).	4,931.49
Joseph Wagliardo	Project manager	10,948.44
Charles Graham	Deputy director	17,840.76
Edmond S. Mesko	Information systems specialist.	10,486.01
Dwight Phaehler	Junior information systems specialist.	11,430.27
Gerald Barnes	Computer operator	5,072.62
William Freeman	Computer systems analyst.	10,155.05
Don Anderson	System factors analyst	8,539.95
Jimmy Powell	Programer	7,728.51
Anne Wightman	do	6,079.11
Mark Janczewski	Intern	1,242.62
Norman Young	Junior project manager	12,351.02
Thomas J. Hawk	Communications control coordinator.	5,125.10
Robert Cohen	Information systems specialist.	9,696.10
John T. Reed	Senior systems analyst	10,311.78
Berthine Washington	Data preparation specialist.	3,638.40
Howard Ulep	Manager-standards and evaluation group.	11,819.34
Ada Taylor	Production control coordinator.	4,763.89
John Wunderlich	Systems programer	6,002.05
Edward R. Mills	Information systems	5,421.51
Waites J. Ward	Manager, data processing group.	681.38
Barbara Burda	Senior data preparation specialist.	4,639.19
Donald L. Robinson	Systems factors specialist.	6,904.99
Robert Klukas	Senior systems analyst	9,678.45
Michael Frazier	Programer	6,012.99
Frank Robertson	Division head	13,769.76
Sheldon Grosberg	Management assistant	11,963.62
Stephen Stofko	Manager-committee applications.	12,887.06
Patricia Costlow	Communications control coordinator.	5,001.88
Carol Rich Meyer	Communications terminal operator.	4,164.24
Marsha Madden	Systems factors specialist, junior.	5,145.26
Frank Byrd	Senior computer operator.	5,416.38
Diana Lee Yudiskas	Junior systems programer.	7,164.90
Deloris Gilliam	Data preparation specialist.	3,397.42
Kathy August	Systems factors specialist.	1 816.93
Mary R. Conroy	Senior Production specialist.	3,968.49
Martha Crouse	Communications terminal operator.	4,333.47
Robert W. Garrett	Information systems specialist.	11,430.27
Margaret Hyland	Secretary	4,534.65
Steve Newman	Communication terminal operator.	4,019.40
Elmer Whiting	Computer operator	5,225.58
Linda Hall	Receptionist	3,640.29
Diane Oshetski	Secretary	4,388.22
Kathleen Fleege	Communications terminal operator.	1,874.92
Francis Pratt	Secretary	4,464.99
Francine Cromwell	Executive secretary	5,291.99
Katherine Diamond	Data preparation specialist.	3,663.86
Ed Fairleigh	Computer operator, junior.	3,731.43
Samuel Rogers	Senior computer operator.	5,124.11
Donald Morris	Manager, administrative applications.	11,819.34
Louis Johannes	Administrative clerk	3,753.59
Lewis DuBusc	Project manager	11,430.27
Barbara Swart	Communications terminal operator.	4,000.31
Susan Starr	Systems factors analyst.	9,109.17
David Underwood	Manager-operations support project.	10,247.17
Marie Williams	Information systems specialist.	9,393.8
Sandra Levine	Communications terminal operator.	3,640.29
Stephanie Everett	do	4,973.88
Wilbur Smith	Senior information systems specialist.	11,093.94
Kendall Free	Systems analyst	11,093.94
Gerald Murphy	Manager-financial management.	$8,824.56
Katherine Bye	Technical research assistant.	10,757.61
Paul Pritchett	Communications terminal operator.	4,873.53
Hettie Prater	Technical aide	4,070.31
Ruth Wauters	Programmer analyst	6,757.92
Stuart Edwards	Systems analyst	8,119.14
Jeremy Frey	Research intern	9,028.94
Barbara Mann	Secretary	470.00
Gregory Trump	Senior systems programer.	2,009.51
Thomas Brown	Computer systems specialist.	3,136.62
Barbara Daniel	Secretary	7,626.34
Richard Maynard	Senior operations research analyst.	3,510.48
Gerald McQuire	Manager-legislative	9,531.94
Gerald Morrone	Systems analyst	10,555.35
Luis Amigo	Programer	7,626.34
Sandra Burke	Technical writer	5,355.35
Lolita Werhan	Receptionist typist	4,687.28
Sandra May	Communications terminal operator.	2,909.44
James Daley	Programer analyst	2,869.94
Mark Shriver	Computer operator	5,900.42
Mary McNair	Data preparation specialist.	3,851.09
Walter Haggerty	Senior computer systems specialist.	2,422.16
C. Wesley Jenkins	Systems analyst	8,884.99
Susan Zoeighaft	Programer	7,105.13
Robert Silberski	Senior computer operations coordinator.	4,414.71
Donna Fears	Programer (junior)	4,481.63
Jim Cowart	Programer	3,313.31
Cletis Harper	Information systems specialist.	3,719.48
Cleo Tibbs	Systems factors specialist.	5,876.75
Paul Kunkel	Production control coordinator.	3,843.43
Kathryn Lyons	Communications terminal operator.	2,941.46
Dorothy Ellis	Data preparation specialist.	2,218.10
Amos Hilton	do	1,983.87
Cheryl Trovato	System factors specialist.	1,983.87
Barbara Seymore	Data preparation specialist.	3,340.54
Richard Bates	Communications terminal operator.	2,000.82
Candace Butler	do	1,570.24
Philo Funk	do	1,862.55
Nancy Gordon	System factors specialist.	1,132.15
Helen Smith	Clerk	3,042.00
James Howell	Courier	1,094.47
Louise Yates	Secretary receptionist	1,578.70
Stanley Croyden, Jr	Information systems specialist.	1,945.75
Joseph Evalt	Manager-calender preparation.	3,301.77
Colleen Gorgan	Clerk typist	5,374.47
Carol Ruga	Secretary	1,210.40
Thomas Leonardo	Computer systems specialist.	1,675.25
Raymond Ney	Data control specialist	3,106.84
Niel R. Armann	Information systems specialist.	747.60
Carl F. Schmidt	Systems programer	1,723.63
Henry F. Collins	Senior information systems specialist.	1,255.56
Brian M. Conally	Programer analyst	1,326.73
Diane C. Hitz	Communications terminal operator.	969.91
Terry G. Mann	Programer	289.25
		405.57

Funds authorized or appropriated for committee expenditures	$2,400,000.00
Amount of expenditures previously reported	480,958.01
Amount expended from July 1 to Dec. 31, 1973	1,230,547.29
Total amount expended from Jan. 1 to Dec. 31, 1973	1,711,505.30
Balance unexpended as of Dec. 31, 1973	688,494.70

WAYNE L. HAYS, Chairman.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

January 31, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Sidney L. McFarland [1]	Staff director and chief clerk.	$4,727.00
Lewis A. Sigler [1]	General counsel	3,378.00
William L. Shafer	Consultant on mines, minerals, and public lands.	18,000.00
Charles Leppert, Jr	Minority counsel	17,873.82
Charles Conklin	Special counsel on public lands and environmental matters.	17,873.82
Lee McElvain	Assistant counsel and consultant on national parks and recreation.	17,625.00
Patricia A. Murray	Full committee clerk	11,356.83
Patricia B. Freeman	Administrative assistant	10,221.15
Miriam L. Waddell	Secretary-clerk	7,949.79
Sandra Marie Metcalf	Secretary-clerk (As of Sept. 8, 1973).	4,387.22
Jack Daum	Staff consultant (minority).	11,518.32
Joanne Suter Burgess	Secretary-clerk (minority).	5,631.18
Marsha Lane DeGon	Clerk, Subcommittee on National Parks and Recreation (resigned Aug. 31).	2,495.76
Adrian Winkel	Consultant on territories and insular affairs.	16,467.39
Bertha D. Drotos	Secretary-clerk	6,450.27
Edward Gaddis	Staff assistant	5,678.43
Marston Becker	Printing clerk	9,653.31
Inez Jarvis	Secretary-clerk (resigned Aug. 4, 1973).	1,571.40
Nancy Lou Larson	Clerk, Subcommittee on Territories and Insular Affairs.	9,214.65
Mary Lee Gennari	Clerk, Subcommittee on Water and Power Resources.	6,399.06
Kathy C. Loeffler	Clerk-receptionist	5,119.23
David M. Luken	Staff consultant (minority).	7,166.97
Jim T. Casey	Consultant on water and power resources.	17,596.50
Maurice J. Shean	Consultant on territories and insular affairs.	16,467.39
Rebecca D. Shapiro	Clerk, Subcommittee on Indian Affairs.	5,119.23
Pamela Warfield	Clerk, Subcommittee on Environment.	5,631.18
Stanley E. Scoville	Staff counsel, Subcommittee on the Environment.	9,869.44
James J. McCusker	Consultant on mines and mining (resigned Aug. 31, 1973).	4,166.66
Franklin Ducheneaux	Consultant on Indian affairs.	12,798.12
Carol L. Hall	Staff assistant, Subcommittee on Mines and Mining (resigned July 15, 1973).	500.00
Robert A. Hunt	Consultant on public lands.	13,310.07
Elizabeth K. Medeiros	Clerk, Subcommittee on Mines and Mining.	4,095.42
James A. Rock	Staff consultant (minority).	10,238.52
Nancy G. Drake	Clerk, Subcommittee on Public Lands.	6,910.98
Clay E. Peters	Staff consultant (minority).	10,238.52
Thomas S. Dunmire	do	4,995.45
Bruce Driver	Staff counsel (minority).	9,613.50
Sharon Peck Cockayne	Secretary-clerk (minority).	4,863.30
Jay Parker	Staff assistant, Subcommittee on Environment (resigned Aug. 31, 1973).	1,916.66
J. D. Curtis	Staff assistant, Subcommittee on Environment (as of Aug. 6, 1973).	6,847.24
Betty Nevitt	Clerk, Subcommittee on National Parks and Recreation (as of Aug. 23, 1973).	4,777.25
Dale Pontius	Staff assistant, Subcommittee on Environment (as of Sept. 1, 1973).	5,666.68

[1] Reemployed annuitant.

COMMITTEE EMPLOYEES—Continued

Name of employee	Profession	Total gross salary during 6-month period
Betty Jo Hunt	Staff assistant, Subcommittee on Indian Affairs.	$5,178.89
Norman R. Williams	Consultant on mines and mining (as of Sept. 1, 1973).	8,333.32
Sandra Ann Hugg	Secretary, Subcommittee on Environmental (as of Sept. 10, 1973).	2,401.93
Thomas L. Laughlin	Staff assistant, subcommittee on Mines and Mining (as of Sept. 17).	3,466.67
Gail Whitestone	Secretary-clerk (minority) (as of Nov. 26, 1973).	899.30

Funds authorized or appropriated for committee expenditures	$694,000.00
Amount of expenditures previously reported	200,315.70
Amount expended from July 1 to Dec. 31, 1973	297,677.33
Total amount expended from Jan. 3 to Dec. 31, 1973	497,993.03
Balance unexpended as of Dec. 31, 1974	196,006.97

JAMES A. HALEY, Chairman.

COMMITTEE ON INTERNAL SECURITY

January 10, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee (majority):		
Robert M. Horner (P)	Staff director	$11,704.02
Richard L. Schultz (P)	Counsel (resigned July 31, 1973).	2,591.76
William H. Hecht (P)	Executive staff assistant.	16,361.10
Alfred M. Nittle (P)	Legislative counsel	17,750.01
Robert A. Crandall (P)	Counsel (to standing Aug. 1, 1973).	13,333.35
Richard A. Shaw (C)	Chief investigator	12,000.00
William G. Shaw (C)	Research director	12,474.00
V. Bernice King (C)	Financial secretary	10,111.86
Mary M. Valente (C)	Administrative secretary.	10,373.55
John F. Lewis (P)	Professional staff assistant.	15,286.20
Standing committee (Minority):		
DeWitt White (P)	Legal counsel	17,749.88
Herbert Romerstein (C)	Chief investigator	16,083.78
James L. Gallagher (C)	Research analyst	13,142.52
Investigative committee (majority):		
Margie D. Biggerstaff	Secretary	5,731.50
Jean Buehler	Information classifier (appointed Dec. 1, 1973—resigned Dec. 31, 1973).	583.33
Daniel Butler	Documents clerk	5,943.75
S. Janice Coil	Secretary	6,592.92
Robert A. Crandall	Counsel (to standing Aug. 1, 1973).	2,666.67
Anniel Cunningham	Chief files and reference section.	9,729.48
Florence Doyle	Secretary	5,437.86
Karen Sue Dring	Information classifier (resigned Oct. 30, 1973).	2,752.06
Daniel R. Ferry	Assistant counsel (terminated Aug. 24, 1973).	3,088.30
Helen M. Gittings	Editor	10,125.03
Toney B. Griffith (summer help).	Assistant documents clerk (appointed July 1, 1973—resigned Aug. 24, 1973).	1,025.12
S. Diana Hardin (summer help).	Information classifier (resigned Aug. 10, 1973).	759.35
Doris Jaeok	Information analyst	$5,743.38
Mildred V. James	Clerk-typist	4,027.98
Norma H. Lewis	Secretary	5,844.24
Tina V. Markey	Information classifier	3,498.54
Anita S. Maggio	Clerk	3,960.96
Virginia Masino	Receptionist	4,824.63
John E. Manning	Investigator (appointed July 15, 1973).	10,605.57
David J. Murray	Assistant Documents clerk (appointed Sept. 17, 1973).	2,055.78
Maureen P. Ontrich	Information analyst	5,048.52
Alma T. Pfaff	Research analyst	6,370.17
Stuart Pott	Investigator	7,870.59
S. Louise Rees	Research analyst (appointed Dec. 17, 1973).	583.33
Audrey Rollins	Secretary	5,395.50
Albert H. Solomon, Jr	Investigator	11,034.00
William H. Stapleton	Professional staff assistant (appointed Dec. 27, 1973).	186.00
John N. Stratton	Investigator	9,032.10
Barbara C. Sweeny	Clerk-stenographer	4,970.64
Susan K. Tonkinson	Information analyst	5,009.58
Investigative committee (minority)		
George C. Armstrong	Investigator	8,233.71
Richard Norusis	do	8,801.52
William T. Poole	Research analyst	7,817.10
Linda Spirt	Secretary	7,261.14
Brownardine Broyhill	Research assistant	2,303.67

Funds authorized or appropriated for committee expenditures	$475,000.00
Amount of expenditures previously reported	235,623.05
Amount expended from July 1 to Dec. 31, 1973	210,775.11
Total amount expended from Jan. 3 to Dec. 31, 1973	446,398.16
Balance unexpended as of Jan. 31, 1973	28,601.84

RICHARD H. ICHORD, Chairman.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

January 14, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Clerical staff:		
W. E. Williamson	Clerk	$18,000.00
Kenneth J. Painter	First assistant clerk	17,077.44
Marcella F. Johnson	Assistant clerk	11,141.55
Frank W. Mahon	Printing editor	11,237.64
Eleanor A. Dinkins	Clerical assistant	8,934.75
Mary Ryan	do	8,934.75
Laura F. Elder	do	6,527.04
Edwin E. Thomas	Staff assistant	7,938.88
Lewis E. Berry (minority).	Minority counsel	18,000.00
Professional Staff:		
William J. Dixon	Professional staff member.	18,000.00
Robert F. Guthrie	do	18,000.00
Charles B. Curtis	do	18,000.00
Lee S. Hyde	do	18,000.00
Jeffrey H. Schwartz	do	12,795.12
Elizabeth Harrison	do	12,795.12
John Gamble	Counsel	13,700.11
Additional temporary employees under H. Res. 182 and 303:		
Henry Thomas Greene	Staff assistant (minority).	12,798.12
Barbara L. Bullard	Clerical assistant (minority).	8,190.78
Darlene G. McMullen	do	6,245.49
Jan B. Vlcek	Staff assistant (minority).	11,356.56
Bertram J. Levine	do	11,356.56
Thomas C. Sawyer	Staff assistant (minority) (through Dec. 24, 1973).	10,969.19
Joanne E. Bell	Clerical assistant	5,628.51
Violet M. McCarthy	do	7,535.31
Ann P. Jordan	do	5,299.29
Barboura C. Flues	do	6,246.24
Clarence E. Martin III	Clerical assistant (through Sept. 1, 1973).	$1,355.56
Michael J. Barrett	Clerical assistant (through July 15, 1973).	375.00
Martin Auerbach	Staff assistant (from Sept. 1, 1973).	3,452.57
Jo Anne Glisson	Clerical assistant	5,019.23
John L. Duncan	do	7,678.89
Susan Tomasky	Clerical assistant (through Sept. 1, 1973).	1,186.10
Walter J. Graham, Jr	Staff assistant	14,619.06
Steve Lawton	do	14,619.06
Micahel R. Lemov	do	14,619.06
Richard Krolik	do	14,619.06
Louis D. Wilmer	Clerical assistant (through July 15, 1973).	250.00
Maureen O'Connell	Clerical assistant (from July 16, 1973 through Aug. 31, 1973).	750.00
Elizabeth L. Bailey	Clerical assistant (from Oct. 10, 1973).	2,325.00
Special subcommittee on investigations:		
Daniel J. Manelli	Chief counsel	18,000.00
William T. Druhan	Staff assistant	16,002.24
James F. Broder	Staff assistant (through Nov. 30, 1973).	12,716.90
James R. Connor	Special assistant	14,838.03
Benjamin J. Smethurst.	do	16,002.24
Mark J. Raabe	Staff attorney	14,957.55
William T. Druhan	do	12,492.48
Albert J. McGrath	Special assistant	8,348.58
Lynne D. Finney	Staff attorney (from Sept. 1, 1973).	8,631.46
Raymond C. Cole	Special assistant	10,763.75
Elizabeth G. Paola	Clerical assistant	8,934.75
Russel D. Mosher	Staff assistant	5,949.66
Diane G. Kirchenbauer	Clerical assistant	6,530.19
Michael F. Barrett	Staff attorney	14,957.55
Elizabeth A. Eastman	Clerical assistant	7,530.60
Special securities study group:		
Robert L. Stern	Special consultant	15,615.63
Harvey Rowan	Staff attorney	13,994.19
Jean F. Zofcin	Clerical assistant	5,109.03
Marion S. Ryan	do	5,109.03

Funds authorized or appropriated for committee expenditures	$1,180,000.00
Amount of expenditures previously reported	384,639.96
Amount expended from July 1 to Dec. 31, 1973	429,629.21
Total amount expended from Jan. 1 to Dec. 31, 1973	814,269.17
Balance unexpended as of Dec. 31, 1973	365,730.83

HARLEY O. STAGGERS, Chairman.

COMMITTEE ON THE JUDICIARY

January 14, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Jerome M. Zeifman	General counsel	$18,000.00
Garner J. Cline	Associate general counsel.	18,000.00
Herbert Fuchs	Counsel	18,000.00
William P. Shattuck	do	18,000.00
H. Christopher Nolde	do	17,405.43
Donald G. Benn	Associate counsel	17,200.68
Franklin G. Polk	do	17,200.68
Alan A. Parker	Counsel	15,488.50
Roger A. Pauley	Associate counsel	15,357.75
Thomas E. Mooney	do	14,129.13
Frances F. Christy	Legislative analyst	11,774.28
Jane C. Caldwell	Clerical staff	9,829.20
Gertrude Clara Burak	do	8,744.34
Alma B. Haardt	do	7,319.30
Mary G. Sourwine	Clerical staff (from Oct. 8, 1973).	4,514.63
Ann P. Sartori	Clerical staff (through Oct. 7, 1973).	3,155.35

COMMITTEE EMPLOYEES—Continued

Name of employee	Profession	Total gross salary during 6-month period
Investigative staff salaries paid July 1, 1973, through Dec. 31, 1973, pursuant to H. Res. 74, H. Res. 265, H. Res. 510, and H. Res. 702:		
Lynn Alcock	Clerical staff (from Dec. 1, 1973).	$1,208.33
Deborah Alt	Clerical staff (from Nov. 26, 1973).	1,069.45
Ernest J. Banchero	Clerical staff (from Nov. 14, 1973).	1,279.45
Maurice A. Barboza	Counsel	10,854.63
Maureen Barden	Research assistant (from Dec. 28, 1973).	95.83
Carolyn K. Beahm	Clerical staff (from Nov. 10, 1973).	991.66
Michael W. Blommer	Associate counsel	13,514.82
Philip S. Boone, Jr.	Clerical staff (from Nov. 5, 1973).	1,166.67
Sharon L. Borg	Clerical staff	4,674.06
Jeanette B. Brown	Clerical (from Nov. 5, 1973).	1,400.00
Robert L. Brown	Assistant Counsel (from Oct. 23, 1973).	3,022.12
Mary M. Buckley	Clerical staff (from Oct. 29 through Nov. 4, 1973).	202.23
Cheryl R. Budd	Clerical staff (from Dec. 3, 1973).	124.44
Doris G. Cassidy	Clerical staff (from Nov. 19, 1973).	291.66
Richard L. Cates	Assistant to general counsel (from Nov. 11, 1973).	4,200.00
Pearl L. Chellman	Clerical staff	7,327.63
Daniel L. Cohen	Counsel	10,405.18
Alexander B. Cook	Associate counsel	10,750.44
Lois D'Andre	Clerical staff	3,353.33
Lizzie M. Daniels	Clerical staff (from Oct. 1, 1973).	2,341.67
Eva J. Denev	Clerical staff (from Oct. 12, 1973).	3,506.98
William P. Dixon	Counsel (from Sept. 4, 1973).	8,084.42
John M. Doar	Special counsel (from Dec. 20, 1973).	1,100.00
Patricia A. Donohue	Clerical staff (from Dec. 17, 1973).	540.55
Arthur P. Endres, Jr.	Counsel	10,405.18
James F. Falco	do	12,369.55
James B. Farr	Messenger-clerk	4,661.71
Charles E. Feeley	Clerical staff (from Nov. 5, 1973).	1,120.00
Martha A. Ford	Clerical staff (from Sept. 10 through Oct. 31, 1973).	1,966.16
Gayle D. Fralin	Clerical staff (from Dec. 17, 1973).	350.00
Mary Pat Gaffney	Clerical staff (through Nov. 25, 1973).	4,715.34
Theresa M. Gallo	Clerical staff (from Oct. 9, 1973).	2,733.33
Samuel A. Garrison III	Counsel (from Dec. 1, 1973).	2,500.00
Linda Chavez Gersten	Staff analyst	8,745.47
Dagmar Hamilton	Counsel (from Dec. 28, 1973).	183.33
David W. Hanes	Assistant to the special counsel (from Dec. 28, 1973).	229.17
Robert K. Hedrick Jr.	Clerical staff (from Dec. 10, 1973).	478.33
Janet A. Howard	Clerk (from Oct. 26, 1973).	2,708.33
Michael H. Hughes	Clerical staff (from Dec. 13, 1973).	410.00
Thomas W. Hutchison	Counsel (from Oct. 15 1973).	4,961.10
Alice M. Jackson	Clerical staff	5,693.71
R. Frederick Jett	Counsel	600.00
Jeffrey Kayden	Clerical staff (from Oct. 15, 1973).	633.33
Michael Kelemonick	Clerical staff	7,319.30
John E. Kennahan	Counsel (from Dec. 6, 1973).	2,048.61
Olga Kirk	Clerical staff (from Oct. 23, 1973).	2,204.16
Stephen P. Lynch	Research assistant (from Sept. 4, 1973).	2,830.17
B. Dianne McConnell	Clerical staff (through Sept. 30, 1973).	2,000.01
Florence T. McGrady	Clerical staff	7,319.30
Betty Jean McKay	do	4,571.61
Mary E. Manners	Clerical staff (from Nov. 7, 1973).	1,125.00
Michael P. Murphy	Messenger-clerk (from Aug. 1, 1973).	3,214.43
Robert J. Murphy	Clerical staff (from Nov. 9, 1973).	1,083.33
Nancy L. Parke	Clerical staff	4,997.82
Thomas J. Payne	Staff assistant (from Oct. 29, 1973).	4,130.01
Joan M. Porter	Clerical staff	$4,567.44
Sally A. Regal	Clerical staff (from Nov. 12, 1973).	925.65
Ruth O. Robinson	Assistant counsel	11,849.52
Gertrude W. Rohrer	Clerical staff (from Dec. 3, 1973).	311.11
Dennis S. Rutkus	Staff analyst (from July 9, 1973).	6,855.86
Dawn M. Ruuspakka	Clerical staff (from July 16, 1973).	4,059.74
Nancy R. Schaefer	Clerical staff (from Dec. 10, 1973).	595.00
Arden B. Schell	Assistant counsel	8,294.93
Judith Shellenberger	Clerical staff (from July 9, 1973).	4,505.29
Alice M. Smith	Clerical staff	5,295.20
Mary G. Sourwine	Clerical staff (through Oct. 7, 1973).	4,416.28
Jared B. Stamell	Assistant counsel	10,321.85
Peter T. Straub	do	13,566.00
Nina Sweetwood	Clerical staff (from Nov. 1, 1973).	1,200.00
Robert J. Trainor	Counsel (from July 30, 1973).	8,794.07
Jean L. Traylor, Jr.	Assistant counsel (from Oct. 23, 1973).	3,400.00
Nina J. Turitz	Clerical staff (from Nov. 19, 1973).	840.00
Louis S. Vance	Messenger	5,540.40
Dorothy C. Wadley	Clerical staff	5,693.71
Karen Walsh	Clerical staff (from Nov. 1, 1973).	1,964.50
Gary M. Weaver	Clerical staff (from Nov. 19, 1973).	816.66
Mary Y. Westergren	Clerical staff (from Oct. 9, 1973).	1,708.33
Minnie White	Clerical staff	9,214.65
William A. White	Association counsel (from Dec. 22, 1973).	587.50
Janice A. Zarro	Assistant counsel	7,490.26
Funds authorized or appropriated for committee expenditures		$1,606,217.75
Amount of expenditures previously reported		211,251.29
Amount expended from July 1 to Dec. 31		343,428.77
Total amount expended from Jan. 3 to Dec. 31		554,680.06
Balance unexpended as of Dec. 31, 1973		1,051,537.69

PETER W. RODINO, Jr., Chairman.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee staff:		
Ernest J. Corrado	Chief counsel	$18,000.00
Ned P. Everett	Counsel	16,862.15
Francis D. Heyward	do	11,671.29
Leonard L. Sutter	do	14,830.80
Francis P. Still	Chief clerk	4,680.26
W. Bernard Winfield	Clerk	12,572.04
Vera A. Barker	Secretary	10,196.17
Richard N. Sharood	Minority counsel	15,890.14
William C. Rountree	Minority counsel (July-August-September).	5,594.23
Virginia L. Noah	Minority clerk	10,063.74
Invest gative Committee staff:		
Mary C. McDonnell	Counsel	11,123.11
Frank M. Potter Jr.	do	10,593.43
Carl L. Perian	Professional staff member.	14,301.12
William H. Hamilton	Professional staff member (July to Nov. 15).	8,231.53
Donald A. Watt	Editor	10,708.88
Terrence W. Modglin	Clerk	5,378.02
Ruth I. Hoffman	Assistant clerk	7,415.39
Jacquelyn M. Westcott.	Stenographer-clerk	6,934.79
Eleanor P. Mahler	Secretary	6,658.03
Betty Ann Nevitt	Secretary (July to Aug. 22).	1,805.56
Jean McLean	Secretary September to Dec. 31).	$4,176.83
Mabel Duran	Secretary (December)	1,151.38
Gwendolyn H. Lockhart.	Assistant minority clerk.	6,885.73
Funds authorized or appropriated for committee expenditures		$291,500.00
Amount of expenditures previously reported		89,588.77
Amount expended from July 1 to Dec. 31, 1973		113,474.42
Total amount expended from Jan. 1 to Dec. 31, 1973		203,063.19
Balance unexpended as of Dec. 31, 1973		88,436.81

LEONOR K. SULLIVAN, Chairman.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

January 10, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee staff:		
Martiny, John H	Chief counsel	$18,000.00
Smiroldo, Victor C	Staff director and counsel.	17,749.98
Irvine, William A	Assistant staff director	17,749.98
Kazy, Theodore J	Senior staff assistant	17,749.98
Mesker, Roy C	Staff assistant	17,749.98
Fortune, Francis C	Coordinator	14,800.02
Lockhart, Robert E	Assistant counsel	15,049.98
Devlin, Ralph J	Staff assistant	14,599.98
Thornton, Elsie E	Chief clerk	12,750.00
Wells, Barbara M	Executive secretary	9,480.00
Investigative staff (H. Res. 180 and 261):		
Bakall, Diane	Intern (to Aug. 19)	735.00
Gabusi, John B	Staff assistant	9,750.00
Howard, Alton M	Printing editor	10,099.98
Hugler, Edward T	Investigator	14,250.00
Napier, Margaret G	Secretary	5,944.98
Pendleton, Maria R	Document clerk	8,955.00
Peters, Dorothy L	Secretary	7,890.00
Thomas, Catharin	Assistant document clerk.	4,939.98
Perdue, Patricia A	Secretary (from Nov. 1).	1,341.66
Mulholland, James S	Intern (to Aug. 12)	700.00
Barry, Margaret	Secretary (minority)	5,500.02
Bates, Kathryn E	do	6,600.00
Coultrap, Ray H	Staff assistant (minority).	7,525.02
Raymond, Anthony	do	12,400.02
Gustafson, Tanya A	Intern (to Aug. 26)	746.67
Manpower and Civil Service Subcommittee:		
Newton, Paul W	Investigator from Nov. 1.	4,000.00
Pankonin, Patricia G	Secretary	5,250.00
Snipes, Justine P	do	2,590.02
McNair, Julia R	Secretary (from Oct. 1).	1,875.00
Holton, Ann C	Intern (to Aug. 21)	680.00
Postal Service Subcommittee:		
Barton, Richard A	Staff assistant	13,500.00
Cox, Cassandra L	Secretary	4,249.98
Burwell, Robert J	Intern (to Aug. 12)	420.00
Gates, Gregory A	do	420.00
Postal Facilities, Mail, and Labor Management Subcommittee:		
Gould, George B	Staff assistant	13,999.89
Ciaravella, Jo Ann	Secretary	5,749.98
Mahoney, Joseph T	Associate staff assistant (to Dec. 2)	4,855.54
Brand, Hugh McGuire, Jr.	Intern (to July 31)	400.00
Stetler, Mary Catherine.	Intern (to Aug. 11)	546.67
Meyer, Robert J	Intern (Aug. 8 to Sept. 8)	413.34
Cavanagh, Michael F	Research assistant (from Nov. 26)	1,166.67

COMMITTEE EMPLOYEES—Continued

Name of employee	Profession	Total gross salary during 6-month period
Retirement and Employee Benefits Subcommittee:		
Terry, Donald F.	Assistant counsel	$9,250.02
Gwinn, Mansel Bruce	Clerk	4,750.02
Lee, Clifford T.	Intern (to July 31)	300.00
O'Connor, Michael T.	Staff aid (from July 16)	8,250.00
Marines, Patricia J.	Intern (Aug. 1 to Aug. 31).	300.00
McGonigal, Romona	Secretary (Sept. 17 to Dec. 14).	1,662.24
Census and Statistics Subcommittee:		
Bullock, Richard D.	Staff assistant	13,500.00
Bray, Austin C. Jr.	Assistant counsel	7,500.00
LaMotte, Bettie J.	Secretary	6,000.00
Kerry, Linda Louise	Intern (to Aug. 31)	600.00

Funds authorized or appropriated for committee expenditures	$638,000.00
Amount of expenditures previously reported	235,285.13
Amount expended from July 1 to Dec. 31	251,600.23
Total amount expended from Jan. 1 to Dec. 31	486,885.36
Balance unexpended as of Dec. 31, 1973	151,114.64

THADDEUS J. DULSKI, Chairman.

COMMITTEE ON PUBLIC WORKS

December 31, 1973.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee staff:		
Richard J. Sullivan	Chief counsel	$18,000.00
Lester Edelman	Counsel	18,000.00
Lloyd A. Rivard	Engineer consultant	18,000.00
Carl H. Schwartz, Jr.	Consultant-projects and programs.	6,186.00
James L. Oberstar	Administrator	18,000.00
Dorothy A. Beam	Executive staff assistant.	12,519.75
Meriam A. Buckley	Calendar clerk	10,442.04
Sterlyn B. Carroll	Staff assistant	8,727.72
Ruth Costello	do	9,311.52
Clifton W. Enfield	Minority counsel	18,000.00
Richard C. Peet	Associate minority counsel.	17,858.04
Erla S. Youmans	Minority executive staff assistant.	10,505.07
Investigating staff:		
Phyllis B. Stone	Staff assistant	4,351.35
Steven H. Bourke	Staff assistant (terminated Sept. 30, 1973).	4,852.86
Peggy C. Pasquini	Staff assistant	6,911.78
William M. Corcoran	Staff assistant (terminated Oct. 22, 1973).	3,140.25
Joan Marie Kovalic	Staff assistant (effective Dec. 10, 1973).	1,079.17
Thomas L. Anderson	Staff assistant (effective Sept. 12, 1973).	3,619.09
Patricia Carol Cross	Staff assistant	4,351.35
Catherine A. Evans	do	5,140.17
Roger B. Furey	do	2,970.33
Karen Maria Gilbert	Staff assistant (terminated Jul. 31, 1973).	940.83
Ann J. Joseph	Staff assistant	4,453.74
Diana L. Juarez	Staff assistent (terminated Oct. 31, 1973).	2,023.85
Robert Whitfield	Staff assistant (effective Aug. 1, 1973).	5,143.10
Mary Kathryn Leonard	Staff assistant (terminated Dec. 31, 1973).	5,035.74
Machele Miller	Staff assistant	4,992.33
Shirley Ruhe	do	6,802.79
Robert F. Spence	do	9,800.22
Toby J. Stein	do	4,253.13
Clyde E. Woodie, Jr.	do	8,497.95
Olga Wynnyk	do	4,095.42
Sheldon S. Gilbert	Assistant minority (transferred from counsel, subcommittee on Investigations and Oversight, Oct. 1, 1973).	$8,261.64
Patricia A. Hill	Minority staff assistant	6,655.02
Richard C. Barnett	do	7,535.31
Brenda G. Jones	do	5,110.56
Alexandra R. Sassoon	do	5,119.23
Joanne Marie Morrone	do	5,119.23
Cheryl Ann Meyers	do	4,863.30
Errol Lee Tyler	Associate counsel	15,357.75
Joseph A. Italiano	Editorial assistant	11,398.83
Robert F. Loftus	Technical staff assistant (terminated Sept. 30, 1973).	8,041.89
Gordon E. Wood	Assistant minority counsel.	16,381.62
Marie M. Lynch	Clerk, Subcommittee on Water Resources.	7,274.28
Nancy B. Vitali	Clerk, Subcommittee on (terminated Sept. 1, 1973, Public Buildings and grounds, reappointed Sept. 17, 1973).	6,900.56
Subcommittee on Economic Development:		
Robert Paul	Consultant, environment and (effective Economic Development July 1, 1973).	17,850.00
Carl J. Lorenz	Counsel	17,035.23
Margaret McCarthy	Staff assistant	4,903.68
Anne Louise Howard	do	4,754.37
Ann D. Clineburg	Staff assistant (effective Sept. 5, 1973).	4,009.77
John Jeffery Carter	Staff assistant (effective Dec. 13, 1973).	450.00
Subcommittee on Energy:		
Salvatore J. D'Amico	Counsel	17,528.31
Henry G. Edler	Technical adviser	17,703.75
Carole Dahlstedt	Clerk	8,190.78
Stephanie G. Negley	Staff assistant	6,143.10
June M. O'Connell	do	866.67
Subcommittee on Investigations and oversight:		
Walter R. May	Chief counsel	18,000.00
John P. O'Hara	Associate counsel	17,035.23
Robert G. Lawrence	do	17,644.20
George M. Kopecky	Chief investigator	18,000.00
Kathryn M. Keeney	Chief clerk	10,764.75
Betty Hay Wright	Administrative assistant.	10,226.52
Shirley B. Novotny	Staff assistant	7,098.03
William O. Nolen	Investigator	11,356.83
George P. Karseboom	Professional staff member.	15,331.71
Charles A. Krouse	do	15,331.71
B. Craig Raupe	Professional staff member (effective Oct. 1, 1973).	7,831.56
Agnes M. Ganun	Staff assistant	7,352.19
Virginia Middledorf	do	6,450.27
Sheldon S. Gilbert	Minority counsel (transferred to full investigative staff Oct. 1, 1973).	7,885.50
Paul R. S. Yates	Professional minority staff member.	17,223.60
Martha F. Downie	Minority staff assistant.	7,665.84
Consultants:		
Stephen Clapp	Consultant	1,200.00
F. Robert Edman	do	11,000.00
Peter Jutro	do	1,400.00
Richard C. Royce	do	7,000.00
Max Taher	do	7,500.00
Samuel S. Epstein	do	500.00

Funds authorized or appropriated for committee expenditures (H. Res. 285)	$1,519,700.00
Amount of expenditures previously reported	483,037.05
Amount expended from July 1, to Dec. 31, 1973	577,100.01
Total amount expended from Jan. 3 to Dec. 31, 1973	1,060,137.06
Balance unexpended as of Dec. 31, 1973	459,562.94

JOHN A. BLATNIK, Chairman.

COMMITTEE ON RULES

January 21, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Laurie C. Battle	Staff director and counsel (P).	$18,000.00
Margaret Anne Bundick	Staff assistant (C)	8,073.57
Dorothy Ballenger	Secretary	7,678.89
William D. Crosby, Jr.	Minority counsel	12,917.70
Jonna Lynne Cullen	Assistant minority counsel.	9,769.02
Donald Gregory Nicosia	Majority counsel	8,657.40
Linda Trotter	Secretary	4,276.43
Winifred L. Watts	Administrative assistant.	10,764.75

Funds authorized or appropriated for committee expenditures	$5,000,000
Amount of expenditures previously reported	1,239.36
Amount expended from July 1 to Dec. 31, 1973	1,087.33
Total amount expended from Jan. 3 to Dec. 31, 1973	2,326.69
Balance unexpended as of Dec. 31, 1973	2,673.31

RAY J. MADDEN, Chairman.

COMMITTEE ON SCIENCE AND ASTRONAUTICS

January 9, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John L. Swigert, Jr.	Executive director	$18,000.00
James E. Wilson, Jr.	Deputy director	18,000.00
John A. Carstarphen, Jr.	Chief clerk and counsel	18,000.00
Philip B. Yeager	Counsel	18,000.00
Frank R. Hammill, Jr.	do	18,000.00
Carl Swartz	Minority staff	13,566.00
Joseph Del Riego	do	13,054.08
Mary Ann Robert	Administrative specialist.	8,158.92
Carol F. Rodgers	Secretary	7,629.75
June C. Stafford	do	7,629.75
Theresa M. Gallo	Secretary (to Oct. 8)	2,830.54
Rebecca S. Wheeler	Secretary (from Nov. 1).	1,633.34
Patricia S. Schwartz	Secretary	5,887.14
Investigative staff (H. Res. 270):		
Harold A. Gould	Technical consultant	18,000.00
George W. Fisher	Clerk	18,000.00
J. Thomas Ratchford	Science consultant	16,913.85
William G. Wells, Jr.	Technical consultant	16,593.87
Thomas N. Tate	Technical consultant and counsel.	13,821.99
John D. Holmfeld	Science policy consultant.	13,628.16
Frank J. Giroux	Printing clerk	9,944.22
Martha N. Rees	Secretary	7,302.63
Rita W. Schwall	Secretary (to Nov. 5)	5,121.54
Don Cooper	Publications clerk (to Nov. 30).	4,883.09
L. Kirk Hall	Technical specialist (from Sept. 5).	5,012.22
Judith A. Everett	Secretary	4,433.77
William G. Carter	Publications clerk (from Nov. 5).	1,524.45
Peggy G. Welch	Secretary	3,756.10
Linda G. Craig	Secretary (from Oct. 1)	2,250.00

Funds authorized or appropriated for committee expenditures	$380,000.00
Amount of expenditures previously reported	161,252.29
Amount expended from July 1 to Dec. 31, 1973	181,107.75
Total amount expended from Jan. 1 to Dec. 31, 1973	342,360.04
Balance unexpended as of Dec. 31, 1973	37,639.96

OLIN E. TEAGUE, Chairman.

COMMITTEE EMPLOYEES—Continued

STANDARDS OF OFFICIAL CONDUCT

January 7, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John M. Swanner	Staff director	$18,000.00
Bennett Wolfe	Assistant staff director	17,067.81
Mariann R. Mackenzie	Secretary	12,286.20
Tempie W. Whittington	Assistant clerk (through Nov. 30, 1973.)	6,114.48
Charlene Brimmer	Assistant clerk (Nov. 1 to Dec. 31, 1973).	1,833.34

Funds authorized or appropriated for committee expenditures (H. Res. 219 (Mar. 20, 1973)	$25,000.00
Amount of expenditures previously reported	1,033.35
Amount expended from July 1 to Dec. 31, 1973	4,125.56
Total amount expended from Mar. 20 to Dec. 31, 1973	5,158.91
Balance unexpended as of Dec. 31, 1973	19,841.09

MELVIN PRICE, Chairman.

COMMITTEE ON VETERANS' AFFAIRS

January 8, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Oliver E. Meadows	Staff director	$18,000.00
Donald C. Knapp	Counsel	18,000.00
John R. Holden	Professional staff member (minority).	17,593.62
Billy E. Kirby	Professional aide	17,593.62
Arthur M. Gottschalk	Professional aide (minority).	11,924.67
Helen A. Biondi	Clerk	11,912.66
Morvie Ann Colby	Clerk-stenographer	8,258.97
Marjorie J. Kidd	do	7,898.85
Candis L. Graves	do	5,631.18
Patsy R. Kelley	Clerk-stenographer (minority) (from Oct. 1 1973).	3,143.76
Diana S. Gaujot	Clerk-stenographer (minority) (July 1 through Sept. 30, 1973).	2,499.99
Investigative staff:		
Audrey A. Powelson	Clerk-stenographer	6,224.73
Philip E. Howard	Investigator	17,481.66
Vance L. Gilliam	Records clerk	4,921.98
Sylvia E. Meadows	Clerk-stenographer (July 1 through July 31, 1973).	516.67
Susan Dawkins	Clerk-stenographer (July 1 through Aug. 31, 1973).	1,033.34
Alice V. Matthews	Clerk-stenographer	3,583.47
Margaret J. Hulehan	do	5,631.18
Margaret S. Boswell	Clerk-stenographer (July 1 through Aug. 31, 1973).	1,033.34
Diana S. Gaujot	Clerk-stenographer (minority) (Oct. 1 through Dec. 31, 1973).	2,618.76
Anne W. Steadman	Clerk-stenographer (Nov. 1 through Dec. 31, 1973).	2,175.00

Funds authorized or appropriated for committee expenditures	$150,000.00
Amount of expenditures previously reported	49,785.67
Amount expended from July 1 to Dec. 31, 1973	58,176.55
Total amount expended from Jan. 1 to Dec. 31, 1973	107,962.22
Balance unexpended as of Dec. 31, 1973	42,037.78

WM. JENNINGS BRYAN DORN, Chairman.

COMMITTEE ON WAYS AND MEANS

January 14, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John M. Martin, Jr.	Chief counsel (P)	$18,000.00
Richard C. Wilbur	Minority counsel (P)	18,000.00
John Patrick Baker	Assistant chief counsel (P).	17,749.98
Robert B. Hill	Professional staff (P)	14,375.28
William Kane	do	17,603.88
James W. Kelley	do	17,749.98
Harold Lamar	do	17,749.98
Arthur Singleton, Jr.	do	17,549.04
Florence Burkett	Staff assistant (C)	8,398.35
Virginia Butler	do	9,982.65
William C. Byrd	do	6,771.51
Marie Crane	do	8,563.98
William Fullerton	do	17,749.98
Charles Hawkins	do	17,749.98
Grace Kagan	do	9,982.65
June Kendall	do	11,900.97
Elizabeth Lieblich	do	5,042.97
Danna Palmer	do	5,252.52
Doris Parker	do	5,247.81
Marsha Powell	do	5,113.26
Jean Ratliff	do	6,092.31
Karen Schwarz	do	6,189.72
Gloria Shaver	do	9,681.69
Margo Shildkret	do	4,468.44
Carole Vazis	do	8,139.60
Hughlon Greene	do	8,398.35
Walter Little	do	8,398.35
Under H. Res. 263, 93d Congress:		
John Meagher		17,549.04
Connie Faulkner		4,863.36
Don Johnson (to October 31).		3,000.00

Funds authorized or appropriated for committee expenditures	$125,000.00
Amount of expenditures previously reported	32,480.92
Amount expended from July 1 to Dec. 31, 1973	37,258.29
Total amount expended from January 1 to Dec. 31, 1973	69,739.21
Balance unexpended as of Dec. 31, 1973	55,260.79

WILBUR D. MILLS, Chairman.

SELECT COMMITTEE ON COMMITTEES

January 14, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Charles S. Sheldon II	Chief of staff	$18,000.00
Melvin M. Miller	Deputy chief of staff (begin Mar. 1).	18,000.00
Gerald J. Grady	Professional staff member (begin Apr. 2).	15,613.71
Spencer M. Beresford	Counsel (begin Mar. 18).	$18,000.00
Linda H. Kamm	Counsel (begin Feb. 12).	12,286.20
Robert C. Ketcham	Special counsel (begin Mar. 10).	15,357.75
Roger H. Davidson	Professional staff member (begin Mar. 23).	15,613.71
Terence T. Finn	Staff consultant (begin Mar. 1).	9,982.53
Dennis J. Taylor	Associate counsel (begin Mar. 15).	14,167.22
Mary E. Zalar	Professional staff member (begin Mar. 1).	7,678.89
Linda G. Stephenson	Chief clerk (begin Mar. 7).	7,178.89
Shirley A. Kalich	Secretary (begin Feb. 19).	5,631.18
Rose M. Sanko	Secretary (begin Mar. 20).	6,660.98
Carmen T. Bagherzadeh	Secretary (begin Mar. 1).	5,119.23
C. Carleda Broughton	Secretary (begin Apr. 1).	5,375.22
Joan Bannon Bachula	Research assistant (begin June 25).	6,143.10

Funds authorized or appropriated for committee expenditures	$1,500,000.00
Amount of expenditures previously reported	99,038.93
Amount expended from July 1 to Dec. 31, 1973	180,808.61
Total amount expended from Jan. 31 to Dec. 31, 1973	279,847.54
Balance unexpended as of Dec. 31, 1973	1,220,152.46

RICHARD BOLLING, Chairman.

SELECT COMMITTEE ON HOUSE RESTAURANT

January —, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Thomas J. Campbell	Staff director	$18,842.96
Barbara E. Cousins	Secretary (resigned July 1, 1973).	2,089.55
Nancy Freeman	Secretary (reported Aug. 1, 1973, resigned Dec. 31, 1973).	2,091.93

Funds authorized or appropriated for committee expenditures (93d Cong.)	$33,500.00
Amount of expenditures previously reported	14,820.99
Amount expended from July 1 to Dec. 31, 1973	15,896.42
Total amount expended from Jan. 1 to Dec. 31, 1973	30,717.41
Balance unexpended as of Dec. 31, 1973	2,782.59

JOHN C. KLUCZYNSKI, Chairman.

PERMANENT SELECT COMMITTEE ON SMALL BUSINESS

January 14, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

COMMITTEE EMPLOYEES—Continued

Name of employee	Profession	Total gross salary during 6-month period
Emilia E. Parrish	Secretary	$6,424.98
Brenda H. Napier	do	4,875.00
William A. Keel, Jr.	Research analyst	18,000.00
Myrtle Ruth Foutch	Clerk	12,249.99
Donna M. Watson	Secretary	5,100.00
Henry A. Robinson	Counsel	17,500.02
Leslie A. Glick	do	5,000.00
Lois Liberty	Printing editor	9,000.00
Thomas G. Powers	Counsel	8,874.99
Elizabeth Cingel	Secretary	4,000.02
Justinus Gould	Counsel	17,500.02
William F. Demarest	do	8,250.00
Mary Eileen Hohman	Secretary	3,875.01
Howard Greenberg	Staff director	18,000.00
Lucille C. Hicks	Secretary	6,750.00
Lillian Bracken	do	2,708.32
Michael J. Ward	Counsel	6,375.00
Linda Louise Spakes	Secretary	5,874.99
Charles D. Loyd	General counsel	18,000.00
Bernadette O'Reilly	Secretary (minority)	2,874.99
James R. Phalen	Minority counsel	13,000.02
Susan Pearce	Secretary (minority)	2,499.99
Paul Kritzer	Assistant minority counsel.	11,250.00
Elmira R. Stewart	Secretary (minority)	4,249.99
Willa C. Rawls	do	2,874.99
Carol Ann Ward	do	2,499.99

Funds authorized or appropriated for committee expenditures	$563,000.00
Amount of expenditures previously reported	221,969.90
Amount expended from July 1 to Dec. 31, 1973	248,212.87
Total amount expended from Jan. 1 to Dec. 31, 1973	470,182.77
Balance unexpended as of Dec. 31, 1973	92,817.23

JOE L. EVINS, Chairman.

JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

January 15, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Eugene F. Peters	Executive director	$18,000.00
Raymond L. Gooch	Counsel	15,613.71
Cynthia K. Watkins	Office manager	7,490.26
Donald G. Tacheron	Director of research	17,749.98
George Meader	Counsel	18,000.00
Ann Holoka	Research assistant	9,214.65
Reta Orem	Clerk typist	1,783.34
Beverly Jean Muncy	Stenographer	5,035.91
Barbara C. Lyle	Receptionist	1,552.79
Susan B. Perry	Staff assistant	6,833.63
William B. Blacklow	do	6,405.02
Simeon R. Orlowski	Clerk	527.77
Melinda L. Roberts	Temporary typist	1,520.83
Raba A. Gilbert	do	1,399.99
Robert J. Kelley	Administrative officer	10,494.45
Richard M. Bates	Placement clerk	666.67
James F. McAllister	Administrative officer	14,077.95
Gerard C. Snow	do	5,809.76
James S. Machowski	Placement clerk	141.67
March E. Dyer	do	4,351.35
Betty A. Franklin	do	4,146.95
Lee A. Riedel	do	3,839.43
Mark L. Greenberg	do	3,797.76
Grace Seckler	do	3,851.29
Sally K. Murphy	do	3,583.47
Laura Reed	Temporary typist	797.22
Anne Garrett Burfield	do	1,400.01
Suzanne Hegdal	Temporary clerk	250.00
Philip R. Johnnie	do	250.00
Susan R. Schuster	do	311.11
Scott Sutherland	do	233.33
Veronica L. Hunter	do	229.17
M. Kathryn Stone	do	311.11
Sybil Anne Capps	Placement clerk	2,455.45
John Turner Donelan	Temporary clerk	1,354.17
Robert W. Witt	do	6,499.98
William F. Walsh	do	7,350.00
Richard T. Galgay	do	272.22
Paul W. McKee	do	3,300.00
John Gilman Stewart	Temporary Staff assistant.	$1,000.00
Earl Francis Rieger	Temporary assistant	1,000.00
Robert S. Fonte	Temporary staff assistant.	1,000.00
Samuel Merrick	do	750.00

Funds authorized or appropriated for committee expenditures	$530,000.00
Amount of expenditures previously reported	0
Amount expended from July 1 to Dec. 31, 1973	213,621.02
Total amount expended from July 1 to Dec. 31, 1973	213,621.02
Balance unexpended as of Dec. 31, 1973	316,378.98

LEE METCALF, Chairman.

JOINT COMMITTEE ON DEFENSE PRODUCTION

January 7, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Harold J. Warren	Staff director and counsel.	$17,612.40
Cary H. Copeland	Assistant staff director	13,207.29
Robert B. Geddie, Jr.	Professional staff	7,262.22
Robert S. Riggs	do	5,586.89
J. Michael Hemphill	do	12,006.69
Edward A. Sokol	do	7,500.36
Charles H. Liner, Jr.	do	465.00
Mary Ellen Simpson	Clerk	947.48
Samuel L. Stewart	do	846.99
Lee Sherman Cox	do	976.19
Ruth Baskerville	Secretary	4,732.69

Funds authorized or appropriated for committee expenditures	$152,105.00
Amount of expenditures previously reported	0
Amount expended from July 1 to Dec. 31, 1973	71,269.50
Total amount expended from July 1 to Dec. 31, 1973	71,269.50
Balance unexpended as of Jan. 1, 1974	80,835.50

JOHN SPARKMAN, Chairman.

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

January 30, 1974.

To the Clerk of the House:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1 to December 31, 1973, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Laurence N. Woodworth	Chief of staff	$19,999.98
Lincoln Arnold	Deputy chief of staff	18,000.00
Herbert L. Chabot	Assistant chief of staff	18,000.00
Arthur Feffernan	Chief economist	18,000.00
Bernard M. Shapiro	Legislation counsel	17,405.49
Harrison B. McCawley	Refund counsel	16,381.77
James H. Symons	Statistical analyst	18,000.00
John Germanis	do	15,869.73
Albert Buckberg	Economist	17,405.49
Michael D. Bird	do	17,750.01
Leon Klud	do	11,928.00
Mark L. McConaghy	Legislation attorney	13,310.97
Donald C. Evans	do	13,156.50
Howard J. Silverstone	do	15,869.73
Robert A. Warden	Legislative attorney	$15,869.73
Robert A. Blum	do	13,821.99
James Billinger	do	13,156.50
Joseph P. Spellman	Refund attorney	12,183.99
Carl E. Bates	do	12,183.99
Joseph E. Fink	Statistical clerk	12,183.99
Cynthia F. Wallace	do	6,655.23
Allan Rosenbaum	Accountant	12,798.24
Joanne McDermott	Secretary	9,931.50
Marcia B. Rowzie	do	6,803.74
Linda Savage	do	7,679.01
Blanche Nagro	Secretary (refund)	7,371.75
Jamie L. Daley	Secretary	6,962.25
June Matthews	do	6,322.50
Amelia Del Carmen	do	6,194.49
Sharon Malcom	do	4,965.75
Jacqueline S. Pfeiffer.	do	6,808.74
Ellen I. Woodriff	do	5,426.49
Alexa Gage	do	5,887.23
Theresa Sbarra	do	5,276.49
Maria L. Winter	do	5,733.75
Richard Eigenbrode	Clerk (to Sept. 30, 1973).	1,500.00
Michael Cook	Clerk	4,375.02
Herman H. Wommack	Clerk (to July 21, 1973).	666.67
Paul W. Oosterhuis	Legislation attorney (as of July 2, 1973).	7,637.34
James W. Wetzler	Economist (as of July 2, 1973).	8,910.14
Thomas R. White, III	Legislation attorney (as of Aug. 6, 1973).	12,441.08

Funds authorized or appropriated for committee expenditures	$937,720.00
Amount of expenditures previously reported	
Amount expended from July 1 to Dec. 31, 1973	456,313.52
Total amount expended from July 1 to Dec. 31, 1973	456,313.52
Balance unexpended as of Dec. 31, 1973	481,406.48

WILBUR D. MILLS, Chairman.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1861. A letter from the Architect of the Capitol, transmitting a report of expenditures during the 6 months ended December 31, 1973, from funds appropriated to him, pursuant to section 105(b) of Public Law 88–454; to the Committee on Appropriations.

1862. A letter from the Deputy Secretary of Defense, transmitting a report on the real and personal property of the Department of Defense as of June 30, 1973, pursuant to 10 U.S.C. 2701; to the Committee on Armed Services.

1863. A letter from the Assistant Secretary of Defense (Manpower and Reserve Affairs), transmitting a report on the apportionment of the reduction in the total military strength of the Department of Defense for June 30, 1974, pursuant to section 301(b) of Public Law 93–155; to the Committee on Armed Services.

1864. A letter from the Deputy Assistant Secretary of Defense (Military Personnel Policy), transmitting a supplemental report on former military and civilian officials and Department of Defense employees who have filed reports relating to employment by defense contractors, pursuant to 50 U.S.C. 1436(d); to the Committee on Armed Services.

1865. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting a report of the design and construction supervision, inspection, and overhead fees charged by the several construction agents for military construction projects of the Military Departments and Defense Agencies during fiscal year 1973, pur-

suant to section 704 of Public Law 92-545; to the Committee on Armed Services.

1866. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of various construction projects proposed to be undertaken for the Naval and Marine Corps Reserves, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

1867. A letter from the Acting Secretary of the Army, transmitting a report on the number of Army officers above the grade of major entitled to receive incentive pay for flight duty, and the average monthly flight pay during the period July 1-December 31, 1973, pursuant to 37 U.S.C. 301(g); to the Committee on Armed Services.

1868. A letter from the Assistant Secretary of the Army (Installations and Logistics), transmitting a report on the facts and justification for the relocation of military activities at the Military Ocean Terminal, Brooklyn, N.Y., to the Military Ocean Terminal, Bayonne, N.J., pursuant to section 613 of Public Law 89-568; to the Committee on Armed Services.

1869. A letter from the Assistant Administrator for Legislative Affairs, Agency for International Development, Department of State, transmitting a quarterly report on the programing and obligation of contingency funds, covering the period ended December 31, 1973, pursuant to section 451(b) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1870. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements other than treaties entered into by the United States, pursuant to section 112(b) of Public Law 92-403; to the Committee on Foreign Affairs.

1871. A letter from the Governor of the Canal Zone and President, Panama Canal Company, transmitting a report on the disposal of foreign excess property by the Panama Canal Company and the Canal Zone Government during calendar year 1973, pursuant to 40 U.S.C. 514(d); to the Committee on Government Operations.

1872. A letter from the Acting Assistant Secretary of State for Congressional Relations and the Under Secretary of Interior, transmitting a draft of proposed legislation to authorize the measures necessary to carry out the provisions of Minute No. 242 of the International Boundary and Water Commission, concluded pursuant to the Water Treaty of 1944 with Mexico (TIAS 994), entitled "Permanent and Definite Solution to the International Problem of the Salinity of the Colorado River" to the Committee on Interior and Insular Affairs.

1873. A letter from the Acting Assistant Secretary of the Interior, transmitting a copy of a proposed amendment to a concession contract authorizing the continued provision of overnight accommodations and related facilities for the public at the Kalaloch area of Olympic National Park, Wash., for a term ending December 31, 1975, pursuant to 67 Stat. 271 and 70 Stat. 543; to the Committee on Interior and Insular Affairs.

1874. A letter from the Acting Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with the University of Idaho, Moscow, Idaho, for a research project entitled "Field Testing Tracer Gas Survey Techniques to Quantify Leakage Ventilation," pursuant to Public Law 89-672; to the Committee on Interior and Insular Affairs.

1875. A letter from the Director of Territorial Affairs, Department of the Interior, transmitting the annual report of the Government Comptroller for Guam on the fiscal condition of the Government of Guam for the year ended June 30, pursuant to 48 U.S.C. 1422(g); to the Committee on Interior and Insular Affairs.

1876. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission in docket No. 18-C, *the Minnesota Chippewa Tribe, et al.*, on behalf of the *Chippewa Indians of the Mississippi and Lake Superior*, plaintiffs, v. *the United States of America*, defendant, pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

1877. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Federal Food, Drug, and Cosmetic Act, and the Fair Packaging and Labeling Act to improve the protection of the public health and safety, to repeal the Filled Milk Act and the Filled Cheese Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

1878. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Interstate Commerce Act, as amended, to assure that rates are compensatory, to allow more flexibility in establishing rates, to facilitate the abandonment of uneconomic rail lines, and for other purposes; to assist in the financing of rail tranportation facilities and to develop a rolling stock scheduling and control system; to the Committee on Interstate and Foreign Commerce.

1879. A letter from the Secretary of Transportation, transmitting a report on activities under the Emergency Rail Services Act of 1970, together with an evaluation of the financial condition of railroads which have outstanding certificates guaranteed under the act, pursuant to 45 U.S.C. 669; to the Committee on Interstate and Foreign Commerce.

1880. A letter from the Secretary of Transportation, transmitting a revised prospectus for the National Highway Traffic Safety Administration Compliance Test Facility, to be constructed near Columbus, Ohio; to the Committee on Interstate and Foreign Commerce.

1881. A letter from the Secretary of Commerce, transmitting notice that the first of the annual reports required by sections 201 and 202 of the Marine Protection, Research, and Sanctuaries Act of 1972, covering the period April 23-June 30, 1973, will be combined into one report and submitted before April 23, 1974; to the Committee on Merchant Marine and Fisheries.

1882. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend title 23, United States Code, the Federal-Aid Highway Act of 1973, and other related provisions of law, to establish a unified transportation assistance program, and for other purposes; to the Committee on Public Works.

1883. A letter from the Secretary of Transportation, transmitting the annual report for fiscal year 1973 on the Urban Area Traffic Operations Improvement (TOPICS) program, pursuant to 23 U.S.C. 135; to the Committee on Public Works.

1884. A letter from the Federal Cochairman, Old West Regional Commission, transmitting the first annual report on the activities of the Commission, covering the period August 18, 1972, through June 30, 1973, pursuant to section 510 of the Public Works and Economic Development Act of 1965, as amended; to the Committee on Public Works.

1885. A letter from the Federal and State Cochairmen, Pacific Northwest Regional Commission, transmitting the first annual report on the activities of the Commission, covering the period December 11, 1972, through June 30, 1973, pursuant to section 510 of the Public Works and Economic Development Act of 1965, as amended; to the Committee on Public Works.

1886. A letter from the Chairman, U.S. Tariff Commission, transmitting the 23d report on the operation of the trade agreements program, pursuant to section 402(b) of the Trade Expansion Act of 1962; to the Committee on Ways and Means.

1887. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

RECEIVED FROM THE COMPTROLLER GENERAL

1888. A letter from the Comptroller General of the United States, transmitting a report on U.S. programs in Ghana; to the Committee on Government Operations.

REPORTS OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. ROBERTS: Committee of Conference. Conference report on H.R. 10203. (Rept. No. 93-796). Ordered to be printed.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 10626. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands in Florida to John Carter and Martha B. Carter; with amendment (Rep. No. 93-797). Referred to the Committee of the Whole House.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 10294. A bill to establish land use policy; to authorize the Secretary of the Interior, pursuant to guidelines issued by the Council on Environmental Quality, to make grants to assist the States to develop and implement comprehensive land use planning processes; to coordinate Federal programs and policies which have a land use impact; to make grants to Indian tribes to assist them to develop and implement land use planning processes for reservation and other tribal lands; to provide land use planning directives for the public lands; and for other purposes; with amendment (Rept. No. 93-798). Referred to the Committee of the Whole House on the State of the Union.

Mr. STRATTON: Committee on Armed Services. H.R. 12670. A bill to amend section 301 of title 37, United States Code, relating to incentive pay, to attract and retain volunteers for aviation crew member duties, and for other purposes (Rept. No. 93-799). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Ms. ABZUG:

H.R. 12770. A bill to assist the States in meeting their liability to supplement the Federal benefits payable under the supplemental security income benefit program by establishing a more recent base period for measuring the "hold-harmless" limitation on such liability; to the Committee on Ways and Means.

H.R. 12771. A bill to make it clear that the bonus value of food stamps is to be included in the "hold harmless" amount guaranteed to recipients of supplemental security income benefits under the Social Security Amendments of 1972, so as to assure that recipients in cash-out States do not suffer reductions in the benefits they actually receive; to the Committee on Ways and Means.

By Mr. ADDABBO:

H.R. 12772. A bill to amend section 601 of the Federal Aviation Act of 1958 to require filing of flight plans in connection with the operation of civil aircraft in air commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. BARRETT (for himself, Mr. NIX, Mr. GREEN of Pennsylvania, and Mr. EILBERG):

H.R. 12773. A bill to amend the Emergency Petroleum Allocation Act of 1973 to require the President to set a ceiling price on domestice crude oil not to exceed prices prevailing on October 1, 1973; to the Committee on Interstate and Foreign Commerce.

By Mr. BLACKBURN:

H.R. 12774. A bill to amend title 10, United States Code, to restore the system of recomputation of retired pay for certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. BLATNIK (for himself, Mr. PERKINS, Mr. SISK, Mr. ICHORD, Mr. EVANS of Colorado, Mr. TOWELL of Nevada, and Mr. SHOUP):

H.R. 12775. A bill to provide for payments to compensate county governments for the tax immunity of Federal lands within their boundaries; to the Committee on Interior and Insular Affairs.

By Mr. BROOMFIELD:

H.R. 12776. A bill to amend section 428(a) of the Higher Education Act of 1965, as amended, and section 2(a)(7) of the Emergency Insured Students Loan Act of 1969, to better assure that students will have reasonable access to loans to meet their postsecondary education costs, and for other purposes; to the Committee on Education and Labor.

By Ms. COLLINS of Illinois (for herself, Ms. BOGGS, Mr. NIX, Mr. MOLLOHAN, Mr. KOCH, Mr. MATSUNAGA, Mr. DAVIS of Georgia, Mr. STUDDS, Mr. YOUNG of Illinois, Mr. RIEGLE, Mr. EDWARDS of California, Mr. POWELL of Ohio, Mr. CONYERS, Mr. HOLIFIELD, Mr. ANDERSON of Illinois, Mr. BROWN of California, Mr. MAZZOLI, Mr. CHARLES H. WILSON of California, Mr. YATRON, Mr. SARBANES, Mr. HAWKINS, Mr. RODINO, Mr. METCALFE, and Mr. ROYBAL):

H.R. 12777. A bill to amend title XVIII of the Social Security Act to include breast prosthesis among the items and services for which payment may be made under the supplementary medical insurance program; to the Committee on Ways and Means.

By Ms. COLLINS of Illinois (for herself, Mr. HELSTOSKI, Mr. FRENZEL, Mr. WOLFF, Mr. MOAKLEY, Mr. STOKES, and Mr. ROSENTHAL):

H.R. 12778. A bill to amend title XVIII of the Social Security Act to include breast prosthesis among the items and services for which payment may be made under the supplementary medical insurance program; to the Committee on Ways and Means.

By Mr. CONABLE:

H.R. 12779. A bill to authorize the Secretary of Agriculture to make grants to cities to encourage the increased planting of trees and shrubs and to encourage other urban forestry programs; to the Committee on Agriculture.

By Mr. DAVIS of Wisconsin (for himself, Mr. ZABLOCKI, Mr. FROEHLICH, Mr. THOMSON of Wisconsin, Mr. ASPIN, and Mr. STEIGER of Wisconsin):

H.R. 12780. A bill to amend the act which created the United States Olympic Committee to require such committee to hold public proceedings before it may alter its constitution, to require arbitration of certain amateur athletic disputes, and for other purposes; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 12781. A bill to revise the Welfare and Pension Plans Disclosure Act; to the Committee on Education and Labor.

By Mr. DINGELL (for himself and Mr. ROGERS):

H.R. 12782. A bill to amend the National Environmental Policy Act of 1969 in order to specify those actions of the Environmental Protection Agency for which environmental impact statements are required; to the Committee on Merchant Marine and Fisheries.

By Mr. DULSKI:

H.R. 12783. A bill to amend the Social Security Act and the Internal Revenue Code of 1954 to provide for Federal participation in the costs of the social security program, with a substantial increase in the contribution and benefit base and with appropriate reduction in social security taxes to reflect the Federal Government's participation in such costs; to the Committee on Ways and Means.

By Mr. GROSS:

H.R. 12784. A bill to repeal the Emergency Daylight Saving Time Energy Conservation Act of 1973; to the Committee on Interstate and Foreign Commerce.

By Mr. GUDE:

H.R. 12785. A bill to establish the Potomac National River in the States of Maryland, Virginia, and West Virginia and in the District of Columbia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARRINGTON:

H.R. 12786. A bill to provide adequate mental health care and psychiatric care to all Americans; to the Committee on Ways and Means.

By Mr. HARRINGTON (for himself and Mr. REID):

H.R. 12787. A bill to insure that recipients of veterans' pension and compensation will not have the amount of such pension or compensation reduced, or entitlement thereto discontinued, because of increases in monthly social security benefits; to the Committee on Veterans' Affairs.

By Ms. JORDAN:

H.R. 12788. A bill to amend the Internal Revenue Code of 1954 so as to reduce by 8 percent the amount of individual income tax withheld at the source; to the Committee on Ways and Means.

By Mr. KEMP:

H.R. 12789. A bill to prohibit common carriers in interstate commerce from charging handicapped people more than half fare for their transportation during nonpeak periods of travel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KEMP (for himself, Mr. STEELMAN, Mr. BAKER, Mr. KETCHUM, Mr. SYMMS, Mr. TREEN, Mr. COLLINS of Texas, Mr. BURGENER, Mr. HUBER, Mr. DEL CLAWSON, Mr. ARMSTRONG, Mr. FISHER, Mr. O'HARA, Mr. JOHNSON of California, Mr. GOLDWATER, Mr. ROUSSELOT, Mr. ASHBROOK, Mr. RARICK, Mr. LONG of Maryland, Mr. MARTIN of North Carolina, Mr. POWELL of Ohio, Mr. STEIGER of Arizona, and Mr. PRITCHARD):

H.R. 12790. A bill to repeal the Economic Stabilization Act of 1970; to the Committee on Banking and Currency.

By Mr. KEMP (for himself, Mr. STEELMAN, Ms. HOLT, Mr. RUNNELS, Mr. FROEHLICH, and Mr. LANDGREBE):

H.R. 12791. A bill to repeal the Economic Stabilization Act of 1970; to the Committee on Banking and Currency.

By Mr. MATHIS of Georgia:

H.R. 12792. A bill to prohibit the exportation of fertilizer from the United States until the Secretary of Agriculture determines that an adequate domestic supply of fertilizer exists; to the Committee on Banking and Currency.

By Mr. MATSUNAGA:

H.R. 12793. A bill to promote development and expansion of community schools throughout the United States; to the Committee on Education and Labor.

H.R. 12794. A bill to amend title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and other persons; to make improvements in the educational assistance programs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MAYNE:

H.R. 12795. A bill to amend the Emergency Petroleum Allocation Act of 1973 to rollback the price of propane gas; to the Committee on Interstate and Foreign Commerce.

By Mr. MINSHALL of Ohio:

H.R. 12796. A bill to amend the Shipping Act, 1916, in order to prohibit the practice of port equalization; to the Committee on Merchant Marine and Fisheries.

By Mr. MOAKLEY:

H.R. 12797. A bill to amend title 39, United States Code, to establish improved standards to achieve efficient mail service, to provide an effective method of reimbursing the U.S. Postal Service for public service costs while maintaining a reasonable postal rate structure, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12798. A bill to encourage earlier retirement by permitting Federal employees to purchase into the civil service retirement system benefits unduplicated in any other retirement system based on employment in Federal programs operated by State and local governments under Federal funding and supervision; to the Committee on Post Office and Civil Service.

By Mr. MORGAN (by request):

H.R. 12799. A bill to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations and for other purposes; to the Committee on Foreign Affairs.

By Mr. NEDZI:

H.R. 12800. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to prohibit the Secretary of Transportation from imposing certain seatbelt standards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NIX:

H.R. 12801. A bill to require filing of domestic food price impact statement in connection with exports of U.S. commodities; to the Committee on Banking and Currency.

By Mr. O'HARA (for himself, Mr. NEDZI, and Mr. HARRINGTON):

H.R. 12802. A bill to amend section 428(a) of the Higher Education Act of 1965, as amended, and section 2(a)(7) of the Emergency Insured Student Loan Act of 1969, to better assure that students will have reasonable access to loans to meet their postsecondary education costs, and for other purposes; to the Committee on Education and Labor.

By Mr. OWENS:

H.R. 12803. A bill to facilitate the exchange of school lands between the State of Utah and the Navajo Tribe; to the Committee on Interior and Insular Affairs.

By Mr. PATMAN:

H.R. 12804. A bill to amend the Small Business Act to expand the definition of small business concern to include agribusinesses; to the Committee on Banking and Currency.

H.R. 12805. A bill to amend the Small Business Act to provide for direct loans at the rate of 4 percentum per annum to small business concerns adversely affected by the energy crisis; to the Committee on Banking and Currency.

H.R. 12806. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12807. A bill to repeal the Emergency Daylight Saving Time Energy Conservation Act of 1973; to the Committee on Interstate and Foreign Commerce.

H.R. 12808. A bill to establish an advisory commission to make a study and report with respect to freight rates for farm products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBINSON of Virginia:

H.R. 12809. A bill to provide further for uniform annual observances of certain legal public holidays on Monday, and for other purposes; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania (for himself, Mr. MOORHEAD of Pennsylvania, Mr. EVINS of Tennessee, Mr. SPENCE, and Mr. NIX):

H.R. 12810. A bill to amend the Federal Trade Commission Act (15 U.S.C. 45) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSE:

H.R. 12811. 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.

H.R. 12812. A bill to amend title XI of the Social Security Act to repeal the recently added provision for the establishment of Professional Standards Review Organizations to review services covered under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mr. ROSENTHAL (for himself, Ms. ABZUG, Mr. ADDABBO, Mr. BADILLO, Mr. BINGHAM, Mr. BROWN of California, Mr. BURTON, Mrs. CHISHOLM, Mrs. COLLINS of Illinois, Mr. CONYERS, Mr. CORMAN, Mr. COTTER, Mr. DRINAN, Mr. EDWARDS of California, Mr. EILBERG, Mr. FRASER, Mrs. GRASSO, Mr. HARRINGTON, Mr. HELSTOSKI, Ms. HOLTZMAN, Mr. HOWARD, Mr. KARTH, and Mr. KASTENMEIER):

H.R. 12813. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the labels on all foods to disclose each of their ingredients and to disclose changes in such ingredients; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. KOCH, Mr. METCALFE, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. PEPPER, Mr. PODELL, Mr. RODINO, Mr. ROE, Mr. ROYBAL, Ms. SCHROEDER, Mr. SMITH of Iowa, Mr. STOKES, Mr. STUDDS, Mr. TIERNAN, Mr. WALDIE, Mr. WHITEHURST, Mr. WOLFF, and Mr. YATRON):

H.R. 12814. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the labels on all foods to disclose each of their ingredients and to disclose changes in such ingredients; to the Committee on Interstate and Foreign Commerce.

By Mr. SEIBERLING (for himself and Mr. MOSHER):

H.R. 12815. A bill to amend title 23 of the United States Code to permit temporary increases in vehicle weight limitations; to the Committee on Public Works.

By Mr. TEAGUE (for himself and Mr. MOSHER):

H.R. 12816. A bill to authorize appropriations for activities for the National Science Foundation, and for other purposes; to the Committee on Science and Astronautics.

By Mr. THOMPSON of New Jersey:

H.R. 12817. A bill to amend the Food Stamp Act of 1964, as amended, and for other purposes; to the Committee on Agriculture.

H.R. 12818. A bill to amend the Public Health Service Act to assure an adequate supply of chlorine and certain other chemicals and substances which are necessary for safe drinking water and for waste water treatment; to the Committee on Interstate and Foreign Commerce.

By Mr. TIERNAN:

H.R. 12819. A bill to prohibit the sale of "Saturday Night Special" handguns in the United States; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 12820. A bill to amend the Public Works and Economic Development Act of 1965 to extend the authorization for a 5-year period, and for other purposes; to the Committee on Public Works.

By Mr. HARRINGTON:

H.J. Res. 900. Joint resolution to repeal the joint resolution expressing the determination of the United States with respect to the situation in Cuba, approved October 3, 1962; to the Committee on Foreign Affairs.

By Mr. ROBINSON of Virginia:

H.J. Res. 901. Joint resolution to authorize and request the President to issue a proclamation designating May 13 of each year as "American Business Day"; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H. Con. Res. 428. Concurrent resolution expressing the sense of Congress concerning recognition by the European Security Conference of the Soviet Union's occupation of Estonia, Latvia, and Lithuania; to the Committee on Foreign Affairs.

By Mr. GROSS:

H. Con. Res. 429. Concurrent resolution providing for the termination of assistance under the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

By Mr. KEMP:

H. Con. Res. 430. Concurrent resolution expressing the sense of the Congress that the President should cease all trade negotiations with, and withdraw scientific, educational, and cultural exchange missions from, the Soviet Union, until such time as the Soviet Union demonstrates an effective relaxation of restraints on individual liberties, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CRANE (for himself, Mr. FLOOD, Mr. BLACKBURN, Mr. WAGGONNER, Mr. BAUMAN, Mr. MYERS, Mr. POWELL of Ohio, Mr. ROBINSON of Virginia, Mr. ROUSSELOT, Mr. SYMMS, Mr. THONE, and Mr. WILLIAMS):

H. Res. 860. 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.

By Mr. GUDE (for himself and Mrs. HOLT):

H. Res. 861. Resolution disapproving the recommendations of the President with respect to the rates of pay of Members of Congress transmitted to the Congress in the appendix to the budget for the fiscal year 1975, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ICHORD (for himself, Mr. DENT, Mr. ASPIN, Mr. HEINZ, Mr. STOKES, Mr. ROSE, Mr. MILLS, Mr. HAYS, Mr. LANDGREBE, Mr. BROOMFIELD, Mr. GROVER, Mrs. SULLIVAN, Mr. BREAUX, Mr. PERKINS, Mr. MURPHY of Illinois, Mr. BIAGGI, Mr. CHARLES H. WILSON of California, Mr. WALSH, Mr. GETTYS, Mr. ARCHER, Mr. SMITH of New York, Mr. STEIGER of Arizona, Mr. RODINO, Mr. WILLIAMS, and Mr. CLAY):

H. Res. 862. Resolution declaring the sense of the House with respect to a prohibition of extension of credit by the Export-Import Bank of the United States; to the Committee on Banking and Currency.

By Mr. ICHORD:

H. Res. 863. Resolution authorizing the expenditure of certain funds for the expenses of the Committee on Internal Security; to the Committee on House Administration.

By Mr. STEELE (for himself, Mr. BAFALIS, Mr. CLEVELAND, Mrs. COLLINS of Illinois, Mrs. GRASSO, Mr. HANSEN of Idaho, Mr. HEINZ, Mrs. HOLT, Mr. LUJAN, Mr. RIEGLE, Mr. ROSENTHAL, Mr. SARASIN, Mr. WHITE, Mr. WHITEHURST, Mr. WINN, and Mr. WOLFF):

H. Res. 864. Resolution expressing the support of the House for the formation of an Organization of Petroleum Consuming Nations; to the Committee on Foreign Affairs.

By Mr. YATES (for himself, Mr. HANRAHAN, Mr. MCCORMACK, Mr. ROSENTHAL, Mr. WON PAT, Mr. BADILLO, Mr. GIAIMO, Mr. LEHMAN, Mr. KOCH, Mr. LEGGETT, Mr. EILBERG, Mr. BOLAND, Mr. GIBBONS, Mr. HARRINGTON, Mr. STUDDS, Ms. ABZUG, Mrs. GRASSO, Mr. VAN DEERLIN, Mr. O'HARA, Mr. CHARLES H. WILSON of California, and Mr. CRONIN):

H. Res. 865. Resolution providing for television and radio coverage of proceedings in the Chamber of the House of Representatives on any resolution to impeach the President of the United States; to the Committee on Rules.

By Mr. YOUNG of Illinois:

H. Res. 866. Resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1975; to the Committee on Post Office and Civil Service.

MEMORIALS

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

347. By the SPEAKER: A memorial of the Assembly of the State of California, relative to changing the boundaries of the Point Reyes National Seashore; to the Committee on Interior and Insular Affairs.

348. Also, a memorial of the Assembly of the State of New York, relative to the energy crisis; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FISHER:

H.R. 12821. A bill for the relief of Lystra Umilta Downs; to the Committee on the Judiciary.

By Mr. MCFALL:

H.R. 12822. A bill for the relief of Librada V. Paclibar, Avita Esparcia Catiwala-An, Luz Arbes Liza; to the Committee on the Judiciary.

By Mr. BUTLER:

H. Res. 867. Resolution to refer the bill, H.R. 12765, for the relief of Robert Alexander, to the Chief Commissioner of the Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC.

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

391. By the SPEAKER: Petition of Celestine Thomas, Seattle, Wash., and others, relative to designating the birthday of the late Dr. Martin Luther King, Jr., as a national holiday; to the Committee on the Judiciary.

392. Also, petition of the Kentucky Law Enforcement Council, Louisville, relative to conferring nationwide arrest and investigative authority on railroad police officers; to the Committee on the Judiciary.