tion at that time will be on adoption of the amendment of the Senator from Alabama (Mr. ALLEN) as modified.

The PRESIDING OFFICER. That is correct.

Mr. ALLEN. Mr. President, will the Senator from West Virginia yield?

Mr. ROBERT C. BYRD. I yield.

Mr. ALLEN. May I state in brief just what the amendment and the modification will do. The amendment would have changed the permissible amount of money to be spent in a primary from 10 cents per person of voting age to 5 cents, and to change the amount that could be spent in a general election from 15 cents down to 10 cents.

The distinguished Senator from Nevada (Mr. CANNON) stated in colloquy on the floor that he felt these reductions were too large, but if the amendment was submitted at 8 cents per person of voting age in the primary and 12 cents per person of voting age in the general election, he personally—but not speaking for the committee—would support such an amendment.

The overall amount that can be spent would control the amount of the Federal subsidy in the primary because the Federal Treasury potentially would be called upon to pay half that amount and it would of course reduce the amount that the Public Treasury would pay for the general election. Overall, it would accomplish about a 20 percent reduction in overall expenditures. It would be a possible saving of as much as $100 million every 4 years. So the modification has been made. It would accomplish a 20 percent reduction in the permissible amount of overall expenditures. I hope that on tomorrow the Senate will accept the amendment.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 12 noon.

After the 2 leaders or their designees have been recognized under the standing order, Mr. PROXMIRE will be recognized for not to exceed 15 minutes. Mr. AIKEN will then be recognized for not to exceed 15 minutes, after which there will be a period for the transaction of routine morning business, of not to exceed 15 minutes, with statements therein limited to 5 minutes each.

At the conclusion of the transaction of routine morning business, the Senate will resume consideration of the unfinished business, S. 3044, the public campaign financing bill.

The pending question at that time will be on the adoption of the amendment, as modified, by Mr. ALLEN. There will be a yea and nay vote on that amendment. The vote will occur at approximately 1:45 p.m.

Other votes on amendments may occur subsequent to the vote on that amendment and prior to 3 p.m.

At 3 p.m., the debate on the motion to invoke cloture will begin, and there will be 1 hour under the rule. The hour will expire at 4 p.m. At that time, the mandatory quorum call will be issued; and upon the establishment of a quorum, the vote, which will be a rollcall vote, will occur at approximately 4:15 p.m.

Subsequent to the vote on cloture, votes on amendments to the bill will be in order, and yea-and-nay votes will occur.

ADJOURNMENT

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and at 5:12 p.m. the Senate adjourned until tomorrow, Tuesday, April 9, 1974, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate April 8, 1974:

DEPARTMENT OF STATE

John P. Constandy, of the District of Columbia, to be Deputy Inspector General, Foreign Assistance, vice Anthony Faunce, resigned.

IN THE MARINE CORPS

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

John R. Debarr	John H. Miller
Herbert J. Blaha	Harold A. Hatch
Philip D. Shutler	Edward J. Bronars
Richard E. Carey	Warren R. Johnson
George W. Smith	Paul X. Kelley

CONFIRMATIONS

Executive nomination confirmed by the Senate April 8, 1974:

DEPARTMENT OF AGRICULTURE

Richard L. Feltner, of Illinois, to be an Assistant Secretary of Agriculture.

(The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

HOUSE OF REPRESENTATIVES—*Monday, April 8, 1974*

The House met at 12 o'clock noon.

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

Set your troubled hearts at rest. Trust in God always.—John 14: 1 NEB.

Our Father God, at the beginning of Holy Week we bow at the altar of prayer, erected by our fathers, that here we may receive strength for the day, wisdom to make sound decisions, insight to see clearly the way we should take, and courage to walk in it until the end of life's day.

Help us to take a firm stand for what we believe to be right. Grant that we not be neutral morally nor negative spiritually, but by Thy grace may we live honestly, helpfully, and hopefully keeping ourselves committed to Thee and to the highest good of our beloved country.

So may we be tall men and women, Sun-crowned, who live above the fog in public duty and in private thinking.

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, who also informed the House that on April 2, 1974, the President approved and signed a bill of the House of the following title:

H.R. 5236. An act to provide for the conveyance of certain mineral interests of the United States in property in Utah to the record owners of the surface of that property.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12253) entitled "An act to amend the General Education Provisions Act to provide that funds appropriated for applicable programs for fiscal year 1974 shall remain available during the succeeding fiscal year and that such funds for fiscal year 1973 shall remain available during fiscal years 1974 and 1975."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2770) entitled "An act to amend chapter 5 of title 37, United States Code, to revise the special pay structure relating to medical officers of the uniformed services," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mr. THURMOND, and Mr. TOWER to be conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2771) entitled "An act to amend chapter 5 of title 37, United States Code, to revise the special pay bonus structure relating to members of the Armed Forces, and for other purposes," agrees to a conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mr. THURMOND, and Mr. TOWER to be the conferees on the part of the Senate.

APPOINTMENT OF CONFEREES ON S. 2770

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2770) to amend chapter 5 of title 37, United States Code, to revise the special pay structure relating to medical officers of the uniformed services, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none and appoints the following conferees: Messrs. STRATTON, NICHOLS, HÉBERT, HUNT, and BRAY.

HEARINGS OF SUBCOMMITTEE ON INTERNATIONAL TRADE

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

Mr. ASHLEY. Mr. Speaker, I would like to announce that the Subcommittee on International Trade of the Committee on Banking and Currency has scheduled for the period April 22 through May 2 hearings on legislation dealing with international economic policy.

These hearings will focus on bills to amend and extend the Export-Import Bank Act of 1945, as amended; to authorize appropriations to implement the International Economic Policy Act of 1972; and to further amend and extend the authority for the regulation of exports, the Export Administration Act of 1969, as amended. The subcommittee also expects to receive testimony on House Resolution 774, which would express the sense of the House that no Export-Import Bank programs shall be extended to non-market-economy countries other than Poland and Yugoslavia during the period the Senate is considering and acting on H.R. 10710, the Trade Reform Act of 1973.

Members wishing to testify or to submit a statement for the record should address their requests to Joseph J. Jasinski, professional staff member, Subcommittee on International Trade, Committee on Banking and Currency, 2129 Rayburn House Office Building, Washington, D.C. 20515. Telephone 225-7145.

PERSONAL EXPLANATION

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

Mr. COUGHLIN. Mr. Speaker, on Thursday, April 4, I was not present for a recorded vote, rollcall No. 147, on an amendment offered by Congressman HÉBERT to H.R. 12565, the Department of Defense supplemental authorization bill, which would have increased the authorization ceiling on military aid to South Vietnam by $274 million. Had I been present, I would have voted "no" on this amendment.

issue earlier in the day when it failed to order the previous question on the rule which included language waiving points of order against sections of the bill authorizing additional military assistance to South Vietnam. I voted against adoption of the rule. As a cosigner of a "dear colleague" letter urging Members to oppose any increase in the ceiling on military aid to South Vietnam, I would have voted against the subsequent attempt to raise the ceiling by a floor amendment.

DUTY-FREE IMPORTATION OF UPHOLSTERY REGULATORS AND UPHOLSTERER'S REGULATING NEEDLES AND PINS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 421) to amend the Tariff Schedules of the United States to permit the importation of upholstery regulators, upholsterer's regulating needles, and upholsterer's pins free of duty, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. SCHNEEBELI. Mr. Speaker, reserving the right to object, will the gentleman from Arkansas kindly explain the legislation?

Mr. MILLS. Mr. Speaker, if the gentleman from Pennsylvania will yield I will be happy to explain the bill.

Mr. SCHNEEBELI. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 421, as reported to the House by the Committee on Ways and Means, is to amend the Tariff Schedules of the United States to make duty-free imports of upholstery regulators, upholsterer's regulating needles, and upholsterer's pins. These items, which are used to stuff furniture being upholstered, are currently dutiable at 9.5 percent, 8.5 percent, and 9.5 percent ad valorem, respectively, under rate column No. 1—applicable to countries accorded most-favored-nation treatment—and at 45 percent, 40 percent, and 45 percent ad valorem, respectively, under rate column No. 2—applicable to Communist countries, except Poland and Yugoslavia.

The Committee on Ways and Means was informed that there is no commercial production of these articles in the United States and that the domestic upholstery trade is dependent on imports, principally from West Germany and the United Kingdom. The pending bill, which was introduced by our colleague, the Honorable SILVIO O. CONTE, would establish a new item in the Tariff Schedules under which all imports of these articles would be free of duty.

Bills of identical purpose to H.R. 421 were unanimously passed by the House in both the 91st and 92d Congresses, but neither of these was enacted because of unrelated amendments added by the Senate in which the House did not concur. Favorable reports were received from the executive branch on the legislation, and the bill has been reported unanimously by the Committee on Ways and Means. I urge its passage by the House.

Mr. SCHNEEBELI. Mr. Speaker, I thank the gentleman from Arkansas for his explanation of the bill.

Mr. Speaker, I rise in support of H.R. 421. The House has passed essentially the same legislation twice, but disagreement on nongermane Senate amendments each time has prevented enactment.

The articles cited in the bill are used in the upholstery trade. The regulators, resembling knitting needles, are used to stuff upholstered furniture, and are dutiable at 9.5 percent ad valorem. The regulating needles are eyeless, about a foot long, and are dutiable at 8.5 percent ad valorem. The pins are 3 inches in length, have a loop instead of a head, and are dutiable at 9.5 percent ad valorem.

The committee has been informed there is no domestic commercial production of these articles; therefore, our upholstery trade has to depend on imports—the volume of which has been small—estimated at less than $20,000 a year.

The committee has heard no objection to the legislation, and favorable reports have been received from interested departments and agencies.

The committee unanimously ordered the bill reported, and I strongly recommend its passage now.

Mr. CONTE. Mr. Speaker, would the gentleman yield?

Mr. SCHNEEBELI. I yield to the gentleman from Massachusetts (Mr. CONTE), the author of the legislation.

Mr. CONTE. Mr. Speaker, I rise in support of H.R. 421 and wish to express my thanks to the Committee on Ways and Means for its consideration of this measure, and its unanimous recommendation that it be passed.

Mr. Speaker, since 1967 I have been working for the passage of this legislation which would make duty free the imports of upholstery regulators and upholsterer's pins. These items are not manufactured in the United States. Consequently, the rationale of requiring a duty to protect domestic industry does not exist. Further, the imposition of these duties penalizes the users of these items unnecessarily. Every upholsterer of furniture and automobiles requires these tools for his trade.

The duty-free importation of the items covered by the bill would serve to improve the competitive status of American industry without harming any domestic producer.

Similar legislation was passed unanimously by the House near the close of the 91st and 92d Congresses, but died in the adjournment rush, because of an unrelated amendment attached to this bill.

The House had already voted on this

In past years, the responsible Government agencies have reviewed this legislation and endorsed it. The Departments of State, the Treasury, Commerce, and Labor, and the Special Representative for Trade Negotiations in the Executive Office of the President, have all given favorable reports on the legislation. No objections have been reported from any other source.

Favorable action on this legislation would have a positive impact on the entire upholstery industry. I am pleased it has reached the floor of the House again, and urge its enactment.

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

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

Mr. GROSS. Mr. Speaker, further reserving the right to object, I would ask the gentleman from Arkansas (Mr. MILLS) does this have anything to do with acupuncture needles?

Mr. MILLS. Mr. Speaker, if the gentleman will yield, the answer is "no," they are not included.

I might further advise my friend, the gentleman from Iowa, that the House passed this bill on two previous occasions, in the 91st Congress and the 92d Congress, but that the bill did not become law because of other amendments that were adopted while the bill was in another body of the Congress.

Mr. GROSS. Mr. Speaker, further reserving the right to object—and I realize that the next question I am asking the gentleman from Arkansas probably may not apply to that gentleman's committee—does the Committee on Ways and Means have anything to do with the regulation of exports from this country?

Mr. MILLS. Mr. Speaker, if the gentleman will yield, the answer is "no." The jurisdiction as to exports is the subject matter of another committee.

Mr. GROSS. Mr. Speaker, I wonder if the gentleman from Arkansas would agree with me that some committee of this Congress—and I suppose it is the Committee on Banking and Currency?

Mr. MILLS. That is correct.

Mr. GROSS. That committee ought to be doing something about the exports of apparently most of our scrap metal and various other metals.

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

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

Mr. ASHLEY. Mr. Speaker, I think that I can answer the inquiry of the gentleman from Iowa.

The Subcommittee on International Trade of the Committee on Banking and Currency has scheduled hearings to start immediately after the recess, and we will have a bill brought to the floor of the House within 3 weeks.

Mr. GROSS. Apparently there is no way to impress the executive branch of the Government that American producers are in serious trouble for lack of scrap and other metals due to exports. I hope there will be no delay in bringing forth some kind of legislation. The House of Representatives has a very real responsibility in this situation.

I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 421

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That schedule 6, part 3, subpart E of the Tariff Schedules of the United States (19 U.S.C.) is amended—

(1) by striking out "upholstery regulators, and", and by inserting "and upholstery regulators, upholsterer's regulating needles, and upholsterer's pins," after "other hand needles," in the item description preceding item 651.01;

(2) by striking out "and upholstery regulators" in item 651.04; and

(3) by inserting after item 651.05 the following new item:

"	651.06	Upholstery regulators, upholsterer's regulating needles, and upholsterer's pins.	Free	Free	"

SEC. 2. The amendments made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of enactment of this Act.

With the following amendments:

Page 2, strike out the matter between lines 4 and 5 and insert the following:

651.06	Upholstery regulators, upholsterer's regulating needles, and upholsterer's pins.	Free	Free

Page 2, line 5, insert "(a)" immediately before "The amendments".

Page 2, after line 8, insert the following:

(b) The duty free treatment applied to upholstery regulators, upholster's regulating needles, and upholster's pins under item 651.06 of the Tariff Schedules of the United States (as added by the first section of this Act) shall be treated as not having the status of a statutory provision enacted by the Congress, but as having been proclaimed by the President as being required or appropriated to carry out foreign trade agreements to which the United States is a party.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. MILLS. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

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

TEMPORARY SUSPENSION OF DUTY ON SYNTHETIC RUTILE

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 11830) to suspend the duty on synthetic rutile until the close of December 31, 1976, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. SCHNEEBELI. Mr. Speaker, reserving the right to object, I take this time to ask the distinguished chairman of the committee about this legislation.

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

Mr. SCHNEEBELI. I yield to the gentleman from Arkansas.

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

Mr. Speaker, the purpose of H.R. 11830, as reported to the House by the Committee on Ways and Means, is to suspend for a temporary period, until the close of June 30, 1977, the duty on synthetic rutile.

The Committee on Ways and Means was advised that at the present time, the United States is dependent on imports to meet its needs for both natural and synthetic rutile. Worldwide, both materials, which are functionally equivalent, being principal sources of titanium dioxide pigment used by the paint, paper, and plastics industries are in short supply. Rutile is also used in making titanium sponge, metal, and alloys.

Natural rutile presently enters the United States duty free under item 601.51 of the Tariff Schedules of the United States. Synthetic rutile, on the other hand, is dutiable, under item 603.70 of the TSUS, at 7.5 percent ad valorem under rate column numbered 1—applicable to countries accorded most-favored-nation treatment—and 30 percent ad valorem under rate column numbered 2—applicable to Communist countries, except Poland and Yugoslavia. The pending bill, which was introduced by our colleague on the Committee on Ways and Means, the Honorable JOE D. WAGGONNER, would add a new provision in the appendix to the TSUS to temporarily suspend the 7.5 percent duty under colum numbered 1, until the close of June 30, 1977, but would effect no change in the duty under column numbered 2.

Although ilmenite, the natural mineral from which synthetic rutile is derived, is found extensively in the United States, the Committee on Ways and Means is informed that synthetic rutile is not presently produced in this country largely because of major ecological problems associated with the disposal of polluting effluents created in the ilmenite upgrading process and the currently prohibitive costs of curing those problems. The Department of the Interior, in supporting enactment of H.R. 11830, advised the committee that it is now engaged in research to develop environmentally acceptable techniques for deriving synthetic rutile from domestic ilmenite resources, but that "commercial application of these processes is still some time off."

Imports of synthetic rutile, which come principally from Australia and Japan with a lesser amount from India,

totaled 9,200 tons in 1972 and 16,000 tons in the first 7 months of 1973. The Committee on Ways and Means is of the opinion that the temporary suspension of duty provided by H.R. 11830 would, in addition to serving domestic consumer and ecological considerations, aid the United States in obtaining a greater share of the limited world supply, thereby helping to maintain production and employment levels in domestic manufacturing, particularly in the paint and pigment industries.

In addition to the Department of the Interior, the Departments of State, Treasury, and Commerce submitted favorable reports on this legislation, and the Committee on Ways and Means is unanimous in recommending its enactment. I urge its passage by the House.

Mr. SCHNEEBELI. Mr. Speaker, I support H.R. 11830, which would suspend the duty on synthetic rutile through June of 1977.

Rutile is used in making titanium sponge, metal and alloys, and is a source of titanium dioxide pigment employed in the paint, paper and plastics industries. It is in very short supply, both in its natural and synthetic forms, which can be used virtually interchangeably. Natural rutile can be imported duty free, but synthetic rutile is dutiable at 7.5 percent ad valorem.

Synthetic rutile is produced from ilmenite, a natural mineral found in abundance in the United States. Unfortunately, serious environmental problems have been encountered in the synthetic rutile production process, and the cost of curing those problems has so far proved prohibitive. It is expected that a technological breakthrough will occur, but not in the near future. Therefore, Mr. Speaker, it is proposed that the duty of synthetic rutile be lifted temporarily, to help the United States obtain a greater share of the world's limited supply, and thus serve a number of domestic interests—ecologic as well as economic.

Mr. Speaker, no objection to this legislation has been heard by the committee and the bill was unanimously ordered reported. I urge my colleagues to approve it.

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

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

Mr. GROSS. I thank the gentleman for yielding.

This apparently is another American industry that has fallen victim to the overzealous ecologists is that not true?

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

Mr. SCHNEEBELI. I yield to the chairman.

Mr. MILLS. I do not think that is quite the situation. We have historically been dependent upon foreign sources to a great extent for natural rutile. We do not produce the synthetic rutile here, largely because of ecological concerns and the high cost of processing ilmenite into synthetic rutile. There is some rutile produced, as I recall, in the State of Florida, but it is sold in its natural state. There is no production, I am told, of the synthetic rutile in the United States.

Mr. GROSS. On page 2 of the gentleman's report it is indicated that the ecologists have chased producers of synthetic rutile out of business.

Mr. MILLS. If the gentleman will yield further, I will say it has been a problem. I would not say it has chased them out of business; I think the pollution factor and the associated cost have prevented processors from going into business here in the United States.

Mr. SCHNEEBELI. Mr. Speaker, there seems to be no objection to this bill, and I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 11830

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after item 911.16 the following new item:

"| 911.25 | Synthetic rutile (provided for in item 603.70, pt. 1, schedule 6).| Free | No change | On or before 12-31-76. |".

SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

COMMITTEE AMENDMENT

With the following committee amendment.

The Clerk read as follows:

Page 1, after line 5, strike out "12-31-76." and insert "6/30/77".

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to suspend the duty on synthetic rutile until the close of June 30, 1977."

A motion to reconsider was laid on the table.

TEMPORARY SUSPENSION OF DUTY ON CERTAIN HORSES

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 13631) to suspend for a temporary period the import duty on certain horses.

The Clerk read the title of the bill.

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

Mr. SCHNEEBELI. Mr. Speaker, reserving the right to object, I take this time to ask the chairman if he will report on the legislation.

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

Mr. SCHNEEBELI. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 13631, as reported to the House by the Committee on Ways and Means, is to suspend for a temporary period, until the close of June 30, 1976, the duty on certain horses.

At the present time, horses for immediate slaughter, thoroughbreds for breeding purposes, and racehorses returned to the United States after being used abroad solely for racing purposes may be imported into the United States duty free. Other horses, however, are presently dutiable at $2.75 per head, if valued not over $150 per head, or at 3 percent ad valorem if valued over $150 per head. These are the rates applicable under rate column No. 1 of the Tariff Schedules of the United States, applicable to countries accorded most-favored-nation treatment. By adding new provisions in the appendix to the TSUS to temporarily suspend the duties on horses presently dutiable under item 100.73 and item 100.75, the pending bill would provide a uniform duty-free rule under column No. 1 of the TSUS for horses imported for any purpose, until the close of June 30, 1976. The bill, which was introduced by our colleague, the Honorable JACK F. KEMP, would make no change in the rates of duty under rate column No. 2—applicable to Communist countries, except Poland and Yugoslavia.

The Committee on Ways and Means was advised that several problems have been encountered under the present tariff structure for horses. For example, the provisions operate discriminatorily among different breeds, problems at the borders associated with valuation have arisen, and bonding problems have arisen, particularly in connection with racehorses entering the United States for participation in claiming races. These problems and their attendant administrative difficulties and expenses appear particularly burdensome when compared with the minimal revenues derived from the duty on horses—approximately $176,000 in 1973.

The Committee on Ways and Means is of the opinion that enactment of H.R. 13631 is desirable to alleviate these problems and to eliminate the current disparate and inequitable rules relating to imports of horses. The suspension of duty on a temporary basis will afford an opportunity for study respecting the desirability of continuing the duty-free treatment, either on a temporary or a permanent basis.

Favorable reports were received from the executive branch on the legislation, and the Committee on Ways and Means is unanimous in recommending its enactment. I urge its passage by the House.

Mr. SCHNEEBELI. Mr. Speaker, I support H.R. 13631, which would suspend until June 30, 1976, the duties on certain horses.

Under present law, horses may be imported duty free if they are destined for immediate slaughter, if they are recognized and registered as purebred by the Agriculture Department and are destined for breeding purposes, or if they are being returned to this country after racing use only in another country.

Other horses are dutiable at $2.75 each if they are valued at $150 per head or less, and at 3 percent ad valorem if they are valued at more than 150 per head. One problem which has arisen under current law concerns quarter horses, which are not duly recognized and registered as purebred. Thus, although they are bred for racing, as are thoroughbreds, they are dutiable. Unlike thoroughbreds, H.R. 13631 would eliminate this discrimination. It also would eliminate other problems, including those associated with

valuation of foals and horses bred for racing but not yet raced.

Mr. Speaker, the revenue loss from this measure has been estimated at less than $200,000 in the first year of its effectiveness and the committee felt this to be outweighed by the problems of customs valuation and the attendant administrative expenses which the bill is designed to remove. No unfavorable reports on the legislation were received by the committee, which unanimously ordered H.R. 13631 favorably reported.

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

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

Mr. KEMP. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the enactment of this measure to suspend until June 30, 1976, the import duty on certain horses and wish to express my appreciation to the distinguished chairman, Mr. MILLS, Mr. SCHNEEBELI, and the Ways and Means Committee for their unanimous support of this legislation.

The bill before us, H.R. 13631, was introduced by me on March 20, 1974, as a redraft of my previously introduced measure, H.R. 9719, a bill which would have suspended the import duty for an indefinite period.

WHAT H.R. 13631 WOULD DO

The bill now before us, if enacted, would amend subpart B of part 1 of the appendix to the Tariff Schedules of the United States, by providing that horses, other than those for immediate slaughter, whether valued at less than or more than $150, would be able to enter the country without the imposition of the 3-percent-of-value tariff or per-head duty now levied on them. This suspension of tariffs and duties would be for a period not to exceed June 30, 1976, or approximately 2 years.

The need for this legislation is reflected in the fact that it was reported unanimously by the Committee on Ways and Means. That need is also reflected by the concurrence of Treasury in its enactment, provided it is limited to the time period contained in the reported bill.

GROWTH IN OWNERSHIP OF HORSES

There has been a substantial growth in the ownership of horses during recent years, both among amateur and professional owners. Last year the United States imported $7.5 million in horses, a great number of which were for private, pleasure sporting. As an example of the growth in interest in horses, the number of horses owned by 4–H Club members across the Nation now stands at 296,000, a full 46,000 over just 2 years ago.

The U.S. Forest Service also reports that the use of horse trails maintained by it has increased by 15 percent over a year ago.

In addition, the surging popularity of polo, steeplechase, equitation, dressage, and point-to-point events has added to the interest in horse ownership, breeding, and training.

And, last but not least, the ownership of horses is now considered one of the best hedges on inflation, with the value of horses rising steadily.

PRESENT LAW DIFFICULT TO ADMINISTER

The present law is difficult to administer.

Under that law, most horses of a value in excess of $150 imported into the United States—principally Canadian bred horses—are subject to a 3-percent duty, 3 percent of the value of the horse. This is part of the problem: What constitutes the value of a horse which has never been offered for sale, privately or at auction?

Such a valuation requirement means that the U.S. customs officials must attempt to place a specific dollar value on each and every horse being brought into the United States of a value of $150 or more, including foals. This is a requirement subject to substantial subjective judgment.

I have been told by constituents that customs agents have admitted privately to them that they wished the tariffs were lifted because they felt such great uncertainty, and potential unfairness to owners, in levying percentages on horses of unknown actual dollar values.

The enactment of H.R. 13631 would eliminate these problems at the borders. The valuation of foals—horses yet to have been raced—and similiar cases is always difficult, as I have said, for customs officials. In addition, valuation, and bonding problems arise particularly with respect to racehorses entering the country for participation in claiming races. Claiming races are designed to assure that horses of as nearly equal caliber as possible are matched in any given race. Hence, the rule in such races is that any horse in the race may be claimed, that is, purchased, for the claiming price.

The Department of Commerce, which favors enactment of this bill, has provided the Committee on Ways and Means with the following information respecting the cumbersome and often penalizing operation of present bonding procedures in the case of horses entering the United States and participating in claiming races:

The elimination of the import duty on horses would serve several useful purposes. Horses entering the United States for racing must obtain either a single-entry or term bond for temporary importation. The procedures for the single-entry bond require the importer to establish a surety bond at the time of entry for an amount twice the *ad valorem* duty. The bond is valid for one year with two one-year extensions permissible. If the horse is not returned within this period, the bond is breached. Similarly, under the term-bond procedures, a surety bond with a minimum value of $10,000 (after January 16, 1974) is required to be made by the importer. The term bond is honored at all ports of entry, for any number of crossings, and for a one-year period, although two one-year extensions are allowable. Consonant with the procedures under the single entry bond, the term bond is forfeited if the horse is not returned within the one-year period or any extension thereof.

The bonding procedures outlined above are particularly burdensome to the horsemen who import horses for claiming races in the United States. The majority of races in the United States are claiming races. Claiming races are designed to ensure that the horses in any specific race are of comparable ability by requiring that all horses in the race may be purchased at a price established for the particular race. For example, horses running in $5,000 claiming races may be purchased for $5,000. Of course, the importer of a horse sold in a claiming race which is not returned to the country of origin within the prescribed time limits would have his bond forfeited. Removal of the duty would eliminate the bonding requirements for the importer.

This information from the Department—on these problems of customs valuation and their attendant administrative expenses and difficulties—looms large when compared with the minimal revenues derived from the duty on horses—estimated at a total of only approximately $176,000 in calendar year 1973.

The present tariff structure for horses also operates discriminatorily among different breeds being brought into the country. For example, horses may be imported duty free for breeding purposes if they are thoroughbreds. This rule applies, however, only if they are certified by the Department of Agriculture as being of a recognized breed and duly registered on a book of record recognized by the Secretary of Agriculture for that breed. Inasmuch as the American quarter horse does not qualify under these criteria, importers of such horses for breeding purposes are required to pay duty, usually at 3 percent ad valorem, while other breeds may be entered duty free. Enactment of H.R. 13631 would suspend this discriminatory treatment for a temporary period, during which the new rule's operation may be studied to determine if it should be made permanent, allowed to expire, or continued for an additional temporary period.

URGES THE ENACTMENT OF BILL

Mr. Speaker, I urge the enactment of this bill, and I urge its speedy consideration by the other House.

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

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 13631

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately before item 903.90 the following new item:

"

	Horses, other than for immediate slaughter (provided for in part 1, schedule 1):			
903.50	Valued not over $150 per head (item 100.73)	Free	No change	The 2-year period beginning day after enactment of this item.
903.51	Valued over $150 per head (item 100.74)	Free	No change	The 2-year period beginning day after enactment of this item."

With the following committee amendments:

Page 1, line 6, strike out "item" and insert "items".

Page 2, strike out the matter appearing immediately above line 1 and insert the following:

	Horses, other than for immediate slaughter (provided for in part 1, schedule 1):			
903.50	Valued not over $150 per head (item 100.73)	Free	No change	On or before 6/30/76.
903.51	Valued over $150 per head (item 100.74)	Free	No change	On or before 6/30/76.

SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

The committee amendments were agreed to.

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

GENERAL LEAVE

Mr. MILLS. Mr. Speaker, I ask unanimous consent that I may extend my own remarks and that the authors may revise and extend their remarks on the three bills just passed.

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

There was no objection.

REPORT ON RECENT PROGRESS IN AERONAUTICS AND SPACE ACTIVITIES DURING 1973—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. No. 93-283)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Science and Astronautics and ordered to be printed with illustrations:

To the Congress of the United States:

I am pleased to transmit this report on our Nation's progress in aeronautics and space activities during 1973.

This year has been particularly significant in that many past efforts to apply the benefits of space technology and information to the solution of problems on Earth are now coming to fruition. Experimental data from the manned Skylab station and the unmanned Earth Resources Technology Satellite are already being used operationally for resource discovery and management, environmental information, land use planning, and other applications.

Communications satellites have become one of the principal methods of international communication and are an important factor in meeting national defense needs. They will also add another dimension to our domestic telecommunications systems when the first of four authorized domestic satellite systems is launched in 1974. Similarly, weather satellites are now our chief source of synoptic global and local weather data. Efforts are continuing to develop capabilities for worldwide two-week weather forecasts by the beginning of the next decade. The use of satellites for efficient and safe routing of civilian and military ships and airplanes is being studied. Demonstration programs are now underway aimed at improving our health and education delivery systems using space-age techniques.

Skylab has given us new information on the energy characteristics of our sun. This knowledge should help our understanding of thermo-nuclear processes and contribute to the future development of new energy sources. Knowledge of these processes may also help us understand the sun's effect on our planet.

Skylab has proven that man can effectively work and live in space for extended periods of time. Experiments in space manufacturing may also lead to new and improved materials for use on Earth.

Development of the reusable Space Shuttle progressed during 1973. The Shuttle will reduce the costs of space activity by providing an efficient, economical means of launching, servicing and retrieving space payloads. Recognizing the Shuttle's importance, the European Space Conference has agreed to construct a space laboratory—Spacelab—for use with the Shuttle.

Notable progress has also been made with the Soviet Union in preparing the Apollo-Soyuz Test Project scheduled for 1975. We are continuing to cooperate with other nations in space activities and sharing of scientific information. These efforts contribute to global peace and prosperity.

While we stress the use of current technology to solve current problems, we are employing unmanned spacecraft to stimulate further advances in technology and to obtain knowledge that can aid us in solving future problems. Pioneer 10 gave us our first closeup glimpse of Jupiter and transmitted data which will enhance our knowledge of Jupiter, the solar system, and ultimately our own planet. The spacecraft took almost two years to make the trip. It has traveled over 94,000 miles per hour—faster than any other man-made object—and will become the first man-made object to leave our solar system and enter the distant reaches of space.

Advances in military aircraft technology contribute to our ability to defend our Nation. In civil aeronautics, the principal research efforts have been aimed at reducing congestion and producing quieter, safer, more economical and efficient aircraft which will conserve energy and have a minimum impact on our environment.

It is with considerable satisfaction that I submit this report of our ongoing efforts in space and aeronautics, efforts which help not only our own country but other nations and peoples as well. We are now beginning to harvest the benefits of our past hard work and investments, and we can anticipate new operational services based on aerospace technology to be made available for the public good in the years ahead on a routine basis.

RICHARD NIXON.

THE WHITE HOUSE, *April 8, 1974.*

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 148]

Abzug	Frelinghuysen	Owens
Anderson, Calif.	Froehlich	Patman
Andrews, N.C.	Giaimo	Pepper
Armstrong	Gibbons	Peyser
Aspin	Green, Oreg.	Pickle
Badillo	Griffiths	Quillen
Bell	Gubser	Regula
Biaggi	Guyer	Reid
Blatnik	Hanley	Rhodes
Boggs	Hansen, Wash.	Rodino
Bowen	Harrington	Rogers
Brasco	Hawkins	Roncallo, N.Y.
Breaux	Heinz	Rooney, N.Y.
Brinkley	Holifield	Roy
Burke, Calif.	Jones, Tenn.	Ruppe
Carey, N.Y.	Kazen	Satterfield
Chappell	Landrum	Seiberling
Chisholm	Litton	Shipley
Clark	Long, La.	Shoup
Clay	Lott	Slack
Cochran	McCloskey	Smith, N.Y.
Cohen	McEwen	Staggers
Conyers	McKay	Steele
Crane	McSpadden	Stubblefield
Cronin	Madigan	Teague
Culver	Maraziti	Thompson, N.J.
Daniels, Dominick V.	Matsunaga	Ullman
	Melcher	Walsh
Danielson	Metcalfe	Wiggins
Davis, S.C.	Milford	Wilson, Bob
Dellums	Mizell	Wilson, Charles, Tex.
Dent	Mollohan	
Derwinski	Morgan	Wyman
Dorn	Mosher	Young, Fla.
Eshleman	Murphy, Ill.	Young, Ga.
Flowers	Nix	
Ford	O'Neill	

The SPEAKER pro tempore (Mr. MCFALL). On this rollcall 325 Members have recorded their presence by electronic device, a quorum.

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

REREFERRAL OF H.R. 4894, FOR RELIEF OF THE SOUTHEASTERN UNIVERSITY OF THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE DISTRICT OF COLUMBIA

Mr. DIGGS. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia be discharged from the further consideration of the bill (H.R. 4894) for the relief of the Southeastern University of the Young Men's Christian Association of the District of Columbia, and that the bill be rereferred to the Committee on the Judiciary.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER pro tempore. This is District of Columbia day. The Chair recognizes the gentleman from Michigan (Mr. DIGGS), chairman of the Committee on the District of Columbia.

EISENHOWER MEMORIAL CIVIC CENTER SINKING AND SUPPORT FUNDS ACT OF 1974

Mr. DIGGS. 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. 12473) to establish and finance a bond sinking fund for the Dwight D. Eisenhower Memorial Bicentennial Civic Center, and for other purposes, and

pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to not to exceed 1 hour, to be equally divided and controlled by the gentleman from Minnesota (Mr. NELSEN) and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12473, with Mr. PRICE of Illinois in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Michigan (Mr. DIGGS) will be recognized for one-half hour, and the gentleman from Minnesota (Mr. NELSEN) will be recognized for one-half hour.

Mr. REES. Mr. Chairman, this bill is an attempt to make sure that the Eisenhower Civic Center will be a financial success, and it will not come back to Congress for funding, and that the general taxpayers of the District will not be asked to finance the Center.

Mr. Chairman, when the original bill came through authorizing the construction of the Eisenhower Center I was one of those who voted against the bill because I was very dubious as to the financial projections on the financing of this center.

When the Committee on the District of Columbia was called upon to give its approval of the plan of the Eisenhower Center I still did not feel that the projections of the district were adequate. We did some of our own in-House projections, and it was felt that we needed to set up a definite financing plan for this Center if it were to be feasible and make its way financially. We did not want to have the situation that we now have with RFK Stadium, where none of the principal payments have been paid on the bonds, and only one-half of the bonds have been financed by the events that have been held at RFK Stadium.

We will create by this bill two funds. One is a support fund. Into the support fund goes revenue from the Convention Center.

No. 2, we have per delegate spinoff funds going into the fund. Let me explain how that works. We are going on the assumption that every delegate who goes to the convention will be spending x amount of dollars in Washington, and that probably at least $3 of that would be in the form of sales taxes, so that we are putting into that fund $3 per head per day per delegate, and that is a very low assumption, assuming that the delegate is only going to spend $50 a day. Projections are that the delegate spends more than $50 a day, but we are using low projections.

No. 3, we have a tax increment revenue. The Eisenhower Center is in the redevelopment area, Mount Vernon Square. This area is depressed. It really does not pay very much at all in property taxes. We are assuming that if the Convention Center goes in, it will generate a great deal of property tax because already there are commitments for several hundred million dollars for new construction in the redevelopment area if the Convention Center goes in. These are hotels, shops, stores. So what we do is take the property tax income today, and then we will take the property tax income as the property goes up in value, and 25 percent of that increment goes into the fund.

The fourth area of income would be from the $14 million authorization that was authorized in the original legislation creating the Eisenhower Civic Center that must be appropriated by the Committee on Appropriations. If they appropriate these funds would go into the support fund.

If we find that all of these revenues will not pay for the overhead or will not pay for the principal and interest payments, we will then have to depend on a bond sinking fund. The bond sinking fund is to back up the Eisenhower Center to make sure that it is paid, not by Congress, not by the general taxpayer, but by those who would benefit by the Center.

The first tax is a 1-percent tax on hotels. The hotels have already agreed to this, and this tax would be triggered in the middle of next year.

No. 2, if, with that money from the hotel tax building up a bond sinking fund of $5.5 million, which is 1 year's principal and interest payment, is not enough——

The CHAIRMAN. The time of the gentleman has expired.

Mr. DIGGS. Mr. Chairman, I yield 5 additional minutes to the gentleman from California.

Mr. REES. I thank the chairman.

What we have, No. 2, is a special assessment district that covers all of the commercial property in downtown Washington, so that if none of these funds cover principal and interest, then there will be a special assessment, a property tax special assessment, which will then pick up the balance of the deficit. We also have interest on the money in the sinking fund, because this will be invested in some type of Government Treasury note. This is a complete cycle of financing. Those that are to benefit by the Convention Center are those that will have to pay for the Convention Center if their original projections do not work out.

I have here endorsements from the Metropolitan Washington Board of Trade that represent practically all the business in the commercial areas that will be backing up this project.

I have a telegram of support from the Hotel Association. They are willing to be taxed 1 percent so they can have this Convention Center. I have a telegram of support from the Federal City Council and a telegram from the Washington Area Convention and Visitors Bureau and one from the Washington Board of Realtors. I think this can be a successful project. It is not going to be tossed into the laps of the taxpayers, either national or local, and it is going to generate business and pick up an area in Washington which has been a depressed area, an area that is not producing tax revenue.

The Eisenhower Center is needed for this city. If we do not have this additional tax revenue, this Convention Center, there could be problems with the city's tax base going down further and further as time goes by, and many of the businesses in the central city might leave for the suburbs of Virginia and Maryland.

I think in terms of developing Washington this is a good project because it will be self-financed by those people who benefit from the project.

I would urge all Members to support this bill.

It has been worked out with members of our committee and we have discussed it also with the Appropriations Committee and with the equivalent Senate committees and I find generally there is support for this concept of self-financing of the Eisenhower Convention Center with a referendum.

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

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

Mr. GROSS. Mr. Chairman, how does the gentleman suppose his telegrams will read when this thing falls flat on its face, as have all other such deals? Will the telegrams then demand that "Uncle Sugar" step up to the platter and take a swing with a bundle of cash?

Mr. REES. Under this bill it does not matter what they feel like. What it says in the bill is that there shall be a special support fund in that area and so those gentlemen who have been sending in these telegrams will have to pay if this Center is not a financial success. There is no way under this bill in which they can come back to "Uncle Sugar" and hit the general taxpayers either in the District of Columbia or in the country.

I explained to the gentleman my projection is one-half of the projections of those associations who support the project, and even with those rather dismal projections I made for them, those people said they were willing to back this Center. I think it, with this financial plan, the project will be a success.

I think their support is good enough for me.

Mr. GROSS. The gentleman is one in a long line of those who have stood in the well of the House and promised that these projects would never cost the taxpayers of the country a single dime. No, never. What does the gentleman think is going to happen next year when the bonds come due on the white elephant known as the RFK Stadium?

Mr. REES. If there had been a bill like this for the RFK Stadium, we would not have to swallow those bonds. That is why I voted against that Eisen-

hower Center and wrote this bill, to make sure this would not come back in our laps.

Mr. GROSS. If this does not generate the income anticipated, then we will have another big white elephant in another place in the District of Columbia. What will we do with it then?

Mr. REES. It will be the white elephant of the business community of Washington, D.C. It will not be the white elephant of the Congress of the United States.

Mr. GROSS. It will be when we amend the law.

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

Mr. Chairman, I am also one of the Members who voted against the Eisenhower Civic Center when it was just proposed October 3, 1972. However, it carried by a vote of 199 to 183 on a motion to strike the Civic Center from that original bill. An amendment was offered for an oversight committee which carried by 250 to 137, which meant that the bill would have to come back to the Appropriations Committee and to the District of Columbia Committee.

The bill then passed by a vote of 210 to 169 and was enacted into law as Public Law 92–50; so the decision has already been made. Anything that we do here is to try to bolster feasibility of this project with the amortization bill we take up today, if we can call it that. As a result of this bill, and we have done a good deal of work on it, particularly the gentleman from California (Mr. REES) we in the District Committee have tried to give this Congress some assurance, at least a strong indication of interest on our part, to see to it that there is a tax and sinking fund plan that would meet our own concerns as well of all Members of the House as to the financial feasibility of this project.

When we consider investments like this in the District of Columbia, I am reminded years ago how on the farm every spring we would buy baby chicks. The catalog that was issued advertising them would refer to the flock from which these birds based on their ROP—record of performance. So the assumption was that if the mother hen laid 200 eggs in a year, that the pullet would probably do as well or better.

Now, the record of performance, as has been mentioned, as far as the Kennedy Center, the RFK Stadium, and other things that we have put our minds to try to implement in the past about the only thing we got from the pullet was some eggs in our faces. It did not pay out in all cases.

However, I believe we have a plan that, I think, is one of the most studied plans that we have ever had, where there is the same assurance through the revenues generated in the benefit areas downtown that go into earmarked support and sinking funds where the Civic Center benefit areas will be producing income, instead of little, or some cases, no income at all.

Now, this morning I took a trip around town and I went down in the area in the heart of our Federal City where this Civic Center will be built. Believe me, it needs attention. It needs attention locally and as our Federal City.

Here we have a picture [demonstrating] of the area that we are talking about. It is not producing much revenue. It is not producing income in the way of taxes in adequate amounts to meet expenses in this city. It is a badly deteriorated situation in this area of the city. It needs rebuilding.

Now, then, we have a picture [demonstrating] of the Civic Center that would be constructed, which this House has voted to proceed with in 1972, but have not given the proper attention to finance a plan which we first voted that would substantially assure its financial independence. That has now been done in Mr. REE's bill.

Here you see [demonstrating] four city blocks. This Center would be there and around the Center we can see what has already taken place, where commitments to build have been made or are contingent on the construction of the Civic Center.

For example, over here [pointing to the hotel that would be built] the total dollars invested in this area for proposed construction is $7.5 million in this spot.

Over here, $22 million; $500 million here and plans are already underway for the construction of a hotel here, provided the Civic Center is constructed.

Here is $100 million here. Here is $15 million. Here is $3.2 million [indicating]. Altogether the reconstruction is estimated to reach $372 million.

Now, some may ask the question, "Why are some of these so far away?" The point is that this entire area needs to be developed. The theory is—and it is a theory—that if this money goes in there, this entire area will begin to develop. Some construction will be adjacent, some will be blocks away and then construction will begin in between the sites.

Now, the question always comes up, "What about parking?" It is true that in the plan itself the parking is limited; but it is also a part of a plan that when this area is developed, there will be more parking, but it will be private parking not publicly subsidized as it is in many cities.

Moreover, we have the subway system which closely connects with hotels and other downtown areas easily accessible to the Center.

Now, a feasibility study was made by a very competent firm.

The feasibility study indicated that this Center could pretty much stand on its own without the financing plan that has been produced in this bill, and if it is true that it could stand on its own, certainly with the Rees plan—H.R. 12473—added, there is bolstering and contributing assurance that it will be safer, it will be more assured of success than it originally was thought to be.

Now, the District of Columbia has only two principal sources of business income. One is the Government—Government employees, et cetera—and the Federal City is where our Government is housed; and the other is tourism. The only way that this city could ever become to some degree independent of taxes coming from the Federal payment—from Minnesota, from Iowa, from Michigan, from all over the United States—if there is tax-income-producing property in the District of Columbia, which we do not have enough of. If the people here in the District of Columbia are to have jobs and income, there is going to have to be something that will enhance and build on one of the city's principal sources of income—tourism. The Civic Center will do this.

So I would feel that, having first voted no on the Civic Center in 1972, and not having prevailed, I endorse the careful plan that the gentleman from California (Mr. REES) has worked out. I do this having in mind that there are those who want the people to have a vote on it, and I am certainly willing to go along with that idea and let the referendum go and let the people have a voice.

Now then, as to the City Council, there has been some division there on the Civic Center which is not too important, but I feel that there was a little politics creeping into that, as testified to by some. At the same time, I am convinced, as a Minnesota farmer and a taxpayer, in the interests of my Federal City and your Federal city, that something needs to be done to help the city become more financially independent. A Civic Center, in my opinion, will help do this. The Mayor agrees.

We point to all of the failures that have occurred in financing projects in the District, and seemingly our economy votes sometimes hinge around money that goes to our Federal City, and sometimes it is justified; sometimes it is not. But, I would like to point out with some pride again to one of the things we did in the Washington Technical Institute, where was started something that this city did not have. I point with pride to the fact that in the first graduating class, 87 percent of the young people that graduated had a job the day they graduated, because they had a skill, they had a know-how, they had something to go out and earn a living with.

On that basis, I think that investment has paid off and I believe this one will, too, given the Rees financing plan.

Members may ask a question of me or anybody here, is there any sensible reason why any one of us should have any interest at all in this bill concerning Washington, D.C.? My answer is, it is our Federal City. It is your Federal City. After carefully surveying this problem, having voted against it in 1972 because I thought, "Here we go again with egg on our faces," but after the Rees plan was developed, in my judgment this goes a long way toward giving us the assurance that I think we are going to have to help the city and provide a plan to pay off the development debt of the Center.

I believe the bill is a good bill. Some of us have served on the District Committee—and there is very little thanks any of us get for that back home—but my interest in this bill, in this city, is because it is my Federal City, and I think it is up to all of us to exercise concern for it. At the same time, I hope to provide a financing plan that was lacking in the 1972 law. Some of us spent hours and

hours and hours on this plan in the committee, and I think we have had the facts laid before us in a manner that gives me the feeling that we are on the right road to a fiscally sound project that is given a financially sound base with the Rees bill. I hope that this House will pass this bill. We already passed the bill for the Center in 1972, let us give a financially sound base for construction and operation with the bill before you today.

Mr. Chairman, this really is adding a financing plan that I think we ought to have. It gives us a referendum where the people can have a voice in making the decision. I think it is a well-rounded, carefully considered piece of legislation, and I think it is presented in a much better way than was the Kennedy Center or the Stadium, which we all recognize as having presented a little bit of a difficult problem for all of us.

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

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

Mr. SNYDER. Mr. Chairman, there are a couple of questions I wish to ask the gentleman.

Does the gentleman agree that under the existing plan parking is limited? Will the gentleman tell the Members just how many parking places are provided for under the existing plan?

Mr. NELSEN. Mr. Chairman, there are only 94 to 100 parking spaces provided for in this bill. However, if this entire area is developed, certainly the facilities for parking will grow with the rest of it and be privately financed. We have the subway system, which will directly tie into the Civic Center. The subway is publicly financed, perhaps auto parking should be privately financed.

Mr. SNYDER. How much is that additional parking which is going to be provided for in the future going to cost?

Mr. NELSEN. Mr. Chairman, that will be private development—no public funds.

Mr. SNYDER. Mr. Chairman, if the gentleman will yield further, I have another question.

Mr. NELSEN. Yes, I yield to the gentleman from Kentucky.

Mr. SNYDER. Mr. Chairman, I have just one more question.

The original bill, as it has been alluded to here today, requires the approval of four committees of Congress, two in the House. I read in the newspaper that a subcommittee of the Committee on Appropriations, I believe, unanimously disapproved this. I realize that is not the action of the full committee.

How does the gentleman intend to deal with that?

Mr. NELSEN. Mr. Chairman, one of the requests that came to our attention was the request that a referendum be provided, and we have gone along with that idea, in spite of the fact that our committee originally went along with the bill without a referendum.

However, I think in the legislative process we must recognize the responsibility of all committees and try to work out some kind of an accommodation, which is what we did.

Mr. SNYDER. Mr. Chairman, if the gentleman will yield further, is it the gentleman's thought, then, that if a referendum provision is passed and included in the bill, and the bill is passed, that Subcommittee on Appropriations which I read about in the paper is going to change its mind?

Mr. NELSEN. Mr. Chairman, I do not speak for the Committee on Appropriations. That committee will have its chance to make its decision, as our committee did, when it had its opportunity. I certainly would respect what they do. I have no way of knowing what they will do.

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

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

Mr. GROSS. Mr. Chairman, let me ask the gentleman this:

Were there hearings held on this bill?

Mr. NELSEN. Mr. Chairman, I did not understand the gentleman's question.

Mr. GROSS. Mr. Chairman, I asked the gentleman: Were there hearings held on this bill by the Committee on the District of Columbia?

Mr. NELSEN. There were extensive hearings, yes.

Mr. GROSS. Where are they?

Mr. NELSEN. Does the gentleman mean, where are the hearings?

Mr. GROSS. Yes.

Mr. NELSEN. They are in committee galley print.

Mr. GROSS. Mr. Chairman, I am unable to get them down at the desk.

Mr. NELSEN. Mr. Chairman, I will yield to the chairman of the committee, if there are any further details to be explained.

Mr. GROSS. When were the hearings held?

Mr. NELSEN. Mr. Chairman, we have held hearings at various times in December and March for a long time, I will say to the gentleman from Iowa (Mr. GROSS).

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

Mr. NELSEN. I will be glad to yield to the gentleman from Illinois.

Mr. GRAY. Mr. Chairman, let me say, as the author of the original authorizing and enabling legislation, we have held five distinct hearings on this matter. One of them was downtown, which is unprecedented. We went to the Mount Vernon Square area.

Also in February, hearings were held before the Committee on the District of Columbia on this very financing proposal.

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

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

Mr. GROSS. Mr. Chairman, let me ask the gentleman from Illinois this question:

Was one of the hearings the one which the gentleman walked out on, allegedly walked out of the hearing?

Mr. GRAY. Mr. Chairman, if the gentleman from Minnesota will yield, I never walked out of any hearing. I walked off a television program which was supposed to be a debate to shed a little light. Instead of shedding a little light, it shed a lot of heat, so I walked off, and that was channel 7. It had absolutely nothing to do with the matter under discussion.

Mr. NELSEN. Mr. Chairman, I might mention that I do not blame the gentleman from Illinois for walking off. I watched the program.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, I am still wondering where the hearings are.

Mr. NELSEN. Mr. Chairman, I will inform the gentleman that Mr. Hogan of the committee staff will give him the galley print, and I think the facts will be clear.

Mr. GROSS. Will the gentleman yield?

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

Mr. GROSS. Mr. Chairman, if it is not serious enough to have a bound copy, do we have to work from the galley proofs; is that right?

Mr. NELSEN. I am not suggesting that, I will say to the gentleman from Iowa——

Mr. GROSS. That is a galley proof.

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

Mr. NELSEN. I will yield to the gentleman from California.

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

It is my understanding there were hearings held in December, and there were also hearings held in March. The December hearings were, I think, on the 14th of December, and the other one was on March 7.

We had public testimony and everyone was notified of the hearings, and they were in accordance with the rules of the House.

Mr. GROSS. Except that they are not printed. This is the first I have seen of any hearings of March 7. I am suprised it is not printed.

Mr. GRAY. Will the gentleman yield?

Mr. NELSEN. I yield to the gentleman.

Mr. GRAY. The gentleman from Kentucky asked a question about parking. I would like the record to show that within 800 feet of the site of this Center there are 10,250 parking spaces plus we have a contract and are underway at Union Station with 1,200 additional automobile parking spaces and 700 places for buses. It is only eight blocks distant, and we plan to have a shuttle service running directly from the Visitors' Center up to the Ninth Street underpass in the center of this facility, and we expect to have the first leg of the Metro in Union Square, so we will have ample parking and visiting facilities.

Mr. NELSEN. I thank the gentleman from Illinois.

Mr. Chairman I wish to insert at this point my additional views (joined with by Mr. REES) as they appeared in the report (No. 93-923) accompanying H.R. 12473:

ADDITIONAL VIEWS OF REPRESENTATIVE THOMAS M. REES AND REPRESENTATIVE ANCHER NELSEN ON H.R. 12473, AS AMENDED

We support the provisions of H.R. 12743, which establishes a sinking fund to meet the interest and principal payments of bonds issued pursuant to the Public Buildings Act of 1959 to provide for the construction of a convention and civic center in the District of Columbia and to establish a support fund

for the convention and civic center in order to insure a financially sound project.

Public Law 92-520 authorized the construction of the convention and civic center, but pursuant to an amendment added in the House, the construction of such convention and civic center was predicated on the submittal to and approval by Senate and House Committees for the District of Columbia and the Senate and House Committees on Appropriations of the design plans and specifications, including cost estimates, of such convention and civic center. No purchase contract for the construction of such center may be entered into by the District Government or the corporation or entity authorized to construct such center without such approval.

When the matter of the authorization of the construction of the convention and civic center came up on the Floor on October 3, 1972, we voted against the measure for reasons, among others, which we believe are addressed and corrected by this bill.

The unfortunate record of RFK Stadium, both as to its original cost estimates and its annual earnings as projected at the time of its approval, was very persuasive to us in voting not to permit a repetition of this type of construction project and financial undertaking. We were also mindful of the recent experience of Congress in funding the JFK Center for the Performing Arts and the escalating costs of the Metro subway system now under construction in the District of Columbia and its suburbs.

However, we support this bill as a measure which addresses these earlier cited criticisms, which heretofore had some validity, but which are provided for and corrected by the provisions contained in this legislation as noted below:

1. The design plans and specifications, including detailed cost estimates of the convention and civic center, have been subjected to considerable review; detailed examination and additional concessions have been made which have resulted in House District Committee approval of the project.

The District of Columbia has agreed that the following actions will be taken with respect to the Center:

(a) That the Commissioner will insure that all purchase contracts for the financing, design, and construction and maintenance of the convention and civic center are let to "the lowest and best bidder as determined by the Commissioner" under usual competitive bid procedures.

(b) That a value engineering study will be undertaken by the District Government to insure that the design plans and specifications of the convention and civic center as submitted to this Committee are subjected to professional examination, so as to obtain optimum value for every dollar spent on this project.

Meanwhile, the District Government has conducted and submitted to the Committee a concept design report under contract with certain architects and engineers, wherein data was collected and analyzed which included examination of the construction and operation of convention and civic centers in a number of other cities, as well as specific plans and designs for the convention and civic center planned for the District of Columbia. All of this material was reviewed and examined by the Environmental Protection Agency to determine that it met with certain environmental impact standards as they relate to the particular location of this convention and civic center. In addition, the matter was examined in detail in hearings held before the District of Columbia Council, at which a number of local citizens, economists, etc., appeared and testified for and against certain aspects of the Center. The Council approved the design specifications and cost estimates and forwarded the matter to this Committee.

2. The bond sinking fund and support fund, as well as the taxes and revenues provided for in this bill, avoid some of the problems encountered with the RFK Stadium and provide the protections necessary to insure that the construction costs and the operation of the convention and civic center will to the optimum extent possible guarantee that the financial integrity and the soundness of management necessary to insure that overall this project will be economically sound and not constitute a burden to the District residents.

The thrust of this bill is to insure to the maximum extent possible that taxes are imposed in a benefit area, that revenues are realized from the benefit area, and that there are recoveries for the operating costs of the Center from the monies expended by delegates attending conventions at the Center that will place the support and bond sinking funds in a liquid condition that insures financial soundness. Accordingly, there will be adequate financing to meet the operating needs of the convention and civic center and there will be adequate funds to handle the debt servicing of the bonds that are issued to cover the costs of the construction of the convention and civic center. A general outline of how the funds are established, when the funds are used, and special features of the funding and taxing provisions of this bill are as set forth below:

FUNDS ESTABLISHED

(a) *Support Fund.*—Composed of:

(1) Gross revenues from Center's operations.

(2) 25% of the increase in real estate tax collections over FY 1974 occurring in the Civic Center Economic Impact Area. (Identical to downtown urban renewal area)

(3) General fund revenues equal to $3.00 per convention delegate per convention day. This represents an estimate of the average D.C. taxes received from spending by convention delegates.

(4) Monies appropriated from $14 million Federal payment authorized in P.L. 92-520.

(b) *Bond Sinking Fund.*—Composed of:

(1) Revenues from a 1% increase in the tax on hotel rooms effective FY 1976 (raises $1 million annually).

(2) Revenues from increase in real estate tax for commercial establishments in modified downtown business district, as defined by Census Bureau (rates set by City Council).

WHEN FUNDS ARE USED

(a) Support Fund used to meet all of Center's operating costs, and to make payments on loans for building the Center.

(b) If Support Fund monies insufficient, *Bond Sinking Fund* monies are used to pay off loans.

SPECIAL FEATURES

(a) Hotel tax paid into Bond Sinking Fund is removed when that fund builds up to an annual loan payment (about $6 million). Tax is triggered back on when Sinking Fund drops below this amount.

(b) Real estate tax takes effect only when Sinking Fund dips below $100,000. Is removed when fund builds back up to an annual loan payment.

3. The benefits to be derived by the District of Columbia from the rejuvenation of the area surrounding the convention and civic center are substantial. There is little question but what one of the largest businesses in the District of Columbia is its attraction as a tourist center. The convention business is a big business throughout the country, and the increase in tourist dollars spent in the District by reason of the construction of the convention and civic center will be considerable. Based on the information set forth in the table below, the average person attending a convention stays an average number of days and spends an average amount of money:

GENERAL SERVICES ADMINISTRATION—CONVENTION DELEGATE EXPENDITURES

	IACB national averages [1] (percent)	IACB survey, Washington D.C.[2] Average [2] expenditures (1971 dollars)	IACB survey, Washington D.C.[2] Percentage
Hotel rooms	33.69	$85.30	40.70
Retail stores	11.92	17.16	8.19
Restaurants (except hotel)	12.61	32.13	15.33
Hotel restaurants	12.90	25.64	12.23
Beverages	5.59	13.28	6.34
Night clubs, sports	4.89	7.33	3.50
Local transportation	4.09	10.71	5.11
Car, gas, oil, service	5.98	4.06	1.94
Theater	1.03	.62	.30
Sightseeing	1.50	4.30	2.05
Other	5.80	9.04	4.31
Total	100.00	209.57	100.00

[1] Source: 1966 IACB national survey—convention delegate expenditures.
[2] Source: Washington Convention and Visitors Bureau (adjusted to 1971 dollars).
[3] Source: Washington Convention and Visitors Bureau—over 4 days are spent by the average delegate at a convention.

It is estimated that two to four years after the Center opens it will have 222 days per year utilized by conventions and other events. Further it is estimated that within that period when the Center is in full operation, it will be utilized by 342,000 delegates. Thus, it can be readily seen that convention business will greatly stimulate local District businesses and there will be substantial amounts of sales tax revenue collected by the District as a result.

The projected amount of new developments in the downtown Washington area, which may be attributable in large part to the Center over the period 1975–1980, is estimated as follows: [1]

Quality Inn—Downtown—14th and Massachusetts Avenue	$7,500,000
Hyatt Regency—New Jersey and D Street	40,000,000
Prime Land Bank, Inc.—7th, 8th, I, K Streets	50,000,000
Parking garage—9th and G	3,200,000
1,000-room apartment building (renewal site) at 5th and K	22,000,000
Mixed use development on renewal sites at 12th and G, and 7th and G	100,000,000
Two hotels (sites confidential)	30,000,000
C&P headquarters building, 8th and G Streets	15,000,000
Development of 15 parcels, which have been assembled by developers, are now largely vacant, used for parking lots, and zoned for hotel or intensive commercial use (this does not take into account any development resulting from the Pennsylvania Avenue Plan)	105,000,000
Estimated total value of new development	372,700,000

The foregoing is exclusive of the escalation in the property values that will result because of the construction of the Center

[1] Source: District of Columbia Government.

in the downtown area. The real estate tax revenue as expected will be realized by the District of Columbia from 1975 through 1985 is as follows:

Real estate tax revenue increase expected from redevelopment

1975	0.2
1976	.8
1977	1.6
1978	2.0
1979	2.8
1980	3.2
1981	3.6
1982	4.0
1983	4.4
1984	5.0
1985	5.6

The foregoing is illustrative of the kinds and varieties of benefits that will be derived in terms of increased tax revenues, increased business and increased construction and development in downtown Washington as a result of proceeding with the convention and civic center. The fact that we have added the protection of H.R. 12473 to the Center project so as to insure the financial viability of the project and thus greatly enhances the prospects that the rejuvenation of downtown Washington, and the benefits which are side effects of that rejuvenation, will be derived to the interest and benefit of the District of Columbia and its residents.

For the foregoing reasons, we support H.R. 12473, and we also urge you to support it.

THOMAS M. REES.
ANCHER NELSEN.

I now yield 5 minutes to the gentleman from Virginia (Mr. BROYHILL).

Mr. BROYHILL of Virginia. Mr. Chairman, I wish to urge the support of my colleagues for the bill H.R. 12473, which provides a fiscal program assuring the financial viability of the proposed Dwight D. Eisenhower Memorial Bicentennial Civic Center here in the Nation's Capital.

The Eisenhower Memorial Civic Center was authorized by Public Law 92–520, approved on October 21, 1972, subject to the subsequent approval of the design, plans, specifications, and cost estimates by the District of Columbia Committees and the Appropriations Committees of the House and the Senate.

After the enactment of Public Law 92–520, a nonprofit organization, known as the Eisenhower Center Corporation, was formed to provide the financing for this project. This corporation has been granted unsecured loans from several local banks in the total amount of some $600,000, to provide funds for the development of the plans for the Center. At this time, preliminary plans have been drawn, and the final plans and specifications are about 30 percent completed, for a civic center and convention facility in the Mount Vernon Square area of the city.

The cost of site acquisition, construction, and equipment of the Center is presently estimated at $80.6 million. When final approval of the project is obtained, the Eisenhower Center Corporation will issue bonds in that amount, the interest on which will be tax exempt. The Center will then be constructed and leased to the city for operation, and the District of Columbia government will then assume responsibility for the payment of principal and interest on the bonds. At the end of a period of 30 years, when the bonds have been retired, the title to the Center will be vested in the District of Columbia.

It is estimated that the debt service on the bonds will be about $5.5 million per year. The operating costs are estimated at some $1.8 million in 1978, the first year the Center is expected to be in use, and this figure is expected to increase to $3 million by 1985. Thus, the total expense accruing to the city is expected to vary from $7.3 million in 1978 to about $8.5 million in 1985.

Spokesmen for the District of Columbia government predict that the Center will generate new revenues to the city in the form of property, sales, and income taxes, which they believe will be sufficient, in addition to the operating revenues derived from the Center, to defray the entire costs incident to the Center.

While this estimate of self-liquidation of this project may well be justified, I and a majority of my colleagues on the House District of Columbia Committee feel that there should be a fiscal plan enacted in connection with the Eisenhower Center which will serve to protect the taxpayers of the District of Columbia and the Federal Treasury alike from the necessity of assuming a burden of fiscal responsibility for this Civic Center in the event the city's predictions fail to materialize as expected. Thus, the bill H.R. 12473 has been designed to afford a protection, a safeguard against such an eventuality, by assuring the liquidation of this entire project, if necessary, by revenues derived largely from those interests in the city which will benefit to the greatest extent from the operation of the Civic Center.

The bill will accomplish this purpose by establishing on the books of the U.S. Treasury, to the credit of the District of Columbia, two trust funds—a bond sinking fund and a support fund.

The Eisenhower Memorial Bicentennial Civic Center bond sinking fund will be established for the purpose of accumulating amounts available for making payments of the principal and interests on the bonds incident to the Eisenhower Civic Center in years when amounts available in the support fund are not sufficient to meet these costs. As I have stated, this cost will be $5.5 million per year.

The sinking fund will be financed from the following sources of revenue:

First. A 1-percent additional sales tax on the rental of hotel rooms in the city. This levy, which will raise the present sales tax on hotel room rentals to 7 percent, will be effective only during "bond-sinking periods." The first such bond-sinking period is to begin on July 1, 1974, and will end on the first day of the first full month beginning after the date when the D.C. Commissioner certifies to the D.C. Council that the amount in the sinking funds is equal to the amount of the total cost of debt service on the bonds for 1 year. Then subsequent bond-sinking periods will begin if and when the amount in the sinking fund falls below that amount, and so on. Thus, this tax will be "triggered" on and off so as to maintain a sinking fund sufficient to meet the debt service costs on the bonds for 1 complete year.

This additional tax on hotel room rentals is estimated to bring in about $1 million per year to the sinking fund, and this new levy for this purpose is supported by the D.C. Hotel Association and by a number of individual hotel owners. It is interesting in this connection to note that two large new hotels are already planned for construction in the Civic Center area when this project is finally approved.

Second. A special real property tax. For this purpose, the bill creates a Civic Center Benefit Area, which will be comprised of all nonresidential real property within the D.C. downtown business district, together with all nonresident real property outside of this district and zoned C–4 or C–3–b as of March 1, 1974. These zoning classifications are selected because they apply to the commercial properties which will benefit to the greatest extent from the presence of the Civic Center in the city. I am advised that these properties outside of the Benefit Area itself are contiguous either to the Benefit Area or to each other, so that all the properties affected lie within a common boundary. This boundary is quite irregular in shape, of course, but it includes roughly that part of the city bounded by Constitution Avenue, Massachusetts Avenue, North Capitol Street, and 19th Street NW.

These commercial properties within the Civic Center Benefit Area will be taxed at such a rate that at the end of a period of 2 fiscal years the total revenues in the sinking fund, after the payment of all annual principal and interest payments, shall exceed $100,000; and after 3 fiscal years, after such debt service payments for those years, there will remain in the fund sufficient money to pay the debt service costs for 1 additional year. This formula is designed to assure an adequate amount in the sinking fund at all times.

This special real property tax will also be triggered on and off. The tax shall apply to any fiscal year following a certification by the D.C. Commissioner on June 15 that the net adjusted amount in the sinking fund is less than $100,000 and when the 1-percent sales tax levied on hotel room rentals is in effect. Then the tax will terminate at the end of any fiscal year in which the D.C. Commissioner certifies that the net adjusted amount in the fund is at least equal to 1 year's debt service cost on the bonds.

Third. Any surplus funds from the support fund.

Fourth. Any interest accruing from the investment of funds in the sinking fund.

It is further provided that the bond sinking fund shall terminate when the U.S. Comptroller General determines that enough funds exist in the sinking fund to pay the total aggregate of principal and interest outstanding on the bonds. At such a time, the D.C. Com-

missioner shall request appropriations of the amount from the fund sufficient to pay off the bonds, any surplus remaining shall be transferred to the D.C. general fund, and the bond sinking fund shall go out of existence.

The Eisenhower Memorial Bicentennial Civic Center support fund will be established for the purpose of making funds available for making payments for operating expenses of the Civic Center, and any other expenses incurred by the District government directly attributable to the construction or operation of the Center. Also, it will provide funds for the payment of principal and interest on the bonds. As I have stated, in any year when the money in this support fund is not sufficient to meet the debt service costs on the bonds, then sufficient funds for this purpose will be made available from the sinking fund. And on the other hand, when the amounts in the support fund are more than sufficient for all the above-mentioned purposes, any reasonable amount of such surplus may be appropriated to the bond sinking fund.

The support fund will be financed from the following sources of revenue:

First. Amounts appropriated by the Congress from the Federal Treasury as authorized in Public Law 92-520. Section 4(a) of that act authorizes the appropriation of a maximum of $14 million of Federal funds to ease the financial burden on the D.C. government's budget during the initial years of the Eisenhower Civic Center.

Second. Twenty-five percent of the increased revenues derived each year from the regular real property tax on all real properties located in the Civic Center Development Impact Area, which is the downtown urban renewal area as defined in the comprehensive plan adopted by the NCPC—and not to be confused with the special real estate tax Civic Center Benefit Area described earlier in this text.

Since the Civic Center will inevitably lead to a substantial increase in the value of all real property located in this downtown area, there will be a corresponding increase in the real property tax revenues derived from such properties. In computing this 25 percent of such increment which will accrue to the support fund, the fiscal year 1974 will be used as the "base year," and all increases in the tax yield will be computed using the tax collected in the area during that fiscal year 1974 as the standard. The remaining 75 percent of this increase will of course go into the D.C. general fund.

It is estimated that this tax will yield $1 million to the support fund in 1978, and that it will increase to $2.8 million in 1985.

Third. Gross receipts derived from the operation of the Civic Center. These revenues have been very conservatively estimated, assuming only two-thirds of the city's estimate of the anticipated attendance, at $500,000 in 1978 and increasing to $1.6 million by 1985.

Fourth. Revenues, which would otherwise be deposited in the D.C. general fund, amounting to $3 per delegate at the Center per convention-day. It is estimated that the average delegate to a convention stays for at least 4 days and spends at least $50 per day during his stay. The revenues referred to represent a portion of the sales tax yield which will accrue from these expenditures. It is estimated that the income to the support fund from this source will amount to some $800,000 in 1978 and will rise to $3.4 million in 1985.

The bill further provides that whenever the amount in the sinking fund equals the cost of the debt service on the bonds for an entire year, any surplus existing in the support fund will then go into the D.C. general fund—rather than into the bond sinking fund.

The annual debt service for these Civic Center bonds is to be included within the ceiling imposed in the Home Rule Act, which provides that debt service payments may not exceed 14 percent of the city's total revenues in any fiscal year.

It is further provided that the U.S. Comptroller General shall make an annual audit of both of these funds, and report his findings to the Congress, the President, and the D.C. Commissioner and the D.C. Council.

The provisions of this proposed legislation will become effective on the date of enactment into law, or the date when final approval of the Civic Center is obtained, whichever occurs later.

I wish to commend my colleague, Congressman REES, for his diligent work in developing this excellent piece of legislation. This concept of the two special trust funds, financed entirely by the users of the Civic Center, the real estate owners in the area whose property will be enhanced in value by the Center, the commercial interests in the city which will benefit particularly from its operation, and the Federal Government to the extent authorized by the Congress in the act of 1972, will afford a financial stability to this great enterprise and an assurance that neither the Federal Government nor the District taxpayers in general will be subjected to any financial burden in connection with the Eisenhower Civic Center under even the most adverse circumstances. And I am particularly pleased that the two "special" taxes involved, the added sales tax on hotel room rentals and the added real estate tax on commercial properties, will be imposed only during those periods when they may be needed.

I cannot express too strongly my conviction that the construction of this proposed Civic Center is vitally important to the District of Columbia. The site chosen for the Center is ideal from every standpoint, and this facility in that location will spark the revitalization of that section of downtown Washington, which has been deteriorating rapidly in recent years. The Center will create new jobs and bring additional revenues to the District of Columbia government, and thus will be a boon to the economic well-being of the entire city.

In my opinion, it is a disgrace that our Nation's Capital is the only major city in the United States which does not have adequate facilities to accommodate the larger national and international conventions, nor a civic center for those activities which are essential for the enrichment of urban living. The proposed Eisenhower Memorial Bicentennial Civic Center will fill both of these needs, and will also be an active and fitting memorial to the late President Eisenhower, who took such a strong interest in the welfare of this Capital City.

Enthusiastic support for this project has been expressed by the Commissioner of the District of Columbia and a majority of the members of the District of Columbia Council, the District of Columbia Redevelopment Land Agency, the District of Columbia Board of Trade, and by bankers, hotel owners, and other leaders in the business community.

I commend this excellent bill to my colleagues for favorable action at this time.

Mr. NELSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. GUDE).

Mr. GUDE. Mr. Chairman, I rise in very strong support of this legislation. I think this whole question of the Eisenhower Civic Center has been very thoroughly discussed. We owe a great debt of gratitude to the gentleman from California (Mr. REES), who has developed this plan. I believe if anyone remains who questions the financing will take the time to look into it, he will see that we do, indeed, have a sound financial plan here, and one which, above all, will not be a burden upon District residents. Through the establishment of these special support and sinking funds, we are providing a means of financing which essentially places the financial responsibility upon the shoulders of those who will gain most from the Center.

I hope the House will give this legislation its very strong support. It is very important to the revitalization of our downtown area, and it is going to mean a great deal to the city of Washington.

Mr. DIGGS. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. MYERS).

Mr. MYERS. Mr. Chairman, I applaud the gentleman from California for his efforts to devise a program that would take off of the hook the American taxpoyer. I am not at all sure it is going to accomplish this, but I rise now with some question and reservation about the plan as has been presented here this afternoon.

First, in the bond sinking fund, the gentleman provides for a hotel tax, adding 1 percent to the existing 6 percent hotel tax. Who is going to pay this additional 1 percent? Is it only the people who will be visiting the Convention Center in Washington, D.C.? No, not at all. It is going to be the Members' constituents who come to visit them or who come to visit their Nation's Capital, most of whom could care less about the Convention Center and probably will never know it even exists. So it is going to be the Nation's taxpayers paying an additional fund into this hotel sinking fund.

Second, it provides for a Civic Center benefit area assessment. This means that they are going to either specially assess real estate property owners or provide a special rate—and it says in the bill commercial properties—in that par-

ticular area. I understand that is what this map over here means. But I have some questions about this.

Back during the supplemental hearings when the District was before our subcommittee, Mr. Coppie answered my question—and this has to do with a court decision by the Supreme Court most recently affecting real estate property taxation in the District of Columbia, where the District was found to have a variable assessment rate in different sections of the city. My question was:

Mr. MYERS. Did the court say the valuations had to be set at 55 percent for both residential and commercial properties, or all should be equal?

Mr. COPPIE. . . . it was the mandate of the court that the residential and the commercial be at the same assessment rate.

Then Mayor Washington added:

One they mandated 55; two, they said there should be an equitable rate, which meant a uniform rate.

Later I reiterated the same question. My question was:

They (residential and commercial property rates) are at the same level fixed by the court?

Then Mr. Robbins, who is counsel handling this appeal in the courts presently said:

No; the Court said we would have to do it by rule-making proceeding.

We held a meeting, and our office was asked for a legal opinion, and we told them that under the law that all real property in the District had to be assessed at the same rate.

Mayor Washington:

The real problem that flowed from the setting of 55 by the Court was then to fix in law that 55 percent of assessed value, which meant we had to deal also with the supplement court action which said you have a uniform rate.

Mr. MYER. Then it is the judgment of the District of Columbia that all real property must be assessed and rated the same, whether it be commercial or multiunit residential.

Mr. WASHINGTON. That is the equalization principle the Supreme Court laid down.

So I do not know how we can have a different rate when the courts just in the last year have held in the District of Columbia that is illegal.

Then I have a last question.

Mr. REES. Mr. Chairman, will the gentleman yield on that point?

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

Mr. REES. Mr. Chairman, I am very familiar with the property tax situation in the District of Columbia and I am currently working on legislation which would rewrite the tax law.

What the Court decision said was that on a general tax rate all property had to be assessed at the same rate. It did not say that a city could not put together a special assessment district.

In California, for example, we financed much of our growth through special assessment districts, so on my tax bill in Los Angeles I find I am paying taxes to four or five different special assessment districts, that were created for special situations, for example, the metropolitan water district, the mosquito abatement district, and so on.

This is an established principle of law that one can have a special assessment district.

The original district in the tax base has to be treated equally, yes, but we can create a special assessment district for a special purpose, and this is a special assessment district for a special purpose.

So the gentleman's observation I do not think is anywhere on point in terms of the Court decision in the District of Columbia in regard to the variable assessment between residential and commercial.

Mr. MYERS. I will respond. It is not my judgment on this situation. It was an answer in response to my question made by both the Mayor, and Mr. Coppie, as well as his counsel, Mr. Robbins. All three answered the question that they had to have the same rate in all areas of the District of Columbia.

Mr. REES. They were not talking about special assessment districts. I must say after dealing with the special assessment districts in the legislature and the Congress for nearly 20 years, I think they were talking about the tax base in general and not special assessment districts.

Mr. MYERS. I think that remains to be seen.

Section 9 of the bill provides that in the support fund there shall be credited from the general fund of the District of Columbia to the support fund, and that is to be figured semiannually, as I understand it, about the number of delegates who have attended that Center in the previous 6 months. I do not know what calculations have been made, but in the present taxation of the sales tax, an individual attending a convention would have to eat $50 worth of food and $25 of drinks and would have to buy $15 worth of clothing each day to pay this sufficient tax, of $3 per day. I do not think most conventioners spend that much.

Mr. REES. Mr. Chairman, if the gentleman will yield further, the gentleman is talking about a delegate spending probably $100 to $150 a day, and that would generate at least $3 a day in tax revenue. All we have to do is spend $50 and we have reached 6 percent. I suspect they will be spending three times that. As I say, all the figures were cut down from the estimates made for other cities.

Mr. MYERS. I do not know. I have never spent $50 a day for food and I could not drink $25 of drinks and they would have to spend an additional $15 in clothing or something else to generate $3 of taxation.

Mr. REES. The gentleman is putting all his eggs in one basket. We are talking about at least $50 here.

Mr. MYERS. We have already tapped the hotel room cost once for an additional percentage.

Mr. REES. I know, but there is another 6 percent in there that they already pay. What this 1 percent is, is the additional 1 percent to the existing 6 percent tax they are paying.

Mr. MYERS. This allows nothing for the additional services that the District of Columbia will have to provide out of the authorization funds.

Mr. REES. Oh, it certainly does, this project only takes 25 percent of that and the balance goes for the general services.

Mr. VANIK. Mr. Chairman, I am opposed to this legislation to provide for the financing of the Bicentennial Civic Center.

Washington is already a mecca for tourists. It is one of the most beautiful and exciting cities in America—and it has been made beautiful by the tax dollars of the rest of the Nation. Washington does not need any more visit inducements. It does not need to become a convention center. It should not be promoted as a convention center. The city has already been provided—at the expense of all the Nation's taxpayers—with a cultural center with three enormous theaters. The stadium will become substantially the obligation of the Nation's taxpayers. The D.C. Armory—used largely as a convention center—was supported by the Nation's taxpayers.

All of our Nation's major cities could be more pleasant to live in, with beautiful buildings, parks, and plazas, if they had received even a small fraction of the assistance the city of Washington has received in the downtown Federal area.

We are building a marble Rome along the banks of the Potomac, based on tax dollars which must be drawn from the other cities of America. It is time that some of those tax dollars and those urban improvement programs were provided to other major cities.

Washington has quite a lot going for it—it simply does not have to be "everything U.S.A."

Mr. MAZZOLI. Mr. Chairman, I support H.R. 12473, as amended, which seeks to provide the voters of the District of Columbia an opportunity to approve or disapprove the construction of the Eisenhower Civic Center proposal.

I was an opponent of the original legislation, passed in the last Congress, which authorized this project. Frankly, Mr. Chairman, I still have strong reservations about the ultimate wisdom of this venture.

However, the legislation before the House today goes a long way toward improving the terms under which this project will be carried forward.

This bill would exact a financial commitment from those sectors of the business community which stand to profit most from development of the center.

Had this degree of commitment been shown by the business community of Washington from the outset, the Eisenhower Center would have had much smoother sailing, and would in all probability be under construction by now, rather than hanging fire.

If the wisdom of the House is to add a referendum provision to H.R. 12473—whereby taxpayers whose funds provide the ultimate backing for the convention center bonds are to be given the right to vote the proposal up or down—the bill will be better yet.

A referendum is just, and I, for one, am certain that the citizens of the District will listen to the arguments put forward by the center's proponents and evaluate it properly.

The tax features in this bill provide a vital element of insurance to protect the taxpayers from absorbing the full

cost of the bond payments in the event that the center fails to generate the anticipated reviews.

Beginning in fiscal year 1976, an additional 1 percent tax on hotel and motel room rentals would be put into effect, with these revenues reserved for meeting the debt service on the center.

Additionally, provision is made for the creation of a special assessment district, comprised of the downtown business area, which would automatically come into existence if convention attendance and spinoff revenues fail to match predictions.

Mr. Chairman, if the District is to have a new convention center of this magnitude, I believe that the safeguards provided by H.R. 12473 are nothing less than imperative.

Mr. DIGGS. Mr. Chairman, I reserve the balance of my time.

Mr. NELSEN. Mr. Chairman, I think my time has expired; I have no more requests.

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

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Eisenhower Center Bond Sinking Fund Act".

STATEMENT OF PURPOSES

The purpose of this Act is to establish a sinking fund for meeting the interest and principal payments of bonds issued pursuant to section 18 of the Public Building Act of 1959 (40 U.S.C. 601 et seq.) to provide for the construction of a civic center in the District of Columbia, and for other purposes.

DEFINITIONS

For the purposes of this Act—

The term "District" means the District of Columbia.

The term "Commissioner" means the Commissioner of the District of Columbia established under Reorganization Plan Numbered 3 of 1967.

The term "Center" means the Dwight D. Eisenhower Memorial Bicentennial Civic Center authorized by section 18 of the Public Building Act of 1969.

The terms "convention" means any organized gathering of persons who contract to use the meeting or exhibit facilities of the Center for a period of more than one day.

The term "delegate" means any person who duly registers his attendance at a convention held in the Center in which the major participating organization or organizations have a membership at least half of which do not reside in the District of Columbia.

The term "convention day" means any day in which at least two hours of formal activities of a convention are scheduled.

The term "delegate day" means attendance by one delegate for one convention day.

The term "hotel" means any hotel or motel licensed or required to be licensed under the Housing Regulations of the District of Columbia.

BOND SINKING FUND CREATED

There is established on the books of the Treasury of the United States to the credit of the District a bond sinking fund to be known as the Dwight D. Eisenhower Memorial Bicentennial Civic Center Bond Sinking Fund (hereinafter referred to as the "bond sinking fund"). The bond sinking fund shall be available without fiscal year limitation and shall consist of such amounts as may be, from time to time, deposited on it. Amounts in the bond sinking fund shall be appropriated as hereinafter provided, and in the same manner as general fund appropriations of the government of the District of Columbia, and shall be available solely for the purposes of paying the principal and interest on the general obligation bonds (or rent constituting payment of such bonds) issued to finance the Center.

SALES TAX ON HOTEL ACCOMMODATIONS

Commencing July 1, 1974, there is hereby levied each year a 1 per centum gross receipts tax, which shall be in addition to any other amount of such tax upon the gross receipts from sales or other charges for any room, lodgings, or accommodations, furnished to transients by any hotel, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished to transients. The tax shall continue until modified or repealed according to the provisions of section 9, and all revenues derived from this tax shall be deposited in the bond sinking fund.

SALES TAX ON RESTAURANT MEALS AND LIQUOR BY THE DRINK

Commencing July 1, 1974, there is hereby levied each year a 1 per centum gross receipts tax, which shall be in addition to any other amount of such tax, upon the gross receipts from the sales of (A) spiritous or malt liquors, beer, and wines by the drink for consumption other than off the premises where such drink is sold, and (B) food for human consumption other than off the premises where such food is sold. The tax shall continue modified or repealed according to the provisions of section 9, and all revenues derived from this tax shall be deposited in the bond sinking fund.

APPROPRIATION REQUEST FOR THE BOND SINKING FUND

SEC. 7. (a) In preparing the annual budget for the forthcoming fiscal year the Commissioner shall calculate and clearly identify the general fund revenues which are estimated to result from the convention activities of the Center. In making such calculations the Commission shall multiply each delegate day by the amount of $4. The amount, which represents the sales, property, and income tax revenues generated by the average daily spending of delegates attending a convention in the Center shall be identified as the indirect revenue.

(b) The Commissioner shall next estimate the net operating deficit for the Center for the fiscal year which shall not be met from the special Federal payment authorized by section 4(a) of the Dwight D. Eisenhower Memorial Bicentennial Civic Center Act, together with any other costs to the District of Columbia which are directly attributable to the Center. These amounts shall be subtracted from the indirect revenue calculated according to subsection (a). The result shall be known as the net indirect revenue.

(c) From the total annual debt service payment of interest and principal (or the payment of rent constituting such payment) the Commissioner shall subtract the net indirect revenue calculated according to subsection (b). This resulting amount shall be requested in the annual or supplemental budget as the appropriation from the bond sinking fund.

(d) At the end of each fiscal year the Commissioner shall adjust the amounts referred to in subsection (a), (b), and (c) which are the basis of the appropriation for that fiscal year to actual circumstances and shall include in the next year's budget request the appropriate net reimbursement amounts for the bond sinking fund and the general fund, if any.

(e) Commencing July 1, 1977, the amount of $4 per delegate day utilized in the calculation of subsection (a) shall be changed by the same percentage as the percentage change in the base upon which the gross receipts tax upon the sales or hotels, restaurant meals, liquor by the drink, and similar activities in the same classification is levied.

ADJUSTMENT OF TAXES AND FUND BALANCE

SEC. 8. If the amount in the bond sinking fund is twice the annual debt service, and if the total expenditure from the bond sinking fund the previous year was less than the receipts paid into the fund during the same fiscal year, the amount of some or all of the taxes levied in sections 5, 6, and 7 of this Act shall be decreased or eliminated by the District of Columbia Council in such amount so that new revenues will balance the amount appropriated from the bond sinking fund for the current fiscal year: *Provided*, That should the amount in the bond sinking fund at the close of any fiscal year subsequently drop below the amount of twice the annual debt service, the Council shall impose taxes sufficient to bring the balance of the fund to twice the annual debt payment within two fiscal years.

INVESTMENT OF FUNDS

SEC. 9. All funds deposited in the bond sinking fund may be invested by the Commissioner in interest-bearing securities in the same manner as general revenues or construction loan balances available to the District of Columbia. The amount of interest earned shall be deposited to the credit of the bond sinking fund.

DISPOSITION OF EXCESS FUNDS

SEC. 10. At such time as the Comptroller General of the United States determines that any balance in the bond sinking fund is no longer needed for the purposes for which it was set aside the Commissioner may request appropriation of such amounts from the bond sinking fund to the credit of the general fund of the District of Columbia.

CENTER BONDS INCLUDED IN DEBT LIMITATIONS

SEC. 11. Annual debt service payments for interest and principal on Center bonds (or rent constituting payment of such bonds) shall be included within the 44 per centum general obligation debt ceiling of section 603(b) of the District of Columbia Self-Government and Governmental Reorganization Act.

RULES AND REGULATIONS

SEC. 12. The Commissioner shall prescribe such rules and regulations as may be necessary to carry out the purposes of this Act.

ANNUAL AUDIT

SEC. 13. The Comptroller General of the United States shall make an annual audit of the bond sinking fund and report his findings to the Congress, the President, and the Commissioner and Council of the District of Columbia.

FULL FAITH AND CREDIT

SEC. 14. Nothing in this Act shall be construed as impairing the full faith and credit of the District of Columbia to repay their general obligation bonds.

AUTHORIZATION OF APPROPRIATIONS

SEC. 15. There are authorized to be appropriated from the bond sinking fund an annual amount for the purpose of retiring bonds (or rent constituting payment of such bonds) in such amounts as when added to other revenues of the District of Columbia available for this purpose shall be sufficient to pay the annual debt service costs.

EFFECTIVE DATE

SEC. 16. The provisions of this Act shall take effect immediately upon the date of

enactment if construction of the Center proceeds under the provisions of section 18 of the Public Buildings Act of 1959.

The CHAIRMAN. The Clerk will read the committee amendment.

The Clerk read as follows:

Committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: That this Act may be cited as the "Eisenhower Memorial Civic Center Sinking and Support Funds Act of 1974".

STATEMENT OF PURPOSES

SEC. 2. The purpose of this Act is to establish a sinking fund for meeting the interest and principal payments of bonds issued pursuant to section 18 of the Public Buildings Act of 1959 (40 U.S.C. 601 et seq.) to provide for the construction of a civic center in the District of Columbia, and to establish a support fund for such civic center in order to assure a financially sound project.

DEFINITIONS

SEC. 3. For the purposes of this Act—

(a) The term "District" means the District of Columbia.

(b) The term "Commissioner" means the Commissioner of the District of Columbia established under Reorganization Plan Numbered 3 of 1967.

(c) The term "Civic Center" means the Dwight D. Eisenhower Memorial Bicentennial Civic Center authorized by section 18 of the Public Building Act of 1959.

(d) The term "convention" means any organized gathering of persons who contract to use the meeting or exhibit facilities of the Civic Center for a period of more than one day.

(e) The term "delegate" means any individual who attends a convention held in the Civic Center in which a majority of those attending do not reside in the District as determined by the Commissioner.

(f) The term "convention day" means any day in which at least two hours of activities of a convention are scheduled.

(g) The term "principal and interest payments" shall include payment of rent constituting principal and interest payments on bonds issued for the construction of the Civic Center.

SEC. 4. (a) There is established to the credit of the District of Columbia on the books of the Treasury of the United States, to be administered by the Commissioner, a trust fund to be known as the Eisenhower Memorial Bicentennial Civic Center Bond Sinking Fund (hereafter in this Act referred to as the "bond sinking fund"). Amounts in the bond sinking fund shall be available, as provided by appropriation Acts, for making expenditures to pay the principal and interest on outstanding bonds issued under section 18 of the Public Buildings Act of 1959 in those years when amounts available in the Eisenhower Memorial Bicentennial Civic Center Support Fund are insufficient to make such principal and interest payments.

(b) The bond sinking fund shall consist of amounts deposited in such bond sinking fund, from time to time, as follows:

(1) An amount derived from the tax levied during bond sinking periods under sections 125(b) of the District of Columbia Sales Tax Act equal to an amount derived from such tax devied at a rate of 1 per centum.

(2) The amount derived from the tax levied under section 7 of this Act.

(3) The amount of the surplus appropriated from the Eisenhower Memorial Bicentennial Civic Center Support Fund, established under section 5 of this Act.

(4) Interest realized from any investment of the money in the bond sinking fund.

SEC. 5. (a) There is established to the credit of the District of Columbia on the books of the Treasury of the United States, to be administered by the Commissioner, a trust fund to be known as the Eisenhower Memorial Bicenteninal Civic Center Support Fund (hereafter in this Act referred to as the "support fund"). The support fund shall be available, as provided by appropriation Acts, for making payments for operating expenses of the Civic Center together with any other expenses incurred by the District government directly attributable to the construction or operation of Civic Center, and for payments of the principal and interest on the outstanding bonds issued under section 18 of the Public Buildings Act of 1959. When amounts in the support fund are sufficient to maintain such fund, a reasonable amount of the surplus in such support fund may be appropriated to the bond sinking fund, except as provided in section 11(b).

(b) The support fund shall consist of amounts deposited in such support fund as follows:

(1) Amounts appropriated as authorized in section 4(b) of the Public Buildings Act of 1959.

(2) 25 per centum of the amount of the increase in the amount derived during each fiscal year from the tax levied on real property located in the Civic Center Development Impact Area after the fiscal year ending June 30, 1974, as determined by the Commissioner under section 8 of this Act.

(3) Gross revenues derived from the operation of the Civic Center.

(4) An amount equal to $3 per delegate per convention day, as determined under section 9 of this Act.

SEC. 6. (a) Section 125 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2602) is amended as follows:

(1) The existing material in such section is designated as subsection (a).

(2) Subsection (a)(2) of such section, as designated by paragraph (1) of this section, is amended by inserting "except as provided in subsection (b)," immediately before "the rate".

(3) Such section is amended by adding at the end thereof the following:

"(b) The rate of tax imposed under subsection (a)(2) shall be, during a bond-sinking period, 7 per centum, with one-seventh of the amount derived from such tax during such period being paid into the Eisenhower Memorial Bicentennial Civic Center Bond Sinking Fund (hereafter referred to as the 'bond sinking fund'). The initial bond-sinking period shall begin on July 1, 1975, or on the first day of the first complete month beginning after the effective date of the Eisenhower Memorial Civic Center Sinking and Support Funds Act of 1974, whichever last occurs, and end on the first day of the first complete month beginning after the date on which the Commissioner of the District of Columbia certifies to the District of Columbia Council that the tax levied on real property under section 7 of the Eisenhower Memorial Civic Center Sinking and Support Funds Act of 1974 is not in effect, and the amount in the bond sinking fund, at the close of the fiscal year after all principal and interest payments for that fiscal year have been made, is or will be equal to the amount of the total principal and interest payments payable in any year on the outstanding bonds issued pursuant to section 18 of the Public Buildings Act of 1959. Subsequent bond-sinking periods shall begin on the first day of the first complete month beginning on the date on which the Commissioner of the District of Columbia certifies to the District of Columbia Council that the amount in the bond sinking fund is less than the amount of such total principal and interest payments and shall end on the first day of the first complete month beginning after the date on which the Commissioner of the District of Columbia certifies to the District of Columbia Council that the tax levied on real property under such section 7 is not in effect, and the amount in the bond sinking fund is equal to or greater than the amount of such total principal and interest payments."

SEC. 7. (a) There is hereby established a special assessment area (hereinafter referred to as the "Civic Center benefit area") which shall include all nonresidential real property including improvements thereon which is located within the central business district of the District, as defined by the United States Bureau of the Census in its last census of retail trade in the District of Columbia (United States Bureau of the Census, Census of Business, 1967, Retail Trade: Major Retail Centers, District of Columbia, B.C. 67–MRC–9), and nonresidential property outside the central business district which is zoned C–4 or C–3–b as of March 1, 1974.

(b) There is hereby levied for certain fiscal years, as designated according to the succeeding subsections of this section, a tax on the real property (including improvements thereon) within the Civic Center Benefit Area, at a rate set by the District of Columbia Council which would be sufficient to return an amount, which together with other revenues available to the bond sinking fund, at the close of the fiscal year following the fiscal year in which the tax is imposed, would be greater than $100,000 after all payments of annual principal and interest on bonds had been made for those fiscal years, and that by the close of three additional fiscal years, after all payments of principal and interest on bonds had been made in those years, would be at least equal to one year's annual principal and interest payment on such bonds. Such tax shall be payable and collected in the same manner as other taxes on real property in the District, and the amount derived from such tax shall be paid into the bond sinking fund and shall be in addition to any other tax levied on such real property (including improvements thereon) under any other law in effect in the District.

(c) In order to determine whether the tax levied under subsection (b) shall be applied, the Commissioner shall certify to the District of Columbia Council, before June 15 of each year, the amount in the bond sinking fund as of May 30 of that year and shall adjust such amount by deducting the amount of any principal and interest payments which are yet due and payable in such fiscal year and by adding the amount of any additional estimated revenues which will be credited during the remainder of the fiscal year to the bond sinking fund. If the adjusted amount in the bond sinking fund certified by the Commissioner as of May 30 is less than $100,000, and the tax levied under the amendment made by section 6 is in effect, such tax shall apply with respect to the next following fiscal year.

(d) In order to determine whether the tax applied under subsection (c) shall be terminated, the Commissioner shall certify to the District of Columbia Council before June 15 of each year the amount in the bond sinking fund as of May 30 of that year and shall adjust such amount by deducting the amount of any principal and interest payments which are yet due and payable in such fiscal year and by adding any additional estimated revenues which will be credited during the remainder of the fiscal year to the bond sinking fund. If the adjusted amount in the bond sinking fund certified by the Commissioner as of May 30 is at least as great as the total annual prin-

cipal and interest payment due on bonds, the tax applied under subsection (c) shall be terminated with respect to the next following fiscal year.

(e) In order to determine whether the tax terminated under subsection (d) shall be reinstituted, the procedures of subsection (c) used to determine initial application of the tax shall be followed, and the procedures of subsection (d) shall be followed with respect to terminating any reimposition of the tax.

SEC. 8. (a) The Commissioner shall determine the amount derived from the tax on real property located in the Civic Center Development Impact Area during the fiscal year ending June 30, 1974, which shall be known as the base year. For each fiscal year thereafter, the Commissioner shall compute the amount by which the revenue derived from such tax has increased, or would have increased, as a result of the rise in full market value of the real property subject to such tax, over the base year. By September 30 of each year, there shall be credited to the support fund 25 per centum of the amount of such increase.

(b) For the purposes of this section the Civic Center Development Impact Area shall be the downtown urban renewal area as defined in the comprehensive plan adopted by the National Capital Planning Commission pursuant to the District of Columbia Redevelopment Act (D.C. Code, sec. 5–701 et seq.).

(c) All computations and determinations made by the Commissioner under this section shall be, when made, certified to the Comptroller General of the United States.

SEC. 9. (a) Notwithstanding any other provision of law, for each fiscal year, there shall be credited to the support fund, out of revenues otherwise credited to the general fund of the District, an amount, determined by the Commissioner according to the provisions of this section, representing the increased revenues of the District as a result of the operation of the Civic Center. As soon as possible after June 30 and December 31 of each year, the Commissioner shall determine the number of delegates for each convention day occurring during the immediately preceding six months. There shall be credited to the support fund an amount equal to such total number of delegates computed for the immediately preceding six months multiplied by $3. The amount of the multiplier shall be increased or decreased, each time the computation under this section is affected, by the percentage change in the cost of living, as determined by the Secretary of Labor, using the fiscal year ending June 30, 1978, as the base year.

(b) All computations and determinations made by the Commissioner under this section shall be, when made, certified to the Comptroller General of the United States.

SEC. 10. (a) The Commissioner shall, in preparing the annual budget request for the District, estimate the amount which will be available during the fiscal year for which such request is being made in the support fund for paying the operating expenses of the Civic Center, other expenses of the District directly attributable to the operation or construction of the Civic Center, and for making the total principal and interest payment due on outstanding bonds issued for the construction of the Civic Center during that fiscal year. Whenever the Commissioner determines that there are insufficient amounts in the support fund to make such principal and interest payments he shall recommend, in such budget, that the required amount be appropriated from the bond sinking fund to make such payments.

(b) At the end of each fiscal year the Commissioner shall adjust the amounts estimated under subsection (a), which are the basis of the appropriation for that fiscal year, to actual circumstances and shall include in the next succeeding fiscal year's budget request the appropriate net reimbursement amounts for the bond sinking fund if any.

SEC. 11. (a) At such time as the Comptroller General of the United States determines that the amount in the bond sinking fund is sufficient to pay the total aggregate amount of principal and interest on all outstanding bonds issued for the construction of the Civic Center, the Commissioner shall request that the amount in the bond sinking fund be appropriated to pay such amount, and any remaining surplus be appropriated to the general fund of the District. On the effective date of such appropriation Act, the bond sinking fund shall terminate and the taxes levied under section 125(b) of the District of Columbia Sales Tax Act and under section 7 of this Act shall lapse.

(b) Whenever the amount in the bond sinking fund, at the close of the fiscal year after all principal and interest payments for that fiscal year have been made, is or will be equal to the amount of principal and interest payments due on outstanding bonds issued for the construction of the Civic Center in any year, or on and after the date upon which the Comptroller General makes his determination with respect to the amount in the bond sinking fund, as specified in subsection (a), the surplus in the support fund, otherwise payable into the bond sinking fund, may be appropriated into the general fund of the District.

SEC. 12. Annual debt service payments of interest and principal on bonds issued for the Civic Center under section 18 of the Public Buildings Act of 1959 shall be included within the 14 per centum general obligation debt ceiling of section 603(b) of the District of Columbia Self-Government and Governmental Reorganization Act and nothing in this Act may be construed as excluding such bonds from such ceiling.

SEC. 13. The Commissioner shall prescribe such rules and regulations as may be necessary to carry our the purposes of this Act.

SEC. 14. The Comptroller General of the United Stats shall make an annual audit of the bond sinking fund and the support fund and report his findings to the Congress, the President, the Commissioner, and the Council of the District of Columbia.

SEC. 15. Nothing in this Act shall be construed as impairing the full faith and credit of the District to repay its general obligation bonds.

SEC. 16. The provisions of this Act shall take effect on the date of enactment, or on the date construction of the Civic Center is approved as provided under the provisions of section 18 of the Public Buildings Act of 1959, whichever last occurs.

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

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

Mr. GROSS. Mr. Chairman, reserving the right to object, is that request for the entire committee amendment?

Mr. DIGGS. The committee amendment as a substitute.

Mr. GROSS. The committee amendment as a substitute?

Mr. DIGGS. Yes.

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

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

There was no objection.

AMENDMENT OFFERED BY MR. DIGGS TO THE COMMITTEE AMENDMENT

Mr. DIGGS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. DIGGS to the committee amendment: Page 21, after line 3, insert the following:

SEC. 16. (a) In order that the Committees of the House of Representatives and the Senate which are charged with the duty of approving the design and cost estimates of the Civic Center can better be informed as to whether the qualified registered electors in the District of Columbia approve of the Civic Center, the District of Columbia Board of Elections shall hold an advisory referendum on the question of the Civic Center, on the date fixed by the Board (under section 701 of the District of Columbia Self-Government and Governmental Reorganization Act) for the charter referendum.

(b) In addition to the other questions placed on it, the charter referendum ballot shall contain the following:

"In addition, the Dwight D. Eisenhower Memorial Bicentennial Civic Center Act requires that four committees of the Congress approve the design, plans, and specifications, including detailed cost estimates, of the civic center prior to its construction.

"In order to advise these committees as to whether a majority of the registered qualified voters of the District voting in this referendum on this issue would prefer that the civic center be built, indicate in one of the squares provided below whether you are for or against the construction of the Dwight D. Eisenhower Memorial Bicentennial Civic Center.

"☐ For the Eisenhower Memorial Civic Center.

"☐ Against the Eisenhower Memorial Civic Center.".

(c) Voting may be by paper ballot or by voting machine. The Board of Elections may make such changes in the paragraphs of the charter referendum ballot referring to the Civic Center as it determines to be necessary to permit the use of voting machines if such machines are used.

(d) The Board of Elections shall, within a reasonable time, but in no event more than thirty days after the date of the charter referendum, certify the results of the advisory referendum on the Civic Center to the Secretary of the Senate and the Clerk of the House of Representatives.

(Renumber the following section accordingly.)

Mr. BROYHILL of Virginia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan (Mr. DIGGS). I support this proposed referendum with a great deal of reluctance and a lot of misgivings. But, this is probably the only way we are going to get this Convention Center built under present circumstances.

Mr. Chairman, I am deeply disappointed that it is now deemed necessary to put this matter to a referendum in order to get it built. This is going to cause needless delay and is going to increase materially the cost of construction of this facility.

Mr. Chairman, let me say that I question the motives of some of the proponents or advocates of this referendum; mind you, I say "some" of the proponents. I suspect that they feel that it is a means of killing the proposed Civic and Convention Center, and some of them have been brazen enough to admit it. They claim that they feel a concern for the cost to the taxpayers of the District of Columbia. However, these people have never before expressed any concern for the taxpayers of the Nation's Capital.

This bill H.R. 12473 provides for guarantees for the cost of debt service and operation costs, and as always—and this will be no different from the home rule bill that was passed last year—the Federal Government has always, and always will have to, underwrite the budget of the District of Columbia. So, I do not really accept the motives of these so-called bleeding hearts who are talking about keeping the taxes down for the citizens of the District of Columbia.

Where were all these opponents of this center 2, 3, and 4 years ago, when many of us were working to obtain the approval of this project? We had the gentleman from Illinois (Mr. GRAY), the Mayor, the business and civic leaders of this city, and many of our colleagues here in the Congress, working hard to obtain approval of this proposal, but these proponents of a referendum did not seem to care then, and did not show up to testify pro or con on the Convention Center when the hearings on the subject were being held in the committee.

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

Mr. BROYHILL of Virginia. Mr. Chairman, I yield to the gentleman from Illinois.

Mr. GRAY. Mr. Chairman, I thank the gentleman for yielding to me. I think he has raised a very important point. In the Committee on Public Works—and the gentleman knows that he and I cosponsored that legislation—we worked 4 years getting this project authorized. We held five separate, distinct hearings and heard hundreds of witnesses. Not one single person in the District of Columbia asked that this matter be submitted to referendum over those 4 years.

Mr. BROYHILL of Virginia. Mr. Chairman, I thank the gentleman from Illinois for his comments.

Mr. Chairman, as I pointed out before, many of our colleagues, and a lot of people in the business community and citizens of the District of Columbia did work together to develop a formula for the construction of this Center. The need for the Center, I feel, has been proved, and the support from the responsible people in the Nation's Capital has been overwhelming. Now we have what I call the Johnny-come-latelies, who want this proposal put to a referendum, a proposal which will result in extra cost to everyone.

For the first time, these people have come forth expressing their concern for the welfare of the people of the District of Columbia.

Mr. Chairman, I feel that this proposal for the referendum is a prime example of the conflict betwen the Federal interests, the economic health of this Nation's Capital, and the interests of some of these self-proclaimed leaders here in the District of Columbia.

And I make a prediction here today that this conflict of interests, Federal and local, in this city is going to grow more acute as time passes.

However, I have no objection to the amendment, Mr. Chairman. I support the amendment, if it is essential for the approval of this center for which many of us have worked so hard for so many years. If it is now necessary to hold a referendum for this plan to be a reality, then so be it.

But if the project is defeated in referendum, Mr. Chairman, the responsibility for this tragic loss must be placed where it belongs, on the shortsighted obstructionists who have not been interested in working together for the betterment and economic soundness of this Nation's Capital, but who are now interested in the control of a little kingdom that they can play with and destroy if they so desire.

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

Mr. Chairman, if I viewed this amendment with the reluctance that the gentleman from Virginia (Mr. BROYHILL) views it, I would certainly be opposed to it. The gentleman says that only the short-sighted and the hypocrites are supporting this amendment, and yet he says he is going to vote for it.

Mr. BROYHILL of Virginia. Mr. Chairman, will the gentleman yield?

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

Mr. BROYHILL of Virginia. Mr. Chairman, the gentleman knows to whom I was referring.

Mr. GROSS. No, I do not.

Mr. BROYHILL of Virginia. Mr. Chairman, I made it clear that I was supporting this amendment most reluctantly, although I had a lot of misgivings, as the only possible way of obtaining approval for this facility. And I said that "some" of the people who brought pressure to bear so as to make this referendum necessary are hypocritical in their position on the matter. The gentleman knows what I am talking about.

Mr. GROSS. Mr. Chairman, I am not in the business of stultifying myself to that extent, but if I thought there were only hypocrites supporting this amendment, I would certainly vote against it and oppose it.

Mr. BROYHILL of Virginia. Mr. Chairman, the gentleman knows that hypocrites do not always lose.

Mr. GROSS. I do not know about that. The gentleman can speak for himself.

Mr. Chairman, the first question I would like to ask some member of the committee is this: What happens to the $14 million this bill would commit the Federal Government to put into this project if it fails?

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

Mr. GROSS. Yes, I yield to the gentleman from California.

Mr. REES. Mr. Chairman, under the original enabling legislation, four committees of Congress will have to approve the proposal——

Mr. GROSS. Mr. Chairman, I am not interested in that. I will ask the gentleman to not take my time on that. I wish the gentleman would just answer one question.

What happens to the $14 million if this business fails?

Mr. REES. The money will not be spent.

Mr. GROSS. Suppose we go ahead and put $14 million into this convention center—and, of course, that is the foot in the door—but we put in the $14 million that is being requested from good old "Uncle Sugar." What happens to the $14 million in Federal funds if that is expended and the city cannot or will not raise the rest of the money?

Mr. REES. If this bill that is before us is not passed, the $14 million will not be appropriated for the civic center.

Mr. GROSS. Mr. Chairman, that is not the question.

Mr. REES. If we put the $14 million in and the center is built, then the payment of bonds and interest will be guaranteed by that financing plan that is shown by that chart.

Mr. GROSS. And if the financing plan fails, what happens?

Mr. REES. That financing plan will not fail.

Mr. GROSS. That is what the gentleman says.

Mr. REES. It will not. It is a special assessment.

Mr. GROSS. Mr. Chairman, that is what the gentleman thinks.

I can remember back in the 1950's when the stadium was built and the gentleman from Arkansas, who has long since departed this body, stood on the floor of the House and said, over and over again, "It will never cost the Nation's taxpayers one thin dime."

Mr. REES. Mr. Chairman, I would suggest that the gentleman read this bill.

Mr. GROSS. Mr. Chairman, the gentleman knows who is going to retire the stadium bonds if they are ever paid. The gentleman knows that, does he not?

I will not be here, but I warn the gentleman and the other Members of the House that you are going to get the opportunity, probably about next year, to come up with $20 million to retire the stadium bonds which they promised us faithfully would never become an obligation of your taxpayers and mine.

Let me say to the gentleman from Virginia that if I had the confidence in and desire for this proposal that he has, I think I would advocate that the tourists who come to northern Virginia and use the hotels there pay a $3 tax whether they go to the convention center or not.

I think you and the gentleman from Maryland (Mr. GUDE) who has also spoken in behalf of this proposal, ought to support a provision in this bill which

would provide that those who come to northern Virginia and use the hotel facilities there should be socked $3 each for this convention center, whether they use it or not.

Mr. BROYHILL of Virginia. Will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. BROYHILL of Virginia. I would say that the people of the great State of Iowa have been the recipients of a lot of Federal handouts and subsidies over the past 3 years, and they have never turned back one single dollar of it.

Mr. GROSS. We cannot hold a candle to northern Virginia, I will say to the gentleman.

Mr. BROYHILL of Virginia. May I ask the gentleman a question? During the years of great service that the gentleman from Iowa has rendered to this great *Nation*——

Mr. GROSS. Just say it and get it over with.

Mr. BROYHILL of Virginia. Can the gentleman recall one occasion or instance when he has supported any project or facility for this Nation's capital?

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. GROSS was allowed to proceed for 5 additional minutes.)

Mr. GROSS. I do not have my voting record at hand.

Mr. BROYHILL of Virginia. The gentleman has opposed every such proposal.

Mr. GROSS. I can tell the gentleman of one I opposed that was never built, and that was the glorified fish pond down on the Potomac River.

I am only trying to save the taxpayers a little money. This is a soak-the-tourist bill. As the gentleman from Indiana (Mr. MYERS) so well pointed out a little while ago, it will make no difference whether our constituents come to Washington for a convention. They will get clobbered with a tax on their hotel bills and food to pay for a convention center. And the gentleman from Virginia (Mr. BROYHILL) also talked about parking.

There will be 89 parking spaces in connection with this convention hall. I do not know whether MPI or is it NPI—I am sure my friend from Virginia knows. What are those initials I ask my friend from Virginia?

Mr. BROYHILL of Virginia. I did not say anything about parking.

Mr. GROSS. The gentleman knows the name of the outfit that has a hammerlock on parking in the District.

Mr. BROYHILL of Virginia. Do not put words in my mouth.

Mr. GROSS. I suppose they will have a franchise on that, too, if this parking arrangement in connection with it is built.

Now let us look at the facts of life. The subcommittee of the Committee on Appropriations which deals with the District of Columbia, the Natcher subcommittee, has refused to approve any money for this project up to this point. And the members of that committee are not going to appropriate any of the Federal taxpayers' money for this proposition unless they are mandated to do so.

This entire proposal ought to be defeated.

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

Mr. Chairman, since this is such a very important matter, I ask unanimous consent that I may be permitted to proceed for an additional 3 minutes.

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

There was no objection.

The CHAIRMAN. The gentleman from Illinois is recognized for 8 minutes.

Mr. GRAY. Mr. Chairman, first let me say that I rise in support of the bill before us. I want to commend the distinguished Chairman, the gentleman from Michigan (Mr. DIGGS) and the distinguished gentleman from California (Mr. REES), and the distinguished gentleman from Minnesota (Mr. NELSEN) and the other members of the committee for trying to work out a very perplexing problem in the financing of the Eisenhower Civic Center, but I think we are missing the real picture here today, my friends. We are paying for the Eisenhower Civic Center every single year in the Federal payment to the city. The $5.5 million a year that would be required to pay the interest and principal on these bonds is infinitesimal compared to what we are pumping in from Illinois taxpayers, the taxpayers of Michigan, California, and other places.

When I came to the Congress the Federal payment to the District of Columbia—and I am talking about exclusive of public works, buildings and the Capitol Improvement programs, I am talking about a direct subsidy to the District of Columbia—was $20 million a year. And my dear friend—and he is my dear friend—the gentleman from Kentucky (Mr. NATCHER) when he took the chairmanship of the Subcommittee on Appropriations for the District of Columbia, it was $30 million a year. But because of the great exodus of people out of Washington, and 75,000 have left since I have been in the Congress, because of stores closing, and going to the suburbs—10 major grocery stores closed this year in the District of Columbia—that figure of a small $20 million to $30 million has now catapulted to $230 million requested for this year, and with the home rule bill passed in the next 4 years it will go up to $300 million.

I represent the fourth largest taxpaying State in the Nation, and I resent taking away money from needed programs from the coal mining areas and pumping it into the District of Columbia when this city could be self-sustaining with projects such as the Civic Center.

This project will bring in over $1 billion, and I repeat, $1 billion a year of additional revenue into the District of Columbia and suburbs.

How do I get that figure? Because that is what people coming to Washington today are spending in the Washington area.

Our study developed testimony that the average person coming to Washington planned to stay 7 days, and they are only staying 2 days. Why? Because there is no place to get information—and we will take care of that with the Visitors' Center. And because there is no place to park, and we are building a $23 million parking garage that is eight blocks from where this Center will be located, so that we are going to have ample parking spaces for this facility, with shuttle buses running back and forth. So if we do nothing but double their present 2-day stay to 4 days this will bring in an additional $1 billion a year in revenue, with a 5 percent sales tax alone that is $50 million, 10 times as much as it will cost to pay off the bonds. And we are arguing here as to whether or not we need this project, and whether it ought to go to a referendum. Let me tell the Members that just the increase in the Federal payment, not the total Federal payment, the increase of the past 3 years would pay for this project in cash. And under the home rule bill that we just passed, the increase in the Federal payment, the increase we are going to give out of mine and your taxpayers' pockets, will pay for those facilities. The increase is $70 million for the next 3 years.

We are here today quibbling, do we or do we not want it? We are paying for it now, only we are not getting it. I ask my colleagues to recognize that since I have been a Member of Congress, we have paid out over $1.5 billion of taxpayers' money to subsidize the District of Columbia. Do we or do we not want to build up the economic base? Do we or do we not want to provide a facility that will bring dollars into town and above all convenience.

The Members may say, How do we know this is going to pay off? Why is New Orleans spending $140 million for a second facility with a visitation of less than 1 million people, when we have already 25 million people coming into Washington? Why is New York going to build a third facility at $200 million? Why does Los Angeles have two—and Anaheim is a short 30 miles away with another facility? Why is Chicago, Dallas and every major city in this country building a convention center? To bring in additional dollars. More hotels, more housing, more growth.

I am going to put in the RECORD at a later date letters from hotel chains that have agreed to spend over $100 million of their own money if this facility is built. Please listen to this carefully. It is in writing.

Mr. GROSS, it is a definite commitment. It is not promise; it is a definite commitment to spend over $100 million. The real estate taxes and the sales taxes and the bed taxes from these two hotels alone will more than generate enough to pay off that $5½ million a year. Why are we worried?

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

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

Mr. GROSS. I thank the gentleman for yielding.

Are those the two sources that the report says are confidential?

Mr. GRAY. No, no. I have them right here. I shall be glad to show the gentleman from Iowa the letters and commitment. They are certainly not confidential. In fact, there was an editorial in the Star recently: "Big Hotels To Hinge on Center." It tells all of the principals involved. It tells that one facility will be larger than the Washington Hilton. It will cost over $50 million; it will have 1,200 rooms. The Washington Hilton has only 1,180 rooms. We have another consortium from Texas that has pledged to spend more than $50 million of their own money. As I said, the real estate taxes and the bed taxes alone will more than pay for this from these two facilities, if the city never takes a dime in at the front door.

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

Mr. GRAY. I yield to the gentleman from Maryland.

Mr. GUDE. I thank the gentleman for yielding.

I appreciate the gentleman's leadership in this regard, and I think he well pointed out what Congressman REES also pointed out, that, indeed, if this is a failure, it will not be the taxpayers' write-off; it will be the business community's. They put their name on the line on this and they are going to have to foot the bill if it does not work.

Mr. GRAY. I appreciate and agree with the gentleman's comments. He is always helpful.

There are many major reasons why we should vote down a referendum. One, we recently passed a bill saying we wanted full autonomy for the District of Columbia. This Congress by an overwhelming vote said, Let us let the Mayor and the City Council run the city of Washington. Let me tell the Members that the City Council recently voted twice against a referendum.

The Mayor is against a referendum. This very committee voted, not unanimously, but by a majority, against a referendum.

Now they are bringing out a bill to try to appease another committee of the House asking for a referendum. Every single day that we delay this project, Mr. Chairman, is costing money.

The General Services Administration says that the escalation in costs of public buildings is 1 percent per month. It is a $72 million project. That means every month that we delay it is costing $720,000. What else?

We have here, Mr. Chairman, a very, very dangerous precedent. This being the Nation's Capital, do we want to put ourselves on record as saying every time we build a street, a city jail, a school, or anything else that Congress is going to come up here and legislate for a referendum?

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. GRAY. This project, Mr. Chairman, now has 20 percent Federal contribution. There is no way the Members' constituents back home can vote on the 20 percent. So why should we allow a few people in the District of Columbia to tell our constituents how to spend their money.

Third, the last election held in the District of Columbia, I am sorry to say, had a turnout of 15 percent for a school board election. Do we want to give 15 percent of the people the right to tell 211 million Americans they cannot have a national center to hold the national nominating conventions? They cannot have a national center to hold our inaugural balls and other large gatherings such as conventions and spectator events?

They cannot have a national center to invite foreign people here who may want to come and tell us what they are doing in their respective countries.

Do we want 15 percent of the people voting in the District of Columbia telling us we cannot memorialize a World War II hero like we did John F. Kennedy with the Kennedy Center? That is what we are saying when we vote for the referendum amendments. We are saying to those people: Tell us in the Congress what you would like us to do. Are we not the elected representatives of the people?

You have a referendum only when there is a need for an increase in taxes. It is on record by the Mayor of this city that this project will not now or at any time in the future require the raising of taxes 1 cent in the District of Columbia. Some people are saying that there will be an increased tax. On this project they positively and absolutely will not.

Let me say to my friend, the gentleman from Iowa (Mr. GROSS), I agree with him on one point. The fall or passage of this bill is not going to change the Appropriations Committee one iota. We must be frank about it. The gentleman from Kentucky is a very astute Member of Congress. I have great respect for him, but the fact remains he has not agreed to approve the plans, specifications, and the cost estimates as required by law. If we pass this bill three times and if the referendum passes by a majority, so we are kidding.

So I would propose, and I do it very reluctantly, but after having agonized over this project for 4 years and having known the great benefits that are going to follow from it, I plan to offer an amendment to take out of this bill all of the $14 million contribution.

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

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

Mr. GRAY. Mr. Chairman, I plan to offer an amendment to take out of this bill all of the Federal contribution of $14 million, because as I said since the $14 million was put in we have hotels and other facilities that will generate 10 times more money than the Federal contribution, and in the same amendment we will relieve the oversight of the Appropriations Committee.

The Appropriations Committee has a responsibility both legally and morally to approve the plans and specifications of this project. They have not done so. So I say that if my constituents are not going to have the right to say anything about it by referendum similar to D.C. residents, let us take out the $14 million and eliminate the oversight of the Appropriations Committee and, summarizing, let us vote down the referendum, support the amendment I am going to offer, to take out the $14 million, and let us allow the District of Columbia Mayor and City Council have full autonomy and build the Center if they want it.

Mr. NELSEN. Mr. Chairman, I rise in support of the amendment and move to strike the last word.

Mr. Chairman, in the process of legislation no single committee should assume that it has all the answers, and I speak now for the District of Columbia Committee. Word reached us that there were those who would like to have a referendum to reflect the citizen views of whether or not the city supports this or whether it does not. So our committee, our good chairman, the gentleman from Michigan (Mr. DIGGS), and I and others decided OK, if that is what seems to be the wish of the members of the Appropriations Committee, we would go along with it. So we decided to offer the amendment today.

In my judgment the only way we will proceed with this is to accept this REES financing plan and include in it the referendum, and I believe we will have then accommodated quite a large number of the members of both committees that must give approval to this civic center project in the House.

I plead with the House after all the hard work that has been done and after the attempt to get some kind of semblance of an amortization plan, that we proceed with this bill and support the amendment offered by the gentleman from Michigan (Mr. DIGGS).

Mr. FAUNTROY. Mr. Chairman, I move to strike the last word and rise in support of the amendment.

Mr. Chairman, I am in support of H.R. 12473, the committee amendment calling for an advisory referendum by the voters of the District of Columbia on the Convention Center. I take this position for many reasons.

First, many substantial questions have been raised over the past months over the wisdom of the Convention Center proposed to the Congress. The quantity and quality of these questions are such that I believe that the Convention Center should go forward only after vigorous public debate and a vote by the people of the city.

More importantly, it would be utterly inconsistent with the principle of self-determination that this Congress has approved in the recently passed new Government and Self-determination Act for the District of Columbia to now say that the people of this community cannot

intelligently make a decision on whether they are willing to pay for this Convention Center.

A referendum is not a tactic to defeat the Center. I am prepared to urge you to vote for it, if the voters approve. We can have a referendum by May 7, which would not involve an unreasonable delay. There is adequate time for public discussion and voter education, if this committee and the Senate will act quickly to authorize the referendum.

A referendum is the method used in almost all of your communities to get approval of a project of this magnitude—$165 million. In many communities, even where there is no general referendum requirement, it is not unusual for the State legislature to call for a referendum on an especially large project. That is precisely what the committee amendment calls for.

It is true that the Self-Determination Act signed into law does not call for referenda on major Capital works projects. But, I would remind the committee that the bill written by and voted out by this committee, H.R. 9682, did call for a vote by the people on all bond issues. Almost all of us strongly supported that concept: it was abandoned only because the fiscal provisions of the bill were substantially overhauled after the bill got out of committee. The concept was sound last June, and it is sound now.

Some have argued that a referendum on the issue is inconsistent with self-determination because this project has been approved by local officials. I would simply point out to the committee that local officials are appointed and not responsible to the people of the city. We would have a very different case if locally elected officials approved the project. But, it is because we have no other mechanism now to judge local assent that we must relay on the referendum.

I, for one, am not convinced that such a project would fail at referendum. If the project is sound, and will not result in additional taxation to the people of the city, as the proponents argue, the case should be put to the people. I have a profound faith in their ability to sort through an issue like this, and to resolve it sensibly and fairly. If an adequate case cannot be made, the project will fail. If the case is a good one, it will pass.

Mr. Chairman, I rise also because it should be noted that time is of the essence. The referendum will be held on May 7. I would like to ask the distinguished chairman of our committee if he has been in contact with the chairman of the Senate District Committee on this matter to determine if he and his committee are prepared to move expeditiously on the referendum matter so that we may begin the task of getting the facts out to the people.

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

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

Mr. DIGGS. I have every reason to believe that the other body will act and act expeditiously on this matter this week.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. DIGGS) to the committee amendment.

The question was taken; and on a division (demanded by Mr. GRAY) there were—ayes 35, noes 39.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 276, noes 69, not voting 87, as follows:

[Roll No. 149]

AYES—276

Adams	Findley	Mayne
Addabbo	Fish	Mazzoli
Anderson, Ill.	Fisher	Meeds
Andrews, N. Dak.	Flood	Mezvinsky
Archer	Flynt	Michel
Arends	Foley	Miller
Ashbrook	Ford	Mills
Bafalis	Forsythe	Minish
Baker	Fountain	Mink
Barrett	Fraser	Minshall, Ohio
Bauman	Frenzel	Mitchell, Md.
Beard	Fulton	Mitchell, N.Y.
Bennett	Fuqua	Moakley
Bergland	Gaydos	Montgomery
Bevill	Gettys	Moorhead, Pa.
Biester	Gilman	Mosher
Bingham	Goldwater	Moss
Boland	Gonzalez	Murphy, N.Y.
Bolling	Grasso	Murtha
Bray	Green, Pa.	Myers
Breckinridge	Gross	Natcher
Brooks	Gude	Nedzi
Brotzman	Gunter	Nelsen
Brown, Mich.	Haley	Nichols
Brown, Ohio	Hamilton	Obey
Broyhill, N.C.	Hammer-schmidt	O'Brien
Broyhill, Va.	Hanley	O'Hara
Buchanan	Hansen, Idaho	Parris
Burgener	Hastings	Passman
Burleson, Tex.	Hays	Patten
Burton	Hébert	Perkins
Byron	Hechler, W. Va.	Pettis
Camp	Heckler, Mass.	Pike
Carney, Ohio	Helstoski	Poage
Carter	Henderson	Podell
Casey, Tex.	Hillis	Powell, Ohio
Chappell	Hogan	Preyer
Clancy	Holifield	Pritchard
Clark	Holt	Quie
Clausen, Don H.	Holtzman	Railsback
Cleveland	Horton	Randall
Cohen	Hosmer	Rangel
Collier	Hudnut	Rarick
Collins, Ill.	Hungate	Rees
Collins, Tex.	Hunt	Regula
Conable	Hutchinson	Reuss
Conte	Jarman	Riegle
Conyers	Johnson, Colo.	Rinaldo
Corman	Johnson, Pa.	Robison, N.Y.
Cotter	Jones, Okla.	Rodino
Coughlin	Jordan	Roe
Daniel, Dan	Kastenmeier	Rogers
Daniel, Robert W., Jr.	Kemp	Rooney, Pa.
Davis, Wis.	Ketchum	Rose
de la Garza	King	Rosenthal
Dellenback	Koch	Rostenkowski
Dennis	Kuykendall	Rousselot
Devine	Kyros	Roybal
Dickinson	Landrum	Runnels
Diggs	Latta	St Germain
Dingell	Lehman	Sarasin
Donohue	Lujan	Sarbanes
Downing	Luken	Satterfield
Drinan	McCormack	Schneebeli
Dulski	McDade	Schroeder
Duncan	McFall	Sebelius
du Pont	McKinney	Seiberling
Eckhardt	Macdonald	Shriver
Edwards, Ala.	Madden	Shuster
Edwards, Calif.	Madigan	Sikes
Eilberg	Mahon	Skubitz
Erlenborn	Mallary	Smith, Iowa
Esch	Mann	Snyder
Evins, Tenn.	Martin, Nebr.	Spence
Fascell	Mathias, Calif.	Staggers
Steed	Mathis, Ga.	Stanton, J. William
Steelman	Matsunaga	Stark
Steiger, Ariz.	Treen	Williams
Steiger, Wis.	Udall	Wilson, Charles H., Calif.
Stephens	Ullman	Winn
Stokes	Van Deerlin	Wolff
Stratton	Vander Jagt	Wylie
Stuckey	Vander Veen	Yates
Studds	Vanik	Yatron
Symington	Veysey	Young, Ill.
Symms	Waggonner	Young, S.C.
Taylor, Mo.	Waldie	Young, Tex.
Taylor, N.C.	Wampler	Zablocki
Thomson, Wis.	Ware	Zion
Thone	Whalen	Zwach
Tiernan	White	
Towell, Nev.	Whitehurst	
	Whitten	
	Widnall	

NOES—69

Abdnor	Ginn	Mollohan
Alexander	Goodling	Moorhead, Calif.
Annunzio	Gray	Price, Ill.
Ashley	Grover	Price, Tex.
Biaggi	Hanna	Roberts
Blackburn	Hanrahan	Robinson, Va.
Brademas	Hansen, Wash.	Roncalio, Wyo.
Broomfield	Harsha	Roush
Brown, Calif.	Hicks	Ruth
Burke, Fla.	Hinshaw	Ryan
Burke, Mass.	Howard	Sandman
Burlison, Mo.	Huber	Scherle
Butler	Johnson, Calif.	Sisk
Cederberg	Jones, Ala.	Stanton, James V.
Chamberlain	Jones, N.C.	Sullivan
Clawson, Del	Karth	Thornton
Conlan	Kluczynski	Vigorito
Davis, Ga.	Lagomarsino	Wiggins
Delaney	Landgrebe	Wright
Denholm	Lent	Wyatt
Dent	Long, Md.	Wydler
Evans, Colo.	McClory	Young, Alaska
Frey	McCollister	
Giaimo	Martin, N.C.	

NOT VOTING—87

Abzug	Flowers	O'Neill
Anderson, Calif.	Frelinghuysen	Owens
Andrews, N.C.	Froehlich	Patman
Armstrong	Gibbons	Pepper
Aspin	Green, Oreg.	Peyser
Badillo	Griffiths	Pickle
Bell	Gubser	Quillen
Blatnik	Guyer	Reid
Boggs	Harrington	Rhodes
Bowen	Hawkins	Roncallo, N.Y.
Brasco	Heinz	Rooney, N.Y.
Breaux	Ichord	Roy
Brinkley	Jones, Tenn.	Ruppe
Burke, Calif.	Kazen	Shipley
Carey, N.Y.	Leggett	Shoup
Chisholm	Litton	Slack
Clay	Long, La.	Smith, N.Y.
Cochran	Lott	Steele
Crane	McCloskey	Stubblefield
Cronin	McEwen	Talcott
Culver	McKay	Teague
Daniels, Dominick V.	McSpadden	Thompson, N.J.
Danielson	Maraziti	Walsh
Davis, S.C.	Melcher	Wiggins
Dellums	Metcalfe	Wilson, Bob
Derwinski	Milford	Wilson, Charles, Tex.
Dorn	Mizell	Wyman
Eshleman	Morgan	Young, Fla.
	Murphy, Ill.	Young, Ga.
	Nix	

So the amendment to the committee amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GRAY TO THE COMMITTEE AMENDMENT

Mr. GRAY. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. GRAY to the committee amendment: Page 21, strike out lines 4 through 8, inclusive, and insert in lieu thereof the following:

SEC. 16. (a) Subsection (b) of section 4 of the Dwight D. Eisenhower Memorial Bicentennial Civic Center Act (P.L. 92-520) is hereby repealed.

(b) Paragraph (4) of subsection (d) of section 18 of the Public Buildings Act of 1959 is amended by striking out the follow-

ing: ", and the Senate and House Committees on Appropriations,".

SEC. 17. This Act shall take effect on the date of its enactment.

Mr. REES. Mr. Chairman, I reserve a point of order on the amendment to the committee amendment.

The CHAIRMAN. The gentleman from California reserves a point of order on the amendment to the committee amendment.

Mr. SNYDER. Mr. Chairman, I too reserve a point of order on the amendment to the committee amendment.

The CHAIRMAN. The gentleman from Kentucky (Mr. SNYDER) reserves a point of order on the amendment to the committee amendment.

Mr. GRAY. Mr. Chairman, I offer this amendment very reluctantly, but as I said in the debate earlier, we have agonized over the Eisenhower Civic Center for some 4 years and, being the principal author, I have had my time preempted by it day after day, month after month, and year after year.

The main purpose of the Eisenhower Civic Center was to establish a national facility, a facility that would memorialize a decreased President, a two-term President, and a great war hero. Also, if the Members will notice by the title of the act, it says that we shall call this the "Dwight D. Eisenhower Memorial Bicentennial Civic Center Act." And when we authorized this in October 1972, we did so that all committees of the Congress would work with dispatch and so that this facility could have been completed by July of 1976, so our constituents could come here to enjoy the Bicentennial. But for some reason—and I have no idea why—the House Subcommittee on Appropriations for the District of Columbia has refused to allow the transfer of funds so that property could be acquired and land could be cleared, and has also refused to approve plans, cost estimates, and specifications.

That $14 million that the Members see on the board here is from my constituents, and from yours as a direct contribution recommended by the President of the United States in a letter to me dated in August of 1972, wherein President Nixon said that in order to have this facility ready for the Bicentennial, we feel that taxpayers' money should be cranked into the project for the use of the facility.

So the original enabling legislation called for a $14 million authorization. That money has never been appropriated. I say to my friend, in reply to the colloquy that was conducted with the gentleman from Iowa on the floor, that it never will be appropriated unless the House Subcommittee on Appropriations follows the law and acts.

My amendment is very simple. Let us have them pay for the project out of revenues generated from people using it. Why should my people in Illinois, and the constituents of the other Members contribute $14 million into this project if we are not going to have anything to say about it? It is just that simple.

So here is a chance to save $14 million. Here is a chance to eliminate the responsibility of the Committee on Appropriations. Since it is not going to allow money to be appropriated, there will be no need for oversight, so therefore the amendment simply deletes all the oversight, as it deletes the $14 million.

I cannot conceive of any Member voting against the amendment that voted for the referendum.

The first request was submitted to the Committee on Appropriations almost a year ago, and they have had hearing after hearing. They have heard from opponents and proponents, and as of 10 minutes ago the chairman of the subcommittee told me that he would not—and I repeat—he would not be guided by a referendum one way or another, so that the only thing we can do is to take out the Federal contribution, take out the $14 million, and allow the people of the District of Columbia to work their own will on this facility.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from California desire to be heard on the point of order?

Mr. REES. Yes, Mr. Chairman. The point of order is that the amendment offered by the gentleman from Illinois is not germane to the Eisenhower Memorial Civic Center Sinking and Support Funds Act of 1974, which is the bill now before us. What the gentleman's amendment does is amend the Public Buildings Act of 1959, as amended, to create the Eisenhower Civic Center. What his amendment would specifically do would be to delete two sections, one of them with the congressional approval, and the other, section 4(b), dealing with the authorization for $14 million.

It is my contention, Mr. Chairman, that his amendments would only be germane to specific legislation, which would be an amendment to the Public Buildings Act of 1959.

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

Mr. GRAY. Yes, Mr. Chairman, I desire to be heard.

Mr. Chairman, the parameters and the scope of my amendment concern financing only. It is true that the Public Buildings Amendments Act of 1959, as amended, was the authority for the establishment of the authorization for this center. My amendment only deals with the $14 million, which is part of the financing similar to the purposes of H.R. 12473, which is to establish and finance a sinking fund for the Dwight D. Eisenhower Memorial Bicentennial Civic Center. Very simply put in Illinois country language, one puts in; the other takes out. It is a very simple amendment.

The CHAIRMAN. Does the gentleman from Kentucky desire to be heard on the point of order?

Mr. SNYDER. Mr. Chairman, I do wish to be heard.

I support the points raised by the gentleman from California with regard to germaneness. I take issue with the gentleman from Illinois that all this amendment does is relate to financing. That is not accurate. This amendment also takes away an oversight of the District of Columbia and of both the House and the Senate. It attempts to amend the provisions of law of the Committee on Public Works, rather than the attempts of the District of Columbia relating to this legislation concerning financing.

The CHAIRMAN (Mr. PRICE of Illinois). The gentleman from California (Mr. REES) makes the point of order that the amendment offered by the gentleman from Illinois (Mr. GRAY) is not germane to the committee amendment in the nature of a substitute for the bill H.R. 12473. The gentleman from Kentucky (Mr. SNYDER) also supports the point of order. The Chair has listened to the arguments in support of and against the point of order.

The committee amendment establishes a support fund for the Civic Center, into which will be deposited funds from operating revenues, spinoff tax benefits, certain local income, real estate and sales taxes and funds appropriated pursuant to the authorization of $14 million contained in section 18 of the Public Buildings Act as the Federal share for the construction costs of the Eisenhower Civic Center.

The amendment of the gentleman from Illinois would repeal that portion of the Eisenhower Civic Center Act—section 18 of the Public Buildings Act which authorizes the $14 million share—and repeal that portion of the "approval" provision contained in section 18 which requires approval of the Senate and House Committees on Appropriation. The amendment has been drafted as a substitute for the language contained in section 16 of the committee amendment, which provides that the provisions of H.R. 12473 become effective either on date of enactment or upon approval by the House and Senate Committees on District of Columbia and Appropriations as provided in section 18 of the Public Buildings Act, whichever is later.

While under ordinary circumstances an amendment to a law reported from committee B is not germane to a bill reported by committee A, in this instance the Gray amendment would appear to be germane to section 16 of the committee amendment to H.R. 12473.

The Chair would cite two reasons for reaching this conclusion: First, since section 16 of the committee amendment makes the act contingent upon approval of construction plans as provided in section 18 of the Public Buildings Act, an amendment to alter the approval mechanism contained in that act is germane; and second, since H.R. 12473 would transfer funds appropriated as the Federal share into the support fund being established in the bill, the concept of the extent of Federal participation in the project has been injected into the committee amendment. Therefore an amendment to eliminate the Federal share, thereby making the project one which will be financed entirely by local revenues, in the opinion of the Chair is germane.

For these reasons the Chair holds that the amendment is germane and overrules the point of order.

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

Mr. Chairman, I have here in my hand the RECORD of October 3, 1972, wherein a vote for an oversight opportunity for the House, offered by Mr. SNYDER, carried by a vote of 250 to 137. I must say that my colleague, the gentleman from Illinois (Mr. GRAY) at that time voted with the "noes" on that particular issue. His position here is thus consistent with his earlier position.

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

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

Mr. GRAY. Is it not true though that at that time that we had a $14 million authorization in the bill and is it not a fact now there will be nothing to oversee if we take out the $14 million?

Mr. NELSEN. I have no desire to speak to that point at all. I only want to say in the home-rule legislation we provided in that legislation oversight by the Congress of the United States on budget and appropriation matters. Reference has been made to the fact that Appropriations Committee often consumes considerable time in its review. I want to say to the Appropriations Committee a little time taken in review of revenues spent here can only draw a compliment from me as far as that is concerned.

So I want to say I hope this amendment is defeated because I believe we now have a pretty good package the way the bill is drafted. The Rees financing plan plus a local referendum.

Mr. BROYHILL of Virginia. Mr. Chairman, I move to strike the last word and rise in support of the amendment.

Mr. Chairman, the amendment offered by the gentleman from Illinois (Mr. GRAY) is an attempt at a further compromise on this proposal. I feel that it is a terrific compromise.

The construction of this convention and civic center is vitally important to the Nation's Capital, and the people in the District who are going to pay the District's share of the costs are willing to underwrite the project and even to waive the $14 million Federal contribution. I think the Congress of the United States should go along with that.

If any group or any community who may be in a position to benefit from a Federal contribution is willing to have that authorization repealed, then we in the Congress should accept that position.

As I have said, there have been some recent roadblocks put forth to jeopardize the construction of this center. We have tried to meet all these objections, and have offered amendments so as to get approval from those who want to oppose the project. We have been years and years in working out plans for this center, and yet we do have a last-minute effort—and I am not referring to any of my colleagues on this floor—but there are some people in this city who are trying to kill this facility. They have not shown any interest in this project, nor in any other project offered in the past for the District of Columbia.

If it is necessary to waive the $14 million Federal contribution to make this project a reality, then we must agree to this action.

Washington, D.C., must have this project. The city's economy needs the jobs and the revenues that this facility will generate. It badly needs an economic shot in the arm. As I said before, the downtown area of this town is steadily deteriorating. We all want the Nation's Capital to grow and prosper, and not to deteriorate. In view of the warning that some Members of Congress have given that they will never go along with appropriating this $14 million, then I say let us repeal that authorization and let the people of the District of Columbia pay 100 percent of the cost themselves.

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

I rise in opposition to the pending amendment to strike the special $14 million Federal payment for this project. The original authorization of these funds, which passed this body by 210 to 169, recognized the special Federal, local partnership that has been integral to this project.

The $14 million Federal fund is integral to the sound financial condition of the Dwight D. Eisenhower Memorial Bicentennial Civic Center, named in honor of our late President. First, these funds are important in the initial startup years of the center, before its full attendance level is met. Once the center is in full operation as Mr. REES outlined, the center will generate sufficient moneys to meet its costs. But during this crucial transition period—which all business operations experience—a fund will be needed to meet initial costs. The $14 million Federal fund should be available for this purpose.

Second, the $14 million will be available as additional financial back-up to the taxes authorized in H.R. 12473. This will help assure that sufficient funds will be available to pay off the yearly bond payments without placing a financial burden on the local District of Columbia taxpayers or having to go back to the Federal Treasury for this project.

Third, I would stress that the congressional Appropriations Committees will have full responsibility for appropriating any moneys and only so much as may be necessary from this special authorization.

Finally, I would state that Mr. REE's well thought out financing plan to pay the costs of this center is not a substitute for any Federal funds. Rather it builds upon the original congressionally approved authorization of $14 million and guarantees that these moneys will be used to help build this local and national center as Congress intended; and will not be used for any other purpose.

Mr. Chairman, I yield back the balance of my time.

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

Mr. Chairman, I am in accord with those who are speaking in opposition to the amendment, not so much as to the $14 million authorization, but so far as it would repeal the oversight of the District of Columbia Committee and the Committee on Appropriations. When this matter was debated in 1972, I offered an amendment on the floor which was adopted, and to which the gentleman has been referring. At that time the estimated cost was $65.5 million. Now if it had not been for the oversight hearings that were held by the Appropriations Subcommittee for the District of Columbia, we would not know today the cost with the amortization of the bonds is $165 million, rather than $65.5 million. We would not know there are only 89 to 95 parking spaces and things of that nature.

I think we argued this in 1972. We voted it substantially. We should affirm our action taken then and defeat this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. GRAY) to the committee amendment.

The question was taken; and on a division (demanded by Mr. GRAY) there were—ayes 60, noes, 39.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 142, noes 205, not voting 85, as follows:

[Roll No. 150]

AYES—142

Alexander	Gray	Obey
Annunzio	Green, Pa.	O'Hara
Archer	Grover	Parris
Arends	Gubser	Pike
Ashley	Gude	Poage
Baker	Hammer-schmidt	Pritchard
Bennett	Hanley	Randall
Bevill	Hanna	Reuss
Biaggi	Hanrahan	Rinaldo
Biester	Hanrahan	Robinson, Va.
Broomfield	Hays	Roe
Brown, Calif.	Hébert	Roncalio, Wyo.
Broyhill, N.C.	Hechler, W. Va.	Rostenkowski
Broyhill, Va.	Heckler, Mass.	Ruth
Burke, Fla.	Hicks	Ryan
Burke, Mass.	Hinshaw	Sandman
Butler	Hogan	Sarasin
Byron	Holifield	Satterfield
Camp	Howard	Schroeder
Carney, Ohio	Hungate	Sebelius
Clancy	Jarman	Seiberling
Clawson, Del	Johnson, Calif.	Shuster
Cohen	Johnson, Pa.	Sisk
Collier	Jones, N.C.	Stanton, J. William
Cotter	Jordan	Stanton, James V.
Daniel, Dan	Karth	Steed
Daniel, Robert W., Jr.	Kluczynski	Steelman
Davis, Ga.	Kyros	Steiger, Wis.
Davis, Wis.	Lagomarsino	Stephens
Delaney	Lent	Studds
Dellenback	Long, Md.	Sullivan
Denholm	Luken	Thomson, Wis.
Duncan	McCormack	Thornton
Edwards, Ala.	Mann	Towell, Nev.
Eilberg	Martin, Nebr.	Treen
Evins, Tenn.	Martin, N.C.	Udall
Findley	Mathias, Calif.	Ullman
Fisher	Mathis, Ga.	Van Deerlin
Fuqua	Meeds	Vanik
Gaydos	Miller	Vigorito
Giaimo	Minshall, Ohio	Wampler
Ginn	Mollohan	Ware
Gonzalez	Moss	Whitehurst
Grasso	Murphy, N.Y.	Whitten
	Murtha	

Widnall Wolff Young, Alaska
Williams Wright Young, Ill.
Wilson, Wydler Young, Tex.
Charles, Tex. Yatron Zablocki

NOES—205

Abdnor Frenzel O'Neill
Adams Frey Passman
Addabbo Gettys Patten
Anderson, Ill. Gilman Pepper
Andrews, Goldwater Perkins
N. Dak. Goodling Pettis
Ashbrook Gross Podell
Bafalis Gunter Powell, Ohio
Barrett Haley Preyer
Bauman Hamilton Price, Ill.
Beard Hansen, Idaho Price, Tex.
Bergland Harsha Quie
Bingham Hastings Railsback
Blackburn Helstoski Rangel
Boland Henderson Rarick
Bolling Hillis Rees
Brademas Holt Regula
Bray Holtzman Riegle
Breckinridge Horton Roberts
Brooks Hosmer Robison, N.Y.
Brotzman Huber Rodino
Brown, Mich. Hudnut Rogers
Brown, Ohio Hunt Rooney, Pa.
Buchanan Hutchinson Rose
Burgener Ichord Rosenthal
Burleson, Tex. Johnson, Colo. Roush
Burlison, Mo. Jones, Ala. Rousselot
Burton Jones, Okla. Roybal
Carter Kastenmeier Runnels
Casey, Tex. Kemp St Germain
Cederberg Ketchum Sarbanes
Chamberlain King Scherle
Chappell Koch Schneebeli
Clark Kuykendall Shriver
Clausen, Landgrebe Sikes
Don H. Landrum Skubitz
Cleveland Latta Smith, Iowa
Collins, Ill. Lehman Snyder
Collins, Tex. Lujan Spence
Conable McClory Staggers
Conlan McCollister Stark
Conte McDade Steiger, Ariz.
Conyers McFall Stokes
Corman McKinney Stratton
Coughlin Macdonald Stuckey
de la Garza Madden Symington
Dennis Madigan Symms
Dent Mahon Taylor, Mo.
Devine Mallary Taylor, N.C.
Dickinson Matsunaga Teague
Diggs Mazzoli Thone
Donohue Mezvinsky Tiernan
Downing Michel Vander Jagt
Drinan Mills Vander Veen
Dulski Minish Veysey
du Pont Mink Waggonner
Eckhardt Mitchell, Md. Waldie
Edwards, Calif. Mitchell, N.Y. Whalen
Erlenborn Moakley White
Esch Montgomery Whitten
Evans, Colo. Moorhead, Wilson,
Fascell Calif. Charles H.,
Fish Moorhead, Pa. Calif.
Flood Mosher Winn
Flynt Myers Wyatt
Foley Natcher Wylie
Ford Nedzi Yates
Forsythe Nelsen Young, S.C.
Fountain Nichols Zion
Fraser O'Brien Zwach

NOT VOTING—85

Abzug Davis, S.C. McEwen
Anderson, Dellums McKay
Calif. Derwinski McSpadden
Andrews, N.C. Dingell Maraziti
Armstrong Dorn Mayne
Aspin Eshleman Melcher
Badillo Flowers Metcalfe
Bell Frelinghuysen Milford
Blatnik Froehlich Mizell
Boggs Fulton Morgan
Bowen Gibbons Murphy, Ill.
Brasco Green, Oreg. Nix
Breaux Griffiths Owens
Brinkley Guyer Patman
Burke, Calif. Hansen, Wash. Peyser
Carey, N.Y. Harrington Pickle
Chisholm Hawkins Quillen
Clay Heinz Reid
Cochran Jones, Tenn. Rhodes
Crane Kazen Roncallo, N.Y.
Cronin Leggett Rooney, N.Y.
Culver Litton Roy
Daniels, Long, La. Ruppe
Dominick V. Lott Shipley
Danielson McCloskey Shoup
Slack Talcott Wilson, Bob
Smith, N.Y. Thompson, N.J. Wyman
Steele Walsh Young, Fla.
Stubblefield Wiggins Young, Ga.

So the amendment to the committee amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. DIGGS. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, 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. 12473) to establish and finance a bond sinking fund for the Dwight D. Eisenhower Memorial Bicentennial Civic Center, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. DIGGS. Mr. Speaker, I move the previous question on the bill and the amendment thereto final passage.

The previous question was ordered.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

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

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

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

Mr. MYERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 138, nays 211, not voting 83, as follows:

[Roll No. 151]

YEAS—138

Adams Conyers Hays
Addabbo Corman Heckler, Mass.
Anderson, Ill. Dent Helstoski
Arends Diggs Hogan
Barrett Drinan Holifield
Bergland Dulski Holtzman
Biester du Pont Johnson, Calif.
Bingham Eckhardt Jordan
Boland Edwards, Calif. Karth
Bolling Fascell Kastenmeier
Brademas Flood Koch
Breckinridge Foley Kyros
Brown, Calif. Ford Lent
Brown, Mich. Fraser Luken
Broyhill, N.C. Fuqua McClory
Broyhill, Va. Giaimo McDade
Buchanan Ginn McFall
Burke, Fla. Gonzalez McKinney
Burke, Mass. Grasso Madden
Burton Grover Mann
Butler Gude Martin, N.C.
Carney, Ohio Hammer- Mathias, Calif.
Clausen, schmidt Matsunaga
Don H. Hanley Mazzoli
Cohen Hanna Meeds
Collins, Ill. Hanrahan Mezvinsky
Conte Harsha Miller
Mills Railsback Steelman
Mink Rangel Stephens
Minshall, Ohio Rees Stokes
Mitchell, Md. Reuss Stuckey
Moakley Riegle Studds
Moorhead, Pa. Robison, N.Y. Treen
Mosher Rodino Udall
Murphy, N.Y. Rogers Vander Jagt
Nedzi Rooney, Pa. Vander Veen
Nelsen Rose Waldie
O'Hara Rosenthal Ware
O'Neill Roybal Whalen
Farris Sandman Wilson,
Pepper Sarasin Charles, Tex.
Pike Sarbanes Wolff
Podell Schroeder Wright
Preyer Sisk Yates
Price, Ill. Staggers Zablocki
Price, Tex. Stanton, Zion
Pritchard James V.
Quie Stark

NAYS—211

Abdnor Gilman Poage
Alexander Goldwater Powell, Ohio
Andrews, Goodling Randall
N. Dak. Gray Rarick
Annunzio Green, Pa. Regula
Archer Gross Rinaldo
Ashbrook Gubser Roberts
Ashley Gunter Robinson, Va.
Bafalis Haley Roe
Baker Hamilton Roncalio, Wyo.
Bauman Hansen, Idaho Rostenkowski
Beard Hansen, Wash. Roush
Bennett Hastings Rousselot
Bevill Hébert Runnels
Biaggi Hechler, W. Va. Ruth
Blackburn Henderson Ryan
Bray Hicks St Germain
Brooks Hillis Satterfield
Broomfield Hinshaw Scherle
Brotzman Holt Schneebeli
Brown, Ohio Horton Sebelius
Burgener Hosmer Seiberling
Burleson, Tex. Howard Shriver
Burlison, Mo. Huber Shuster
Byron Hudnut Sikes
Camp Hungate Skubitz
Carter Hunt Smith, Iowa
Casey, Tex. Hutchinson Snyder
Cederberg Ichord Spence
Chamberlain Jarman Stanton,
Chappell Johnson, Colo. J. William
Clancy Johnson, Pa. Steed
Clark Jones, Ala. Steiger, Ariz.
Clawson, Del Jones, N.C. Steiger, Wis.
Cleveland Jones, Okla. Stratton
Collier Kemp Sullivan
Collins, Tex. Ketchum Symington
Conable King Symms
Conlan Kluczynski Taylor, Mo.
Cotter Kuykendall Taylor, N.C.
Coughlin Lagomarsino Teague
Daniel, Dan Landrum Thomson, Wis.
Daniel, Robert Latta Thone
W., Jr. Lehman Thornton
Davis, Ga. Long, Md. Tiernan
Davis, Wis. Lujan Towell, Nev.
de la Garza McCollister Ullman
Delaney McCormack Van Deerlin
Dellenback Macdonald Vanik
Denholm Madigan Veysey
Dennis Mahon Vigorito
Devine Mallary Waggonner
Dickinson Martin, Nebr. Wampler
Donohue Mathis, Ga. White
Downing Mayne Whitehurst
Duncan Michel Whitten
Edwards, Ala. Minish Widnall
Eilberg Mitchell, N.Y. Williams
Erlenborn Mollohan Wilson,
Esch Montgomery Charles H.,
Evans, Colo. Moorhead, Calif.
Evins, Tenn. Calif. Winn
Findley Moss Wyatt
Fish Murtha Wydler
Fisher Myers Wylie
Flynt Natcher Yatron
Forsythe Nichols Young, Alaska
Fountain Obey Young, Ill.
Frenzel O'Brien Young, S.C.
Frey Passman Young, Tex.
Fulton Patten Zwach
Gaydos Perkins
Gettys Pettis

NOT VOTING—83

Abzug Aspin Bowen
Anderson, Badillo Brasco
Calif. Bell Breaux
Andrews, N.C. Blatnik Brinkley
Armstrong Boggs Burke, Calif.

Carey, N.Y.	Hawkins	Pickle
Chisholm	Heinz	Quillen
Clay	Jones, Tenn.	Reid
Cochran	Kazen	Rhodes
Crane	Landgrebe	Roncallo, N.Y.
Cronin	Leggett	Rooney, N.Y.
Culver	Litton	Roy
Daniels, Dominick V.	Long, La.	Ruppe
	Lott	Shipley
Danielson	McCloskey	Shoup
Davis, S.C.	McEwen	Slack
Dellums	McKay	Smith, N.Y.
Derwinski	McSpadden	Steele
Dingell	Maraziti	Stubblefield
Dorn	Melcher	Talcott
Eshleman	Metcalfe	Thompson, N.J.
Flowers	Milford	Walsh
Frelinghuysen	Mizell	Wiggins
Froehlich	Morgan	Wilson, Bob
Gibbons	Murphy, Ill.	Wyman
Green, Oreg.	Nix	Young, Fla.
Griffiths	Owens	Young, Ga.
Guyer	Patman	
Harrington	Peyser	

So the bill was not passed.

The Clerk announced the following pairs:

On this vote:

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

Ms. Abzug for, with Mr. Andrews of North Carolina against.

Mr. Hawkins for, with Mr. Brinkley against.

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

Mr. Cronin for, with Mr. Froehlich against.

Mr. Harrington for, with Mr. Guyer against.

Mrs. Burke of California for, with Mr. Landgrebe against.

Mr. Leggett for, with Mr. Maraziti against.

Mr. Carey of New York for, with Mr. Quillen against.

Mr. Dingell for, with Mr. Young of Florida against.

Mr. Clay for, with Mr. Wyman against.

Mr. Reid for, with Mr. Talcott against.

Mr. Metcalfe for, with Mr. Shoup against.

Mr. Young of Georgia for, with Mr. Walsh against.

Mr. Badillo for, with Mr. Bob Wilson against.

Mr. Anderson of California for, with Mr. McEwen against.

Mr. Danielson for, with Mr. Eshleman against.

Mr. Patman for, with Mr. Crane against.

Mrs. Chisholm for, with Mr. Derwinski against.

Mr. Dellums for, with Mr. Dorn against.

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

Mrs. Griffiths for, with Mr. Murphy of Illinois against.

Mr. Rhodes for, with Mr. Davis of South Carolina against.

Until further notice:

Mr. Pickle with Mr. McKay.
Mr. Blatnik with Mr. Kazen.
Mr. Brasco with Mr. Slack.
Mr. Breaux with Mrs. Green of Oregon.
Mr. Milford with Mr. Bell.
Mr. Litton with Mr. Gibbons.
Mr. Long of Louisiana with Mr. Mizell.
Mr. Culver with Mr. Cochran.
Mr. Rooney of New York with Mr. Lott.
Mr. Roy with Mr. McCloskey.
Mr. Melcher with Mr. Morgan.
Mr. McSpadden with Mr. Peyser.
Mr. Aspin with Mr. Owens.
Mrs. Boggs with Mr. Roncallo of New York.
Mr. Bowen with Mr. Shipley.
Mr. Frelinghuysen with Mr. Ruppe.
Mr. Heinz with Mr. Smith of New York.
Mr. Steele with Mr. Wiggins.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DIGGS. Mr. Speaker, I ask unanimous consent that all Members may revise and extend their remarks on the bill (H.R. 12473) just considered.

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

The was no objection.

CHANGE IN LEGISLATIVE PROGRAM

(Mr. O'NEILL asked and was given permission to address the House for 1 minute.)

Mr. O'NEILL. Mr. Speaker, I take this time to announce a change in the order of business for tomorrow. We will consider the legislative appropriations bill after the changes in certain House procedures resolution. In other words, House Resolution 998 will come before the legislative appropriations bill on Tuesday, tomorrow.

CONGRESSIONAL COUNTDOWN ON CONTROLS

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

Mr. STEELMAN. Mr. Speaker, I highly commend the Committee on Banking and Currency for voting last week not to consider any of the bills to extend in some form the Economic Stabilization Act of 1970. We are now almost at the point of returning to the law of supply and demand in the marketplace, and it is high time we did so.

This is not the first time in our history we have seen the failure of wage and price controls. The early Americans had a similar experience, and I submit for the RECORD an article written by Robert L. Schuettinger, former assistant professor of political science at the Catholic University of America:

THE EARLY AMERICANS

The early New England colonists were convinced that government ought to extend its powers into the regulation of all aspects of society, from the religious to the political to the economic. "This was a defect of the age," the economic historian William Weeden tells us (though hardly a defect unique to seventeenth century Massachusetts) "but the Puritan legislator fondly believed that, once freed from the malignant influence of the ungodly, that once based upon the Bible; he could legislate prosperity and well-being for every one, rich or poor."

In 1630 the General Court made a fruitless attempt to fix wage rates. Carpenters, joiners, bricklayers, lawyers and thatchers were to receive no more than two shillings a day. A fine of ten shillings was to be levied against anyone who paid or received more. In addition, "no commodity should be sold at above four pence in the shilling [33%] more than it cost for ready money in England; oil, wine, etc., and cheese in regard to the hazard of bringing, etc., (excepted)."

Weeden comments dryly that "These regulations lasted about six months and were repealed."

There was an attempt at about the same time to regulate trade with the Indians . . . with the same result. The price of beaverskins (an important article of trade at the time) was set at no more than 6 shillings a skin with a "fair" profit of 30% plus cost of transportation. A shortage of corn, however, drove the price of that commodity up to 10 shillings "the strike," and sales of this dwindling supply to the Indians were prohibited. "Under this pressure, beaver advanced to 10 shillings and 20 shillings per pound; "no corn, no beaver," said the native. The Court was obliged to remove the fixed rate, and the price ruled at 20 shillings."

The offshoot of the Massachusetts Bay Colony in Connecticut experienced the same artificial efforts to control prices and to divert trade from its natural courses. One nineteenth century historian has briefly summed up these attempts. "The New Haven colony," he wrote, "was made notorious by its minute inquisition into the details of buying and selling, of eating and dressing and of domestic difficulties. Then the people were mostly of one mind about the wisdom of such meddling, the community was small and homogeneous in population and religious sentiments. If such legislative interference could have been beneficient, here was a favorable opportunity. It failed utterly. The people were wise enough to see that it was a failure."

The effects of controls on prices and wages were by no means confined to the English-speaking colonies in North America. In the territory that is now the State of Illinois, French settlers were faced with similar harassments from a far away government. In a history of that part of French North America, Clarence Alvord notes: "The imposition of minute regulations issued from Versailles had been a burden upon the beaver trade. Fixed prices for beavers of every quality, that had to be bought, whatever the quantity, by the farmers at the Canadian ports, had made impossible a free development and had reduced the farmers one after another to the verge of bankruptcy . . . an order was issued on May 26, 1696, recalling all traders and prohibiting them from going thereafter into the wilderness . . . [though] complete enforcement of the decree was impossible."

The sporadic attempts during the seventeenth and early eighteenth centuries to control the economic life of the American colonies increased in frequency with the approach of the War of Independence.

One of the first actions of the Continental Congress in 1775 was to authorize the printing of paper money . . . the famous "Continentals." Pelatiah Webster, who was America's first economist, argued very cogently in a pamphlet published in 1776 that the new Continental currency would rapidly decline in value unless the issuance of paper notes was curbed. His advice went unheeded and, with more and more paper in circulation, consumers naturally began to bid up prices for a stock of goods that did not increase as fast as the money supply. By November, 1777, commodity prices had risen 480% above the pre-war average.

The Congress, however, at least when addressing the public, professed not to believe that their paper money was close to valueless but that prices had risen mainly because of unpatriotic speculators who were enemies of the government. "The real causes of advancing prices," one historian notes, "were as completely overlooked by that body as they were by Lysias when prosecuting the corn-factors of Greece. As the Greek orator wholly attributed the dearness of corn to a combination among the factors, so did Congress ascribe the enormous advance in the price of things to the action of those having commodities for sale."

On November 19, 1776, the General Assembly of Connecticut felt impelled to pass a series of regulations providing for maximum

prices for many of the necessaries of life. It also declared that "all other necessary articles not enumerated be in reasonable accustomed proportion to the above mentioned articles." Another similar act was passed in May, 1777. By August 13, 1777, however, the unforeseen results of these acts became clear to the legislators and on that date both acts were repealed.

In February 1778, however, the pro-regulation forces were again in the ascendancy and Connecticut adopted a new tariff of wages and prices. Retail prices were not to exceed wholesale prices by more than 25% plus the cost of transportation. In a few months it became evident once again that these controls would work no better than the former attempts and in June 1778, the Governor of Connecticut wrote to the President of the Continental Congress that these laws too, "had been ineffectual."

The Connecticut experience, of course, was by no means unique. Massachusetts, among other states went through almost exactly the same on-again, off-again syndrome with its own verison of wage and price controls. In January 1777, a law was passed imposing "maximum prices for almost all the ordinary necessaries of life: food, fuel and wearing apparel, as well as for day labor . . . so far as its immediate aim was concerned," an historian concludes, "the measure was a failure". In June 1777, a second law was passed (a Phase II), on the ground that the prices fixed by the first law were "not adequate to the expense which will hereafter probably be incurred in procuring such articles." A few months later, in September, the General Court of Massachusetts, convinced that the price-fixing measures "have been very far from answering the salutary purposes for which they were intended" completely repealed both laws.

In Pennsylvania, where the main force of Washington's army was quartered in 1777, the situation was even worse. The legislature of that commonwealth decided to try a period of price control limited to those commodities needed for the use of the army. The theory was that this policy would reduce the expense of supplying the army and lighten the burden of the war upon the population. The result might have been anticipated by those with some knowledge of the trials and tribulations of other states. The prices of uncontrolled goods, mostly imported, rose to record heights. Most farmers kept back their produce refusing to sell at what they regarded as an unfair price. Some who had large families to take care of even secretly sold their food to the British who paid in gold.

After the disasterous winter at Valley Forge when Washington's army nearly starved to death (thanks largely to these well-intentioned but misdirected laws) the ill-fated experiment in price controls was finally ended. The Continental Congress on June 4, 1778, adopted the following resolution:

"Whereas . . . it hath been found by experience that limitations upon the prices of commodities are not only ineffectual for the purposes proposed, but likewise productive of very evil consequences to the great detriment of the public service and grievous oppression of individuals . . . resolved, that it be recommended to the several states to repeal or suspend all laws or resolutions within the said states respectively limiting, regulating or restraining the Price of any Article, Manufacture or Commodity."

One historian of the period tells us that after this date commissary agents were instructed "to give the current price . . . let it be what it may, rather than that the army should suffer, which you have to supply and the intended expedition be retarded for want of it." By the Fall of 1778 the army was fairly well-provided for as a direct result of this change in policy. The same historian goes on to say that "the flexibility in offering prices and successful purchasing in the country in 1778 procured needed winter supplies wanting in the previous year."

The American economist, Pelatiah Webster, writing toward the end of the War of Independence in January 1780, evaluated in a few succinct words the sporadic record of price and wage controls in the new United States. "As experiment is the surest proof of the natural effects of all, speculations of this kind," he wrote, ". . . it is strange, it is marvelous to me, that any person of common discernment, who has been acquainted with all the above-mentioned trials and effects, should entertain any idea of the expediency of trying any such methods again. . . Trade, if let alone, will ever make its own way best, and like an irresistible river, will ever run safest, do least mischief and do most good, suffered to run without obstruction in its own natural channel."

THE JUDICIARY COMMITTEE AND THE IMPEACHMENT INQUIRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. McCLORY) is recognized for 60 minutes.

(Mr. McCLORY asked and was given permission to revise and extend his remarks, and to include two items of extraneous material.)

Mr. McCLORY. Mr. Speaker, I have requested this special order on behalf of several of my Republican colleagues and myself for the purpose of setting forth our views regarding the present status and future actions of the House Judiciary Committee in the pending impeachment inquiry which has been before our committee since last October.

I should preface my remarks by stating that I am not complaining here about any delays or foot-dragging. However, I would insist that some important decisions should be made now—this week, before the congressional recess and before the members of the committee leave Washington on Thursday—not to return again until Monday, April 22.

Mr. Speaker, while our committee has had the benefit of a number of briefings presented by our competent staff of lawyers and researchers, who have not had a meeting of the committee at which business on this subject might be conducted since March 7. There is important business pending before the committee right now, business which requires positive and prompt action—business which will determine the speed, the thoroughness and the fairness of the pending impeachment inquiry.

One subject which remains in limbo is that of the committee's request for information consisting of itemized takes or transcripts of conversations between the President and various of his aides as set forth in the committee's letter of February 25, and supplemented in Mr. Doar's letter of April 4. While I would hope that this subject might be resolved before tomorrow's deadline, as set forth in the April 4 letter, it would seem essential to convene a meeting of the committee no later than Wednesday, April 10, if any committee action is to be taken on this subject before the congressional recess.

In my own mind, a subject of even greater importance would be the adoption of detailed rules of procedure to govern the receipt of evidence by the members of the committee as proposed to be detailed in a trial book to be prepared by the staff together with citations of documentary and other factual evidence, as well as transcripts, excerpts of grand jury reports and other materials to be furnished to the committee members.

In this connection, it should be established at once whether the hearing at which the initial presentation is to be made and related evidentiary materials are to be received are to be opened to the public—and whether permission is to be granted to televise these sessions.

For my own part, it is completely unacceptable to suggest, as the staff has done on page 22 of the memorandum of April 3, 1974, that the committee defer the adoption of its procedures until it has received and considered the initial presentation by committee counsel respecting the facts and evidence. As I stated at the last briefing session, this would seem to put "the cart before the horse"—where the committee would first receive a detailed presentation of evidence—and adopt—at some future time—the rules of procedure under which its inquiry is to be conducted.

In addition, if it is proposed to defer the presence of counsel for the President until after the completion of such a presentation, then it would seem that his request—and the desire of a substantial number of the members of this committee—would be circumvented and effectively thwarted.

It is my individual view that if the trial book or initial presentation is intended to serve as a sort of opening statement, the staff's proposal, as outlined, goes far beyond this concept and would appear instead to be a rather detailed exparte presentation of the case in support of possible articles of impeachment. I am sure it would be interpreted by the public in that way—and there would probably be substantial difficulty in delaying action by the committee in order to receive supplemental evidence after 4 or 5 weeks had elapsed while the initial presentation of evidence was taking place. I would suggest that if counsel wishes to present some kind of opening statement, this could be done in a much more abbreviated form to occupy—without interruption—a single morning or morning and afternoon meeting of the committee.

Mr. Speaker, I am not suggesting in any way that the committee's rules of confidentiality should be violated, and I would offer the suggestion that the committee should act—and act at once to determine whether executive sessions should be held when grand jury transcripts or other confidential materials are to be examined. We should also determine whether the rules of confidentiality

might be expanded to permit counsel for the President, in addition to the presently designated individual to review such confidential materials. Such a revision might be of particular significance in receiving the six itemized subjects which the White House has failed so far to furnish.

Mr. Speaker, it was my feeling at the outset of this inquiry that the interrogation of witnesses—including questions relating to documentary proof—would be handled largely through our committee counsel. Such a view was prompted, of course, by the fact that the committee has failed to establish a formal ad hoc or subcommittee—as was done in every earlier impeachment inquiry. The potentially interminable proceedings which could result from extensive examination or cross-examination of all 38 members of the committee would not seem to be a feasible means of conducting—and concluding the impeachment inquiry in which we are engaged.

Mr. Speaker, another subject on which I assume some of my colleagues may wish to comment is that relating to the use of depositions as an alternative for testimony from live witnesses before the committee. Personally, I have no objection to the use of depositions. I feel that where testimony is to be taken in this manner, the same rights should be accorded to counsel for the President as the committee should be expected to accord to the President's counsel before the committee itself. I am informed that in lieu of depositions the staff has resorted to securing testimony by way of affidavits. I question whether this is consistent with the views of those committee members who feel strongly about according the privilege of cross examination to counsel for the President. Indeed, the distinction between a deposition and an affidavit—where it is proposed to use such an affidavit as evidence—is specious.

Mr. Speaker, I am sure that there are other items of business which the committee should be undertaking at committee meetings. It is quite unlikely that all of the business could be transacted at one single meeting. Accordingly, it would be my hope that the Judiciary Committee might meet tomorrow, as well as on Thursday for the purpose of discussing and resolving at least some of these pressing points which I have raised. At the very least, it would seem that the committee members should have in hand during the Easter recess a draft of the proposed rules of procedure for conducting the hearing and receipt of evidence—whether the presentation is made by way of documentary proof or live witnesses—and that the rules of procedure should be adopted in advance of the time when any evidence is offered to or received by the committee.

Mr. Speaker, I feel sincerely that the chairman of our committee has a basic desire to be fair and objective in the conduct of this impeachment inquiry. The suggestions that I have offered here today are consistent with my personal desire to be both fair and objective. The quality of our work and the general public acceptance of our efforts depends upon the decision and actions which we as members of the committee and as Members of the Congress take. The suggestions and recommendations which my colleagues and I are offering today are made in the spirit of providing the most responsible and the most honorable performance possible under the unique constitutional mandate with which we are charged.

The suggestions follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 5, 1974.

DEAR COLLEAGUE: In cooperation with several Republican colleagues on the Committee, I have requested a Special Order for Monday, April 8, following the close of legislative business to discuss subjects related to the Impeachment Inquiry pending before our Committee.

It has been suggested that we discuss, among other things, the following:

1) The need for calling one or more "Meetings" of the House Judiciary Committee before the Easter Recess for the purpose of transacting Committee business related to the Impeachment Inquiry.

2) The necessity of adopting Rules of Procedure to establish (a) rights of Counsel for the President (b) privilege of cross-examination (c) order of proof, etc. before proceeding with the receipt of documentary evidence to be delineated in the Staff's "trial book."

3) Determine the rights of Members in connection with the receipt of evidence.

4) Adoption of a tentative daily and overall timetable for hearings, i.e. (a) morning and afternoon meetings (b) night sessions (c) meetings on consecutive days.

5) Establishment of the criterion of proof necessary to support any proposed Articles of Impeachment and,

6) Other relevant subjects.

I hope that you will be present on the Floor Monday afternoon to participate in the Special Order discussion of these and related subjects.

Sincerely yours,

ROBERT MCCLORY,
Member of Congress.

I merely want to add I did send letters out to my Republican colleagues and notified the majority side as well and the committee staff of this special order. I am attaching the colleague letter to these remarks.

Mr. DEVINE. Will the gentleman yield?

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

Mr. DEVINE. I thank the gentleman for his taking this time to bring this matter up.

I inquire of him whether he feels this committee is being operated in a partisan or political manner.

Mr. MCCLORY. Well, it is my feeling that the committee is operating at the present time in a bipartisan way. The questions I am raising today are questions which have come to my attention and which cause me to be apprehensive. I am apprehensive that if the initial presentation of evidence is done without counsel for the President being present, it would be interpreted as a partisan proimpeachment undertaking. I think all members of the committee would be criticized for that kind of procedure.

Mr. DEVINE. Will the gentleman yield further?

Mr. MCCLORY. I yield to the gentleman.

Mr. DEVINE. The thrust of my remarks is initiated because of a UPI release with the Washington byline dated March 27 in which it says:

Democratic National Chairman Robert Strauss said Wednesday his "morning line" is that a Nixon impeachment trial will be underway or scheduled by early December, and that Democrats may have to decide then whether to take a party stand on the issue.

"That's how I see the odds now," he said.

Strauss also said:

Democratic candidates in different parts of the country may want to take different approaches to Watergate because of a varying political climate.

"It may be different in the south than it is in the north," he added.

Finally Strauss said:

The party's position on Watergate—if it finally adopts one—must be based on what "is good or bad for the Democrats" and whether it will detract from any actual impeachment proceedings.

So with this statement attributed to the Democratic Party's national chairman in a UPI release I was wondering whether we are going in that direction.

Mr. MCCLORY. I could only interpret that as being a strong partisan position and a strong partisan recommendation on the part of the chairman of the Democratic National Committee.

I would like to differentiate between his views and those that are held by those of us serving in this very sensitive and very unique role as members of the House Committee on the Judiciary.

While I am aware of the fact that some of the Democratic Members have themselves introduced resolutions for impeachment, I believe that by and large the Members on the Democratic side as well as all of the Republicans are endeavoring to be impartial and objective and will listen to the evidence and decide their case on the basis of the Constitution and the law and the evidence.

The only thing I am concerned about at this stage is if the case is presented in a way where it is ex parte and we only hear one side and go through this format for 4 or 5 weeks, it will be very difficult to be impartial and objective. If the Republicans at that point suggest we should have further hearings with live witnesses, we will be charged with dilatory tactics. Consequently I feel we should adopt the rules of procedure under which we should operate as the first order of business.

We should adopt them now, and then proceed on the basis of following those rules to assure that our procedures are fair and impartial insofar as all of the parties are concerned.

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

Mr. MCCLORY. I yield to the gentleman from New Jersey (Mr. SANDMAN) who has contributed so much to our hearings.

Mr. SANDMAN. Mr. Speaker, I rise in support of what the gentleman from Illinois (Mr. McCLORY) has said. I want to compliment the gentleman for taking this special order today. I think it is long overdue that something has been said and probably should have been said a long time ago.

Not to go through a long tirade, or anything, but I am one of the people who voted for the broadest possible subpena power. I voted against every one of the restrictive amendments to the subpena power. I have publicly said that the President should supply anything and everything that the committee wants, and that is the way I believe we should function, so no one can say I am trying to defend the President. But I can remember coming back here on January 7.

If the Members will recall, the House did not go into session until January 21, but I came back from a vacation in Jamaica on January 7, and some other Members came in from California, Illinois, and from all over the country so as to meet here 2 weeks before opening day of Congress on January 21.

I thought when I came here then that I was going to take part in trying to arrive at some agreement on the rules of procedure. As I say, that was back in January, 3 months ago. We did not do anything on January 7, and, quite honestly, we have not done anything since January 7 that means anything. Here we are a couple of months later, and we still have not resolved one single point as to procedure. All we do is meet once in a while, whenever the counsel feels that he has something he should tell us. We ask questions but we do not get answers. And, of course, we never have a business meeting. All we have are briefings.

This by itself is ridiculous. Now we receive information today that we are not going to perhaps adopt any rules of procedure until after Mr. Doar makes his presentation of facts. Does not that make a lot of sense?

This will be one member of the committee of 37 of us, all members of the bar, who cannot believe that this is the way we ought to function. Of course it is not, it is ridiculous.

Then, of course, we are also told that we have a brand new procedure now. We may not even have one live witness come before this committee, that a good bit of this is going to be presented by self-serving affidavits.

As liberal as I have been on the subpena power, this is one member of the committee that is never going to vote for an impeachment if this is the way we are going to try to get it. This is what makes me so apprehensive about what we do from day to day. They are going to decided whether or not the President of the United States shall be treated as any other citizen, and be represented by counsel, and they are going to decide that after Mr. Doar presents the evidence, not before. That is what was said in the release made by the gentleman from New Jersey (Mr. RODINO) this morning. There is no getting around it.

Mr. EDWARDS of California. Mr. Speaker, will the gentleman yield at that point?

Mr. SANDMAN. Not now. But I will be glad to yield to the gentleman later.

The SPEAKER pro tempore. The Chair would advise the gentleman from New Jersey that the gentleman from Illinois (Mr. McCLORY) has control of the time, and the gentleman from Illinois can yield at any time he desires to any other Member.

Mr. EDWARDS of California. Mr. Speaker, will the gentleman yield?

Mr. McCLORY. When the gentleman from New Jersey concludes his statement then I will yield to the gentleman from California.

Mr. SANDMAN. Mr. Speaker, I thought the gentleman from Illinois yielded to me for the purpose of my making a statement, and that is all I am doing. So we will go on from there.

Nobody has decided whether or not we are going to have open hearings, public hearings, whether we function as a grand jury or as to the weight of the evidence that is necessary; nobody even talks about that, we are not permitted to talk about it.

If one asks the counsel, he has almost been given instructions not to tell. That is what I get from him today, because I am not at all satisfied with his answers.

We have been talking about and reading about delay—delay—delay. Who is delaying? Let us put the cards right on the table. It is going to take weeks to decide these issues, make no mistake about it.

On January 7 of this year I suggested that we meet every day and wind these things up. I am suggesting it now. But we are not going to meet. The Members know we are not going to meet. The Chairman makes rules; nobody ever votes on the rules. I have never been a member of such an undemocratic process in my life. I say this in all deference to the chairman.

There are 14 grounds that have been filed. They have 100,000 pages of evidence; they have got this; they have got that. They have everything except anything to present to the committee that is supposed to be looking into the inquiry. I suggested: Let us see what you have. Either put up or shut up. That is what the public wants to see. Let us start with the one area where we cannot agree and in which impeachment lies, if they have the evidence. But no one has answered that question either.

I should like to say at this moment I do not think this is being done intentionally; I hope it is not; but if it continues, no normal person can believe otherwise. I am suggesting that the committee have business meetings 5 days a week and get this show on the road.

Mr. McCLORY. I thank the gentleman for his contribution and his expression of very strong feelings.

I think it is important that we indicate clearly that members of the committee have these very strong views and that we provide this opportunity to express them.

I commend the gentleman from New Jersey (Mr. SANDMAN) on a very forceful and constructive statement.

Mr. EDWARDS of California. Mr. Speaker, will the gentleman yield?

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

Mr. EDWARDS of California. I thank the gentleman for yielding.

I think my friend, the gentleman from New Jersey (Mr. SANDMAN) must not have been listening to the chairman of the committee when he announced very explicitly, confirmed by Mr. Doar, that right after the recess the suggested rules, prepared by both the minority and majority counsel, or all of the counsel—and Mr. Doar and Mr. Jenner are in charge—would include consideration of all of the things that Mr. SANDMAN was discussing, and that these rules would be adopted, amended, or rejected, but they would be considered before the presentment is made. Certainly no one on that side of the aisle has exclusive claim for the feelings expressed that the President is entitled to counsel. He is entitled to all of the due process in the world. Members on this side of the aisle are just as interested as Members on that side of the aisle in having the President get a square deal.

Over here there are many of us who have fought for years, actually decades, for procedures by congressional committees where the respondent, or the person who is being talked about by a witness, is entitled to representation. This is one of our old arguments against the House Un-American Activities Committee, because that committee had never provided the people being testified against with counsel.

I am going to recommend support by some of our friends on the other side of the aisle for our position over here that congressional committees should be fair. We certainly are not going to finish this impeachment one way or the other and go back home and go back to the history books and say that other Americans than the President would have been treated better by the House Committee on the Judiciary. We are going to give the President every possible benefit.

Mr. McCLORY. I thank the gentleman.

I commend the gentleman on his expression. I interpret the gentleman's position as being one which would accord to the President full representation by counsel at any evidentiary hearings that we have of our committee. I think that the press release and the statement to which the gentleman from New Jersey (Mr. SANDMAN) had reference was the paragraph in the chairman's (Mr. RODINO's) press release which said:

> The committee will also have to adopt rules to govern its procedures during the evidentiary hearings. I would hope that those could be considered during the second week after the Easter recess. I am concerned about two things: First, the question of confidentiality during the evidentiary hearings; second, my conviction that we should not be bound to inflexible procedures until we have had the benefit of the initial evidentiary presentation by the staff.

In other words, I think what the chair-

man (Mr. RODINO) seems to have in mind when he talks about flexible rules of procedure is a practice of adopting various rules as we go along. I feel that is completely unacceptable. I think we should have the rules of procedure established at the outset including the right of the President to have counsel present, and what limitations or restrictions on his rights and prerogatives would be imposed.

Every respondent in an impeachment inquiry since 1876 has had the right to be present in person or by counsel, and it seems just unthinkable that we would not accord full representative rights to the President of the United States in the course of this inquiry.

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

Mr McCLORY. I yield to the gentleman from Maryland (Mr. HOGAN).

Mr. HOGAN. I thank the gentleman for yielding and I thank him for taking this time to shed some light on some of the factors that have been bothering so many of us.

I want to say to the gentleman from California that my understanding of what transpired this morning in our briefing session is similar to the understanding of the gentleman from New Jersey (Mr. SANDMAN), that is we are not going to adopt any rules until we have had the summary of evidence, and I think that is far too late.

Mr. McCLORY. If I may say, a summary of the evidence to be presented to the committee as I understand the plan involves a presentation by the staff to the committee of documentary or written evidence. The staff plans to do this on a day-after-day basis. So, we are talking about a prolonged process which is involved and not some kind of brief opening statement.

Mr. HOGAN. I agree with the gentleman.

As far as the President's counsel being present, as the gentleman in the well pointed out, all other inquiries over the past 100 years have accorded this privilege to the attorney for the respondent. I refer to the precedents in Hinds, in III, 2445, 2471, 2518, and in III, 2470, 2501, 2511, and 2516.

But aside from the fact that there is ample precedent for this being done, fairness dictates that this be the case.

The American people, I think, must be assured that regardless of what decision we on the House Judiciary Committee come to, we must have reached that conclusion objectively with all elements of fairness being accorded to the President.

There are some who will argue that the President's counsel should not be present because we are a grand jury. While I myself have used the analogy of the grand jury, we are not, strictly speaking, a grand jury. Some aspects of our responsibilities are similar to those of the grand jury but not all. For example, the grand jury is selected at random from the populace at large. We have been elected on a partisan basis from our respective congressional districts. The grand jury is obliged to keep its deliberations secret—although we all know instances in recent times where that has been violated. There is no such responsibility on us.

In many of our sessions, our briefing session today for example and many of our meetings have been public. Grand jury sessions are not. Furthermore, some of the prejudicial statements made in the past by some of our Members would, if made by grand juries, be grounds for disqualification.

We also have a responsibility on the Judiciary Committee as the impeachment inquiry to get information on both sides, inculpatory as well as exculpatory.

The grand jury has no such responsibility. It hears only the case from the prosecution.

So I think it is really erroneous for us to continue using the analogy of the grand jury as an excuse for denying the President's counsel the right to be present, the right to cross-examine, and the right to present evidence of his own.

With respect to some of the other matters mentioned, there is also precedent in the House precedents for the committee reporting back to the House on the progress of its investigation. I would hope that the gentleman from Ohio (Mr. HAYS) is quoted accurately in the press when he says he is going to demand some answers to some questions when we come back for additional money, which we most certainly will have to do. I think the committee should have to report what progress, if any, has been made thus far. Frankly, I personally have not seen a great deal of progress.

There are also precedents that the House is the arbiter of this question of whether or not the respondent's attorney should be present at the presentation of evidence.

So if the committee itself wants to skirt the question and say because we are a "grand jury," the President's counsel does not have that right, I suggest, in all fairness, we bring this question back to the House and let the House of Representatives itself resolve the question as to whether or not the President's counsel should be present.

I would like to discuss another point that both the gentleman from New Jersey and the gentleman in the well addressed themselves to, that is the question of delays. I have been saying in open and closed meetings ever since we have been meeting in November that we must resolve procedural matters as soon as possible before we ever get to the point of listening to the evidence.

For example, in the impeachment of President Andrew Johnson, the Committee on the Judiciary came to the floor with a general resolution of impeachment and then, when that was approved, a committee was appointed to draw up charges against the President.

Now, I assume we are not going to do that this time; but it is a question to which we have not yet addressed ourselves. We ought to resolve these procedural questions while we still have time before the evidence is being presented. We should decide whether or not hearings should be open or closed, whether or not the President's counsel should be present, what we do if our subpenas are ignored, and so forth.

I think it is extremely unfair for the chairman of the committee to publicly blame the President's counsel and the President for the delays in our inquiry.

This is certainly not the case. We have been dragging on with no meetings at which any substantial matters can be handled, and few briefings, and no presentation of any evidence whatsoever and yet he blames the President for the delay.

I say we should be meeting on a daily basis until all these matters are resolved.

Now, I would like to address myself to the question of the staff. Perhaps I have been harder on the staff than most. I know it is in vogue for everyone on the committee to throw bouquets at the staff. Frankly, I have been disappointed in the staff. We were told, as the gentleman will recall, that on March 15 we would have a memorandum on impeachment offenses. What we got was a very skimpy analysis, slanted against the President which included editorial comments and overlooked many of the impeachment precedents. It also included such statements to the effect that, "There are some who say that an impeachment of a judge should be treated differently than an impeachment of a President, but such is not the case." These are the words used in this so-called legal memorandum of impeachable offenses, the memorandum given to us by the staff. The Founding Fathers themselves made a distinction between the impeachment of a judge and the impeachment of a President. In the latter case, the Chief Justice of the Supreme Court is mandated as the presiding officer. This is not so in the case of the impeachment of a judge.

I was very disappointed that the memorandum of impeachable offense was so scant. Obviously, the one prepared by the President's counsel was slanted in his favor; but I did not expect the one produced by the staff of the committee to be slanted against the President.

The most objective one, in my opinion, is the one prepared by the Department of Justice, where they gave a balanced and comprehensive view of both. We in the minority were criticized for requesting a more detailed brief concentrating on criminality. It is certainly our right to have as much information as possible on this complex subject. I want to point out, however, that the President and his lawyer are absolutely wrong when they say we ought to define impeachable offenses before we ask them for any other material. I have publicly stated the President is wrong in not honoring our request. Anyone who makes a study of impeachable offenses, must come to the conclusion that what is an impeachable offense is a subjective decision for each Member to make for himself.

I do think the delays have been unconscionable and I do hope the committee will get on with this important historical constitutional responsibility.

Mr. McCLORY. I thank the gentleman from Maryland. The gentleman makes a very important contribution to our hearing and has expressed his very forceful views, which deserve immediate attention.

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

Mr. McCLORY. I am happy to yield to the gentleman from Virginia (Mr. BUTLER).

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

Mr. McCLORY. Mr. Speaker, I yield to the gentleman from Virginia.

Mr. BUTLER. Mr. Speaker, I thank the gentleman for yielding to me. I want to commend him for having this special order and giving us an opportunity to express ourselves on the questions he raises. Of course, I am in support of the thrust of his comments today.

Mr. Speaker, I would appreciate it if the gentleman from Illinois would yield to the gentleman from California (Mr. EDWARDS) for a moment so that I may address a question to him.

Mr. McCLORY. Mr. Speaker, I yield to the gentleman from California (Mr. EDWARDS).

Mr. BUTLER. Mr. Speaker, it is my understanding from the gentleman's comments that he is in agreement with many on the outside, that the President should be represented by counsel in these proceedings. I wonder if the gentleman could speculate on how many people on his side of the aisle agree with him that the President of the United States should be represented by counsel?

Mr. EDWARDS of California. Mr. Speaker, I certainly have not polled them, but I am sure that there are quite a number, because for many years I have associated with them and know their ideas generally on due process and on representation before congressional committees.

I might add that I agree with the gentleman from Maryland (Mr. HOGAN), that this is only having a relationship to a grand jury proceeding. A grand jury proceeding is one where the members of the grand jury do not put on another hat after the indictment is returned and move over as prosecutors into the courtroom. The analogy of the grand jury is useful, but the analogy certainly is not exact.

Mr. BUTLER. Mr. Speaker, following up on my question, assuming for the moment that all of the Republicans have taken the partisan view that the President of the United States should be represented by counsel, would the gentleman say that on his side of the aisle there are a sufficient number to make a majority in favor of this proposal?

Mr. EDWARDS of California. Mr. Speaker, I would say that right from the beginning there would be a majority of the Democrats on our side who would take what I consider that very fair point of view. It certainly has nothing to do with partisanship, and it does not have anything to do with being a Republican or a Democrat. It seems to me it is the only right thing to do, and has been right from the beginning. I never really thought it was under argument.

Mr. BUTLER. Mr. Speaker, does the gentleman not agree with the gentleman from Illinois (Mr. McCLORY), that the effect of deferring the resolution of and voting on this question on the grounds that this question has not been resolved—quite obviously all the committee agreeing that the President ought to be represented by counsel—it is useless to waste any more time on that question? The staff should be instructed to prepare its rules of procedure accordingly, and we should get on with that particular item.

Mr. McCLORY. Exactly. I do not think the preparation of the rules procedure is that monumental a task. The thing that puzzles me is the desire, the apparent desire on the part of the staff to defer the presentation of proposed rules of procedure until some later time. The gentleman from Maryland (Mr. HOGAN) made a reference to the Andrew Johnson impeachment. That was chaotic, partly because the rules were made up as they went along. That is something this Congress and this committee certainly should not want to do. We want to handle this in a responsible, orderly, dignified, and proper way.

It seems to me that the first item of business for us is to adopt the procedure under which we are going to operate. I thank the gentleman from Virginia very much for his very helpful remarks and for the very important contribution he makes to the work of our committee.

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

Mr. McCLORY. Mr. Speaker, I yield to the gentleman from Indiana.

Mr. DENNIS. Mr. Speaker, the fact of the matter is that up to this point, the procedures adopted by our committee leave a great deal to be desired. I do not make that statement in any sense of political acrimony at all, but simply as a dispassionate criticism which I think is fully justified by the facts, and in the hope that we may see a very early improvement.

Mr. Speaker, we have been conducting affairs here in a rather unique way—I must admit a fairly effective way up to date—in that we have been having only briefing sessions of the committee where we meet as individuals in a group to be briefed by the staff, while the chairman completely avoids having any business meetings of the committee where any action can be taken on any of the important matters before us, some of which have been mentioned here this afternoon.

Now, a very good case in point is the matter of the participation of the President's counsel, which, as was very well brought out in the colloquy here a moment ago between the gentleman from Virginia and the distinguished gentleman from California, indicates there is a definite majority consensus in the committee on both sides on the general proposition that the President should be represented by counsel during our hearings. And yet we have never had a vote on that, and we cannot have a vote on that issue, because we do not meet.

Now, Mr. Speaker, it is difficult for me to understand, with all respect to everyone concerned, why we do not meet on a matter like that and get it resolved. What we are doing is contrariwise.

There are other issues. There is the matter of narrowing issues; there is the matter of the calling of witnesses, which is intimately bound up, of course, with the rights or privileges which may be extended to the President's counsel, because there is really not a great deal he can do except cross-examine live witnesses if they are called. All of these things are deferred by the simple expedient of not meeting to decide them.

Now, it would be legitimate to meet and decide them contrary to my point of view, if that is what we want to do. I am sure the matter of the participation of the President's counsel, as a matter of fact, is not a case where a majority vote would go contrary to my point of view. A majority of the committee agrees with me that the President's counsel should participate. I hope the fact that that is so obviously true is not the reason why we have never been given the chance to vote on it.

I am accustomed to taking my "lumps" on votes, even if I lose them. The committee should decide it.

What I really object to is sort of drifting into a decision, without the committee's ever making the decision, by reason of the chairman's not holding meetings. Therefore, the recommendations of the staff are sort of going uncontradicted, actually unadopted, but as a matter of fact, that is where we are likely to wind up.

Now, the staff has not had quite the same view on this matter of the President's counsel that the committee has.

Mr. HOGAN. Mr. Speaker, will the gentleman yield on that point? I would like to make an observation with respect to what the gentleman from Indiana (Mr. DENNIS) said.

Mr. McCLORY. I yield to the gentleman from Maryland.

Mr. HOGAN. Mr. Speaker, I think the gentleman from Indiana (Mr. DENNIS) is making an excellent point, one which needs to be emphasized.

Last week we all read in the media about a report regarding the President's taxes. This report was prepared by the staff of the Joint Committee on Internal Revenue Taxation, and yet all over America this was reported as a report from the Joint Committee on Internal Revenue Taxation itself.

It was not that. The members of the committee did not even see that report until the day it was made public. It was a staff report.

Mr. Speaker, I think there is an inherent danger in any operation around here when we allow the staff to run the show.

Mr. DENNIS. Mr. Speaker, if the gentleman from Illinois will yield further, here is a suggestion which our staff made on this matter of participation by counsel a week or so ago.

They talked about presenting evidentiary matters first, and then they said as follows:

It is suggested that the committee defer the adoption of these procedures—that is, the procedures concerning conduct of the hearings and the privileges to be extended to the President's counsel, and so on—until it has received and considered the initial presentation by the committee counsel respect-

ing the facts and the evidence. After the completion of this presentation of evidence, at that point a decision on participation by the President's counsel can be made.

However, that is not the logical way to do it, because we usually lay down the ground rules before we begin to take the testimony, so that we can be guided by the rules. Nor is it the way that the majority of the committee on both sides of the aisle wants to do it. But it is the way we are doing it, nevertheless, because we cannot meet and vote. We have never voted on this suggestion; there is no opportunity to vote it down.

Now, I am very gratified with the fact that the chairman said this morning we are going to have a business meeting this week on the subject of exercising subpena powers during the recess. Then he suggests another meeting after the recess when we begin to talk about narrowing the issues, which is certainly long overdue. Only the week after that, according to the distinguished chairman's suggestion, will we begin to take up these procedural matters, such as the rights of the President's counsel. However, by that time, and in accordance with the staff's suggestion—and I could not see that they changed it any this morning—by that time we will be underway on the presentation of evidence. If we get a vote on the matter of the President's counsel, which I assume we finally will, it will be after we have already begun to take testimony instead of before, which is when we should have it.

What I am afraid of is this: I am sure Mr. EDWARDS wants to extend the right to counsel, as he said, but I do not want to see a situation arise where under this proposed rule or proposed rules and under the inability we have to vote on them until they become a fact by drift, we are going to wind up, I am afraid, with this kind of a situation where we will not get decided the matter of participation by counsel and we will not have decided the very closely related and exceedingly important matter of the calling of live witnesses. I, for one, can think right now of six or eight witnesses who ought to be called, by all means, if we are going to have a complete investigation on the basis of which I or anyone else wants to be asked to vote on this important matter.

So we should decide now, because we will wind up with a situation otherwise where we will have a lot of ex-parte, documentary, staff-assembled, uncross-examined evidence put in front of us. We will have that and there will be great pressure to do something, to vote to get rid of this matter; and then they will say, "Well, you cannot call in oral testimony now, and you cannot go into the question at this late date as to whether to grant immunity to people who claimed the fifth amendment; you cannot delay this thing any longer." So we will be asked to vote on an incomplete, skeleton record. That is what I do not want to see happen and it is what should not happen and what would not happen if we had had our business meetings and voted promptly on the important things before us, which are the participation of counsel and the calling of witnesses for testimony. Then we would have a respectable investigation of the kind we ought to have.

If the committee voted down those propositions, which I do not believe they would, then at least the committee would have done it and that is the committee's privilege. That is the way we ought to go ahead with this investigation.

Mr. McCLORY. I thank the gentleman for his very forthright and very constructive statement.

I would like to point out that if we would follow the procedure of accepting all of the documentary evidence at one stage and going on for 4 or 5 weeks in that way and then accept the suggestion of a Republican member of the committee that we should then hear from some live witnesses, I am sure the criticism would be directed at our side, that we were trying to delay the proceeding.

Whatever we are going to do, we should make up our minds to do it and present the whole case to the committee and not, certainly, have two hearings on it, although that would be possible under the procedure which appears to be recommended by the staff.

I would like also to point out that by not having committee meetings we are permitting some misunderstandings, to develop. When I addressed a question this morning in the committee meeting to Mr. Doar, questioning the wisdom of a delay until after the presentation of the evidence for the adoption of rules of procedure, he indicated it was a misunderstanding or misinterpretation of language on my part and that he was not able to express himself as accurately as he had expected to and that perhaps I was misunderstanding.

Well, having a committee meeting would obviate that kind of a misunderstanding.

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

Mr. McCLORY. I yield to the distinguished gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I want to thank the gentleman from Illinois for yielding to me, and to commend the gentleman for taking this time. I believe some of the points which have been made here this afternoon needed airing. I think the American people want to know what is going on in this committee, as its estimates do involve their President.

At the outset, Mr. Speaker, I want to commend the gentleman from New Jersey (Mr. RODINO), the chairman of the Committee on the Judiciary, for the fairness he displays in chairing his committee. I think he does a very good job under difficult circumstances. As the members know, I am a new member on the committee, and have been serving and am still serving on a much smaller committee, and it is remarkable to me how the chairman manages to parcel limited time among 37 members.

Mr. Speaker, I also want to commend the ranking Republican member on the committee, the gentleman from Michigan (Mr. ED HUTCHINSON). I know that he and the chairman have worked many hours together on this matter, and that they are in agreement on much of the procedures used and adopted to date.

I want to point out a couple of things that I feel as a newcomer on this committee need to come to the attention of the American people, and need reemphasizing so they do come out.

As I indicated this morning before the committee, I feel that members of the committee are being kept too much in the dark. I pick up the newspaper and read about the Committee on the Judiciary doing this, and the Committee on the Judiciary doing that, and I get to thinking well, that involves me, and yet I do not know anything about the activities referred to. I am not unlike other members of the committee. The staff is really doing the work of the committee and keeping the committee in the dark. What the papers are really talking about is the staff of the Committee on the Judiciary that is doing this, thus, and so, and if my life depended on it right now I could not name you more than four individuals on that staff.

So today there are some 36 or 37 lawyers on this staff doing the investigating and making important decisions who are nameless individuals as far as I am concerned as a Member of the Congress. Yet these are the people who are conducting the most important inquiry of our time. I think the American people honestly believe that the House Committee on the Judiciary, meaning the elected Members of the Congress, are conducting this inquiry, and this is just not true.

I think it is important to stress this, not only today, but in the future; unless we are brought in so that we know what is going on, we will never know. I was somewhat dumbfounded to learn after we first approached this subject of the cross-examination of witnesses by President's counsel and had an understanding that a decision was to be held in abeyance until the next committee meeting, that in fact ways were being attempted to circumvent the committee's wishes by going to affiants rather than give the opportunity to cross-examine when depositions are taken. The staff memorandum I have in my hand was addressed to all attorneys by one Joseph Woods clearly points the way for such action. It is dated March 22, 1974, and titled "Witness Procedure." This is after we discussed this matter in the Committee on the Judiciary.

It says that the following procedures are to be followed, in order to make our selection of witnesses and our conduct of interviews more productive. Who is "our?" Undoubtedly the staff.

It reads:

(1) As stated in my memorandum of March 20, no depositions will be taken until further notice.

This means that subpenas will not be issued to compel the attendance of witnesses, so as to correct the implication of the March 20 memorandum, it does not mean that testimony may not be taken under oath. Testimony may be recorded in affidavits or sworn statements, however, it may not be compelled.

Then it goes on with five more paragraphs to deal with the subject.

I want to say, just speaking for one member of the committee, I do not believe the committee should permit such orders to stand when they are not in accord with the wishes of the committee.

Every lawyer knows that oftentimes your own witness in case sometimes does not tell you all that he knows about the facts. But let that person be subjected to a scorching cross-examination, and the facts do come out. Facts are what the American people want. They do not want a half truth; they want the whole truth and nothing but the truth. This is the only way they can get it.

I do not think that it bespeaks very well of this House and this committee to stand in the way of getting the truth, lest the committee be charged with a coverup. Certainly this is the last thing this committee wants. The idea of waiting until the staff has assembled all of the information they want to assemble, same not being subjected to cross-examination, and put into some sort of a statement of fact is reported to me. We are supposed to make a reasoned judgment in this matter. Will anybody tell me how in the name of sense one can make such a judgment based on what somebody else has put together that he thinks we ought to know? This is not the type of inquiry the American people want. This is not the type of inquiry this House of Representatives thought they were getting when they voted $1 million for same.

We are going to have to answer to this House when the committee comes back here asking for more money. They are going to want to know how this money has been spent.

I think that we need to shed some light on what is going on. The American people are demanding it. We ought to give it to them.

Mr. McCLORY. I thank the gentleman from Ohio.

I should just like to explain that, while the gentleman from Ohio is a newer member of the House Committee on the Judiciary, he is a veteran Member of this House and a very important new member of the committee. I think that his statement is extremely important. Particularly it is important for us to recall that cross-examination is one of the best means of arriving at the truth, which is a principle the gentleman has just brought out.

GENERAL LEAVE

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of this special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I yield to the gentleman from New York (Mr. FISH).

Mr. FISH. Mr. Speaker, I should like to compliment the gentleman from Illinois. I think this has been a very constructive special order In the few minutes remaining I should just like to recapitulate some of the points that I think have emerged.

It seems to me that we have shed new light on the whole question of the importance of the presence of Mr. St. Clair at the initial presentation of the case to the committee. We have welcomed news of the bipartisan support for that. Second, the whole question of delaying the calling of live witnesses I think has been raised here in sharp focus. We cannot wait until we are halfway through the presentation of a case and then ask the witnesses, which may take another month before they can appear, to appear. It must be very apparent that there are certain individuals we want as live witnesses. I cannot imagine why this matter cannot be taken up, and the committee chairman and the staff informed of the obvious witnesses that we will want to have before us at the time we start the presentation.

I would also hope that we, as the minority stated very clearly, would want everything else put aside during the presentation of this case. It is going to take 6 weeks. I am interested in knowing whether that means five mornings a week. And if not, let us hopefully, by working five mornings a week on the presentation, shorten this time so that we will get the decision at an early date.

Certainly there has been an inference that delay in adoption of the rules of procedure really is to delay our meeting the issue of Mr. St. Clair, and I hope we have made a record so that this will not be the case.

It seems to me many Members have talked about the need for business meetings. I think this should be emphasized more and more. Scheduling one business meeting to handle the issues when we have been talking about actually 2-hour sessions certainly is not enough when we are talking about something as important as this. There should be several meetings scheduled to take place as soon as we return.

I thank the gentleman for taking this time on this matter.

Mr. McCLORY. I thank the gentleman from New York for his remarks. The gentleman has been a principal force in motivating us to set forth the views of the Republican members of the committee when it was deemed necessary to set forth that position and so that the public and the chairman and the other members of the committee and of the House would know exactly how we feel.

Mr. Speaker, I have no further request for time.

Mr. SMITH of New York. Mr. Speaker, I commend the gentleman from Illinois (Mr. McCLORY) for taking this special order to discuss the Impeachment Inquiry.

There is no doubt whatever that the House Judiciary Committee should meet before the Easter recess to transact necessary committee business related to Impeachment Inquiry. Before the committee proceeds with the receipt of documentary evidence, we really should adopt rules of procedure to establish the rights of the counsel for the President to notice of hearings, the right to be present and participate at hearings and the taking of depositions, whether or not he is to be allowed the privilege of cross-examination and any other privilege that may be accorded him.

I am not sure whether we can at this time adopt a tentative daily and overall timetable for hearings, but I think the Committee should at least discuss the possibility.

I hope Chairman RODINO will call such a meeting or meetings, as the case may be, before the Congress adjourns for the Easter recess. I think the inquiry demands it and I think the people of this country deserve it.

Mr. RHODES. Mr. Speaker, the House Judiciary Committee has undertaken a grave and momentous consideration—impeachment of the President. To date the committee has handled this difficult task with a commendable measure of restraint. As time goes on, these proceedings will necessarily absorb more of the time of other Members of the House due to the huge volume of mail being generated, and in their keeping informed on developments.

The Judiciary Committee has assembled a large staff. They have now, for some time, been pursuing numerous areas of investigation. I believe that the committee now should expedite organizing its own internal structure—establish rules and procedures for the presentation of evidence, and develop an overall timetable for future proceedings. The committee should narrow down its considerations and make a determination of what kind of proof it is to consider, how evidence is to be presented, and the rights of Members regarding such evidence.

I realize fully the serious implications that the committee's investigations involve. I appreciate the value of due deliberation. I also recognize that there are many issues before this Congress that should receive our undivided attention. As in the past, I again urge the committee to move decisively and steadily toward an early resolution of the impeachment question. One important step would be an early meeting devoted to establishment of procedures and rules, as well as a general approach to the committee's future considerations.

GENERAL LEAVE

Mr. McCLORY. 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.

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

There was no objection.

LOW INCOME HOUSING ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. MITCHELL), is recognized for 30 minutes.

Mr. MITCHELL of Maryland. Mr. Speaker, I sat through those deliberations and I was quite interested to hear the remarks of the gentlemen on the pre-

ceeding special order. I understand the discussion will be continued and it is not my purpose to breakup the discussion of that matter at all but there are other matters which weigh heavily on my constituents and I wish to talk on some other matters on my special order. I will be talking about the matter of public housing, low income housing.

Mr. Speaker, a quarter of a century ago, this Congress committed itself to the goal of "a decent home and a suitable living environment for every American family." But, for millions of low income American families, that goal has been nothing but a hollow joke. Despite a series of housing bills, they have neither decent homes nor a suitable living environment. It is time that we made good on the promise.

Let us consider some basic facts. According to the Department of Housing and Urban Development's own estimates:

There are 1.5 million households with incomes below $1,000 annually who are eligible for housing subsidies, but for whom there is no subsidized housing available.

There are 3.1 million households with incomes between $1,000 and $2,000 who are eligible for housing subsidies, but for whom there is no subsidized housing available.

There are 3.6 million households with incomes between $2,000 and $3,000 who are eligible for housing subsidies, but for whom there is no subsidized housing available.

There are 3.2 million households with incomes between $3,000 and $4,000 who are eligible for housing subsidies, but for whom there is no subsidized housing available.

There are 3.1 million households with incomes between $4,000 and $5,000 who are eligible for subsidies, but for whom there is no subsidized housing available.

Almost all of these families live in housing which is either unsafe, unsanitary, or which costs so much that they cannot meet other basic needs. For example, in 1970 the median rent paid by families with incomes below $2,000 was $79, or at least 47 percent of their incomes, leaving no more than $86 for all other needs. The average renter family, in contrast, had an income of $6300 and paid rent of $108, or 20 percent of income. This left more than $400 monthly for all other needs.

Yet, in 1972, two-thirds of all new housing production was priced to serve families with incomes above $10,000. Only 3 percent served families with incomes below $4,000. If these rates continue, it will only take 14 years to build new houses for the 25 million families with incomes above $10,000, but it will take 179 years to provide new housing for the 15 million families with incomes below $4,000.

Even worse than this sorry statistic is the fact that housing subsidies in this country by and large go to those who need them least. This is because the subsidies which homeowners receive in the form of tax deductions amount to four times as much as all other housing subsidies combined. And these tax subsidies are rising far more rapidly than the housing subsidies for low- and moderate-income families which have received so much discussion and comment in recent months. Officials of the Department of Housing and Urban Development have, for example, complained of the "open-ended" authorization of subsidies under the Brooke amendment, to make up the difference between the amounts very low-income families can afford and what is needed to operate public housing in a viable way. But I have heard no one complain of the "open ended" nature of tax subsidies, which have risen at an estimated rate of $1 billion annually, as mortgage interest rates and local property taxes have increased.

Our housing subsidy structure is topsy-turvy. In 1970, for example:

Households with incomes below $3,000 received an average housing subsidy of $56 per year—total subsidies of $0.6 billion for 11 million households.

Households with incomes between $3,000 and $6,000 received an average housing subsidy of $102—total subsidies of $1.1 billion for 11 million households.

Households with between $6,000 and $10,000 received an average housing subsidy of $123—total subsidies of $1.9 million for 16 million households.

Households with incomes above $10,000 received an average subsidy of $179—total subsidies of $4.5 billion for 25 million households.

The only program which has been developed to meet the housing needs of families with incomes below $5,000 in a major way has been low rent public housing. Yet this program is now endangered. It needs to be revived, improved, and expanded, not shelved or perverted into a disguised approach to housing allowances.

Public housing, begun in 1937, has provided more than 1 million families with decent shelter. The Housing Act of 1949, which set our national housing goal set public housing authorizations at an estimated 10 percent of housing production. However, determined opposition from real estate interests and others resulted in a series of riders to appropriation bills which prevented the intent of the law from being achieved. Public housing starts were at a level of 1–2 percent of total starts.

Worse yet, the inflexibility of the program at the time and the difficulty of finding sites led to construction of many high-rise, monster, public housing projects. Too easily forgotten is that these projects were built under duress, as the only alternative possible, and that the vast majority of public housing is in small projects, which have been an asset to their communities as well as providing decent shelter for their occupants.

More important, our years of experience in public housing have provided many opportunities for flexibility and for new approaches which have made the program increasingly responsive to community needs. High-rise public housing is now outlawed, except for the elderly where low-rise housing is impossible to build. Public housing has provided opportunities for home ownership, for rehabilitation, for purchase, or rent of existing housing.

On Thursday, April 4, 1974, I introduced a bill to improve and expand the public housing program, and I intend to press as vigorously as I can for its provisions as we move toward adopting housing legislation. The major features of the bill are supported by an impressive array of organizations concerned with decent housing for everyone, including the National Tenants Organization, the Interreligious Coalition for Housing—representing Protestant, Catholic, and Jewish denominations—Americans for Democratic Action, the National Rural Housing Coalition, and a number of public interest groups.

Basically, the bill would:

First. Provide for continuation and expansion of the public housing program, authorizing roughly 750,000 additional units during 1974 and 1975. While this is still far from the level needed to meet low-income housing needs, it represents a substantial increase in production over previous years.

Second. It would provide for operating subsidies in order to permit public housing to continue to serve very poor people with adequate shelter.

Third. It would require that public housing serve families at the very bottom of the income scale. At least 20 percent of those admitted would have incomes below 20 percent of the median income of the area, and at least half would have to have incomes below 50 percent of the median. However, the bill would remove the present income limits for continued occupancy, so that people in public housing could remain there.

Fourth. It would prohibit discrimination against any otherwise eligible applicant on the basis of race, religion, national origin, age, sex, marital status, or amount or source of income.

Fifth. It would eliminate the requirements for special local public approval which have enabled many communities to prevent development of housing badly needed by their residents. As a corollary, it would eliminate the requirement for exemption of public housing from local real property taxes, so that conventional public housing would pay full taxes.

Sixth. It would continue the present program of leased public housing in private accommodations, but would strengthen tenants rights under this program and provide for greater public control.

Seventh. It would continue the present prohibition against high rise public housing for families with children.

Eighth. It would continue the present policy of encouraging tenant participation on the boards of local public housing agencies.

Ninth. Finally, it would provide that, in areas where there is no public housing agency or an existing public housing agency is unwilling or unable to function, a local nonprofit housing corporation could receive the public housing subsidies to enable it to provide housing for low-income families. In this connection I would point out that at least half

the Nation's counties have no public housing agencies.

I will include a section-by-section summary that I have just referred to at a later point in the RECORD.

CITIZEN'S RIGHT TO KNOW AND RIGHT TO PRIVACY

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

Mr. STEELMAN. Mr. Speaker, I am introducing today seven bills designed to guarantee the citizen's right to know, and protect his right to privacy.

Nothing so diminishes democracy as secrecy, and nothing so derides our constitutional democracy as invading the right to privacy.

One of the most important points of distinction between a democracy and totalitarian regimes is in their respective attitudes regarding the openness of governmental operations.

It is very important that as we approach our Bicentennial, we reaffirm our committment to openness and accessibility throughout government. We must take the lead to insure that the right to know is a right not only for the few in the seats of power in this country, but for Congress—for the press—and for every person.

Congress deserves the criticism it has received for failing to take decisive action. In 1966 when the Freedom of Information Act became law, we were hopeful that the ominous growth of sanctioned secrecy would be stopped. However, our hopes are still hopes and secrecy is growing.

It is a painful fact that the Watergate scandal grew and flourished in an unhealthy atmosphere of secrecy. The American University has brought this point home to us in a revealing study, just released, which concluded that not only has the Federal Government failed to live up to its claim of openness, but it has actually moved in the opposite direction.

Our experience with the Freedom of Information Act has shown us the loopholes that need to be closed, the additions that need to be made, and the problems that have been left untouched by the original legislation.

John C. Sawhill, Deputy Administrator of the Federal Energy Office, said recently that because "the Freedom of Information Act doesn't work, has too many exemptions and allows too much delay," their agency is instituting "operating regulations that go far beyond the requirements of the law." This is laudable, but we as a Congress cannot rely on this type of agency initiative.

This is why I am today introducing five major bills that will amend the Freedom of Information Act:

I. TIME LIMIT ON ANSWERS

One of the major problems with the operation of the Freedom of Information Act is the time that it takes to answer a request for information. There have been too many instances where the agency involved has used the language of the bill to stall or neglectfully delay. My first bill will end this by requiring an agency to produce the information requested within 15 days, about 2 working weeks, or give a detailed explanation of the reason that it is withholding the information pursuant to the Freedom of Information Act.

II. TO ENCOURAGE COURT ACTION, WHERE NECESSARY

During the period from July 4, 1967, to July 4, 1971, there were 2,195 recorded refusals to requests for access to public records. Of those 2,195 refusals, only 99 were taken to the courts. When we look for reasons as to why only 99 people chose to go to court, part of the answer lies in the staggering cost of waging a legal battle against a well equipped, talented, and vastly experienced battery of Government lawyers. To make it economically feasible and to encourage citizens to exercise this most basic right to know, my second bill will award court costs and reasonable attorneys fees to a succesful complainant.

III. WILL LIMIT "OVERCLASSIFICATION"

Normally when any document contains any reference, sentence or phrase deemed "secret" by an agency, the whole document is classified and any derivative documents which come from or refer to the original document are withheld under the shield of the Freedom of Information Act.

This was not the intent of Congress in enacting freedom of information legislation, nor have subsequent court decisions condoned it, but the fact is that it still goes on. I therefore am introducing a third bill to amend the Freedom of Information Act to require agencies to give out all of the information requested with such suitable deletions as may be necessary, and not as has been the case, to withhold all the information. This is really another name for overclassification; we all talk about, criticize and complain about it—now we have a chance to help bring it to an end.

IV. EXPAND THE JUDICIARY ROLE

I would like to talk about the most serious problem that has developed in the administration of the Freedom of Information Act—and that is the unjustified classification that has gone on to hide either inefficiency, ineptitude, embarassment, malfeasance, and, as has been the case, criminal acts.

The judiciary has interpreted the act as limiting courts to merely determining whether the document sought by a plaintiff was classified by the agency pursuant to executive order. The court does not determine, review and assess the right and wrong of the classification itself. Justice Stewart, in a concurring opinion in *Environmental Protection Agency* v. *Mink*, (410 U.S. 73) warned that there has been "built into the Freedom of Information Act an exemption that provides no means to question an Executive decision to stamp a document "secret" however cynical, myopic, or even corrupt that decision might have been."

This kind of thing will be ended by my fourth bill that will allow the courts de novo and incamera review of information withheld under the exemptions found in the act to determine the propriety of the classification, and to order its release if not properly classified.

V. SPECIFY EXECUTIVE CRITERIA FOR CLASSIFICATION

My fifth bill will force the executive to establish criteria whereunder it may withhold information to be related to foreign policy, and the bill will also begin to set some long-needed limits on what may be withheld in the name of national defense. This will give the courts a guide in determining what is and what is not properly classified, and it will also seek to put some reason and justification into what is being classified and withheld from the public.

RETURN THE RIGHT OF PRIVACY

I am also introducing today two long-overdue bills that will put effective controls on computer banks and strictly limit the use of the Social Security number to its intended and legally prescribed uses.

VI. LIMIT USE OF SOCIAL SECURITY NUMBER

The use of the social security number as a "standard, universal identifier" is becoming more an everyday fact of life. The July, 1973 report of the Secretary of HEW's Advisory Committee an Automated Personal Data Systems cautioned that there is a "drift toward using the social security number as a de facto national identification number." This could lead to arbitrary and unjustified link-ups and dissemination of personal information about an individual that, in the report's words, "may frustrate and annoy individuals, but may also threaten a denial of status and benefits without due process of law."

The first of these "privacy" bills will end the use of the social security number as a student identification number, a drivers license number, a credit card number, and myraid other uses. The bill will insure that the social security number is used only as required by Federal law or uses relating to the purposes of social security.

VII. CONTROLS ON COMPUTER BANKS

My last bill is designed to place strict controls on the contents and uses of personal information compiled by computer data banks. It will limit and put safeguards on who can use and have access to the information. But most of all, it will require the organization storing and using the information to publish the fact that it is doing so, tell people how they can be informed if they are the subject of data in the system, how they can gain access to such data, and how they can contest the accuracy of the data. If the data is wrong, it must be removed.

I am sure we all know of instances where a person was turned down for credit because of a "bad credit rating" supplied by a computer service. What did this rating consist of and how did they get their information? This is a question I have asked, along with many other worried citizens. This bill will, at last, give us the answers and the tools we need to find out what is being said about us, to make sure it is accurate, and to give us a say in who has access to it.

Mr. Speaker, these pieces of legislation will serve the best interests of the American people and protect their inherent and unalterable right to privacy and their right to know.

THE JUDICIARY COMMITTEE AND IMPEACHMENT PROCEDURE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 60 minutes.

Mr. HOGAN. Mr. Speaker, I would like to continue the dialog we had with respect to the impeachment inquiry. I would like to first amplify some of the things said by the gentleman from Ohio (Mr. LATTA). I do not want the importance of the distinction between the deposition and the affidavit to go unnoticed.

Why would the staff prefer an affidavit over a deposition, which is obviously a superior form of evidence? I can see only one reason: to deny the President's counsel the opportunity to cross-examine, which he should have the opportunity to do, during deposition. If there is another explanation, I would like to know what it is.

The gentleman from Ohio (Mr. LATTA) also alluded to how important cross-examination is. Every attorney in this House is well aware of the truth of that statement.

While some facts in this impeachment inquiry may not be subject to dispute, obviously some of them are subject to dispute.

If we look at the so-called Watergate Committee's hearings in the other body, we know that there were contradictory statements made by witnesses before that committee.

We of of the Judiciary Committee certainly have a responsibility to try to determine who is telling the truth and who is not.

As to these allegations, a crucial task will be to resolve as best we can the conflicting testimony or other evidence relating to these events that took place, as long as 2 years ago.

It is in this sort of factfinding process in which cross examination, properly directed, can be so vital. There is no better tool in the whole legal system, as far as I am concerned, for dissecting a witness' statement, for finding hidden contradictions, for cutting through ambiguities or generations to find out actually what was said or actually what happened.

Therefore, I certainly think that it is important that the President's counsel be present at our evidentiary hearings and be given an opportunity to cross-examine our witnesses.

With further response to the criticism of the impeachment inquiry staff, I would like to expand a bit on what has been said.

There has been some criticism of the majority Members for requesting minority memoranda relating to the things which the general impeachment staff was preparing. This was done because we felt that the majority or general staff was coming up with biased prejudicial, and sketchy material. I allude particularly to the memorandum on impeachable offenses and the memorandum on the rights of the Presidents' lawyer to be present at our hearings.

Mr. Speaker, when the gentleman from Illinois (Mr. MCCLORY) yielded to me earlier, I made the point that the memorandum on impeachable offenses was slanted overwhelmingly against the President. I would like also to allude to the so-called factual report which we got on March 1.

Mr. Speaker, aside from the fact that most of us thought that this would be a summation of the evidence on which we could being voting, it turned out to be a mere outline of the areas under investigation.

There were over 50 of these areas. However, included in this memorandum was the statement—and this is almost a direct quote—"Within the next few weeks senior members of the staff will decide which areas of the investigation to pursue."

Mr. Speaker, I repeat, it did not say that the senior members of the staff were going to "recommend" the areas of investigation to be continued. It said they were going to "decide."

I submit that this is not a function of the staff. This is a function of the committee, as the gentleman from Ohio (Mr. LATTA) pointed out so well.

Mr. Speaker, I think there is a real serious danger in allowing the staff, rather than the members of the committee itself who have the constitutional responsibility in this matter, to make these important decisions. I might say that 5 weeks later no decision on this narrowing of the gage of the investigation has yet been made.

I alluded during the remarks of the gentleman from Indiana (Mr. DENNIS) to the recent report issued by the staff of the Joint Committee on Taxation. Everyone assumes, the general public most certainly assumes, that that was a report from the committee. The media reported it that way. This was not the case. It was a report from the staff, not from the committee. Members of the committee did not even see it until it was made public.

Similarly, anyone who writes to the House Committee on the Judiciary and asks for material on the impeachment matter will receive a printed report on what an impeachable offense is. This material was not approved by the committee members, but was prepared exclusively by the staff. Anyone who reads this memorandum, together with the memorandum from the President, together with the memorandum from the Department of Justice, together with the various books and articles that have been published on this matter of an impeachable offense, can only come to one conclusion: that that is a biased report slanted against the President.

Nonetheless, it is printed as if it were the official committee report with the imprimatur of all the rest of us on the committee because our names appear on the flyleaf, even though we did not approve it, even though we had no opportunity to present minority views or to in any way disagree in the published memorandum of the staff's perception of what constitutes an impeachable offense.

Now I would like to address myself to this question which has come up very frequently in our committee about the matter of partisanship.

It seems to me when gentlemen on the other side of the aisle say certain things it is "statesmanship," but when gentlemen on our side of the aisle say the same kinds of things it is "partisanship." For example, when Republicans do certain things during a campaign they are called "dirty tricks," but when Democrats do the same things they are called "pranks." It is the same thing in both cases but it is a matter of semantics.

Mr. Speaker, I ask what is it when the majority leader of the other body (Mr. MANSFIELD) says that the President will be impeached and that the votes are here in the House to impeach the President or when the chairman of the House Committee on Ways and Means, the gentleman from Arkansas (Mr. MILLS) says the President will be impeached or that the trend is moving toward impeachment?

How do they know this? I do not know this. Presumably no one on the House Committee on the Judiciary knows this, because we have not yet begun hearing any evidence. The American people do not know that we have not yet begun hearing the first word or shred of evidence in this matter of impeachment. They think we are almost finished, but we have not even begun. Yet the majority leader of the other body and the distinguished chairman of the Committee on Ways and Means have already predicted the outcome. If they are not making such predictions on the basis of the evidence, then obviously they are doing it on the basis of partisanship.

So let us call it what it really is. As far as some members of the committee themselves are concerned, we know what their long-standing, partisan prejudice against the President has been. We cannot expect a tree that has spent its entire life as a spruce to at this point in time begin sprouting oak leaves. So when Republicans are accused of partisanship, let us see the pots that are calling the kettles black.

All I suggest is that we look at some of the statements made by many Members on the other side of the aisle. If that is not partisanship, then Webster and I do not know what the word means.

One member of the Judiciary was widely reported in the press as wearing a pin on his lapel which said, "Impeach Nixon." He does not wear it any more because everyone has come to the conclusion that even though we might not actually be fair, at least we must give the appearance that we will be fair. It is distressing. When we talk about partisanship, we ought to recognize that it appears on both sides of the aisle.

Mr. McCLORY. Will the gentleman yield.

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

Mr. McCLORY. I thank the gentleman for yielding.

I wish to commend him on his remarks and for bringing to the attention of the House and the American people the dilemma which we find ourselves in at the present time, particularly because of the failure to have committee meetings at which these important decisions which bear on this important inquiry must be made. It is my hope that the message will get through today and it will be respected for what it is intended to be; namely, a desire to search for impartiality, objectivity, and principally fairness insofar as the conduct of this official inquiry is concerned.

The gentleman's contribution and that of the others here, it seems to me, should back up the desire of the Republican members as well as all members of the committee or a vast majority of them, I believe, to do a responsible and constitutional and objectve job.

I thank the gentleman very much.

Mr. HOGAN. I thank the gentleman for his observations.

I certainly concur with him that the committee should proceed as expeditiously as possible, even to meeting at 8 or 9 o'clock in the morning rather than at 10:30 a.m. and meeting every day in official meetings rather than impotent briefings at which no action can be taken. We need to resolve the procedural question at once and begin assessing of the evidence as quickly as possible so we can get this matter concluded as soon as possible in conformity with fairness and thoroughness.

SENATOR THOMAS McINTYRE: ON THE GROWING TYRANNY OF GOVERNMENT PAPERWORK

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

Mr. YATRON. Mr. Speaker, as many of my colleagues are aware, I have recently sponsored a measure aimed at alleviating or reducing the Federal paperwork burden imposed on American small businessmen. The "Federal Paperwork Burden Relief Act" very simply directs the General Accounting Office to conduct a study into the nature and extent of the Federal reporting requirements, with its findings and recommendations to be reported to the Congress for appropriate action. The bill has been cosponsored by 162 of my House colleagues, is receiving tremendous press and news coverage throughout the country, and is receiving broad support from many organizations and segments.

My own current involvement in the paperwork burden problem was prompted, very simply, by an awareness of the situation and a sincere concern and interest in perhaps spurring interest here in the House. Unfortunately, this body has not involved itself in the paperwork problem. I am hopeful that if my paperwork bill, H.R. 12181, at least results in hearings and a more keen awareness and recognition of the situation, a meaningful achievement in progress will have come about.

There is one in the Congress who has, for a number of years, devoted himself to a sincere and dedicated effort to deal with the paperwork situation—Senator THOMAS McINTYRE of New Hampshire. The Senator has developed the broad knowledge we now have on the problem and he has led the effort for reduction of the paperwork burden. Senator McINTYRE's involvement in spearheading the issue has contributed greatly to the public awareness and congressional recognition of the matter.

I noted with much interest the article which the Senator authored, appearing in the April edition of Reader's Digest, entitled "The Growing Tyranny of Government Paperwork." These comments are forceful, enlightening and underscore the Senator's vast knowledge of the problem. I heartily commend his comments to the attention of my congressional colleagues and ask that they appear below.

Mr. Speaker, I am pleased to associate myself with a meaningful effort to seek relief for the American small businessman, by seeking a coordination, revision, and lessening of the Federal paperwork burden. Such an effort, if realized, will be an achievement of progress in this body.

THE GROWING TYRANNY OF GOVERNMENT PAPERWORK

(Citizens everywhere—and especially small businessmen—are being buried under an avalanche of often unnecessary federal forms. Here is what we can do about it.)

(By Senator THOMAS McINTYRE)

In Franklin County, North Carolina, the owner of a small grocery store-service station picks up his mail and snorts in disgust: "More damn forms for Uncle Sam!" By the end of April, he and his wife will have had to fill out 39 government reports since the first of the year—more than two a week. They include, of course, the federal income-tax return (complete with schedules A, C, F, and SE).

But there are dozens of others. For the Department of Agriculture, a list of prices charged farmers for supplies and services. For the Census Bureau, a detailed breakdown of cash and credit sales. For the Labor Department, an "Occupational Injuries and Illness Survey.' Putting in long hours compiling what he considers useless information, the young businessman is angry. "Who am I working for—me or some bureaucrat?"

Frustrated and embittered, he is not alone. Down the road, a farmer must fill out forms giving the Bureau of Labor Statistics the same data he has already provided to the Internal Revenue Service, Additionally, the Labor Department wants a "Report on Occupational Employment"; Agriculture has to know the price of everything from seed to tractor fuel; and the Census Bureau demands a detailed analysis of his fertilizer. "I'm supposed to be a farmer," he says wearily, "not some kind of professional record-keeper."

As these examples demonstrate, federal paperwork is mushrooming wildly. Each year, Washington generates more than two billion pieces of paper—ten different forms for every man, woman and child in the country and enough to fill Yankee Stadium from the playing field to the top of the stands 51 times. It costs taxpayers $18 billion to print, sort and file those two billion forms. And it costs businessmen another $18 billion to fill out and return them. What we are talking about then is $36 billion.

Over the past two years, the Senate Select Small Business Subcommittee, of which I am chairman, has held extensive hearings on what the Chicago Tribune calls "strangulation in triplicate." Witness after witness echoed the sentiments of Edwin Chertok, president of a Laconia, N.H., furniture store: "Small businessmen are being buried in a landslide of paperwork. For many, paper pollution will spell disaster and force them out of business."

The fact is that needless and duplicative paperwork is diverting small businessmen from their primary function: serving the public, providing jobs, making profits, paying taxes. Thus, a Tennessee contractor writes that his firm must spend "one fourth of its management effort producing mostly worthless documents to further inundate government files." The owners of a small New England restaurant that grossed $30,000 had to pay a certified public accountant $820 last year to fill out 52 federal forms and reports, work that only a professional could hope to complete accurately.

The owner of a small New Hampshire print shop told me: "It's just not worth it. Coming in every Saturday and Sunday to fill out forms for Washington. We're ready to chuck it." And when he does, six more people will be out of work. Subcommittee investigators have heard dozens of similar victims of government paperwork. Frustrated by red tape and petty regulations, an Iowa poultryman tells me that he shut down his $250,000-a-year operation. And the president of a small Midwest feeder airline laid off 80 of his 85 employes.

One does not have to be a professional economist to see that the federal paperwork burden is sapping the strength of our economy. Equally dismaying, however, is the wedge that red tape drives between government and its people.

Consider the case of Al Rock, general manager of a small 5000-watt radio station in Nashua, N.H. Federal Communications Commission regulations place on him the same burden they do on a multi-million-dollar radio outlet in New York or Los Angeles. Thus, when the station's license came up for renewal Rock and another full-time employe had to spend four months filling out a 45-pound application, and personally interviewing 100 people. Rock also had to provide a minute-by-minute analysis of a typical week's programming. "I don't object to reapplying for a license," he says. "But don't you think we could provide better service to the community if we weren't bogged down with trivia like this?" I cannot disagree.

There is hardly a federal department or agency that is not guilty of excessive paperwork demands. But the biggest offender is the Internal Revenue Service—with 13,745 different forms and form letters. The secretary-treasurer of an engineering company in Amesbury, Mass., was typical of dozens of witnesses before our subcommittee: "We find it impossible to keep up with ever-changing rules and regulations concerning taxes and filing requirements. We are by no means unique, but we have to make 70 filings or payments a year—some weekly, some quarterly, some annually."

Year after year, these reports increase. The IRS *Tax Guide for Small Business* takes 24 hours to read and digest. In 1970, it listed 30 forms that most businessmen had to fill out; this year that number reached 85, For

millions of businessmen these forms are gobbledygook. As the IRS itself admits, "A taxpayer will probably have to read at the level of the average college graduate to be able to comprehend all the tax instructions." Moreover, there is considerable evidence that not even IRS employees can fathom the instructions. A *Wall Street Journal* reporter, posing as a businessman, visited five different IRS officers to ask advice on his taxes Result: five widely divergent verdicts on what he owed.

We in Congress must share the blame for saddling the nation's small businessmen with onerous forms and reports, however. In our desire to improve the health, education and welfare of our fellow citizens, we pass high-sounding bill after high-sounding bill—from the Truth in Lending Act to the Clean Poultry Act to the Consumer Products Safety Act. Rarely do we pause to consider the ramifications of our legislation.

The Occupational Health and Safety Act, enacted with noble purpose, is an example. Few of us who passed that bill realized that we were giving federal bureaucrats the power to hand down sweeping, often unintelligible, regulations. Sample: "Exit is that portion of a means of egress which is separated from all all other spaces of the building or structure by construction or equipment as required in this subpart to provide a protected way of travel to the exit discharge." A Chicago businessman was forced to pay outside consultants $1800 to interpret such regulations, and even they were unsure. And throughout the country thousands of general contractors have learned they will have to spend $6000 for a complete set of government guidelines spelling out their responsibilities under the new act. The accumulated documents stacked one of top of another reach 17 feet high!

No one seriously suggests the elimination of all government paperwork. But we can reduce waste, duplication and complexity. Congress recognized this more than three decades ago. In 1942, it passed the Federal Reports Act, directing the Bureau of the Budget (now the Office of Management and Budget—OMB) to conduct a continuing program to coördinate and eliminate respective and outdated forms.

The Act has simply been ignored. If a contractor works for five different government agencies, he must submit to all five detailed reports demonstrating compliance with the Equal Employment Opportunity statute. That law has been on the books since 1964. But the government has yet to provide businessmen the first system for coordinating reports to these agencies.

After lengthy hearings, I have drafted legislation to deal with the paperwork crisis. One bill, S. 1812, would take away from OMB the job of administering the Federal Reports Act, and give it to the General Accounting Office, the Congressional watchdog that monitors government spending. It would also bring the now-exempt IRS under the Reports Act. This is necessary because the IRS has adamantly refused to take steps to cut down on paperwork. IRS Form 941—which employers must fill out quarterly to report their income tax and Social Security withholding—is a case in point. Another bill I have introduced, S. 2445, would replace these quarterly filings with an annual system, eliminating some 12 million unneeded form each year. The simple step would save business and government hundreds of millions of dollars a year.

A third bill, S. 200, would force Congress to take the lead in battling federal red tape. As one businessman told our subcommittee: "Congress should see to it that no bill is reported to the floor for action unless there has been full consideration in committee of the paperwork burden it would cause." S. 200 would do just that—and none too soon. By the OMB's own conservative estimate, the reporting burden that government imposes on its citizens increased 23 percent in one recent nine-month period. At that rate, paperwork will double in less than three years and quadruple in five.

Passage of these bills will do more than hack away at the mountains of government paper. It will, for the first time in three decades, ally Congress *with* the people and *against* the faceless bureaucrats who are making their lives miserable. It's about time.

ADDITIONAL VIEWS OF CONGRESSMAN HARRINGTON ON MILITARY ALERT RESOLUTION OF INQUIRY

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

Mr. HARRINGTON. Mr. Speaker, tomorrow the House is scheduled to consider as its first order of business, House Resolution 1002, a privileged resolution of inquiry directing the Secretary of State to furnish the House certain information pertaining to the U.S. military alert called on October 24, 1973, at the height of the Mideast crisis.

Under the rules and practices of the House, a committee to which a resolution of inquiry is referred is given 7 legislative days after referral, excluding the first or last day, in which to act upon the resolution. Thus in the case of House Resolution 1002, which I introduced with Congressman STARK on March 25, the Foreign Affairs Committee was required to file a report on the resolution by no later than Thursday, April 4. To meet this deadline, the committee met in executive session on the morning of Wednesday, April 3, and after consideration of the Department of State response to the information requested by the resolution, decided to report House Resolution 1002 adversely, because a majority of the committee adjudged the Department's response to be adequate.

As the rules of the House require that the report on House Resolution 1002 be filed without the usual 3 days between committee action and filing, it has become necessary that I take this opportunity to comment on the resolution and the committee's action upon it, in lieu of offering additional views to the committee report on House Resolution 1002.

One hundred and sixty-six days have passed since October 24, when the military forces of the United States were ordered onto a global alert, known as "Defense Condition Status 3."

One hundred and sixty-five days have passed since October 24, when in a press conference the Secretary of State promised that "within a week" he would make public the facts surrounding the military alert—an alert which President Nixon on October 26 called "the most difficult crisis we have had since the Cuban confrontation of 1962."

Despite the promises of the Secretary of State, until April 4 of this year, when the State Department response to the resolution of inquiry was made available to the House Foreign Affairs Committee in "top secret" form, neither the public nor the Congress knew why the alert was ordered, or who ordered it, or how close the world came to a major conflict during the crisis. As a result of the State Department's action of April 4, the House Foreign Affairs Committee now knows something—although the information is not conclusive in my judgment—as to why and how a "DEFCON-3" was ordered during the night of October 24. The general public, and the majority of Members of the Congress, however, still have little more than faith to go on.

While perhaps satisfactory when measured against the amount of information previously available to the committee, it is nevertheless my view that the Department's response, when measured against the promises made the Congress and the general populace, is inadequate, and altogether typical of this administration's minimal efforts to inform the Congress and the people of the facts relevant to American foreign policy.

It is unfortunate that the Department of State has chosen not to make the facts publicly available. It is more unfortunate that, in an unclassified statement sent to the committee on April 4, Assistant Secretary of State Linwood Holton promised:

> . . . there is no change in our position that the full facts and full considerations leading to the President's decision should be made public at the appropriate time.

Is it not reasonable to ask, in light of the months that have passed since the first promise, when "the appropriate time" will arrive?

While the classification of the material supplied the Committee by the State Department prevents me from discussing the information contained therein, the few facts now available on the public record testify in themselves to the seriousness of the military alert. But many of the basic facts relevant to this serious international crisis remain obscured from the public eye, and many questions arising from contradictions or ambiguities in the public record remain unanswered.

We are told, for example, that the letter from Secretary General Brezhnev to President Nixon was "unusually tough." As only four members of the Foreign Affairs Committee are given access to this message by the terms of the State Department response to the committee, there is no way for the remaining members of the committee to judge the signi-

ficance of these messages for themselves. The public, of course, has absolutely no recourse other than to accept on faith the admonition that the message was, in the words of the State Department, "unusually tough."

We know that in response to the Brezhnev messages and Soviet military activities termed "ambiguous" by the Secretary of State on October 25 and the Secretary of Defense on October 26, the United States ordered a comprehensive alert of both strategic and conventional forces. Serious questions have been raised as to whether the American response was in excess of the Soviet provocation. While not passing on the validity of these arguments, there is no way, on the basis of the public record, to answer these questions without, again, recourse to faith—as the Secretary of State put it in his October 25 press conference—"that the senior officials of the American government are not playing with the lives of the American people." When the stakes are so high, one may ask, is "faith" enough?

According to Secretary of Defense Schlesinger on October 26, a comprehensive alerting of Soviet airborne units contributed to the decision to go on DEFCON-3. Curiously, the unclassified statement from the Department of State makes no reference to the alleged alerting of Soviet airborne units. Instead, the State Department version notes that "several key Soviet military units went into alert status" and that "Soviet naval units moved into position in the Mediterannean Sea." On the basis of only this information, it is quite reasonable to suggest that an undisguised nuclear alert of all American forces was out of keeping with its cause, and a very significant initiative—if not a provocation in its own right—by the United States.

I am not suggesting necessarily that the Government acted improperly in calling the alert. Nor is my purpose to suggest criticism of the role of the Secretary of State. My intent is to show that in the absence of publicly available facts, it is impossible to dismiss the widespread apprehension that remains about the motives and cause for the U.S. military alert. Such suspicion of our leaders and our policy seems to me to be undesirable.

It is argued that full public disclosure of the facts of the alert would harm Soviet-American relations. To some extent I can accept the need for a certain level of confidentiality as necessary for the conduct of international relations. Nonetheless, a "détente" that cannot stand the light of the public eye is suspect in my view, and in this case, where the Soviet Union knows what it said and did, and what the United States said and did, it seems obvious that only the Congress as a whole and the citizens of the United States do not know the vital facts of the alert. It seems to me that without any risk to our security that a great deal more information could be, and should be, made available to the public.

It is my view that Congress is entitled to far more comprehensive compliance with the promise of public disclosure offered by the Secretary of State on October 25, 1973. The fact is that until House Resolution 1002 was introduced, the legislative branch had been almost entirely in the dark as to one of the most momentous foreign policy actions taken by our country in the last decade.

In matters where the future existance of the nation is at stake, Congress must be given the facts to make timely and well-informed evaluations and decisions. I believe the need for a more substantive—and public—investigation and disclosure of the facts is a cause that is not peculiar to any one party, or any one side of the ideological spectrum. We have seen, in the infamy of the Gulf of Tonkin, what happens when an uninformed Congress allows itself to be led blindly by the Executive to the brink of war—if not beyond. We should not allow this to happen again. We should insure that the Foreign Affairs Committee conducts broad-scale hearings on the military alert. We should take the opportunity presented by this resolution of inquiry to put the Executive on notice that Congress must be fully and promptly informed on all significant matters of foreign affairs. We should take this opportunity to lay before the public the facts behind the October 24, alert, so that, presumably, the lingering cloud of suspicion can be lifted.

FURTHER ASPECTS OF PRESIDENT NIXON'S TAX PAYMENTS

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

Mr. VANIK. Mr. Speaker, during the last several days, there have been some people saying, "Is it not nice the President paid his taxes." For the sake of preserving some creditability for the tax system, I too am pleased that the President did his duty, and promptly agreed to the amount that the Internal Revenue Service and the Joint Committee on Internal Revenue Taxation said he owed.

As I have been saying in the House of Representatives for the past 4 months, it was obvious that the President owed nearly half a million dollars in back taxes. While it is good that he made up the underpayment without argument, I fear that he has already inflicted a great deal of harm to the voluntary tax system. The President's moral indifference has rendered a serious blow at our system of "voluntary self-assessed tax collection." I believe that many individuals will follow the pattern of the President. Some will take deductions previously overlooked. Some will stretch their deductions and move into the gray areas of the tax law.

Before the President receives many more compliments on doing his duty, I would like to point out three aspects of his tax settlement.

First, many have pointed out that he did not have to pay the 1969 deficiency of $171,055—for which no interest has been assessed—because the statute of limitations had run. No one is pointing out, however, that the President's 1968 gift was also a restricted gift and therefore nondeductible. Thus the President took an extra $70,552.27 in improper tax deductions. There has been no talk of collecting or paying this 1968 underpayment of tax—for details see the Joint Committee's report, pages 5, 12, and 41.

Second, the interest being paid by President Nixon of $32,409 will be deductible in determining his 1974 taxes. Assuming that the President would normally be in a 50-percent tax bracket, the interest payment could be an out-of-pocket expense of about $16,000.

Third, under section 6511, the President may file for a refund anytime during the next 2 years. It is quite possible that he could wait until the present furor dies down, and then quietly and secretly ask the IRS—over which he is commander-in-chief—for a refund. I do not believe that he has any grounds for a refund—except that he could change his mind on the 1969 payment which he is "voluntarily" making. I am today asking the Commissioner of the Internal Revenue Service whether the President's 1969 payment is a donation to the Treasury, or whether it is a tax payment subject to a refund application under section 6511. And if it is a donation, will it be possible that this payment will be claimed as a charitable contribution for 1974 tax purposes.

Finally, Mr. Speaker, I regret to say that after going over the Joint Committee's report, one must conclude that the President or his tax advisors were not competent in dealing with the problem. I believe that if the same tax returns had been submitted by any other citizen, that citizen would be facing a most serious tax fraud charge.

I would like to conclude with the following quote from the President's press conference of May 3, 1971, when, in response to a question about a Treasury ruling on depreciation, President Nixon said:

I, as President, and as I may say, too, formerly one who practiced a good deal of tax law, I consider that I have the responsibility then to decide what the law is . . . and my view is that while they had expressed a different view, that the correct legal view and the right view from the standpoint of the country was to order the depreciation allowance. [Emphasis added.]

ATTORNEY GENERAL SAXBE'S UNFORTUNATE REMARKS ABOUT JEWS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. HOLTZMAN) is recognized for 15 minutes.

Ms. HOLTZMAN. Mr. Speaker, at a press conference held on April 3, At-

torney General Saxbe made some unfortunate and improper remarks about Jews. Because of his prominent position in the Government, these remarks were widely disseminated in the press.

I am inserting the text of a letter that I wrote to the Attorney General on April 4, 1974 in response to his remarks:

DEAR MR. ATTORNEY GENERAL: I was deeply chagrined to read in *The New York Times* this morning your statement that the "Jewish intellectuals . . . in those days [of McCarthy] were very enamored of the Communist Party." (Your office subsequently confirmed that this remark was in fact made.) Your remark is not only grossly inaccurate but brutally insensitive to the history of anti-semitism throughout the world.

It is genuinely appalling to me that you, as the highest legal officer in this country, could so easily adopt the concept of "Jewish Communists," a catch phrase that has been a chief tool of anti-semites since Nazi Germany. Your thoughtless expression can only encourage the forces of religious bigotry.

It is particularly disturbing that such a statement should be made by an Attorney General who has, among other things, an obligation to uphold the Constitution and spirit of its laws which prohibit religious discrimination and which reflect a commitment to respect all religious groups.

Since I know every decent American objects to anti-semitism, I urge you to retract the statement you made and apologize not only to the Jews of America, but to the American people as a whole.

SERIOUS DISPARITIES IN FARM-RETAIL PRICE SPREADS

The SPEAKER. Under a previous order of the House, the gentleman from Idaho (Mr. HANSEN) is recognized for 5 minutes.

Mr. HANSEN of Idaho. Mr. Speaker, when the administration announced the purchase of $45 million worth of beef last month to prop up sagging beef prices for cattle producers, many American consumers were quite perplexed. Why was such a sale necessary when beef is selling at record high prices in the supermarkets of America? The reason, of course, is the farm-retail spread—a concept not widely understood by the average American consumer. This spread represents the difference between what a farmer-producer is paid for his farm products, and the retail selling price to the consumer. In August of 1973, the average retail price for 1 pound of USDA Choice beef was $1.440, while the farm value of that meat stood at $1.085. In March of 1974, the retail price of comparable beef was $1.440, while the farm value of this beef had dropped to 86.5 cents—a drop of 22 cents.

A similar situation exists for pork and lamb. The price spread for pork has increased 51.4 percent in the last year, while the farm value of this pork has increased only 5.4 percent. Packer margins for lamb have doubled in recent years to compound the many other problems faced by the American lamb producer.

In the grain area, wheat has fallen from a price of $6.50 a bushel to $3.97 a bushel—a 61 percent drop in price. At the same time, bread prices have increased over 3 percent.

I am well aware of several reasons for a slight increase in the farm-retail spread. Increasing energy costs, increasing labor charges, and escalating freight rates have contributed to some increase. But I question that the amount of these increases is accurately reflected in the widening gap between what the farmer receives for his labors and what the consumer must pay to put a decent meal on; the cost of finished food made from those products should also decline accordingly.

The current problems of America's cattle producers will ultimately descend upon the American consumer in the form of even higher prices and reduced supplies. This situation will probably occur a little later this summer or in early fall unless substantial progress can be made in correcting the untenable situation of the farmer-producer.

It would be beneficial to reflect on the circumstances that led to this current state of affairs—in a hope that this knowledge will prevent similar mistakes in the future:

The winter of 1972–73, with unusual conditions of moisture and temperature, saw an overall reduction in daily gain in animals from 25 to 50 percent, and a concomitant reduction in the amount of meat available for market at a time when demand was high. Reduced supplies of cattle and hogs for market resulted in increased prices. Consumer reaction to these higher prices resulted in an announced meat boycott—which in turn resulted in lower order levels from retail establishments. This, of course, resulted in a price drop of $4 to $6 per hundredweight, and animals were withheld from market. The Cost of Living Council entered the picture and imposed meat price ceilings on March 29, 1973. The price ceilings, which were due to expire at the end of July, were extended until September 12. Rather than face losses, stockmen withheld cattle from market in the hope that their investment could be recovered with the lifting of controls. As could be expected, the withholding action of the farmers resulted in an oversupply of cattle—which should have resulted in lower prices for the consumer. The event that precluded this anticipated price reduction was the truckers strike. Farmers could not get their animals to market, and many packers went out of business. The situation has not measurably improved since the end of the strike. Depressed cattle prices and increased costs of production, reflecting higher prices for feed, machinery, interest, et cetera, have resulted in cattle selling at 10 to 15 cents per pound under the farmer's cost of production. Feedlot operators are being devastated by this turn of events, losing an average of $100 a head on cattle they sell to packers. Feedlot placements are down 20 percent from a year ago, while cattle on feedlots are down only 4 percent from last year. This means that there is an oversupply of fat cattle waiting to go to market, but there will be a shortage of marketable cattle this year because young cattle are not entering the feedlots at levels consistent with consumer demand. Add to this problem the fact that many of the cattle that have been slaughtered for market in the last 8 months have been from dairy herds. Narrow milk margins have forced dairy farmers to thin their herds. This means that there will be less hamburger cows and fluid milk for consumers later this year. Prices are bound to go up on these two very important ingredients in the American diet.

Thus, we have a situation where the producer-farmer is fighting for survival, while the consumer is hard pressed to balance his food budget in the face of rapidly rising prices. The only sector that is benefiting in this situation is the packing and distribution area and the retail sales outlets. Records indicate that the sizable portion of the late 1973 increases in farm-retail spreads came in significant increases in the retail margin—as much as 30 to 50 percent.

The growing concern about price spread, especially in meat, has resulted in several grand jury investigations in northeastern cities. It is now apparent that meat price racketeering has been, and is, taking place. A Federal strike force has been formed to aid in these investigations in New York City, but thus far, cooperation has been limited because of fear of reprisals by organized racketeers. The attitude of apprehension in the small operator is easy to understand because of his particular vulnerability, but there is no reason why the large chain-type retail food stores cannot cooperate in this effort. Obviously, everyone would benefit if this unconscionable trade could be abolished once and for all.

I have joined others in asking that the Federal Trade Commission conduct an investigation into the food price situation. All too frequently in the past, investigations of this type have yielded volumes of reports and recommendations, but far too little positive action. It is time to reverse this trend, and I am sure that America's farmers and consumers would share in this sentiment.

There is another area that merits the attention of the Federal Trade Commission—the volatile pricing rules that allow major meatpackers to adjust their prices upward to reflect increasing costs. Federal Trade Commission regulations specify that packing firms granted increases under the volatile pricing rules shall reduce prices to reflect cost decreases in the cost of the raw material or partially processed product upon which the price increase was based. I strongly urge the Trade Commission to undertake a review to determine if violations of this provision have occurred. If the firms are in compliance with the terms of this ruling, they should be willing to cooperate fully with the Federal Trade Commission in demonstrating the validity of their pricing structures.

In line with the previous recommendation, the Agriculture Subcommittee on

Domestic Marketing and Consumer Relations might wish to explore the possibility of standardization of cuts of meat on which to base more accurate cost determinations. A certain amount of confusion now exists because of the numerous terminologies describing essentially the same cut of meat. A standardization program would enable the consumer to become a more discriminating and competitive shopper.

In closing, I wish to once again commend the House Subcommittee on Domestic Marketing and Consumer Relations for its initiative in holding food price hearings. I earnestly hope that the proprietary stumbling block can be overcome in the middleman and retail level of our food distribution scale so that the public can be aware of actual costs on each level from the farm to the table. If profiteering is occurring at any level, it should be made a matter of public information. The American farmer and cattleman works too hard for his dollar, under trying conditions, to have his credibility and economic viability undermined by a handful of pricing racketeers. I am not against a fair profit for anyone; as a matter of fact, I would like to see the cattlemen and farmers of this country make a fair profit on a sustained basis. This is the way we will achieve ample and reasonably priced food for the American consumer. I do want to go on record, however, as being firmly opposed to unconscionable profit-taking at the distribution and marketing level that robs the American farmer of a chance to make a decent living and forces the American consumer to become an economic captive of his food shopping basket.

Mr. Speaker, I include at this point in my remarks a copy of my letter to Chairman Lewis A. Ingman of the Federal Trade Commission on the importance of extending and intensifying the Federal Trade Commission's review of the farm-retail price spread.

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 8, 1974.

Hon. LEWIS A. INGMAN,
Chairman, Federal Trade Commission, Washington, D.C.

DEAR MR. INGMAN: The House Agriculture Subcommittee on Domestic Marketing and Consumer Relations has recently concluded hearings on the meat price situation in the United States.

The testimony presented at these hearings by representatives of farm organizations, cattlemen, and fellow Congressmen indicates a serious disparity between the price paid for meat by the American consumer and the share of that price that is paid to the farmer-producer. Statistics furnished to me by the Department of Agriculture indicate that in August of 1973, the average retail price of a pound of USDA Choice beef was $1.440, while the farm value of that meat stood at $1.085. In March of 1974, the retail price of comparable beef was $1.440, while the farm value of this beef had dropped to 86.5¢. I question the contention of distributors and marketers that this spread is accounted for by increasing energy and labor costs, at least to the extent claimed by these groups.

This trend in growing price spread is not confined to beef alone. Serious disparities also exist for pork and lamb, as well as for other farm commodities, such as wheat. For example, while the price of wheat has fallen from a high of $6.50 per bushel to as low as $3.97 per bushel in recent weeks—a decrease of 61%—the price of white pan loaf bread has not decreased accordingly. In fact, Agriculture Department figures indicate that bread has actually increased in price while the price of wheat has been declining.

I view the present food price situation with great concern. On the one hand, the farmer-producer, especially the beef producer, is struggling for survival. Feed lot operators are losing an average of $100 a head on sales to packers, and initial esimates indicate that the cattle industry has lost over $1 billion this year to date. On the other hand, the American consumer is fighting what appears to be a losing battle to balance his food budget, and he is understandably hard-pressed to understand the plight of the farmer-producer in light of increasing food prices.

If this situation is not corrected by timely and decisive action, our agricultural sector will suffer economic setbacks that will severely tax our farmers' ability to provide ample, reasonably-priced food for the American consumer. Predictions have already appeared in major publications about impending beef shortages and escalating prices. Added to this disturbing prospect is the threat of milk shortages later this year.

In light of these compelling circumstances, I strongly urge the Federal Trade Commission to extend and intensify its own investigative activities in this very important area. The growing farm-retail price spread merits your immediate attention so that corrective action can be taken in time to help both the farmer-producer and the consumer.

I would appreciate a report on the results of the Federal Trade Commission's pricing investigation to date, together with a projected timetable for further action planned to counteract these serious pricing disparities. Additionally, I would appreciate your comments on proposed standardization of meat cuts that would reduce the confusion that now exists because of the various terminologies used to describe essentially the same cuts of meat. This action, together with the publication of accurate pricing data, might help the American consumer to be a more discriminating and competitive shopper.

I look forward to your reply on this urgent matter.

Best wishes.

Sincerely yours,

ORVAL HANSEN,
Member of Congress.

PERSONAL ANNOUNCEMENT

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I was not present at the end of the session of April 4 because of a commitment I had previously made to be present at a town hall meeting in New York which I regularly conduct in my district and which was attended by a large number of constituents. Had I been present, I would have voted against the amendment of the gentleman from Louisiana (Mr. HÉBERT) increasing the authorization ceiling on military aid to Vietnam, and against the final passage by voice vote of H.R. 12565, the Department of Defense supplemental authorization.

PUBLIC SUPPORT FOR SURFACE MINING CONTROL AND RECLAMATION ACT

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, the Surface Mining Control and Reclamation Act, H.R. 11500, is currently in markup before the Committee on Interior and Insular Affairs. This legislation is of paramount importance not only to Americans who live in the threatened areas of the Midwest, Applachia, and Northern Great Plains, but also to the rest of the Nation as well.

Over the past 50 years, the local industry has compiled a dismal record in its quest to produce coal as cheaply as possible. As the once lovely hills of Appalachia have been ripped and poisoned beyond belief, the real costs of surface coal mining operations have been imposed upon people living in the hollows of Tennessee, Kentucky, Ohio, and West Virginia. These costs will continue to be borne by future generations of Americans, unless we act decisively now to end this needless carnage.

The fact is that we simply cannot afford to transform thousands of acres of productive farm and forest lands into a wasted or degraded condition. We cannot afford it psychologically. We cannot afford it environmentally. And most of all, we cannot afford it economically.

In the name of all that is good and decent, the destruction caused by coal surface mining must be stopped while the recovery of necessary coal continues. Lest we forget that millions of people, and their homes and communities are involved, I insert the following letters in the RECORD, so that Members of Congress can read for themselves the concerns of those groups which are most familiar with the ravages of strip mining:

MARCH 21, 1974.

Hon. PATSY MINK,
Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSWOMAN MINK: Your stand on the strip mining bill is applauded by everyone in the conservation movement.

I thought you might find the attached statement of particular interest. It was delivered today (March 21) at The National Press Club by Ray Hubley, our Executive Director.

Cordially,

JACK LORENZ,
Information Director, the Izaak Walton League of America.

STATEMENT BY RAYMOND C. HUBLEY, JR., EXECUTIVE DIRECTOR, THE IZAAK WALTON LEAGUE OF AMERICA

(Presented at Energy and Environmental Press Conference in the National Press Club, Washington, D.C., March 21, 1974)

It has become increasingly clear that for the foreseeable future, this nation must turn to coal to take up the slack in its energy budget. This fact was vividly illustrated by Secretary Morton's recent announcement of

an Administration "coal strategy" designed to expand the use of coal from its present 17.1% of the national energy base to the 45% of 10 or 15 years ago.

The question is not whether we will turn to coal, but how and where it will be mined and burned. And with what impact on the natural, social, and economic landscapes?

Right now, the House Interior Committee is marking up a bill to control the abuses of strip mining. This bill is designed to put an end to our rivers being filled with silt or poisoned by acid run-off, homes and communities destroyed by land slides, mountain ranges scarred by thousands of miles of high walls and spoil banks and productive agricultural lands turned to sterile moonscapes. The proposed legislation is not anti-coal, nor is it anti-strip mining. It is simply pro-people.

We are opposed to irresponsible, unregulated, and environmentally destructive strip mining; we are *not* opposed to the increased use of coal. Those who fear effective regulation of stripping have been working overtime to obscure that fundamental distinction. They have argued that with our need for energy, we can not afford to regulate how coal is to be removed from the ground.

Coal interests ignore the fact that deep mining—underground mining—must be the long run answer to our need for coal. This country is blessed with enough recoverable coal to last us for hundreds of years, even at increased rates of consumption. But only 3% of that coal is strippable; the rest—97% of the total—must come from the deep mines. If we talk in terms of low sulfur coal, the picture is essentially unchanged, with a deep to strip ratio ranging from 30:1 to 7:1, depending whose figures are used.

In either case, the ultimate decision is clear, if this nation is going to be dependent on coal over the long term—as the industry and the Administration say we are—we will be dependent on *deep mined* coal. We can not afford to let our underground coal mining industry diminish or die, unable to compete with a wideopen unregulated strip mining industry. We must prepare now for the day when the nation will have to run to its real reserves in the deep mines. In the words of Russell Train: "The sooner we can make underground (mining) more economically attractive, more technologically feasible, and more socially acceptable as a way of life, *the better off* we're going to be."

The "Seiberling Amendment" added to the House version of the strip mining bill is the legislative embodiment of this counsel. It is designed to restore deep mining to a competitive position, encourage immediate expansion of underground coal production, and provide financial incentives to make deep mines safe and healthy places to work. Yet this innovative and forward looking effort has been the subject of unrelenting attack by the *strip mining* industry.

The coal interests and their friends in government have warned that even the modest reclamation requirements in the current House bill (HR 11500) would cause a severe decline in coal production in Appalachia. However, an independent study recently completed by Mathematica, Inc. for the Appalachian Regional Commission and the Kentucky Department of Natural Resources—hardly radical groups—concluded that eliminating high walls, regrading to the original contour and banning down-slope dumping of spoil are highly desirable and is economically feasible with our existing technology. In other words, the techniques are known; they only need to be put into practice.

In a letter from the Department of the Interior, the Administration recently charged that H.R. 11500 would cut coal production by 5 to 15%. Yet their assertion is totally unsubstantiated, and must remain so, because it is based squarely on a gross misreading of the bill. The mischievious prediction of a 100 million ton cut-back was derived from the assumption that the bill's reclamation standards are equivalent to a *ban* on strip mining in the Appalachian coal fields—an assumption that the Mathematica Study and practical experience have shown to be false.

The abuses of strip mining are not confined to the mountains of Appalachia alone; the spectre of the dragline is stalking the high plains of Wyoming and Montana. Partly in response to the threat of effective regulation of contour mining, the energy companies have been pouring money into the Western coal fields with the full blessing of the Administration. This phenomenon is rapidly becoming known as the East-West shift.

Appalachia, which has been bled of its coal for generations, is now about to suffer a massive hemorrhage of investment capital. As coal production shifts westward, billions of dollars in capital and payrolls will go with it, followed promptly by all the secondary investments and businesses that cluster around any major industrial operation. The economy, politics, and way of life of the high plains would be changed forever, and the people of Appalachia would be allowed to sink back into poverty. Perhaps it is another case of "benign neglect," but it seems a peculiar policy for a country that, only a few years ago, was committed to the economic revival of Appalachia.

The argument is that the western coal is low in sulfur content and needed to meet the standards of the Clean Air Act. But the public has not been told that there are vast reserves of low sulfur coal available in West Virginia—enough to satisfy the 1973 level of demand for 100 years according to an estimate by Mr. McManus, Speaker of the West Virginia House. However, most of the West Virginia low sulfur coal must be deep mined and the United Mine Workers is about to renegotiate its contract.

The western coal fields may offer a haven from the industry's labor troubles and an opportunity for high profit, but the coal is also low in BTU value per ton, high in water and ash content—it must be dried before burning and this significantly raises the sulfur content per ton. Because it is located far from its markets, the western coal must be transported great distances, in the process wasting our diminishing supplies of fuel oil. Finally, there are grave doubts whether the arid western coal fields can be reclaimed after strip mining.

Shifting the devastation to the West is *not* a solution to the abuses of strip mining. And it's not necessary to meet our energy needs.

STUDENT GOVERNMENT ASSOCIATION,
Greensboro, N.C., March 14, 1974.

DEAR REPRESENTATIVE MINK: I want to thank you for your efforts opposing the loophole in the strip mining land reclamation laws. The allowing of companies to mine anywhere without having the equipment to reclaim would be saying let's leave America the beautiful full of open sores in her countryside.

Help the people in North Carolina and other States by continuing to fight against this loophole. Thank you.

Sincerly yours,

CHRISTOPHER JONES,
President.

SIERRA CLUB,
Washington, D.C., February 28, 1974.

Hon. PATSY T. MINK,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSWOMAN MINK: On behalf of the Sierra Club I want to convey my deep appreciation for your support of sound strip mining legislation by rejecting the attempt within the Interior Committee to substitute H.R. 12898, the "Hosmer Bill," for the Committee Bill H.R. 11500. As you wisely knew the substitution of the industry supported bill would have virtually eleminated strip mine regulation for the west and would have been a major setback to passing meaningful stripmine legislation in this Congress.

We look to your leadership in obtaining a strong stripmine bill in the Interior Committee and to its final passage in the House.

Sincerely yours,

RICHARD M. LAHN,
Washington Representative.

JANUARY 11, 1974.

Hon. PATSY MINK,
House of Representatives,
Rayburn House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE MINK: For your information, I am enclosing a copy of a recent WNEP-TV editorial on the subject of strip mining and the energy crisis.

While we believe that the role of coal is important in solving the energy crisis and will continue to be even more important, at the same time we believe very strongly that it is possible and most desirable to acquire this coal in a way that does not permanently destroy our land. We at WNEP–TV speak from experience on this matter.

Thank you for your attention.

Sincerely yours,

THOMAS P. SHELBURNE,
President, NEP Communications, Inc.

STRONG STRIP MINING LAWS

The fact that the Nation faces a critical energy shortage should be known by everyone, and steps to conserve fuel and develop other energy sources are extremely important.

Coal will undoubtedly play an ever increasing role as a future energy source. Underground mining will be increased, as well as strip mining. Better safety standards that will adequately protect the miners who work underground should be enacted by Congress. And laws, strong laws, on a federal level that will require the return of strip mined land to original contour are, in our opinion, mandatory.

Our State strip mining laws must remain strong and be strictly enforced. We cannot go back fifty years and allow the strip miners to ravage the Earth. Those who would relax strip mining standards, instead of enforcing stringent ones, should first view the ravaged mountains of Northeastern Pennsylvania.

We at WNEP can look across the Valley and see an abandoned strip mine that hasn't been worked in decades, and there is still no vegetation growing on the lunar-like surface of the mine.

According to Senator Richard S. Schweiker, "When you mine an acre of coal, you get $35,000 income from the sale of that coal. It costs about $500 of that $35,000 to return the land to its approximate original contour. That's about 1½ %. I think that is a very small investment."

We agree. In our haste to develop additional energy sources, common sense must prevail. Strong controls must accompany new development of energy resources.

FISHING WORLD,
Floral Park, N.Y., November 30, 1973.
Hon. Mrs. PATSY T. MINK,
U.S. House of Representatives,
Washington, D.C.

DEAR MRS. MINK: I am pleased to learn that H.R. 11500, the Surface Mining Control and Reclamation Act of 1973, contains a strong Reclamation Fee provision that will encourage deep mining and provide for restoration of land ravaged by strip mining.

On behalf of *Fishing World's* 176,140 paid subscribers, I urge you to vote for the $2.50 per ton Reclamation Fee.

We must not allow our national need for energy to waste a beautiful land into an industrial slum comparable to the Ruhr.

Respectfully,

KEITH GARDNER,
Editor.

NATIONAL AUDUBON SOCIETY,
New York, N.Y., January 29, 1974.
Hon. PATSY MINK,
House Office Building,
Washington, D.C.

DEAR MS. MINK: At the second meeting of the Environmental Advisory Committee to the Federal Energy Office, held last Friday, January 25th, 1974 in Washington, D.C., the members of the Committee unanimously adopted the enclosed recommendation concerning pending legislation to regulate strip mining.

The recommendation is quite specific with respect to the provisions which members of the Committee feel should be embodied in a federal strip mine law. The Committee urged the Federal Energy Office to support such legislation and work for its passage.

Also enclosed for your information is a list of the members of the Environmental Advisory Committee.

Sincerely,

CHARLES H. CALLISON,
Executive Vice President.

RECOMMENDATION

It is clear that America must use more coal to meet its energy needs, and increasing amounts will be exported. There are broad and deep deposits sufficient to meet all needs for many decades that can be mined efficiently from the surface in areas where land reclamation after mining is feasible. Less than three per cent (3%) of mapped coal resources in the United States are strippable, but at present surface mining accounts for half of our domestic coal production. Therefore it is imperative that Congress promptly enact and the President sign strip mine legislation adequate to accomplish the following standards and regulations:

1. Require back-filling and regrading to the approximate original contour.
2. Require the elimination of high walls, spoil piles and depressions.
3. Require re-establishment of permanent vegetative cover with the liability of mining companies extended long enough to see this accomplished.
4. Prohibition of strip mining in any area unless the operator can demonstrate that reclamation is possible.
5. Prohibition of strip mining in National Parks, Wildlife Refuges, Wilderness Areas, and National Forests.
6. Bonding of operators to assume performance to the required standards.
7. Authorization of lawsuits by citizen groups in aid of enforcement.
8. Protection for farmers and ranchers when mineral rights to their lands are held by the government.

Further the Federal government must have interim authority to regulate strip mining according to the prescribed standards until states pass conforming laws, and there must be continuing Federal authority to intervene if a state fails to enforce such laws. This committee urges the Federal Energy Administration to support such legislation and to work for its passage in the 1974 session of Congress.

ENVIRONMENTAL COMMITTEE

Larry Moss, Sierra Club, Washington, D.C.
David D. Dominick, Washington, D.C.
Malcolm Baldwin, The Institute of Ecology, Washington, D.C.
Ed Strohbehn, Natural Resources Defense Council, Washington, D.C.
Eldon Greenberg, Center for Law and Social Policy, Washington, D.C.
Paul Ignatius, President, Concern, Inc., Washington, D.C.
Lois Sharpe, Environmental Quality Staff, Washington, D.C.
Charles H. Callison, Exec. V.P., National Audubon Society, New York, New York.
Grant Thompson, Environmental Law Institute, Washington, D.C.
Douglas M. Costle, Commissioner, Dept. of Environmental Prot., Hartford, Connecticut.
William Reilly, President, Conservation Foundation, Washington, D.C.

Representative PATSY MINK
Washington, D.C.:

Reaffirm support for long-range environmental protective provisions in H.R. 11500 versus short-term minor coal losses. Emphasis should be on deep mining and land heritage that must not be destroyed for sake of present wasteful expediency.

C. HOWARD MILLER.

NATIONAL WILDLIFE FEDERATION,
Washington, D.C., March 25, 1974.
Rep. PATSY MINK,
Rayburn House Office Building,
Washington, D.C.

DEAR MRS. MINK: I should like to take this occasion to put in writing what many of us have been saying verbally: you are doing a great job on bringing out of the House Committee on Interior and Insular Affairs a strong and effective proposal to control strip-mining.

We have noted with great interest and admiration your effective efforts to resolve differences without sacrificing what conservationists and environmentalists regard as provisions essential to any effective strip mining controls. And, we fully appreciate that you are taking these positions through conviction and dedication rather than simply in response to pressure from constituents; as a consequence, we place even higher values on your performances.

The National Wildlife Federation prides itself on taking what we consider to be reasonable attitudes to natural resource problems. We feel you are pursuing the same course and commend you for it.

We are taking the liberty of sending a copy of this letter to personnel of our affiliate in your fine State.

Sincerely,

THOMAS L. KIMBALL,
Executive Vice President.

MARCH 22, 1974.
Hon. PATSY MINK,
Chairman, Subcommittee on Mines and Mining, House Interior Committee, Rayburn House Office Building, Washington, D.C.

DEAR MRS. MINK: With the country in a state of alarm over the energy crisis, these are not the easiest of times for environmentalists. You deserve special congratulations for your untiring efforts to forge a responsible and effective strip mining bill.

All too often, we let the actions of our friends pass unrecognized. This time, we want to let you know that the Izaak Walton League of America deeply appreciates your staunch defense of environmental quality.

Thank you.

Sincerely,

MAITLAND SHARPE,
Environmental Affairs Director.

RUPERT, W. Va.,
March 23, 1974.
Mrs. PATSY MINK,
U.S. House of Representatives,
Washington, D.C.

DEAR MRS. MINK: This is just to encourage you in your struggle to get your subcommittee's surface mining bill through the full committee.

The West Virginia Highlands Conservancy, on whose Board I serve, has voted to support the strongest possible environmental safeguards in the bill. As regards the attempt to relax these safeguards in order to return to the age of cheap power, we also resolved "that we are willing to accept the necessary privations as payment for our and our ancestors' squandering and as our pledge to their descendants".

Keep up your good work.

NICHOLAS ZVEGINTZOV.

ECONOMICS OF SURFACE MINING CONTROLS

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, the statement of Carl E. Bagge of the National Coal Association in Birmingham, Ala., on March 15, 1974, is a clear example of the attempt by many sectors of industry to use the current energy crisis as an excuse to justify virtually any abuse against the American public.

Mr. Bagge's inflammatory language is replete with self-serving distortions of the dilemma now faced by the coal industry. Such an approach to the gravest issue now facing the Congress is neither in the interest of the public nor of the industry. The issue is simply whether America's vast coal resources are to be ripped willy nilly out of our land, or whether the other precious tangible and intangible resources of our coal-bearing regions are to be preserved for posterity, while we recover the coal we so badly need.

The Surface Mining Control and Reclamation Act, H.R. 11500, which is one of the objects of Mr. Bagge's diatribe, is the result of nearly 3 years of work by the Committee on Interior and Insular Affairs and by the joint Subcommittees on Environment and Mines and Mining. This bill is not an attempt to "harass, kick or bedevil" the coal industry. It arose in response to the widely recognized problem of environmental damage caused by coal surface mining. No one who has seen what is left of the mountains of West Virginia and Eastern Kentucky or who has talked to survivors of the Buffalo Creek Disaster of 1972 can believe that this industry is not in need of regulation. The coal industry has demonstrably left the citizens of these and

other states with a legacy of destruction and death.

Beginning in September 1973 the Joint Subcommittees on Environment and Mines and Mining, after having conducted hearings in April and May which amounted to over 1,600 pages of testimony, began markup on the coal surface mining bill. The joint subcommittees labored for over 2 months. They held 29 markup sessions before the bill was finally reported on November 12, 1973. During these markup sessions, several compromises were reached to avoid the undue restraints upon the coal industry. The bill which was reported by the joint subcommittees is a compromise bill which is aimed at allowing the surface mining of coal to continue, while at the same time minimizing the environmental damage caused by those operations.

In referring to H.R. 11500 as "short-sighted, ill-conceived, and downright vindictive," Mr. Bagge is apparently not in agreement with at least one influential segment of the industry. In December 1973 the Continental Oil Co., owner of Consolidation Coal Co., second-ranking coal producer in the Nation, presented a paper entitled "Coal and the Energy Shortage," specially prepared for a group of security analysts. This no-nonsense review of the prospects for the U.S. coal industry paints a glowing picture:

In summary, application of present and new technology should greatly widen coal's horizons. Demonstration of second generation stack gas scrubbing equipment and development of improved coal conversion processes will permit coal's utilization to generate electricity without excessive pollution. Production of methane will bring in coal as a major source of supply to our existing gas grid. Conversion to liquids will permit use of coal as an ultimate source of fuel for transportation, residential, commercial, and industrial markets. With these expanded opportunities, coupled with programs to increase greatly production, our nation's abundant coal resources should play a dominant role in our objective of combining a high standard of living with a high degree of energy self-sufficiency.

In referring to H.R. 11500, the report specifically endorsed the primary concept underlying the environmental protection performance standards in the bill by commenting that:

We believe the nation's interests would be served best by legislation that requires the return of surface mined land to its approximate original condition or to a condition that will provide for an equal or higher use.

In a useful analysis of the costs of land reclamation accruing to the surface mine operator, including the costs of returning the topography to the approximate original contour. Consoco has this to say:

Reclamation in the West might involve expenditures of $1,000 to $4,000 per acre to restore land to its original value. In the hillier terrain in the East, a higher cost in the range of $3,000 to $5,000 per acre can be expected. Because of the thicker coal deposits in West, this reclamation cost can amount to 2¢ to 20¢ per ton, while it can be $1.00 to $3.00 per ton in the East. Although this cost may seem relatively high on a per-ton basis, the cost in terms of cents per KWH to the consumer seems to us to be reasonable when you consider the potential energy contained in our surface reserves. Even taking the largest of these costs would add only 2 to 3 percent to the average residential electric bill.

In other words, our second largest coal producer is quietly passing the word to the financial community that the basic premise underlying H.R. 11500 is sound—that the increased costs of reclamation will not prove onerous for either the industry or the consumer, and that protection of surface values is in the national interest.

As to Mr. Bagge's allegation that synthetic fuels production will be eliminated by congressional action aimed at preserving the environment, it seems to lack factual support. There has been no dearth of activity among the coal and oil companies in recent months in cornering the western coal and water supplies which are necessary ingredients of gasification and liquefaction plants. Over 15 coal gasification plants are contemplated by the oil and gas industry. If, as Mr. Bagge states, this kind of development is in danger of extinction, the industry does not seem to be concerned.

Regarding the price estimates for gas made from coal, there is a wide disparity. On a per million Btu basis, estimates range from $0.4476 to $1.50. This range of uncertainty among the experts in gasification research and development is cause enough to doubt Mr. Bagge's argument that rising costs due to surface mining reclamation expenditures will eliminate gasification as an economic possibility. Gasified coal would be competing primarily with other supplementary gas sources, such as natural gas from Alaska and LNG from Algeria and the U.S.S.R. Estimates for delivery of gas from these sources range from $1.25 per thousand cubic to $2.50 per thousand cubic feet. The American Gas Association has predicted that the price of U.S. natural gas will reach $1 per thousand cubic feet by the end of the century.

The vast majority of the coal gasification plants which are now contemplated will be constructed in the West. These plants will depend upon surface mines for their coal. As the Conoco study points out, reclamation of these lands will amount to only a few cents per ton. This added cost will have virtually no effect on the price of the gasified coal.

Using figures from the National Petroleum Council's report "U.S. Energy Outlook, Coal Availability," let us examine what would happen to the price of gas from coal with a $0.25 rise in the price of a ton of coal—a figure well above the Conoco estimate for reclamation costs.

A 250-million-cubic-foot-per-day plant producing gas with a heating capacity of 900 Btu per cubic foot, would produce 225 billion Btu/day of gas. The plan would use 5.3 million tons per year of bituminous coal, or approximately 14,520 tons per day.

In such a plant, a $0.25 per ton price rise in the price of a ton of coal would add $3,630 to the daily operating cost of gas production. This works out to only 1.6 cents per million Btu of gas, an inconsequential amount.

In fact, the price of coal has almost tripled within the last 12 months. These price increases cannot have been due to any increased reclamation costs. They are, in large part, a reaction to the rising price of oil. If the coal industry is so worried about being priced out of the market by costs incurred as a result of reclamation, their recent pricing behavior is certainly enigmatic.

I think that it is about time that the coal industry accept its responsibility to the rest of our society. Coal can be mined at reasonable profit and the land reclaimed. The cost of reclamation will be passed on the consumer in any case. The land must then be available for alternative productive uses in the future. The present shortages of lumber and lumber products, as well as the skyrocketing prices of food should serve as warning that we will need every inch of productive land we can find before long. H.R. 11500 will insure the strong regulation needed to protect the productivity of our land.

INTRODUCTION OF LEGISLATION TO PROVIDE PUBLICLY FINANCED HOSPITAL CARE TO ALL PERSONS IN THE UNITED STATES

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, as Congress takes up national health legislation, I hope we will take a serious look at the system we create; the burden we may be locking into our health care mechanism forever, with a complicated process which depends upon a "middleman" either in the shape of a new federally subsidized insurance industry or in a new governmental bureaucracy.

Although we know that the cost of any kind of health care can have a significant impact on the average person, we all recognize that it is the expense of extended hospitalization which threatens financial disaster to any family. With hospital costs rising to hundreds of dollars per day, even families covered by health insurance stand to end up with thousands of dollars in debt.

I believe protection against this staggering economic burden of hospital care is the most pressing health concern of our people. Yet the national health insurance proposals now before Congress fail to remedy the existing defects of waste, duplication, and disorganization which have contributed heavily to the increasing cost of hospital care. In addition these proposals merely add patchwork methods of financing to a hospital system already overburdened by enormous expenses of patient bookkeeping and billing that could and should be eliminated.

I call on Congress to face up to not only these burdensome administrative costs but to guard against the superimposition

of an insurance company middleman to further complicate the system and contribute further to the ridiculous mountains of forms that must already be filled out by doctors and patients alike. We are all trapped in a system that seems to emphasize paperwork production rather than human care—a system that would be perpetuated if not increased under proposed expansions of the Federal role in health care insurance. It is quite clear that we will all be fighting what is "includable," "excludable," "deductibles," "time limits," and all other eligibility "razzma-dazz" technicalities. Therefore, it seems to me we have no choice if we really want to correct this system. We must drastically revise the structure of our hospital cost payment practices, or else the entire hospital system will topple under the growing weight of its own computer cards and monthly statements at fantastic costs just for mailing. I believe we can do this, very simply and very directly, but it will require a totally new approach and an abandonment of the "insurance" concept.

Also we should be working to reduce hospital costs, not only of new ways to finance them. If we can accomplish this, the most critical part of health care costs will have been brought under control. The remaining health insurance needs of our people, that is, doctor bills could be met with far less effort, largely by relying on existing insurance programs.

I believe the best way to reduce the cost and paperwork of billing every individual patient is to stop billing individual patients. Instead, the costs of operating hospitals should be borne as a public expense, in much the same way as we now pay for countless other national programs. Payment of the overall total cost would be borne by the Federal Government. Individuals would contribute the same or nearly the same payroll deductions they now pay for hospital insurance, but they would never have to cope with confusing and time-consuming hospital bills.

In order to permit Congress to consider this practical way of reducing hospital costs while expanding the availability of service, I will introduce tomorrow legislation to provide publicly financed hospital care to all persons in the United States.

By adoption of such legislation, we can eliminate much of the waste in our hospital system and provide a better quality of care through more efficient organization of our hospital system. The savings resulting from this could enable us to provide hospital care to all who need it, probably with little or no increase beyond the cost we are paying now for inadequate care. Any person, regardless of age, would be able to get hospital care without payment; a doctor's certification of need for hospitalization is all that is needed for admission.

My bill, the National Hospital Act of 1974, would establish a National Hospital Administration—NHA. The NHA would have a Board of Directors appointed by the President, and a high-level Administrator appointed by the President subject to Senate confirmation.

The Board would be directed to investigate the hospital care needs of the people of the United States and determine what new facilities are required in each area of the country to meet those needs. The Board is authorized to enter into agreement with existing hospitals according to an overall coordinated plan, to assume all their operating costs. It could issue $10 billion in capital improvement bonds, guaranteed by the Federal Government, for a 10-year program of new construction, modernization, and consolidation of hospitals throughout the Nation.

The Board would make recommendations to Congress for the financing of the operating costs of all participating hospitals, using existing social security, civil service, and other payroll deductions for hospital insurance to the maximum extent. When fully implemented, all existing programs of Federal assistance to hospitals will terminate and instead a comprehensive fully federally paid hospital program will be inaugurated. Every man, woman, and child regardless of age when in need of hospitalization will be served without paying 1 cent for this care. The total hospital budget will be paid by the NHA. Its liquidity will no longer be dependent upon collecting money from patients.

The Board would be responsible for the direct implementating of policies under which participating hospitals would be managed. The objective would be streamlined and efficient hospital care for all areas of the Nation. We would strive to end the existing practice of hospitals competing for costly but prestigious equipment and facilities with no overall coordination according to area need.

Advisory councils of hospital administrators and consumers are provided for by the bill. A patient advocate system is also established.

It seems to me this legislation offers an opportunity for the Congress to make a badly needed and fundamental change in our hospital care system, so that hospital care would be provided to all as a matter of right rather than merely creating another complicated insurance system of more paperwork of some includable expenses which are covered or are not. My bill will meet all costs of hospitalization, requires no forms, and costs the same.

RESETTLEMENT OF SOVIET REFUGEES

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, I have today introduced legislation to authorize $50,000,000 in additional assistance for the resettlement of emigrants from the Soviet Union.

Such assistance has been provided by the United States since 1972, when legislation which I proposed with Senator EDMUND MUSKIE was enacted into law. That legislation authorized $85,000,000 to help meet the various needs of Russian emigrants, most of whom were destined for Israel. Services provided with this assistance have included transportation, the construction and operation of transit centers, medical services, housing, job training, and other educational services.

The need for this program continues to exist, even though its authorization is expiring. Since September, 1971, when the stepped up rate of Russian emigration began, 85,000 Russian Jews have reached Israel and about 5,500 have gone elsewhere. Hopefully, the Soviet Government will continue to allow this rate of emigration, or even increase it, under international pressure. It has been impossible to discern any definite trend in emigration in the last few years, and the rate allowed by Soviet authorities may well increase this year, even though it has been down somewhat during the first 3 months of this year.

U.S. assistance is vital to these emigrants, who are unable to leave the U.S.S.R. with enough resources to take care of themselves. United Israel Appeal, which has contracted with the Department of State to administer $74,500,000 of these resettlement funds, has estimated the total expenditure for the close to 90,000 Jews who have come to Israel since 1971 at approximately $40,000 per family or a total of $960,000,000. The Government of Israel and private philanthropy have assumed most of this burden, but U.S. assistance must continue to play an important part, especially as the costs of the October war and spiraling inflation place heavy new demands on Israel.

I plan to offer the substance of this legislation in the form of an amendment to the Department of State authorization bill for fiscal year 1975 which will be considered by the Foreign Affairs Committee in the near future. I hope my colleagues in the House will continue to support this valuable program.

PROPOSED REORGANIZATION OF SELECT COMMITTEE ON COMMITTEES: THE NECESSARY PAIN OF REFORM

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, the House of Representatives is a living and constantly changing institution. Little of what characterized it in the 1st Congress remains in the 93d. One feature, which has changed as much as anything else, is its committee structure. As their usefulness has ended, our past committees have been eliminated outright or absorbed into other committees. New committees have come into existence as new national problems have developed

demanding their share of congressional attention.

But in almost 30 years now there has been hardly any change in the committee structure of this House. Committee jurisdictional lines are so tangled, work loads are so uneven, and responsibility for major policy issues is so scattered among the committees that Congress is unable to perform its responsibilities and is fast losing its constitutional position as the coequal of the Executive.

The proposed reorganization of the Select Committee on Committees provides us with the means to rectify much of what is wrong. It is for this reason that I would like to place in the RECORD the text of an editorial from the prestigious Los Angeles Times supporting the reorganization as a whole. I urge the Members of the California delegation, in particular, to take note of it.

The article follows:

THE NECESSARY PAIN OF REFORM

Slowly if not surely, Congress is coming to grips with the painful job of reforming itself. A bill to reform antiquated budget procedures will be voted on by the Senate any day; a separate version has been passed by the House. A campaign finance reform measure has also made its way halfway through Congress.

Now the House faces one of the most difficult jobs of all: reshuffling the committee structure to eliminate overlapping jurisdictions and built-in inefficiencies—though it means bucking some of Washington's powerful legislators and lobbyists.

Critics in and out of Washington have complained in recent years that the congressional machinery grinds exceedingly slow. One reason is that the House Ways and Means Committee has jurisdiction over so many vital areas of legislation that it can't do justice to any of them. Beyond that, existing committee jurisdictions are not suited to rational handling of such increasingly important subject areas as energy and the environment.

A year ago House Speaker Carl Albert (D-Okla.) appointed a special 10-man panel, headed by Rep. Richard Bolling (D-Mo.), to study ways to modernize the committee setup. The panel announced its recommendations this week.

The Bolling group proposed, among other things, that the Ways and Means Committee keep jurisdiction over tax, Social Security and welfare legislation, but be stripped of much of its jurisdiction over legislation on foreign trade, health insurance and unemployment compensation.

Such a move, or something like it, is badly needed to end the kind of traffic jam within Ways and Means that has blocked action on health insurance, despite broad public support, because the panel has been busy on trade, tax and pension reform bills.

Most of the Bolling group's other recommendations for consolidating and streamlining the committee structure are well taken, too.

Considering that the Public Works Committee has a long history of being excessively beholden to the highway lobby, however, we wonder what would happen to mass transit and Amtrak if all transportation programs were centered in the committee, as recommended.

There is also concern that splitting the Education and Labor Committee would produce a badly polarized labor committee and an education committee with too little political clout.

Finally, it is regrettable that the Bolling panel did not see fit to go beyond the modest reforms of 1971 and challenge the hallowed but outmoded seniority system of selecting committee chairmen.

But, on the whole, the Bolling proposals are on target. Fortunately, when they come up for a House vote in late April or May, they are expected to be supported by the leadership of both parties, by reform-minded younger Democrats and by most Republicans.

However, the reform recommendations face strong opposition from powerful business and labor lobbies and from influential legislators such as Rep. Wilbur D. Mills (D-Ark.), chairman of the Ways and Means Committee, who don't want to lose power.

The public interest clearly lies in approval, with some modification, of the Bolling reform blueprint.

AMENDMENT TO HOUSING BILL

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, today I am introducing an amendment to title V of the Housing and Urban Development Act of 1970. The purpose of my bill is to encourage local governments to develop subunits of government. Every level of government today has been criticized for being isolated from the people, unresponsive to local needs and overly bureaucratic. My bill would assist cities to conduct demonstration programs to determine the effectiveness of providing certain types of services through subunit or neighborhood structures of local government. I believe we must combat the feelings of alienation that are becoming more prevalent every day in our society. I feel democratic neighborhood government will provide a vehicle for meaningful citizen participation to reverse this trend.

There is a myth that the larger an organization the more efficiently it operates. The fallacy of this idea becomes more apparent daily. Several recent studies indicate that efficient and responsive service delivery systems can be provided in subunits with populations between 10,000 to 40,000 people Howard Hallman, on page 24 of his book, "Government by Neighborhoods," published by the Center for Government Studies, in Washington, D.C., on September 16, 1970, has compiled the following data that shows what functions communities of various sizes can adequately manage. His summary is listed in the following table:

Functions	Activities which can be handled by a neighborhood: 10,000 population	Activities which can be handled by a neighborhood: 25,000 or more	Activities which cannot be handled by neighborhood
Police	Patrol, routine investigation, traffic control.	Same	Crime laboratory, special investigation, communications.
Fire	Fire company (minimal).	Fire companies (better).	Training, communications, special investigation.
Streets and highways	Local streets, sidewalks, alleys: Repairs, cleaning, snow removal, lighting, trees.	Same	Expressways, major arteries.
Transportation			Mass transit, airport, port terminals.
Refuse	Collection	Same	Disposal.
Water and sewer	Local mains	do	Treatment plants, trunk lines.
Parks and recreation	Local parks, playgrounds, recreation centers, lots, swimming pool (25 m.).	Same plus community center, skating rink, swimming pool (50 m.).	Large parks, zoo, museum, concert hall, stadium, golf courses.
Libraries	Branch (small)	Branch (larger)	Central reference.
Education	Elementary	Elementary, secondary.	Community colleges, vocational schools.
Welfare	Social services	Same	Assistance payments.
Health		Public health services, health center.	Hospital.
Environmental protection.		Environmental sanitation.	Air pollution control.
Land use and development.	Local planning, zoning, urban renewal.	Same plus housing and building code enforcement.	Broad planning, building and housing standards.
Housing	Public housing management.	Public housing management and construction.	Housing subsidy allocation.

Other studies have shown that economies of scale tend to disappear for almost all urban government functions at about the level of 100,000 to 200,000 population.

The move to decentralization that I propose is not new. There is considerable experimentation occurring in various cities, counties, and States today. Included in this list would be Dade County, Fla.; Bergen County, N.J.; New York City; Delaware County, Pa.; Montgomery County, Md.; Washington, D.C.; Dayton, Ohio; Oakland, Calif.; Los Angeles; Boston; Seattle; Kansas City; Pittsburgh; and Sto-Rox, Pa.

I would like to ask my fellow Representatives to help me encourage these local communities and others to continue their experimentation, and I would like to involve the Federal Government in this new partnership with local citizens. It is my intention to seek the support of all interested Members in cosponsoring this legislation. I shall also insert in the RECORD from time to time additional material illustrating the significance of this movement toward decentralization in improving the quality, as well as the efficiency, of modern urban life.

CONSTRUCTION OF THE ALASKAN PIPELINE

(Mr. MITCHELL of Maryland asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MITCHELL of Maryland. Mr.

Speaker, Members of the House on August 2, 1973, approved the construction of the Alaskan pipeline. Strong Equal Opportunity Commission provisions were a part of the bill which was passed. The U.S. Department of the Interior indicated it would draft an effective affirmative-action program to complement the legislation.

What has transpired since that time? The answer is simple. Either there has been no Equal Opportunity Commission action or else there has been abuse of minority contractors insofar as the pipeline is concerned.

We have yet to see any affirmative-action plans from the U.S. Department of the Interior.

Contracts are presently being let by the Alyeska Pipeline Service Co. without any consideration for the involvement of minority contractors.

Minority businessmen/contractors who have sought to get a piece of the action have been curtly and discourteously dismissed for consideration by Alyeska.

My colleagues do not fail to misunderstand why so many black citizens articulate distrust of this Government. Once again, in the case of the Alaskan pipeline construction, equal employment opportunities are being shunted to the side and equal opportunities for minority/black contractors are being systematically denied.

CHOCTAWHATCHEE DISTRICT BOY SCOUTS DESERVE A PLUS

(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, I am highly impressed with an unusual plan of action begun by the Choctawhatchee District of Boy Scouts of America. They have undertaken a reforestation program in the half-million-acre Eglin AFB Reservation. This is the kind of program which can provide useful activity for scout troops nationwide. There are 23 Boy Scout troops engaged in the reforestation project.

It was begun 3 months ago when a 150-acre tract was selected for the program. The scouts are planting seedlings after clearing selected areas. They are thinning and pruning trees as needed and they will provide an annual caretaker operation. Their projects may also include erosion control, wildlife, nature trails, pioneering projects, and meeting sites.

The significant thing is that by harnessing the "boy power" of America through scouts and other groups, these lands can become havens for wildlife, a source of timber, and return to our Nation the bounty which so often is stripped from public lands.

Congratulations to the Choctawhatchee District Scouts. We are very proud of this "boy-power" in action and of the fact that Florida scouts are providing leadership in what can be an important national program.

Nat Fields is the Choctawhatchee district executive and Paul L. Gray is unit commissioner. Their leadership deserves commendation.

RESULT OF REOPENING THE SUEZ CANAL

(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, Lt. Gen. Ira C. Eaker, well known to the Congress for his great contributions during World War II, has portrayed the effects of the real end of the Suez Canal in his article which appeared in The World Wars Officer Review for March–April 1974. The Review is the official publication of the Military Order of the World Wars. I submit it for reprinting in the RECORD.

RESULT OF REOPENING THE SUEZ CANAL

If the Arab-Israeli truce and disengagement proceed on schedule, the Suez Canal will probably be reopened late this year. In fact, this may be the second most important result from the aftermath to that conflict, ranking only after the Arab oil embargo in its long-ranged, world-wide significance.

It is therefore essential to examine the probable results of that event, and its influence upon the power balance between East and West. It is likely to have dramatic international results both economically and militarily.

The Suez Canal, formerly the most important man-made roadway in sea commerce, has been closed since the Six-Day Arab-Israeli War in 1967. The principal former international users of that waterway have adjusted to its non-availability. The economy of the Free World nations have survived and expanded during this period. Larger tankers were built so that the long haul around the Cape of Good Hope did not greatly increase the price of Mid-East oil to the NATO countries. These tankers, due to their size and draft, cannot negotiate the Suez Canal, but most continue to make the longer voyage.

The European nations which had extensive military and economic commitments "East of Suez" prior to World War II, principally Britain, France and Holland, no longer have extensive military and naval forces in those areas and their commerce with Mideast and Far Eastern countries has greatly depreciated.

The nuclear powered, super carriers of the U.S. fleet cannot use the Suez Canal due to their size and draft. The canal is no longer essential or material to the economic well being or application of military influence and power to the Western World.

The USSR, on the other hand, will derive the principal benefit from the reopened Suez Canal. This will permit the growing Soviet Navy to complete its dominance in the Middle East and to extend its naval power into the Indian Ocean.

It is significant that all the ships of the growing Soviet fleet can negotiate the Suez Canal. The Soviet Mediterranean and Black Sea fleets will find their routes to India, for example, decreased by 7,000 miles.

The Russian fleet can now rapidly achieve the superiority in the Middle East and Indian Ocean which it has recently achieved in the Mediterranean Sea.

The few remaining nations in Africa and the Middle East neutral or friendly to the West can be surrounded and isolated and forced for their survival to make an accommodation with the USSR.

Economic gains in these areas for the USSR will quickly follow inevitably. Russia is building a vast merchant marine which can operate more economically than can the merchant fleet of any Western nation, due to lower labor and fuel costs.

Russian influence on the developing nations in Africa and Asia can become dominant. NATO nations, faced with grave economic depression due to the Arab oil embargo and 470% increase in petroleum prices, can scarcely continue to aid these poverty stricken countries. The USSR and her Arab allies will be able and eager to supply this deficit and in dollars, pounds, marks, francs and lira, the result of the increased price of oil to NATO nations, estimated at $25 billion annually. With all or most of their foreign aid coming from nations under Soviet influence, all these new, excolonial nations will reluctantly, be drawn into the communist camp.

The U.S. furnished the technical management and much of the cost of clearing the Suez Canal when it was closed by Egypt's dictator, Gamal Nasser. There have been suggestions that the U.S. again participate financially in reopening it. It is not in our national interest to support or speed its availability

Secretary of State Kissinger has been remarkably successful as the catalyst between the Arabs and Israelis in the cease-fire and peace negotiations to date. It will take equally skillful diplomacy to avoid the disaster to the Western World which could flow from a reopened Suez Canal.

PANAMA CITY CITIZENS SCORE AN OUTSTANDING FIRST

(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 Military Affairs Committee of the Chamber of Commerce of Panama City, Fla., has long been known for its outstanding support of the Air Force and of Tyndall Air Force Base located nearby. The work of this committee has helped to bring about superior base-community relations.

Recently a group of these men scored an outstanding first in orientation tours by demonstrating beyond a doubt their sincere appreciation for the military community which they consider a real part of Panama City and Bay County.

On Tuesday morning, May 26, a group of 25 business leaders, all members of the military affairs committee, departed on commercial airlines for a 4-day tour of North American Air Defense Command facilities at Colorado Springs, Colo. Fuel limitations and economy measures have caused the military to forego goodwill tours frequently scheduled for community leaders. That did not deter the Panama City group. Each member of the tour group paid all his expenses incurred on this visit. This is the first known time a group of civic leaders from any city has purchased commercial tickets and paid all their expenses for such a tour.

A spokesman for the military affairs committee said the visit was planned to demonstrate the community's real interest in ADC and the military and to show community support of the Air Force and especially the local command. He said:

ADC and NORAD commanders have changed, and mission requirements have been upgraded and also changed. The interest of the people of Panama City in Tyndall and in the Air Force has not diminished. We believe in both and we support the de-

fense of our nation. We feel that the orientation tours have possessed real value for both the citizens of the local community and the military. Consequently, we have sought to continue to show the real desire of this community to be part of the Tyndall community; our desire to encourage the continued growth of Tyndall AFB; and to foster the person-to-person relationship that has existed these many years between the community and Tyndall.

While in Colorado Springs the group visited the NORAD command headquarters complex under Cheyenne Mountain. They toured the Air Force Academy and were given extensive briefings on NORAD and the Aerospace Defense Command missions and plans for the future. They also had the opportunity to visit with Gen. Lucius D. Clay, Jr., NORAD–ADC commander.

As a social part of the visit, the Panama City group hosted a reception in honor of General Clay and approximately 50 members of his staff.

Panama Citians making the trip were met at Colorado Springs by Brig. Gen. Carl D. Peterson, commander of the Air Defense Weapons Center at Tyndall Air Force Base and his director of public affairs, Mr. Hank Basham.

The businessmen and committee members making this trip were M. G. Nelson, Deck Hull, John McMullen, T. Woodie Smith, Pat Patrick, Rowe Sudduth, Jim Rider, Roy Blackburn, R. F. Barnard, Gene Bazemore, James Bradshaw, John Hutt, Sr., John Hutt, Jr., Bill Teets, Joe Alderman, Keith Jordan, Tommy Cooley, Bill Parrish, J. O. Blackburn, Jimmy Hentz, Dr. Horton Lisenby, H. B. James, Richard Neves, L. D. Cowart, and Bobby Kirkland.

It was the feeling of all that this visit was a significant contribution toward making people aware that Panama City truly supports the Air Defense Weapons Center at Tyndall Air Force Base, the U.S. Air Force, and the Department of Defense in carrying out the national defense mission.

THE MINERAL CRISIS

(Mr. MILLER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER. Mr. Speaker, the American people have been made more aware in the past 6 months of the hardships we face when we begin to run out of a vital resource or are cut off from our supply. Today I have introduced legislation that will alleviate this problem.

The mineral crisis that is beginning to hit this country is a problem that will become worse with each succeeding generation. At the present time the United States imports 93 percent of its manganese needs, 92 percent of its cobalt, 81 percent of its aluminum, 75 percent for tin and 71 percent of our nickel needs. This is only a partial list of critical raw materials that this country has to import. As we continue to deplete what reserves are left within our boundaries, our dependence on foreign sources will become even more pronounced. While inferior substitutes may be found for some of these minerals, it will take many years of research and huge sums of money before alternative minerals can be used by industry.

In the interim, we must insure that American industry and our national economy are not crippled by lack of the necessary raw materials. Our Nation has been awakened in the past 6 months by the sting of the Middle East oil embargo. Our children and our grandchildren will feel this pain even worse if we allow ourselves to become increasingly dependent on the good will of foreign countries to supply us with vital resources.

At the same time that the United States is running out of these vital raw materials, we continue to send massive amounts of foreign aid to those countries which have these undeveloped minerals. Since the end of World War II, foreign aid has cost the American taxpayer over $250 billion. We have received nothing in return. Foreign aid has not made the rest of the world love us. In fact, some of our major adversaries have been heavily subsidized by the American taxpayer. Our generosity has been returned with ingratitude more often than with thanks. At the same time, these recipients of our aid are sitting on top of very large deposits of unexploited mineral wealth. As more and more countries of the world begin to industrialize, our aid often contributes, directly or indirectly, to subsidizing the competition for these minerals. It is time the American people began to receive something back for their foreign aid. It is time we realized our own resource barrel is not bottomless. It is time other nations of the world realize that our unrewarded generosity has its limits.

The legislation that I have introduced today will help defuse this ticking time-bomb. The bill will allow the United States to barter its foreign aid for strategic or critical raw materials which are depleted, in short supply, or not produced in this country. There is no reason why we should not use this concept today with our foreign aid. America is running out of raw materials. We continue to send millions abroad in aid. It is time to solve our shortages by obtaining minerals in return for our foreign aid. The legislation introduced today will provide the vehicle to achieve that goal.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

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

Mr. FRELINGHUYSEN (at the request of Mr. RHODES), the week of April 8, on account of official business.

Mr. MCEWEN (at the request of Mr. RHODES), for the week of April 18, 1974, on account of official committee business.

SPECIAL ORDERS GRANTED

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

Mr. PASSMAN, for 30 minutes, on April 9.

Mr. BAFALIS and Mr. ARMSTRONG (at the request of Mr. BAFALIS) to change the date of special orders for 1 hour each from April 8 to May 8, 1974.

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

Mr. STEELMAN, for 5 minutes, today.
Mr. GOLDWATER, for 5 minutes, today.
Mr. MILLER, for 30 minutes, today.
Mr HOGAN, for 60 minutes, today.
Ms. HANSEN of Idaho, for 5 minutes, today.

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

Mr. YATRON, for 5 minutes, today.
Mr. GONZALEZ, for 5 minutes, today.
Mr. HARRINGTON, for 5 minutes, today.
Mr. STOKES, for 60 minutes, today.
Mr. CONYERS, for 60 minutes, today.
Mr. VANIK, for 5 minutes, today.
Ms. HOLTZMAN, for 15 minutes, today.

EXTENSION OF REMARKS

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

Mr. MADDEN to revise and extend his remarks and include extraneous matter.

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

Mr. RONCALLO of New York.
Mr. CONTE.
Mr. DON H. CLAUSEN.
Mr. MINSHALL of Ohio.
Mr. SCHNEEBELI.
Mr. HOSMER in two instances.
Mr. HOGAN in two instances.
Mr. MICHEL in five instances.
Mr. HEINZ.
Mr. SPENCE.
Mrs. HECKLER of Massachusetts.
Mr. PRITCHARD.
Mr. HUDNUT.
Mr. BAUMAN in two instances.
Mr. HUNT.
Mr. STEIGER of Wisconsin.
Mr. WHALEN.

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

Mr. ANNUNZIO in six instances.
Mr. TEAGUE in 10 instances.
Mr. SISK.
Mr. MATHIS of Georgia.
Mr. EDWARDS of California.
Mr. RARICK in three instances.
Mr. GONZALEZ in three instances.
Mr. SYMINGTON.
Mr. STOKES in five instances.
Mr. HUNGATE.
Mr. LITTON.
Mr. GIBBONS.
Mr. JONES of Tennessee in 10 instances.
Mr. RODINO in two instances.
Mr. HARRINGTON.
Mr. JAMES V. STANTON.
Mr. BURKE of Massachusetts.
Mr. REES.
Mr. EILBERG in 10 instances.
Mr. ZABLOCKI in two instances.
Mr. HANNA in four instances.
Mr. BINGHAM in 10 instances.
Mr. MAZZOLI.

Mr. CARNEY of Ohio in two instances.
Mr. WALDIE.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 12253. An act to make certain appropriations available for obligation and expenditure until June 30, 1975, and for other purposes; and

H.R. 12627. An act to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Miss Keku*, owned by Clarence Jackson of Juneau, Alaska, to be documented as a vessel of the United States so as to be entitled to engage in the American fisheries.

BILL PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on April 5, 1974, present to the President, for his approval a bill of the House of the following title:

H.R. 6186. An act to amend the District of Columbia Revenue Act of 1947 regarding taxability of dividends received by a corporation from insurance companies, banks, and other savings institutions.

ADJOURNMENT

Mr. MEZVINSKY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; whereupon (at 4 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 9, 1974, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2151. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements other than treaties entered into by the United States, pursuant to Public Law 92-403; to the Committee on Foreign Affairs.

2152. A letter from the President, American Academy of Arts and Letters, transmitting the annual report of the Academy, pursuant to section 4 of its charter; to the Committee on House Administration.

2153. A letter from the Secretary, National Institute of Arts and Letters, transmitting the annual report of the institute, pursuant to section 4 of its charter; to the Committee on House Administration.

2154. A letter from the Deputy Assistant Secretary of Interior, transmitting a description of a project selected for funding through a grant arrangement with Colorado State University under the Water Resources Research Act of 1964, pursuant to section 200(b) of the act [42 U.S.C. 1961b(b)]; to the Committee on Interior and Insular Affairs.

2155. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend and transfer to the Department of Health, Education, and Welfare, the Native American program established under the Economic Opportunity Act of 1964; to the Committee on Interior and Insular Affairs.

2156. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication entitled "Typical Electric Bills, 1973"; to the Committee on Interstate and Foreign Commerce.

2157. A letter from the Director, Office of Telecommunications Policy, Executive Office of the President, transmitting a draft of proposed legislation to amend certain provisions of the Communications Satellite Act of 1962, as amended; to the Committee on Interstate and Foreign Commerce.

2158. A letter from the Administrator of General Services, transmitting a prospectus proposing the construction of a Federal Office Building at Pittsfield, Mass., pursuant to 40 U.S.C. 606; to the Committee on Public Works.

2159. A letter from the Administrator of General Services transmitting a prospectus proposing the acquisition by lease of space for the Department of Health, Education, and Welfare in Dallas, Tex., pursuant to 40 U.S.C. 606; to the Committee on Public Works.

2160. A letter from the Administrator of General Services, transmitting a request for the withdrawal of a previously approved prospectus proposing the construction of a Child Research Center for the National Institutes of Health at Bethesda, Md.; to the Committee on Public Works.

2161. A letter from the Chairman, Board of Trustees, John F. Kennedy Center for the Performing Arts, transmitting the annual reports of the Center for fiscal years 1970, 1971, 1972, and 1973, pursuant to 72 Stat. 1700; to the Committee on Public Works.

2162. A letter for the Secretary of Commerce, transmitting a draft of proposed legislation to amend title 5, United States Code, to authorize the withholding of trust territory income taxes of Federal employees; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BINGHAM:

H.R. 14014. A bill to authorize assistance for the resettlement of refugees from the Union of Soviet Socialist Republics; to the Committee on Foreign Affairs.

By Mr. BROWN of California:

H.R. 14015. A bill to amend title V of the Housing and Urban Development Act of 1970 to establish a demonstration program aimed at developing techniques and structures of neighborhood and district subunits of general local Government which achieve partnership between citizens and public officials; to the Committee on Banking and Currency.

By Mr. BURLESON of Texas:

H.R. 14016. A bill to amend the Internal Revenue Code of 1954 to provide for the treatment of dividends received by a member of an affiliated group from a subsidiary that is excluded from the group solely because such subsidiary is a life insurance company; to the Committee on Ways and Means.

By Mr. BURLESON of Texas (for himself, Mr. MARAZITI, and Mr. RONCALLO of New York):

H.R. 14017. A bill to amend the Internal Revenue Code of 1954 and the Social Security Act to provide a comprehensive program of health care by strengthening the organization and delivery of health care nationwide and by making comprehensive health care insurance (including coverage for medical catastrophes) available to all Americans, and for other purposes; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 14018. A bill to amend certain provisions of Federal law relating to explosives; to the Committee on the Judiciary.

By Mr. FRENZEL (for himself, Ms. ABZUG, Mr. ASHLEY, Mr. BROWN of Michigan, Mr. CLEVELAND, Mr. COHEN, Mr. CONTE, Mr. COTTER, Mr. COUGHLIN, Mr. CRONIN, Mr. GILMAN, Mr. HANLEY, Mr. KOCH, Mr. MCKINNEY, Mr. MOAKLEY, Mr. ROE, Mr. STEIGER of Wisconsin, and Mr. WILLIAMS):

H.R. 14019. A bill to improve the quality, reliability, and usefulness of data on urban mass transportation systems and on other urban transport operations, systems, and services; to the Committee on Banking and Currency.

By GINN:

H.R. 14020. A bill to amend the Small Business Act to provide loans for making payments on mortgages to small businesses adversely affected by the energy crisis; to the Committee on Banking and Currency.

By Mr. GREEN of Pennsylvania:

H.R. 14021. A bill to raise needed revenues by taxing oil, gas, and mineral producers on the same basis as other taxpayers, thereby simplifying the Internal Revenue Code, increasing tax equity, and allowing free market forces to determine the distribution of investment capital; to the Committee on Ways and Means.

By Mr. HOGAN (for himself, Mr. BRASCO, Mr. BROYHILL of Virginia, Mr. DE LUGO, Mr. DOWNING, Mr. FAUNTROY, Mr. GOLDWATER, Mrs. HOLT, Mr. PARRIS, Mr. SHOUP, Mr. TIERNAN, Mr. VAN DEERLIN, Mr. WHITEHURST, and Mr. WON PAT):

H.R. 14022. A bill to direct the Secretary of Transportation to make a comprehensive study of a high-speed ground transportation system between Washington, District of Columbia, and Annapolis, Md., and a high-speed marine vessel transportation system between the Baltimore-Annapolis area in Maryland and the Yorktown-Williamsburg-Norfolk area in Virginia, and to authorize the construction of such system if such study demonstrates their feasibility; to the Committee on Interstate and Foreign Commerce.

By Mr. KOCH (for himself, Mr. EDWARDS of California, and Mr. RIEGLE):

H.R. 14023. A bill to provide that members of the Armed Forces may be separated or discharged from active service only by an honorable discharge, a general discharge, or discharge by court martial, and for other purposes; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 14024. A bill to authorize two additional judgeships for the Court of Appeals, for the Ninth Circuit; to the Committee on the Judiciary.

H.R. 14025. A bill to provide an additional permanent district judgeship in Puerto Rico; to the Committee on the Judiciary.

H.R. 14026. A bill to protect Federal mine inspectors in the performance of their official responsibilities; to the Committee on the Judiciary.

H.R. 14027. A bill to amend the Jury Selection and Service Act of 1968, as amended, by revising the section on fees of jurors; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 14028. A bill to terminate the Airlines Mutual Aid Agreement; to the Committee on Interstate and Foreign Commerce.

By Mr. SARASIN:

H.R. 14029. A bill to amend title 38 of the United States Code in order to provide service pension to certain veterans of World War

I and pension to the widows of such veterans; to the Committee on Veterans' Affairs.

By Mrs. SCHROEDER:

H.R. 14030. A bill to terminate the Airlines Mutual Aid Agreement; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELMAN:

H.R. 14031. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to provide for the award of court costs and reasonable attorneys' fees to successful complainants that seek certain Federal agency information; to the Committee on Government Operations.

H.R. 14032. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to provide for increased public access to certain Federal agency records; to the Committee on Government Operations.

H.R. 14033. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to require Federal agencies to respond to requests for certain information no later than 15 days after the receipt of each such request; to the Committee on Government Operations.

H.R. 14034. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to provide for an in-camera inspection by the appropriate court of certain agency records; to the Committee on Government Operations.

H.R. 14035. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act) to specify those matters which in the interest of the national defense may be withheld from public disclosure by a Federal agency; to the Committee on Government Operations.

H.R. 14036. A bill to provide standards of fair personal information practices; to the Committee on the Judiciary.

H.R. 14037. A bill to amend the Social Security Act to prohibit the disclosure of an individual's social security number or related records for any purpose without his consent unless specifically required by law, and to provide that (unless so required) no individual may be compelled to disclose or furnish his social security number for any purpose not directly related to the operation of the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. TEAGUE (for himself, Mr. CAMP, Mr. COTTER, and Mr. MARTIN of North Carolina):

H.R. 14038. A bill to authorize appropriations for activities of the National Science Foundation, and for other purposes; to the Committee on Science and Astronautics.

By Mr. TEAGUE (for himself, Mr. MILFORD, Mr. THORNTON, Mr. GUNTER, and Mr. PICKLE):

H.R. 14039. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes; to the Committee on Science and Astronautics.

By Mr. WINN:

H.R. 14040. A bill to designate the birthday of Susan B. Anthony as a legal public holiday; to the Committee on the Judiciary.

By Mr. MILLER (for himself, Mr. SPENCE, Mr. WAGGONNER, Mr. COLLINS of Texas, Mr. MARTIN of North Carolina, Mr. KETCHUM, Mr. TREEN, Mr. PODELL, Mr. FISH, Mr. DUNCAN, Mr. LONG of Maryland, Mr. VEYSEY, Mr. YATRON, Mr. STEIGER of Arizona, Mr. DERWINSKI, Mr. RIEGLE, Mr. MCSPADDEN, Mr. GUNTER, Mr. WARE, Mr. KEMP, Mr. LOTT, Mr. MOLLOHAN, Mr. REGULA, Mrs. COLLINS of Illinois, and Mr. HUNGATE):

H.R. 14041. A bill to authorize the provision of assistance to foreign countries in exchange for strategic or critical raw materials; to the Committee on Foreign Affairs.

By Mr. O'BRIEN (by request):

H.R.14042. A bill to provide for the regulation of oil companies; to the Committee on the Judiciary.

By Mr. PARRIS:

H.R. 14043. A bill to convey to the city of Alexandria, Va., certain lands of the United States, and for other purposes; to the Committee on the District of Columbia.

By Mr. HOWARD (for himself, Mr. ANDREWS of North Carolina, Mr. ARCHER, Mr. BROWN of Michigan, Mr. DAVIS of Georgia, Mr. DENT, Mr. DULSKI, Mr. FASCELL, Mr. FROEHLICH, Mr. FULTON, Mr. GINN, Mr. HARRINGTON, Mr. HICKS, Mr. HOGAN, Mr. ICHORD, Mr. JOHNSON of California, Mr. KEMP, Mr. MCSPADDEN, Mr. MURPHY of New York, Mr. PATTEN, Mr. QUILLEN, Mr. RHODES, Mr. ROBINSON of Virginia, Mr. THOMPSON of New Jersey, and Mr. BOB WILSON):

H.J. Res. 969. Joint resolution to authorize the President to issue a proclamation designating the month of May 1974, as National Arthritis Month; to the Committee on the Judiciary.

By Mr. PEYSER:

H.J. Res. 970. Joint resolution to authorize the President to issue a proclamation designating the month of May 1974, as National Arthritis Month; to the Committee on the Judiciary.

MEMORIALS

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

412. By the SPEAKER: Memorial of the Legislature of the Commonwealth of Pennsylvania, relative to continuation of the Department of Agriculture's commodity purchase program; to the Committee on Agriculture.

413. Also, memorial of the Legislature of the Territory of Guam, relative to military housing on Guam; to the Committee on Armed Services.

414. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to apartheid; to the Committee on Foreign Affairs.

415. Also, memorial of the Legislature of the Trust Territory of the Pacific Islands, relative to funding of the Bikini rehabilitation project; to the Committee on Interior and Insular Affairs.

416. Also, memorial of the Legislature of the State of California, relative to population estimation; to the Committee on Post Office and Civil Service.

417. Also, memorial of the Legislature of the State of Oklahoma, relative to water pollution control; to the Committee on Public Works.

418. Also, a memorial of the Legislature of the Commonwealth of Massachusetts, relative for overseas investment; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause I of rule XXII,

Mr. WHITEHURST introduced a bill (H.R. 14044) for the relief of Comdr. Stanley W. Birch, Jr., to the Committee on the Judiciary.

PETITIONS, ETC.

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

418. By the SPEAKER: Petition of Asuemu U. Fuimaono, Delegate-at-Large of American Samoa, Washington, D.C., relative to an alleged violation of the Hatch Political Activities Act by the Governor of American Samoa; to the Committee on House Administration.

419. Also, petition of the board of supervisors, Sacramento County, Calif., relative to rail passenger service through Sacramento; to the Committee on Interstate and Foreign Commerce.

420. Also, petition of the city Council, Geronimo, Okla., relative to recreation opportunities in the Wichita Mountains; to the Committee on Merchant Marine and Fisheries.

EXTENSIONS OF REMARKS

JUDGE JAMES HARVEY

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Monday, April 8, 1974

Mr. GRIFFIN. Mr. President, in Saginaw, Mich., on February 1, 1974, Representative James Harvey, who since 1960 had served Michigan's Eighth Congressional District so ably, took the oath of office was installed as a U.S. district judge for the Eastern District of Michigan.

Following the ceremony there was a luncheon at which Cornelius J. Peck, distinguished professor of law and currently a visiting faculty member at the University of Michigan Law School, was the principal speaker.

Professor Peck, who has known Jim Harvey since boyhood days together in Iron Mountain, Mich., spoke of those qualities of warmth and understanding which Jim brings to the Federal bench. I ask unanimous consent that the text of his remarks be printed in the Extensions of Remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REMARKS BY PROF. CORNELIUS J. PECK

As I began thinking about what I would say at this occasion, I became a little angry—angry with people who have said on much lesser occasions that they were honored, etc. Today I have an opportunity to restore meaning to the phrase as it should be used when I say that I am honored—truly honored—to be able to speak to you on this occasion of the installation of Judge James Harvey in the position of judge of the United States District Court for the Eastern District of Michigan.

It is also a pleasure—and of this I should have no difficulty in convincing you—to be present at and take part in the ceremonies of the installation to a federal judgeship of a close friend with whom I attended high school in Iron Mountain, Michigan, more than thirty years ago.

Indeed, there is a great temptation to amuse you with a series of anecdotes from our youth, not all of which would at first impression seem consistent with the general