The motion was agreed to; and at 5:26 p.m. the Senate adjourned until Wednesday, April 24, 1974, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate April 23, 1974:

DEPARTMENT OF STATE

Rodger P. Davies, of California, a Foreign Service Officer of the Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cyprus.

DEPARTMENT OF THE TREASURY

Mary T. Brooks, of Idaho, to be Director of the Mint for a term of 5 years. (Reappointment.)

COASTAL PLAINS REGIONAL COMMISSION

Russell Jackson Hawke, Jr., of North Carolina, to be Federal Cochairman of the Coastal Plains Regional Commission, vice G. Fred Steele, Jr.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 23, 1974:

NATIONAL CORPORATION FOR HOUSING PARTNERSHIPS

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

For the remainder of the term expiring October 27, 1974:

Henry F. Trione, of California.

For the term expiring October 27, 1975:

Charles J. Urstadt, of New York.

For the term expiring October 27, 1976:

Raymond Alexander Harris, of South Carolina.

FEDERAL COMMUNICATIONS COMMISSION

James H. Quello, of Michigan, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1973.

OFFICE OF TELECOMMUNICATIONS POLICY

John Eger, of Virginia, to be Deputy Director of the Office of Telecommunications Policy.

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

IN THE AIR FORCE

Air Force nominations beginning John T. Abell, to be colonel, and ending Vincent T. Penikas, to be colonel, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 7, 1974.

Air Force nominations beginning Ralph E. Andrews, to be captain, and ending Bruce D. Pauls, to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 11, 1974.

IN THE ARMY

Army nominations beginning Lawrence A. L. Sheftel, to be lieutenant colonel, and ending Anthony H. Young, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 19, 1974.

Army nominations beginning Edward Abercrombie, to be lieutenant colonel, and ending George A. Lynn, to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 19, 1974.

Army nominations beginning Jerry D. Rose, to be captain, and ending Andrew T. Zygmuntowicz, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 26, 1974.

IN THE NAVY

Navy nominations beginning William Benjamin Abbott II, to be captain, and ending Charlotte Romaine Stone, to be captain, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 4, 1974.

Navy nominations beginning John M. Ambrose, to be a permanent lieutenant (junior grade) and a temporary lieutenant, and ending Joseph P. Commette to be a permanent lieutenant and a temporary lieutenant commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 19, 1974.

Navy nominations beginning Walter P. Ablowich, to be lieutenant commander, and ending Raleigh Louis Walker, Jr., to be lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 21, 1974.

Navy nominations beginning Adrian J. Adams, to be lieutenant (junior grade), and ending George L. Russell, to be ensign, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 21, 1974.

Navy nominations beginning Walter P. Adams, Jr., to be captain, and ending Nellie J. Hjaltalin, to be commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 26, 1974.

Navy nominations beginning Robert Charles Adams, to be commander, and ending Dorothy Ann Yelle, to be commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 26, 1974.

IN THE MARINE CORPS

The nomination of Gerald P. Carr, U.S. Marine Corps, for permanent promotion to the grade of colonel, which nomination was received by the Senate and appeared in the CONGRESSIONAL RECORD on March 11, 1974.

HOUSE OF REPRESENTATIVES—*Tuesday, April 23, 1974*

The House met at 12 o'clock noon.

Dr. Greg Dixon, Baptist Temple, Indianapolis, Ind., offered the following prayer:

Our Father, we give thanks today for Thy great blessings upon us all. We are grateful for Thy loving kindness and that Thou hast not dealt with us after our sins nor rewarded us according to our iniquities.

We pray today for our leaders and our Nation. Forgive our sins and transgressions, collectively and individually. We pray for national repentance. We especially pray for each of these ladies and gentlemen in this House which represents the people of our country. They have given themselves sacrificially for the general welfare of all of us and we are grateful and now, our Father, may we not forget that righteousness exalteth a nation and sin is a reproach to any people and blessed is that nation whose God is the Lord. These things we pray in the name of our blessed Lord and Saviour, Jesus Christ. 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.

CONGRESSMAN HUDNUT WELCOMES GREG DIXON

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

Mr. HUDNUT. Mr. Speaker, I am very proud to say that the opening prayer for today's session was delivered by my very good friend, and former colleague in the ministry, Rev. Greg Dixon, pastor of the Indianapolis Baptist Temple, Indianapolis' largest Sunday school, and the 11th largest Protestant church in the Nation. It is also listed in Dr. Elmer Town's recent book, "America's 10 Fastest Growing Churches." Reverend Dixon's prayer was sincere, meaningful, and appropriate and I am sure that I speak for all of us in welcoming him and expressing appreciation to him for being with us today.

In addition to his pastoral duties, Rev. Greg Dixon is well known in Indianapolis for his involvement in community activities. He has served as president for the Indiana Baptist Bible Fellowship and the Fundamental Baptist Association of Greater Indianapolis.

For more than 13 years, Dr. Dixon has conducted a weekly television show in Indianapolis, and has a daily radio broadcast.

Dr. Dixon has served as a director of the Baptist Bible Fellowship International, as a trustee for the Baptist Bible College, and founded the Indianapolis Baptist High School.

Besides traveling extensively throughout the United States, Reverend Dixon has visited 11 foreign countries, including the Holy Land.

It is a great pleasure to have him with us today.

PERMISSION FOR MR. J. ROBERT TRAXLER TO TAKE THE OATH OF OFFICE

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan, Mr. J. ROBERT TRAXLER, be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 171]

Addabbo	Dingell	Macdonald
Andrews, N.C.	Dorn	Maraziti
Arends	Drinan	Murphy, N.Y.
Aspin	Frelinghuysen	Myers
Barrett	Gettys	Nix
Blackburn	Gray	Pickle
Blatnik	Green, Oreg.	Powell, Ohio
Brown, Mich.	Gunter	Reid
Burke, Calif.	Haley	Reuss
Carey, N.Y.	Hanna	Roncallo, N.Y.
Chappell	Hansen, Wash.	Rooney, N.Y.
Chisholm	Harsha	Rooney, Pa.
Clancy	Hébert	Ruppe
Clark	Heinz	Shipley
Clay	Johnson, Pa.	Steiger, Wis.
Cleveland	Jones, Okla.	Stephens
Conyers	Kazen	Stokes
Daniels, Dominick V.	Kuykendall	Teague
de la Garza	Landgrebe	Tiernan
Dellums	Lott	Young, Ga.
Diggs	McKinney	
	McSpadden	

The SPEAKER. On this rollcall 369 Members have answered to their names, a quorum.

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

HON. J. ROBERT TRAXLER

Mrs. GRIFFITHS. Mr. Speaker, I present J. ROBERT TRAXLER from the Eighth District of Michigan to take the oath of office.

Mr. TRAXLER appeared at the bar of the House and took the oath of office.

CHANGES IN MEMBERSHIP OF REPUBLICAN OBJECTORS COMMITTEES

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

Mr. RHODES. Mr. Speaker, I wish to inform the House of changes in the membership of the Republican objectors committees for the Consent and Private Calendars.

On the Consent Calendar, a change has been required because of the resignation of the Honorable William Keating of Ohio. The membership for that committee will be as follows: Mr. JOHNSON of Pennsylvania, Mr. FREY, of Florida, and Mr. HINSHAW, of California.

On the Private Calendar, the gentleman from Michigan, Mr. BROWN, will no longer be serving as an objector. The membership on the Private Calendar objectors will now be as follows: Mr. ROUSSELOT, of California, Mr. WYLIE, of Ohio, and Mr. BAUMAN, of Maryland.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN REPORTS

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentlman from Indiana?

There was no objection.

ENVIRONMENTAL EDUCATION ACT EXTENSION

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 1647) to extend the Environmental Education Act for 3 years.

The Clerk read the title of the Senate bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman please explain the amendment he will propose?

Mr. BRADEMAS. Mr. Speaker, an almost identical bill was passed by the House last year. The bill, H.R. 3927, was approved in the House on October 24, 1973, by a vote of 335 to 60, an indication of the broad bipartisan support which the Environmental Education Act enjoys.

Mr. Speaker, let me explain the difference between the bill before us today and the one approved by the House last year.

First, I should point out that the bill before us is basically the version passed by the House. The Senate bill would extend the act for 3 years, as does the House bill, but would begin the extension in fiscal 1975, whereas the House bill began the extension in fiscal 1974. Therefore, the Senate bill would extend the act through fiscal 1977.

Second, the bill before us today provides for authorizations for fiscal 1975 through fiscal 1977 of $30 million. This represents a reduction of $15 million in the amount authorized by the House bill.

In addition, the bill before us today mandates the creation of an Advisory Council on Environmental Education whereas the House version of the bill had made the creation of the Council permissible. The amendment which I have just offered would retain the House provision.

Mr. Speaker, I believe that the Senate bill with this amendment should be acceptable to the House and, accordingly, I hope the House will approve S. 1647 as amended.

Funds under the environmental education program are used for developing teaching materials for environmental studies, training teachers, and supporting courses on ecology in schools. The law also provides for community conferences on the environment for business, labor and government leaders.

Mr. Speaker, I take further time to pay tribute to those in the House who have made significant contributions to the extension of the Environmental Education Act. In particular, I wish to commend the gentleman from Kentucky, the chairman of the Education and Labor Committee (Mr. PERKINS), as well as the gentleman from Minnesota, the ranking minority leader (Mr. QUIE), the gentleman from Idaho (Mr. HANSEN), the gentlelady from Hawaii (Mrs. MINK), and the gentleman from New York (Mr. PEYSER).

Finally, Mr. Speaker, I want to express my appreciation to the distinguished Senator from Wisconsin the Honorable GAYLORD NELSON, to whose leadership in the Senate we are much indebted for sponsoring this legislation.

Mr. Speaker, action today by Congress will be a splendid and practical way to take note of what has become known as "Earth Day," and serves as a reminder to the Nation of the continuing need for a national commitment to protecting our environment.

Indeed, Mr. Speaker, the President today proclaimed the week beginning April 21, 1974, as "Earth Week," 1974. Mr. Speaker, I insert the text of the President's proclamation:

EARTH WEEK, 1974

(By the President of the United States)

A Proclamation

To love America is not to care only for her freedoms, her promise, her institutions through which our great people strive for larger greatness. It is also to love the land and to cherish that which has sustained our people both in body and spirit from our earliest days on this vast continent.

In recent times we have understood that however rich and beautiful, our land is finite and that our waters and air must be used as any other resource—with care and respect for their value. The celebration of Earth Day in 1970 was the first national acknowledgement of this understanding, and in the succeeding four years we have done much to insure that America the beautiful—the heritage of our generation—will be preserved and passed on as a legacy to generations yet unborn.

But for all that we have done, much remains to be done. We must constantly rededicate ourselves to the great task of preserving our environment. Earth Week, 1974, gives us the opportunity to devote special attention to this purpose.

Now, therefore, I, Richard Nixon, President of the United States of America, do hereby designate the week beginning April 21, 1974, as Earth Week, 1974. I call upon Federal, State, and local officials to foster the purposes of Earth Week and to arrange for its proper observance. I ask that special attention be given to personal voluntary activities and educational efforts directed toward protecting and enhancing our life-giving environment.

In witness whereof, I have hereunto set my hand this twentieth day of April in the year of our Lord nineteen hundred seventy-four, and of the Independence of the United States of America the one hundred ninety-eighth.

RICHARD NIXON.

Mr. Speaker, I would also like to insert in the RECORD an outstanding speech given by Senator GAYLORD NELSON at the Burlington High School, Burlington, Wis., yesterday on the occasion of Earth Day:

EARTH DAY 1974: TIME FOR RENEWED CONCERN

Today is Earth Day, the beginning of Earth Week.

On the first Earth Day four years ago, thousands of "teach-ins," convocations, speeches, church services, cleanup campaigns and other events occurred around the country, demonstrating deep-seated and urgent concern about environmental pollution and the rapid depletion of irreplaceable natural resources.

That outward urgency is not evident now, prompting declarations that interest in a clean environment has declined. In fact, some claim there is an environmental backlash. They cite accusations that environmentalists contributed to the energy crisis.

This charge is pure hogwash. For the last 25 years conservationists and resource experts have warned that we were consuming resources at too great a rate. They predicted resource crises, including an energy crisis.

The people are well aware of this. Dr. Gallup convincingly demonstrated how lim-

ited the tendency to blame environmentalists is when he asked: "Who caused the energy crisis?" Only 2% of the nation answered "environmentalists."

The fact is that the enormous demonstration of public concern expressed on Earth Day 1970 set the stage for major strides in environmental protection. Now environmental awareness pervades the national consciousness, and is a moving force in American life. In that sense we celebrate Earth Day daily.

Because of his concern, Congress was able to take a strong effective pro-environmental stance in the National Environment Policy Act, and enact clean air and clean water laws. The President was able to create a soundly funded Environmental Protection Agency. Today virtually every state and every nation has an environmental protection agency and a set of antipollution laws. The United Nations is very much involved too.

Throughout the world numerous private organizations have sprung up to protect the environment, while the fortunes of various affluent foundations are committed to that cause. Important universities have created environmental departments and courses of study and built impressive buildings to house them. Thousands of individual universities, colleges, high schools and technological institutions have courses on the subject. Magazines have environmental sections, and newspapers ecological columns. Thousands of books have been written.

In other words, there is a massive amount of ongoing activity to maintain environmental quality. And there is no convincing evidence of any significant slackening in the support of these activities.

Indeed, there now is widespread understanding that we must carefully manage our natural resources and protect the integrity of the environment or we soon will experience major economic disruptions and environmental disasters.

And that leads to the new concern about the environment caused by some foreboding developments.

Response to the energy crisis

One relates directly to our response to the energy crisis. There is ample reason to fear that in our rush to replace Mideastern oil with domestic energy resources we could do serious damage to the environment which can be avoided by careful planning.

We are about to begin widespread oil drilling on the continental shelf, to exploit oil and gas resources in Alaska, to construct refineries in coastal areas, to expand coal mining, to break up shale in the West for its oil content, and to speed construction of nuclear power plants.

The environmental dangers are obvious. If the public does not demand emphasis on environmental consideration we could wind up with beaches and marine life ruined by oil, depleted water supplies and ravaged landscapes in the western oil shale areas, ecological trauma on the tundra, and perhaps even a nuclear catastrophe.

The other concern is of even greater magnitude, and will be hard for Americans to understand because throughout our national history we have presumed "Mother Earth's" unlimited bounty.

We have entered a new age of shortages.

Paper, lumber, automobile and other manufacturing parts, protein, asphalt, baling wire, chlorine, cotton, wool, various minerals—all have turned up in short supply in the U.S. within the last year or so. New studies show increasing U.S. dependence on foreign countries for minerals vital to our industrial complex and our national security.

This does not come as a surprise to resource experts.

Twenty-five years ago Aldous Huxley was predicting worldwide shortages. "World resources," he said in 1949, "are inadequate to world production."

In the early 1950s, mineral experts began predicting metal shortages. In 1969, a U.S. Interior Department study concluded that the U.S. had become dependent on other countries for more than 63% of 30 minerals and metals designated as critical to national security. Fred Bergsten of the Brookings Institution has pointed out that the United States today depends on imports for over half of its supply of 13 basic raw materials (chromium, nickel, rubber, aluminum, tin and zinc). Department projections suggest the number will rise to nine by 1983.

Data from the U.S. Geological Survey indicates that the U.S. presently is moderately to heavily dependent on foreign sources for the following minerals:

1. Aluminum and Bauxite (mainly Jamaica Surinam, Australia and Guinea).
2. Antimony (South Africa, Mexico and Bolivia).
3. Chromium (U.S.S.R., South Africa, Rhodesia and Turkey).
4. Copper (Chile, Peru, Zambia and Zaire).
5. Fluorine (Mexico, Spain and Italy).
6. Gold (South Africa).
7. Manganese (Brazil, Gabon, South Africa, Zaire and Ghana).
8. Nickel (Canada).
9. Oil and Gas (Canada, Saudi Arabia, Iran, Persian Gulf States, Venezuela and Nigeria).
10. Tin (Malaysia, Thailand, Bolivia, Brazil and Zaire).
11. Titanium (Australia).
12. Tungsten (Canada, Australia, Bolivia, Peru, Portugal and South Korea).
13. Zinc (Canada, Peru, Mexico and Australia).

A Library of Congress study on resource supply and demand, made at my request, reported that "U.S. population will probably increase by approximately 50% by the year 2000, and world population may double.

"Total U.S. materials consumption may double or triple by the year 2000 with similar trends in the rest of the world . . . what is certain (from all of this) is that there will be constraints upon the world supply of materials throughout the remainder of the 20th century. There will probably be periodic materials shortages, and materials costs are likely to rise."

Complicating the whole issue is the possibility of a handful of raw material-exporting nations banding together in an Arab oil producers OPEC arrangement to withhold resources from the rest of the world. The possibility is not farfetched. Guinea, Australia, Guyana, Jamaica and Surinam, the principal producers of bauxite, a basic ingredient in aluminum, recently discussed such an arrangement. Zaire and Zambia, suppliers of 70% of the world's tin exports could also make a similar arrangement. And the pattern could be repeated by the four countries controlling more than 80% of the world supply of copper and the four controlling half the supply of natural rubber.

We are well aware now of the havoc a resource shortage can cause. Last winter's energy crisis provided dramatic evidence. It triggered unemployment, more inflation, strikes and other social upset, and unplanned change in virtually every aspect of life. It restricted mobility and retarded economic growth.

This crisis too should not have come as a surprise. There were warnings enough so that 10 years ago we should have had ready contingency short-range plans for any crisis and long-range plans to meet our continuing energy requirements. Although for over two decades a small number of individual experts repeatedly warned about the impending energy crunch, the President, the Congress, the press, and the public paid scant if any attention to it. They probably did not notice the warnings at all. It was not current news. It was not today. And for most of those who did notice the warnings it was considered alarmist nonsense because, after all, some magic technology would solve the problem in timely fashion anyhow.

ENERGY INFORMATION ACT

It should be specifically noted that environmentalists and resource experts understood the problem and issued the warnings.

Late last year I introduced a bill—the Energy Information Act—which is intended to avoid these mistakes in the future.

It does so by establishing a National Energy Information System to be operated by a new agency, the Bureau of Energy Information, which will be a co-equal sister agency of the Bureau of the Census. The Bureau, together with the Department of the Interior, will have all necessary powers to correct old failures.

The bill would direct the Interior Department to complete an initial inventory of energy resources, then begin a monitoring program, including geological surveys and on-site inspections to validate reports of reserves from private oil firms as necessary.

Using modern information facilities and personnel, the Energy Information System would pull together energy data and identify information critical to making correct energy decisions.

I cannot emphasize enough the need to do this. Anyone who now wishes to keep 'informed' about oil, for example, must consult an extraordinary number of weekly, monthly and quarterly publications by national governments, states, trade associations, reporting organizations and educational institutions. And then he is only seeing the tip of the iceberg because of secrecy the oil companies impose on information about their reserves and production.

By the time oil data are pulled together now in one reasonably complete and fairly well organized—although unindexed—source, the 'Mineral Yearbook,' they are at least two years old.

The energy crisis prompted serious consideration of the total world oil supply, with alarming results.

There is little doubt that the world has considered oil an inexhaustible resource. World consumption of petroleum products more than doubled in the decade between 1961 and 1971 from 352.8 billion gallons to 730.8 billion. In the United States, more than 100.8 billion gallons of gasoline were consumed in 1973, compared to 63 billion in 1960, 41.7 billion in 1950, 24.7 billion in 1940 and 16.6 billion in 1930.

Now we are turning up impressive evidence that unless the world consumption rate slows significantly this immensely valuable resource could be exhausted in 40 to 50 years!

What an incredible thought! No wonder the Shah of Iran and King Faisal want to slow the flow of oil. They fear they may have nothing to sell in a few decades. The Shah correctly points out that the petro-chemical industry, which needs oil to produce plastics, medicine and numerous other products, is particularly threatened by the possibility of exhausting the world's oil supply.

A variety of estimates of oil reserves and consumption are available, but figures compiled by the U.S. Bureau of Mines are widely accepted and are used in federal planning.

According to the International Petroleum Annual for 1972, soon to be published by the Bureau, the world had 667 billion barrels of economically recoverable oil in proved reserves at the end of 1972. Consumption that year was 18.7 billion barrels.

The Massachusetts Institute of Technology, in an important study commissioned by the Club of Rome, called "The Limits of Growth," had predicted oil depletion rates on the basis of high, medium and low population growth. At medium growth, world oil consumption would increase at a rate of 3.9% a year over the previous year, according to the study. (Consumption actually increased

3.9% in 1971 and 7.4% in 1972, according to bureau figures.)

At this rate the current known proved reserves would be exhausted by 1994.

Of course, more easily recoverable oil will be discovered under the sea or under the ice or under the sand, and as oil becomes harder to get, oil not considered economically recoverable now will acquire greater value, expanding "proved reserves."

Or suppose we are forced to large scale recovery of oil from shale, with all the environmental consequences involved, including ravaged land and possible depletion of previous water supplies in critical areas. What would we have? With the bureau estimating that 80 billion barrels are recoverable in the U.S., utilizing current technology, we'd get a few more years.

All this may not make any difference if we believe a recognized oil scientist, M. King Hubbert of the U.S. geological Survey. He made this extraordinary statement recently: "A person born in 1970 who lives 65 years will see the whole world use up its oil in his lifetime."

In a world 4.6 billion years old, and with mankind on it about 2.8 million years, the prospect of one of earth's most valuable resources—easily recoverable oil—being exhausted in a mere 40 or 50 years is awesome.

This generation bears an enormous responsibility to conserve on one hand, and to vigorously develop new and plentiful sources of nonpolluting energy on the other. The energy crisis has dramatically underscored both these points, and we must not forget it and lose our momentum as gasoline flows back into automobile tanks.

Energy conservation efforts could move forward on many levels, ranging from development of good urban mass transportation systems throughout the U.S., to wholesale revamping of building codes, to thorough retooling in Detroit to produce cars that run on substantially less gasoline, to savings by individual families.

Automobiles and home heating together account for 56% of all energy use in the U.S., and technology will allow us to make significant strides there.

RESEARCH

Meanwhile, research must move ahead briskly to develop such energy sources as sun heat and light, hot water and steam from the earth, coal from deep deposits that cannot be mined economically now, hydrogen that is available in enormous quantities from sea water, heat generated where layers of warm and cold water meet in the sea, and organic wastes.

New energy producing processes and devices that should get attention in a research program include conversion of coal into gas and oil (gasification and liquefaction), hydrogen fusion (the same process as in the sun), photovoltaic cells (direct conversion of solar energy), magnetohydrodynamic power (electricity from coal gas), fuel cells, breeder reactors, and cryogenic storage and transmission of energy.

SHORTAGES

Mineral shortages and the energy shortage are only part of our scarcity problem. We now face the terrifying prospect of a food shortage and even famine.

The prestigious journal "Foreign Policy" recently said that a combination of factors "suggest that the world food economy is undergoing a fundamental transformation, and that food scarcity is becoming chronic."

Protein supplies are overburdened, and most arable cropland already is being farmed. The ocean, viewed historically as an inexhaustible source of protein in fish and algae, also is being depleted—a condition few expected until five years ago. And climate experts led by Dr. Reed Bryson of the University of Wisconsin predict long-range worsening weather conditions that could spell famine for tens of millions of people.

Changing weather, Bryson points out, is a major contributing factor to starvation conditions in the Sahel in Africa and in northern India. The world is experiencing a disastrous food crunch—all the rosy public relations announcements about the Green Revolution notwithstanding. Agriculture development expert William Paddock has stated that "the truth is that, while the new wheat and rice varieties are excellent, high yielders under certain specialized conditions (controlled irrigation, high fertilization), they have done little to overcome the biological limits of the average farm."

Population growth has exceeded increases in food production in those areas of the world where the Malthusian food production squeeze has always been the most acute. Andrew J. Mair, of the Office of Food for Peace of the A.I.D. has recently stated that agricultural production, on a per capita basis, had actually fallen 2% in the underdeveloped countries over the 10-year period 1963–72. "Without an eventual reduction in the rate of growth of world population," he concluded, "there can be no long-run solutions to the world food problem."

Food expert Lester Brown seconds that conclusion: "At the global level, population growth still generates most of the additional demand (for food). Expanding at about 2% per year, world population will double in little more than a generation. If growth does not slow dramatically, merely maintaining current per capita consumption levels will require a doubling of food production over the next generation."

Increasing demand for food is also generated by growing affluence and new tastes for meat in some developing nations. The average person in a poor country, where the diet is predominantly cereal, eats 400 pounds of grain a year. But in the U.S. and Canada, per capita grain use is approaching a ton a year. Of this total, only about 150 pounds are consumed directly in bread, cake or breakfast cereal. The rest is consumed indirectly in the form of meat, milk and eggs, which inefficiently convert grain to protein.

We in the United States are experiencing shortages in the form of spiraling food prices. 1973 was the year of the biggest jump in grocery prices in more than 25 years. However, the London Economist's index of world commodity prices shows that while food prices were up last year by 20% in this country, food prices were up an average of 50% worldwide. (Prices for fibers have risen 93% and metals 76%).

Whereas the American consumer will have to pay more for his food, millions of human beings in this world cannot afford any food at all. For individuals living on marginal incomes—the vast majority of the world population—the fact that food prices are up less than other prices is no comfort. When one spends about 30% of one's income on food, as a large portion of mankind does, any price rise—and indeed a price hike of 50%—"drive(s) a subsistence diet below the subsistence or survival level," according to Mr. Brown.

INFORMATION SHORTAGE

Shortages of basic minerals and proteins are matched by the equally serious shortage of knowledge about U.S. and world reserves of essential materials and foodstuff. For a quarter of a century resources experts have been writing, speaking and pleading for the preservation of our resources, but few at the political level bothered to listen. Similarly, for a quarter of a century the U.S. has ignored warnings of an information shortage.

The last four Presidents and the Congress consistently failed to recognize that our knowledge is insufficient for wise policy choices concerning the world's resources. Twenty-two years ago the Paley Commission, the familiar title for The President's Materials Policy Commission, concluded in its report, "Resources for Freedom" dated June 1952:

"There must be, somewhere, a mechanism for looking at the problem as a whole, for keeping track of changing situations and the interrelation of policies and programs. This task must be performed by a Federal agency near the top of the administrative structure. . . . Such an agency . . . should maintain, on a continuing basis, the kind of forward audit which has been this Commission's one time function, but more detailed than has been possible here; collect and collate the facts and analyses of various agencies; and recommend appropriate action for the guidance of the President, the Congress, and the Executive agencies.

"No single organization is today discharging these overall functions. In this Commission's opinion, this lack must be made good . . . The forward audit of the proposed organization should be directed at least 10 years ahead of current activity and look as far ahead as 25 years. . . .

"The organization proposed would be concerned with such subjects as the total pattern of activities in their materials and energy field, the relationships of individual programs to each other; the scope and dimensions of foreign production materials programs and their relationship to domestic programs; the probable effects of current production programs on the long-term materials position; the selection and development of current programs in the light of long-term requirements; programs for both scientific and technological research on materials, and their interrelations; and the relationship of materials policies to manpower, and to fiscal and foreign policies which may in various measure bear on materials. . . .

"Such an organization should issue periodic reports so that Government, business, and the general public could be kept informed of leading developments in all the related materials field. It would hold a watching brief for the entire field of materials policy."

Since the Paley Commission filed its report 22 years ago, nothing yet has been done to implement its recommendations. Then in June 1973, history repeated itself with the National Commission on Materials Policy proposal that "a comprehensive Cabinet-level agency be established for materials, energy and the environment."

The Library of Congress study conducted at my request, echoed the conclusion that ". . . the most pressing management requirement in the field of materials policy is increased information about the basic parameters of materials supply and demand . . ."

Resources experts throughout history have become a chorus of Cassandras. They have the blessed gift of being able to predict the future and the curse of no one believing them. But unless we act, the entire world will suffer the consequences of Cassandra's predicament.

The time is long past due for adjusting the government apparatus to the problems of resource scarcity. In fact, there are many agencies in the government charged with the task of monitoring the status of the nation's major commodities. But therein lies the problem: an overabundance of agencies with a paucity of coordinated information monitoring and forecasting capability is fragmented and scattered in the Departments of Agriculture, Commerce, Interior, State, and even the CIA. A November 1968, Library of Congress report counted 58 U.S. governmental agencies with, in the words of the report, "a materials function."

The Department of Agriculture has 500 Ph.D,'s concerned with agriculture commodities. There are 50 people looking at cotton alone. In the Department of Commerce, there are 160 people in the Office of Business Research and Analysis, 20 to 30 of whom are concerned with industrial commodities; two of them are Ph.D.'s. The State Department has six people involved in commodity questions. And the Department of the Interior

has a vast staff of resource experts, geologists, etc.

And yet—all these experts notwithstanding—the U.S. has been plagued by shortages in every sector of the economy. The problem is poor coordination of would-be valuable information. For example, we and the rest of the world face serious fertilizer shortages. In this period of grave world food shortages, fertilizer is all the more essential a factor. Fertilizer depends on natural gas for energy and phosphates and nitrogen as basic raw materials; the availability of these items, therefore, involves the Departments of Interior and Commerce. Moreover, the Agriculture Department is also concerned with fertilizer for the nation's crop production. Plus the State Department is no doubt involved in jawboning foreign demand on fertilizer.

Furthermore, official information often suffers from the fact that agencies address client audiences more than the general public. For example, the chemical experts at the Commerce Department seem to be reporting to the chemical industry. The cotton people at the Department of Agriculture serve as a reporting network for the cotton industry.

The disastrous consequences of limiting distribution of agency information was demonstrated in the Russian Wheat Deal. Starting in June 1972, one half of America's wheat crop was sold to the Russians without the appropriate U.S. government authorities even knowing. According to G.A.O. investigators, as late as September 1972, Agriculture officials "told us (they) were still unaware of the magnitude of the sales made by the trade." There is evidence, however, that some individuals in the government were knowledgeable but that their information was not properly channeled to the public or even the upper echelons of the government.

The grain deal disaster was followed by the June 1973 soybean embargo. Had the government been properly monitoring supply and demand on soybeans and soybean related products, the drastic measure of export controls perhaps would have been unnecessary. There again was a problem of information scarcity complicating market scarcity of a vital resource.

The government does not have a clearcut statement of procedure or systematic requirements for reporting. There is no model building or systems analysis to deal with forecasting per se.

Reporting is purely crisis-oriented. For example, in the Commerce Department, experts are spread thin and jump from commodity to commodity depending upon how many inquiries and complaints they receive from industry, Congress, etc.

Decisions—when they are made—are based on inadequate information gathered unsystematically and in an ill-coordinated fashion. Simply stated, there is no coordinated reporting and forecasting system in the U.S. Government.

NATIONAL RESOURCE INFORMATION SYSTEM

In light of all this I have proposed the creation of a National Resource Information System.

It will give one agency sole monitoring responsibility for collecting all data in the government on supply and demand of major raw materials and foodstuffs.

It will make an annual report to Congress and the public on critical resources.

It will make regular projections of future demand and supply for major resources based on such factors as per capita consumption rates and population growth for example, the next five, ten, fifteen years.

It will have authority to contract for research in academic institutions to augment agency work.

It will have the authority to subpena industrial information necessary for maintaining accurate and adequate national resource inventories.

It wil provide for guarding confidentiality of company information of a competitive nature.

Perhaps the greatest benefit would be to forcefully focus public attention on these matters. For 25 years resource authorities warned of an impending energy crisis, but no one was listening. Unfortunately, resource experts read what resource experts write, but decision makers do not. That must change.

A handful of thoughtful writers have begun to discuss the momentous problem of shortages. Nevertheless, we are only at the beginning of a national and global waking-up process, similar to the one about the environment that culminated in the first Earth Day and gave birth to a national commitment to clean up the environment.

How long will this awakening take? It is difficult to forecast. Rachel Carson wrote her influential book "Silent Spring" in 1962. It took eight years after that to recognize our new condition and to get our first significant environmental protection laws, and we still need laws to protect us from the effects of tons of pesticides and herbicides dumped on the land and water each year, or from the thousands of chemicals ingested by men and animals in the form of food additives and medicines. We know little or nothing about the long term effects of the materials. We may be implanting disastrous time bombs that could alter the human race genetically.

Finally, let me speak to the long range implications of our new era of shortages.

If we allow ourselves to even approach the limits of important resources, men everywhere can expect the hand of authority to tighten its grip to stave off disaster. Personal freedoms would be severely restricted. Some could vanish. Nationalism would lead to international conflict over resources, as it has in the past.

On the other hand, if we resolve here and now to remove impossible burdens from earth's precious resources by acting with restraint, then we can solve this dilemma. The first step is to get the tools to plan intelligently.

Another way to say this is to repeat what we have heard preached—and what we have ignored—for years. We must conserve. We must honestly embrace the conservation ethic. We must learn to live in harmony with the earth and its creatures and things. We must become humble, outwardly directed people, concerned about our neighbors as much as ourselves.

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

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1647

An act to extend the Environmental Education Act for three years

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 "Environmental Education Amendments of 1974".

SEC. 2. Section 3(c)(1) of the Environmental Education Act (20 U.S.C. 1532) is amended by adding at the end thereof the following new sentence: "Notwithstanding section 448(b) of the General Education Provisions Act, the Advisory Council shall continue to exist until July 1, 1977.".

SEC. 3. Section 7 of such Act is amended by striking out "and" after "1972," and by inserting after "1973" a comma and the following: $5,000,000 for the fiscal year ending June 30, 1975, $10,000,000 for the fiscal year ending June 30,1976, and $15,000,000 for the fiscal year ending June 30, 1977.".

SEC. 4. Section 2(b) of such Act is amended by inserting after "maintain ecological balance" the following: "while giving due consideration to the economic considerations related thereto".

SEC. 5. Section 3(b)(2) of such Act is amended by inserting after "technology," the following: "economic impact,".

SEC. 6. Section 3(c)(1) of such Act is further amended by inserting "economic," after "medical,".

AMENDMENT OFFERED BY MR. BRADEMAS

Mr. BRADEMAS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BRADEMAS: On page 1, line 7, strike the word "Notwithstanding" and insert in lieu thereof "Subject to".

Mr. GROSS. Mr. Speaker, will the gentleman yield for a question?

Mr. BRADEMAS. Mr. Speaker, I will be glad to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, does this conference report have anything to do with the National Institute of Education?

Mr. BRADEMAS. Mr. Speaker, I would say to my friend, the gentleman from Iowa, that it does not. It is not a conference report, but to answer the substance of the gentleman's question, the answer is "no."

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

The amendment was agreed to.

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

THE SKYLAB ASTRONAUTS

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

Mr. FUQUA. Mr. Speaker, I am happy to inform my colleagues that the crew of Skylab IV is now in the Rayburn Room and would be happy to have their pictures taken and to visit with the Members of the House.

Lt. Col. Gerald P. Carr, Dr. Edward Gibson, and Lt. Col. William P. Pogue set a world record of 89 days in space—a tremendous advance.

They are in the Rayburn Room now and would be happy to receive Members of Congress.

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

Mr. FLYNT. Mr. Speaker, it was with sadness that I learned yesterday of the passing of my friend John F. Griner, president emeritus of the American Federation of Government Employees and member of the AFL-CIO Executive Board.

He was born in Camilla, Ga., on August 9, 1907, and began his career with the Georgia Northern Railroad. He later worked for the Atlantic Coastline, Seaboard, and Southern Pacific Railroads. Among his assignments was telegrapher, agent, train dispatcher and assistant car accountant.

In 1936 he became a Federal employee

as an adjudicator for the Railroad Retirement Board, and in 1946 he became a member of the National Executive Council of AFGE and held this position for 16 years. John left the Railroad Retirement Board in 1962 after spending his last 11 years as Labor Relations Officer with the Board.

While with the Railroad Retirement Board, he attended night school at Columbus University—now American University—and received a law degree in 1940.

Mr. Griner left the Railroad Retirement Board to become president of the American Federation of Government Employees and held that position until he retired in October of 1972 because of failing health.

During John Griner's term as president of AFGE, its membership increased from 100,000 to 300,000 making AFGE larger than all other Federal employee organizations combined, excluding postal unions.

John Griner was untiring in his efforts to better the lot of those whom he represented and to improve their working conditions and relationships. He was completely dedicated to his work and was respected and admired by those who were privileged to know and work with him. A tangible monument to his memory is the John F. Griner Building, the home of the National Headquarters, American Federation of Government Employees, in our Nation's Capital.

Upon his retirement, he moved to Cairo, Ga., where he and his wife, Claranell, lived together until his death at 66 years of age on April 22, 1974. He is survived by his wife, two sons, John, Jr., and Remer Griner, two sisters, and two grandchildren.

CALLS FOR TAX CUTS

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

Mr. CONABLE. Mr. Speaker, we seem to have a bandwagon building. Many of the vocal leaders of the majority party in both Houses of the Congress are calling for a substantial tax cut, in some cases with such urgency that the announcement is coming from as far away as Moscow.

This may be traditional politics, but I do not think it is good politics at this time. I know it is not good economics. The American people are entitled to straight talk from leaders who tell it like it is. The public will not regain its confidence in a Congress which plays games with them and damages them while pretending to help.

This is not the time for a tax cut. If there is slack in the economy, it is because of the shortages resulting from too much governmental control activity. Even with these shortages, industrial capacity utilization is now generally running over 90 percent. Outside the auto and housing industries, which are soft for reasons other than a lack of consumer interest, basic shortages cannot be dealt with by short-term stimulation and so the only result of more consumer buying power can be to drive up already unstable prices. Our budget deficit this year has been projected to be about $5 billion and almost twice that next year, with likely prospects for even much larger deficits. We do not need any more Government borrowing than that. Are not interest rates already high enough?

Mr. Speaker, under some conditions a tax cut can provide the kind of boost for a sluggish economy that will move it out of the doldrums. But the circumstances have to be right, or the panacea is poison. Right now I would rather tax people through a soundly based progressive income tax than by short-sighted policies which hit the poor hardest by the robbery of inflation. Let us stop this crazy bandwagon before it gets out of control.

HARMFUL FEDERAL POWER COMMISSION DELAYS

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

Mr. ARCHER. Mr. Speaker, on March 4 I asked the Federal Power Commission to explain its administrative delays that are causing hundreds of gas wells to be capped off in the Gulf of Mexico. FPC footdragging is preventing billions of cubic feet of natural gas from being delivered to consumers.

I repeated my request on March 29, and yet did not receive even the courtesy of an acknowledgment until today.

If the Commission is so ensnarled in its own bureaucratic redtape that it cannot even respond to congressional inquiries, it is little wonder that its unnecessary lengthy delays in granting pipeline permits are the rule rather than the exception. In one case alone, these delays have cost the country 200 million cubic feet of natural gas per day since 1972. Such delays are not at all unusual, even in cases where there is apparently little or no opposition.

The people of this Nation deserve much better from their Government. Inefficiency on the part of the energy-regulating Federal Power Commission is inexcusable. There are already enough real problems associated with the energy shortage without our having to tolerate artificially imposed problems.

The Congress, after years of inaction, has been quick to find a scapegoat for the Nation's energy problems. Perhaps we would be well-advised to look into the Federal Government's own backyard for a close examination of its continuing failures in the area of energy.

TAX CUT SEEN AS INFLATIONARY

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

Mr. MICHEL. Mr. Speaker, some of the very same people—particularly over in the other body—who are now calling for a tax cut—were calling for gasoline rationing just a few months ago. They were wrong then and they are wrong now.

The underlying problem in our economy is inflation—too much money in the system driving up the cost of goods and services. Cutting taxes, in any bracket, would just put more money into circulation and add fuel to the inflationary fire. By the time the tax cut had driven up prices more, those additional dollars in the taxpayer's pocket would buy nothing.

We did have a slowdown in the first quarter, but everyone knows that was primarily because of a shortage of energy. Cutting taxes will not add any more energy, it will just give a shot in the arm to an inflation that is too strong already, the slowdown is ending as energy supplies become more secure and the automobile industry retools to make smaller cars. But a tax cut would just send the price index into an orbit from which we would have a heck of a time shooting it down. When are we going to learn that we cannot spend our way out of inflation?

THE RIGHT TO STRIKE AND THE POSTAL SERVICE

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

Mr. ROUSSELOT. Mr. Speaker, there are a great many Members of the House who support legislation to give U.S. postal workers the legal right to strike, and, in fact, legislation directly patterned after Canadian law has already been reported by a subcommittee and is pending action by the full Committee on Post Office and Civil Service.

Before some of my colleagues get themselves overly committed to this legislation, I suggest they take a look at what is going on in Canada. Employees of the Canadian Government have the right to strike, and 2 weeks ago the postal workers in the Montreal District exercised this right. One of the effects on U.S. citizens is the embargo placed on all classes of mail destined to anywhere in Canada from all areas of the United States, an embargo that was imposed by our Postal Service at the request of the Canadian Government.

Last year I had the opportunity as a member of a congressional delegation to visit with Canadian Government and Postal Union officials, and to discuss with them the Canadian strike law. While I was impressed by the quality of leadership in Canada, I cannot endorse the Canadian law and I cannot endorse the legalization of strikes by employees who perform Government services.

Mr. Speaker, I believe I can safely predict at least one result of the current Canadian postal strike. When it is all over, the postal workers, the government, and the citizens of Canada will all be the losers.

CONFERENCE REPORT ON S. 2770, SPECIAL PAY FOR MEDICAL OFFICERS OF THE UNIFORMED SERVICES

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

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. O'NEILL). Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of April 10, 1974.)

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

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

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask, does the gentleman propose to take some time in order to explain the conference report?

Mr. STRATTON. Mr. Speaker, I intend to make that explanation now in my own language.

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

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Speaker, this is the bill that the House spent some time on a couple of weeks ago, the doctors bonus bill, which was necessitated by the end of the doctor draft and the necessity for retaining qualified medical personnel in the armed services after the 1st of June when some 3,500 doctors who are now serving under the terms of the draft will be getting out into private life.

Mr. Speaker, the bill that the House passed a couple of weeks ago differed from the Senate version in a couple of respects. First, it provided for a $15,000 bonus in place of the $10,000 bonus provided in the Senate bill, and also, as Members will recall, it added dentists, optometrists, and veterinarians as being eligible for the bonus, although Members will also recall when an effort was made to strike the dentists, optometrists, and veterinarians from the bill it failed by a margin of only 8 votes.

I am very happy to report to the House on this conference that the House fared very well. Basically, the Senate accepted the House bill with a few modifications. The major modification was the insistence on the part of the Senate that the dentists, optometrists, and veterinarians should not be included. The Senate conferees were adamant on that point, pointing out that they had had no hearings on the matter and that the Department of Defense had taken a position that special pay legislation is not necessary for the other health professions at this time.

They indicated strongly to us that they would never have taken the bill up in the first place had it not been in response to the urgent request from the Department of Defense that a bonus was vitally needed in order to retain physicians in the armed services.

So in view of the agreement of the Senate to most other provisions of the House bill, the House reluctantly receded on this point, particularly in view of the narrow vote that was taken when the actual amendment was adopted.

The other points on which the Senate went along with the House to a large extent had to do with the bonus itself. We compromised between the $10,000 of the Senate and the $15,000 of the House on a figure of $13,500.

The Senate accepted the action of the House in including bonus pay for colonels and for Navy captains. They receded from their position and went along with the House in including the physicians in the Public Health Service.

So the basic substance of the bill, as I indicated, is the House bill except for the elimination of the other health professions.

I want to mention two other points where the conferees made adjustments in the legislation.

One of them had to do with the wording in the House bill that no bonus would be paid to anyone during his initial obligated service or during his residency. The Senate pointed out to us, however, that the requirements for obligatory service in the armed services varied considerably depending on what particular program you are under and what particular service you are in. In some cases they go as high as 7 or 9 years of obligated service. The feeling there was that there would be a counterproductive effect of this legislation if in some cases you were requiring officers to forego the bonus, which their colleagues were getting, for a period of as long as 9 years. What the conferees agreed is that the 4 years of obligatory service would be the period during which there would be no bonus paid, and after that period it would be possible for a bonus to be paid.

Similarly, the Senate conferees pointed out some objections with respect to our provision that there be no bonus paid during residency. They pointed out that in some cases doctors in the armed services will undertake a residency training program during the middle of their career so as to improve their technical knowledge, and that they would be less likely to undertake this additional training that would make them more valuable to the service if they had to give up a substantial part of their income during that period. So the conferees agreed on some changed language which simply provides that there be no bonus paid during the period of obligated service up to 4 years, not to exceed 4 years, and during the "initial" residency period.

Finally, Mr. Speaker, the effective date was amended to make it the first of the month following the enactment of the legislation which, hopefully, will be the first of May.

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

Mr. STRATTON. I am happy to yield to the gentleman from California.

Mr. LEGGETT. Mr. Speaker, I would like to commend the gentleman from New York (Mr. STRATTON) for bringing this bill back from conference as quickly as the gentleman has, because I think we all recognized as the Department of Defense also recognizes, that the criticality in this general area has been the threat of the doctor draft being reinstituted because of the shortage of doctors. We all know that we have a lot of military hospitals that we cannot use at the present time simply because we do not have the physicians needed to staff those hospitals.

Notwithstanding that, we did go through quite a popular campaign here a few weeks ago talking about the criticality with regard to the other physicians, although not quite so great, involving the dentists, optometrists, and veterinarians.

I am sure that the gentleman from New York went to conference and very tenaciously held out for the House version of the bill, but unfortunately the gentleman was probably overrun by power, or numbers, and undoubtedly the position of the Pentagon and the very volatile Pentagon letter that was floating around here on the floor of the House.

But I am wondering, Mr. Speaker, considering the fact that we have gone through a preliminary skirmish on the other professions, and we do know that there are going to be major shortages in these other professions over the next several years, if the gentleman's subcommittee has been authorized yet by the chairman of the main committee, to hold further hearings on these other health professions which are in shortage?

And, further, was there any indication from the Senate conferees that if we were to produce a separate bill on the other professions as to whether the Senate then would review the matter seriously and hold hearings on the same problem?

Mr. STRATTON. Mr. Speaker, I will say to the gentleman from California that on the last question the impression that I have received, and that the House conferees got from the comments of the Senate conferees, is that if we were to come in with a bill now or in the next couple of weeks, or another month from now, that I think it is almost certain that the Senate would simply ignore such a bill.

They indicated further, that the only reason they had gotten into this legislation in the first place was because of the urgent situation with regard to the physicians. And I think it is clear that if the Senate is going to continue in this position, that there is no point in trying to come up with some other legislation in the very near future that would simply do what this bill would have done.

However, we indicated to the Senate conferees, and I am happy to reiterate, that it was the intention of the House Committee on Armed Services, to reexamine this question in further detail, in an effort to try to meet some of the objections of the Senate conferees. And I have been considering a scaled-down bill that would apply specifically to dentists, optometrists and veterinarians, one

on which we could come up with a bill that would be adjusted more to the actual situation that will be developing in the future, and on which we could perhaps hold hearings and and perhaps then get the Senate to accept.

Mr. LEGGETT. I intend to cooperate with the gentleman on that legislation.

Mr. STRATTON. And I intend to cooperate with the gentleman. He certainly was of very strong assistance when this bill was in the House a couple of weeks ago.

Mr. Speaker, I now yield to the distinguished gentleman from New Jersey, the ranking minority member of the subcommittee (Mr. HUNT).

Mr. HUNT. I thank my colleague for yielding to me.

I take this opportunity to commend him on his professional handling of this bill in its entirety and also on the personal handling that he has given it to bring the conference report to the floor. I am certain that no one in this body can guess or even surmise what the course of the Senate might be. It is very difficult sometimes to understand what the other body is doing, especially when they are off on a vacation. But I do say to the Members that the proposed hearings that might come about in the future I would hope would be as a result of the Department of Defense's indicating that there was a critical shortage, a pending critical shortage, if it were to be, of dentists and veterinarians and optometrists.

The evidence that we have had so far in the comparative fields, at least of the professions, would indicate to me that sooner or later we are going to have a critical shortage in the veterinarian, optometrist, and dentist field; but until they come into the hearings with evidence that they are in this position, I think that the conference report at this time is a wise measure.

As my colleagues know, I was very reluctant to remove the dentists and veterinarians and optometrists from this bill. The conference report, like the original Senate bill, indicates only medical officers. I would hope that as we do progress we would take a very strong look at this. There is no way for us to retain dentists, veterinarians, or optometrists any longer through a draft. That has gone by. I do not think anyone in this House in his right mind, or over in the Senate, would even consider a draft for these special services in the medical field and the health field.

So I compliment the chairman on his foresight in saying that we will consider these things and that we will abide by the critical shortage that does exist, as indicated by the Department of Defense.

Mr. STRATTON. I thank the gentleman from New Jersey for his remarks. I want to compliment him again on the way in which he defended the House position on this bill. As he indicated, he was very reluctant, indeed, to agree to the pressure of the other body for the elimination of these other health professions. I think the gentleman from New Jersey has made a very good point that one of the reasons for our difficulties in holding out was the uncertain trumpet sound for this issue that we got from the Pentagon. They had given us testimony in our subcommittee, and then Dr. Cowan sent a completely different letter over to the Senate conferees. Certainly if they expect us to carry the ball on this legislation again, they are going to have to come forward, as the gentleman has said, with a clear indication of what the shortages are and a clear indication of what their intentions are with respect to the extent of this bonus pay.

I hope that that will be the case. I think certainly that is what we are going to have to have if we can get agreement in the other body.

I would also say to the gentleman that I think it is very likely that once the obligations because of the draft period has come to an end for the dentists and the optometrists and the veterinarians, we may find that there is a greater shortage than the Pentagon has anticipated, and if we can get that kind of information, that might speed up action on this legislation.

Mr. HUNT. I thank the gentleman for his clarifying remarks.

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

Mr. STRATTON. I yield to the gentleman from Missouri.

Mr. RANDALL. I thank the gentleman for yielding.

I want to compliment the gentleman from New York. I know of his work in other areas of the Committee on Armed Services. We all know what went on in the other body, and we all hoped to have the veterinarians and optometrists and dentists included. He has indicated this morning he is going to make another effort. I think it would be worthwhile because during the recess we heard again and again from those who are not only servicemen but those who have the benefit of medical service of the Armed Services about instances of the medical profession simply moving out.

There is a shortage. If the situation is bad now, it is going to become worse. That is why it is so important we have taken this step.

I would hope we would recognize there is an area for further action. I do not know what difference there is between the necessity for a doctor and a dentist. I would think they would be pretty much equally needed. One might save a person's life but the other, of course, can contribute much to that life, so I hope we will be able to go back at a future date.

Mr. Speaker, for now let us rejoice that we are going to be doing something for those who must have treatment. We are losing doctors all the time from the services now.

Mr. STRATTON. Mr. Speaker, I thank the gentleman for his comments and certainly very much for the point he made.

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

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

Mr. GROSS. I thank the gentleman for yielding.

Mr. Speaker, I opposed the bill because of the inclusion of the three categories which I thought were not necessary at this time. I support the conference report, however.

Mr. STRATTON. The gentleman apparently has a great deal of influence in the other body because the gentleman's views were strongly reflected by the Senate conferees and we found them immovable. The gentleman did not quite achieve that situation in the House.

Mr. GROSS. If the gentleman will yield further, I am not too sure that is a compliment.

Mr. MITCHELL of New York. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from New York (Mr. MITCHELL).

Mr. MITCHELL of New York. Mr. Speaker, I am pleased at the announcement that we will be holding hearings in these other areas in the near future.

I thought, as I testified, ample evidence was available to include the other health professions of dentistry, optometry, and veterinary medicine. I am hopeful the other gentlemen will be helpful in prevailing on the other body to see the light in this area.

These health services are badly needed. There is leadership needed to bring the other body to our view, and I look forward to working with the chairman in helping to provide the needed incentive to insuring that the uniformed services will have the health care they need.

Mr. STRATTON. I thank the gentleman. The gentleman has been very helpful on the subcommittee in this connection.

Let me just make it perfectly clear, as I indicated earlier to the gentleman from California (Mr. LEGGETT), I do not think there is any point in trying to hold hearings on legislation at this time and trying to get something through because the position of the Senate is so strong. But I am seriously considering, as I indicated, putting in a scaled-down bill, and when that is put in, if we can get some comments from the Defense Department the committee would be in a position to determine when to have hearings and consider reporting the bill out. It would be necessary to have a reasonable position from the Department of Defense.

Mr. MONTGOMERY. Mr. Speaker, I rise in support of the conference report, but am disappointed that the dentists, veterinary medicine, and optometry were taken out of the special pay bill.

For years it has been my feeling that dentists have been discriminated against in the regular forces. This should be corrected and this bill would have helped.

In the near future we are going to have a severe shortage in the military of veterinaries and optometrists, and surely we should start hearings of considering special pay for these three professional groups.

GENERAL LEAVE

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 *legislative* days in which to extend their remarks on the substance of the conference report on S. 2770, special pay for medical officers of the uniformed services.

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

There was no objection.

Mr. STRATTON, Mr. Speaker, I move

the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 372, nays 17, not voting 44, as follows

[Roll No. 172]

YEAS—372

Abdnor	Cotter	Hays
Abzug	Coughlin	Hechler, W. Va.
Adams	Crane	Heckler, Mass.
Addabbo	Cronin	Heinz
Alexander	Culver	Helstoski
Anderson, Calif.	Daniel, Dan	Henderson
Anderson, Ill.	Daniel, Robert W., Jr.	Hicks
Andrews, N. Dak.	Danielson	Hillis
Annunzio	Davis, Ga.	Hinshaw
Archer	Davis, S.C.	Hogan
Armstrong	Davis, Wis.	Holifield
Ashbrook	de la Garza	Holt
Ashley	Delaney	Holtzman
Bafalis	Dellenback	Horton
Baker	Dellums	Hosmer
Bauman	Denholm	Howard
Beard	Dennis	Huber
Bell	Dent	Hudnut
Bennett	Derwinski	Hungate
Bergland	Devine	Hunt
Bevill	Dickinson	Hutchinson
Biaggi	Donohue	Ichord
Biester	Downing	Jarman
Bingham	Drinan	Johnson, Calif.
Boggs	Dulski	Johnson, Colo.
Boland	du Pont	Jones, Ala.
Bolling	Eckhardt	Jones, N.C.
Bowen	Edwards, Ala.	Jones, Okla.
Brademas	Edwards, Calif.	Jordan
Brasco	Eilberg	Karth
Bray	Erlenborn	Kastenmeier
Breaux	Esch	Kemp
Breckinridge	Eshleman	Ketchum
Brinkley	Evans, Colo.	King
Brooks	Evins, Tenn.	Kluczynski
Broomfield	Fascell	Koch
Brotzman	Fish	Kyros
Brown, Calif.	Fisher	Lagomarsino
Brown, Ohio	Flood	Landrum
Broyhill, N.C.	Flowers	Latta
Broyhill, Va.	Flynt	Leggett
Buchanan	Foley	Lehman
Burke, Calif.	Ford	Lent
Burke, Fla.	Forsythe	Litton
Burke, Mass.	Fountain	Long, La.
Burleson, Tex.	Fraser	Long, Md.
Burlison, Mo.	Frelinghuysen	Lott
Burton	Frenzel	Lujan
Butler	Frey	Luken
Byron	Froehlich	McClory
Camp	Fuqua	McCloskey
Carey, N.Y.	Gaydos	McCollister
Carter	Giaimo	McCormack
Casey, Tex.	Gibbons	McDade
Cederberg	Gilman	McEwen
Chamberlain	Ginn	McKay
Chappell	Goldwater	McKinney
Chisholm	Gonzalez	Macdonald
Clancy	Goodling	Madden
Clark	Grasso	Madigan
Clausen, Don H.	Gray	Mahon
Clawson, Del	Green, Pa.	Mallary
Clay	Gross	Mann
Cleveland	Grover	Martin, Nebr.
Cochran	Gubser	Martin, N.C.
Cohen	Gude	Mathias, Calif.
Collier	Guyer	Mathis, Ga.
Collins, Ill.	Hamilton	Matsunaga
Collins, Tex.	Hammer-schmidt	Mayne
Conable	Hanley	Mazzoli
Conlan	Hanrahan	Meeds
Conte	Hansen, Idaho	Melcher
Corman	Harsha	Metcalfe
	Hastings	Mezvinsky
		Michel
		Miller
		Mills
		Minish
		Mink
		Minshall, Ohio
		Mitchell, Md.
		Mitchell, N.Y.
		Mizell
		Moakley
		Montgomery
		Moorhead, Calif.
		Moorhead, Pa.
		Morgan
		Mosher
		Moss
		Murphy, Ill.
		Murphy, N.Y.
		Murtha
		Natcher
		Nichols
		Obey
		O'Brien
		O'Hara
		O'Neill
		Owens
		Parris
		Passman
		Patman
		Patten
		Pepper
		Perkins
		Pettis
		Peyser
		Pike
		Poage
		Podell
		Powell, Ohio
		Preyer
		Price, Ill.
		Price, Tex.
		Pritchard
		Quie
		Quillen
		Railsback
		Randall
		Rangel
		Rarick
		Rees
		Regula
		Reuss
		Rhodes
		Riegle
		Rinaldo
		Roberts
		Robinson, Va.
		Robison, N.Y.
		Rodino
		Roe
		Rogers
		Roncalio, Wyo.
		Rose
		Rosenthal
		Rostenkowski
		Roush
		Rousselot
		Roy
		Roybal
		Runnels
		Ruppe
		Ruth
		Ryan
		St Germain
		Sandman
		Sarasin
		Sarbanes
		Satterfield
		Scherle
		Schneebeli
		Schroeder
		Seiberling
		Shoup
		Shriver
		Sikes
		Sisk
		Skubitz
		Slack
		Smith, Iowa
		Smith, N.Y.
		Snyder
		Spence
		Staggers
		Stanton, J. William
		Stanton, James V.
		Steed
		Steele
		Steelman
		Stratton
		Stubblefield
		Stuckey
		Studds
		Sullivan
		Symington
		Symms
		Talcott
		Taylor, Mo.
		Taylor, N.C.
		Teague
		Thompson, N.J.
		Thomson, Wis.
		Thone
		Thornton
		Tiernan
		Towell, Nev.
		Traxler
		Treen
		Udall
		Ullman
		Van Deerlin
		Vander Jagt
		Vander Veen
		Vanik
		Veysey
		Vigorito
		Waggonner
		Waldie
		Walsh
		Wampler
		Ware
		Whalen
		White
		Whitehurst
		Whitten
		Widnall
		Wiggins
		Williams
		Wilson, Charles H., Calif.
		Winn
		Wolff
		Wright
		Wyatt
		Wylie
		Wyman
		Yatron
		Young, Alaska
		Young, Fla.
		Young, Ill.
		Young, S.C.
		Zablocki
		Zion
		Zwach

NAYS—17

Badillo	Fulton	Stark
Carney, Ohio	Griffiths	Wilson, Bob
Conyers	Harrington	Wydler
Dingell	Nedzi	Yates
Duncan	Sebelius	Young, Tex.
Findley	Shuster	

NOT VOTING—44

Andrews, N.C.	Hanna	Nix
Arends	Hansen, Wash.	Pickle
Aspin	Hawkins	Reid
Barrett	Hébert	Roncallo, N.Y.
Blackburn	Johnson, Pa.	Rooney, N.Y.
Blatnik	Jones, Tenn.	Rooney, Pa.
Brown, Mich.	Kazen	Shipley
Burgener	Kuykendall	Steiger, Ariz.
Daniels, Dominick V.	Landgrebe	Steiger, Wis.
Diggs	McFall	Stephens
Dorn	McSpadden	Stokes
Gettys	Maraziti	Wilson, Charles, Tex.
Green, Oreg.	Milford	Young, Ga.
Gunter	Mollohan	
Haley	Myers	
	Nelsen	

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Arends.
Mr. Rooney of New York with Mr. Dorn.
Mr. Barrett with Mrs. Green of Oregon.
Mr. Dominick V. Daniels with Mr. Aspin.
Mr. Nix with Mr. Mollohan.
Mr. Rooney of Pennsylvania with Mr. Roncallo of New York.
Mr. Shipley with Mr. Blackburn.
Mr. Young of Georgia with Mr. Reid.
Mr. Diggs with Mr. Hanna.
Mr. Kazen with Mr. Brown of Michigan.
Mr. Hawkins with Mr. Blatnik.
Mr. Jones of Tennessee with Mr. Bergener.
Mr. McFall with Mr. Johnson of Pennsylvania.
Mr. Stokes with Mr. Gettys.
Mr. Milford with Mr. Gunter.
Mr. McSpadden with Mr. Nelsen.
Mr. Pickle with Mr. Kuykendall.
Mr. Stephens with Mr. Landgrebe.
Mrs. Hansen of Washington with Mr. Maraziti.
Mr. Haley with Mr. Steiger of Arizona.
Mr. Andrews of North Carolina with Mr. Myers.
Mr. Charles Wilson of Texas with Mr. Steiger of Wisconsin.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON THURSDAY, JUNE 13, 1974, FOR THE OBSERVANCE OF FLAG DAY

Mr. NICHOLS. Mr. Speaker, Friday, June 14, 1974, will mark the 197th anniversary of Flag Day. For many years the House has commemorated Flag Day here in the House Chamber by appropriate ceremonies.

I, therefore, ask unanimous consent that it may be in order at any time on Thursday, June 13, for the Speaker to declare a recess for the purpose of observing and commemorating Flag Day in such manner as the Speaker may deem appropriate.

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

There was no objection.

DESIGNATION OF MEMBERS OF COMMITTEE FOR FLAG DAY CEREMONIES

The SPEAKER. The Chair will state for the information of the House that, after consultation with the distinguished minority leader, the Chair has informally designated the following Members to constitute a committee to make the necessary arrangements for appropriate ceremonies in connection with the unanimous-consent agreement just adopted:

The gentleman from Alabama, Mr. NICHOLS; the gentleman from Maine, Mr. KYROS; the gentleman from California, Mr. GOLDWATER; and the gentleman from Ohio, Mr. REGULA.

PROVIDING FOR CONSIDERATION OF H.R. 13919, AUTHORIZING APPROPRIATIONS FOR ATOMIC ENERGY COMMISSION FOR FISCAL YEAR 1975

Mr. MURPHY of Illinois. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1030 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1030

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13919) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, and all points of order against sections 104

and 105 of said bill for failure to comply with the provisions of clause 4, rule XXI are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Illinois is recognized for 1 hour.

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

Mr. Speaker, House Resolution 1030 provides for an open rule with 1 hour of general debate on H.R. 13919, a bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended.

House Resolution 1030 provides that all points of order against sections 104 and 105 of the bill for failure to comply with the provisions of clause 4, rule XXI of the Rules of the House of Representatives—prohibiting appropriations in a legislative bill—are waived.

H.R. 13919 authorizes $2,551,533,000 for operating expenses and $1,125,300,000 for plant and capital equipment for the fiscal year 1975.

Mr. Speaker, I urge the adoption of House Resolution 1030 in order that we may discuss and debate H.R. 13919.

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

Mr. Speaker, as has been noted, House Resolution 1030 provides an open rule with 1 hour of general debate for the consideration of H.R. 13919, the Atomic Energy Commission Authorization for fiscal year 1974.

In addition, this rule provides a waiver of points of order against sections 104 and 105 of the bill for failure to comply with clause 4 of Rule XXI. Clause 4 is the provision which prohibits appropriations language on a legislative bill.

Section 104 of this bill allows the AEC to spend money that it takes in without returning it to the Treasury. The effect of this provision is to appropriate funds which normally would have been returned to the Treasury, and therefore, the waiver is required.

Section 105 provides transfer authority. The effect of this provision is to allow funds to be used for a purpose different than the purpose for which they were originally appropriated. This also can be construed to constitute appropriations language on a legislative bill.

Mr. Speaker, this is the rule requested by the distinguished chairman of the Joint Committee on Atomic Energy. I urge the adoption of this rule so that the House may proceed to debate the bill, H.R. 13919.

The purpose of H.R. 13919 is to authorize appropriations for the Atomic Energy Commission for fiscal year 1975. The total authorization is $3,676,833,000 of which $2,551,533,000 is for operating expenses and $1,125,300,000 for plant and capital equipment. Certain program titles and descriptions in the AEC's fiscal year 1975 budget request differ from those in the 1974 request. Changes were made by the AEC to make its budget more in line with the reorganizations which took place within the AEC since May of 1973.

The committee realined the AEC's request to provide for a higher level of effort on several of the Commission's high-priority programs, while reducing the authorization recommended for certain other Commission programs. The recommended authorization for fiscal year 1975 of $3,676,833,000 is $76,560,000 more than the amount requested.

In general, the Commission's authorization request covers estimated costs in two broad categories; namely, military and civilian applications. The military applications include primarily the nuclear weapons and naval propulsion reactors programs as well as a portion of the nuclear materials program: $1,531,867,000 is attributable to military applications—$1,257,557,000 in operating costs and $274,310,000 in plant and capital equipment. The civilian applications of atomic energy totals $2,138,036,000—$1,715,986,000 for operating costs and $422,050,000 for plant and capital equipment.

The change of civilian versus military applications estimated costs from 1974 to 1975 is also reflected in the priority increases the AEC proposes to give to energy development programs and basic and supporting energy research, which would contribute most directly to solving energy related problems and to maintaining the quality of our Nation's environment.

The following two charts are estimates from the Commission covering expense for the next 5 fiscal years:

Net operating costs

Fiscal year:	*Millions*
1976	$2,282
1977	2,489
1978	2,688
1979	2,623

Plant and capital equipment costs

[In millions of dollars]

Fiscal year:	*AEC estimate*	*JCAE estimate*
1975	696	713
1976	826	827
1977	989	972
1978	1,072	1,062
1979	1,021	1,018

The Joint Committee on Atomic Energy reported the bill by a voice vote.

Separate views were filed by Hon. TENO RONCALIO in opposition to the Plowshare project. AEC's Chairman Dixy Lee Ray testified that each of our national energy research programs "should be funded on its merits, accelerated when it succeeds, and terminated or cut back severely when it fails after a reasonable amount of effort." He contends the Plowshare program has been afforded more than a reasonable amount of time, money, and effort, and that it has failed in virtually all of its endeavors. He will offer some amendments on the floor.

Mr. MURPHY of Illinois. Mr. Speaker, I have no requests for time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 12799, AMENDING THE ARMS CONTROL AND DISARMAMENT ACT

Mr. MURPHY of Illinois. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1009, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1009

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12799) to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Illinois (Mr. MURPHY) is recognized for 1 hour.

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

Mr. Speaker, House Resolution 1009 provides for an open rule with 1 hour of general debate on H.R. 12799, a bill to amend the Arms Control and Disarmament Act.

H.R. 12799 authorizes an appropriation of $10.1 million to fund the operations of the Arms Control and Disarmament Agency through the fiscal year 1975.

H.R. 12799 amends the Agency's authority to procure the services of consultants by increasing the existing $100 per day limitation to approximately $138 per day.

H.R. 12799 also directs the Director of the Arms Control and Disarmament Agency to file an arms control impact report with the Congress on new strategic weapons systems costing more than $50 million.

Mr. Speaker, I urge the adoption of

House Resolution 1009 in order that we may discuss and debate H.R. 12799.

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

Mr. Speaker, I heard the statements just made by my friend, the gentleman from Illinois (Mr. MURPHY). I hasten to point out that this is more than just an authorization of the Arms Control and Disarmament Act. As pointed out in the minority views, this legislation contains what has become known as the Harrington amendment which would require the Director of the Arms Control Agency to report to the Congress within 30 days the nature, scope, purpose, cost, and impact of any strategic weapons system for which he determines a program of research, development, testing, engineering, or deployment has been funded by the Department of Defense or the Atomic Energy Commission, if the estimated cost of the program will exceed $50 million for any fiscal year.

Mr. Speaker, I think this is a dangerous amendment that could and probably would do irreparable harm to the defense system of this country. I do not believe it has any place in this legislation and, hopefully, under the 5-minute rule the minority will prevail and the defense of this country will not be hindered by the Harrington amendment in that it will be stricken out.

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

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

Mr. GROSS. I thank my friend, the gentleman from Ohio, for yielding. I only want to say that this is a wide open rule. This is the kind of a rule the House ought to have from the Committee on Rules except in the event of an emergency. No points of order are waived; there are no other restrictions on the consideration of the legislation. This marks, it seems to me, a red letter day in the House of Representatives. I cannot recall when we last had a completely open rule, I say again, the kind of rule that the House ought to have except in the event of an emergency.

Mr. LATTA. Let me say to my good friend, the gentleman from Iowa, it is not often that he commends the House Committee on Rules for its action, and we accept his commendation.

Mr. GROSS. If the gentleman will yield, I was not aware that I commended the committee. I did that once, 2 or 3 years ago, and if I remember correctly the next rule we considered was a gag rule.

Mr. LATTA. Let me say to my friend, the gentleman from Iowa, that we will probably have some of those gag rules in the future.

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

Mr. MURPHY of Illinois. Mr. Speaker, I have no additional requests for time.

I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING APPROPRIATIONS FOR THE ATOMIC ENERGY COMMISSION FOR FISCAL YEAR 1975

Mr. PRICE of Illinois. 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. 13919) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

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

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. 13919, with Mr. BURLISON of Missouri in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule the gentleman from Illinois (Mr. PRICE) will be recognized for 30 minutes and the gentleman from California (Mr. HOSMER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. PRICE).

Mr. PRICE of Illinois. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill now under consideration, H.R. 13919, would authorize total appropriations of $3,676,833,000 for fiscal year 1975 for the Atomic Energy Commission's "operating expenses" and "plant and capital equipment." That amount is approximately 2 percent more than the amount requested by the Commission. About 58 percent of the Commission's fiscal year 1975 estimated program costs will be for civilian applications, with the balance for military applications. For the current year the portion for the civilian program is about 54 percent. This indicates a continued shift of the fraction of work toward civilian programs. The proposed authorization also emphasizes energy R. & D. programs, whose estimated costs in this authorization bill are 32 percent greater than the current year's estimated costs. The civilian applications portion includes $132.2 million in operating costs for the high energy physics program for which the AEC acts as principal funding agent for the entire Federal Government.

OPERATING FUNDS

Turning to the bill itself, the individual sections are explained in the section-by-section analysis beginning at page 46 of the committee report. Very briefly, section 101(a) would authorize $2,551,533,000 for operating expenses, which consists of the individual program amounts listed in the table on page 3 of the committee report. A detailed discussion of the individual program amounts begins on page 7 of the committee report. You will note from the table on page 3 that the committee has recommended several adjustments to the AEC's requested authorization, the net effect of which is an increase of $82,110,000.

I would like to highlight some of the significant areas affected by the committee's recommendations. Recognizing the Nation's need for increasing amounts of clean energy, the committee recommended an increase of $9.2 million for the light water breeder reactor program, $8.9 million for nonnuclear energy programs and $9 for controlled fusion energy research. We have also recommended an increase of $12.7 million for the Commission's regulatory program which should permit a reduction in the licensing review time for powerplants, while at the same time maintaining the high quality of these reviews.

The committee also is recommending a $15 million increase in the nuclear weapons program. Although the increase is only about 1½ percent above the Commission's request, it is for the testing program—a very critical aspect of our nuclear weapons program. We have examined this matter very carefully and have concluded that if this work is not strengthened, there is a high probability that our nuclear weapons technology would be frozen.

CONSTRUCTION FUNDS

With regard to plant and capital equipment, section 101(b) of the bill recommends a total authorization of $1,125,300,000, which is a reduction of $5,550,000 from the amount requested by the AEC. The bill authorizes $273,300,000 for new construction projects, $208,850,000 for capital equipment not related to construction, and $643,150,000 for increases to previously authorized projects.

The major changes recommended in this area are a $26.6 million reduction for two reactor development facilities and an increase of $7.1 million for improving our uranium enrichment plants.

Sections 102, 103, and 106 of the bill set forth certain limitations regarding the application of the funds authorized by this bill. These are similar to provisions incorporated in previous authorization acts.

Section 107 provides required legislation concerning the Commission's highest priority reactor development program which is the liquid metal fast breeder program. This section concerns indemnification and ownership of the first LMFBR demonstration plant which is being carried out as a cooperative project with industry.

CONCLUSION

These are the highlights of the bill. The Joint Committee believes that the bill provides for the minimum authorization necessary to carry out at a viable level the essential programs and activities of the Commission. It was reported out without dissent by either House or Senate members of the committee, and I urge its favorable consideration.

These are the main highlights of the bill. The Joint Committee believes that the bill provides the minimum authorization necessary to carry out at a viable level the essential activities to protect this country.

Ms. ABZUG. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentlewoman from New York.

Ms. ABZUG. I would be glad to wait until the gentleman has concluded. He said these are the main highlights. I wanted to ask a number of questions on this section concerning the amounts to be authorized.

Mr. PRICE of Illinois. Yes, that is all right.

Ms. ABZUG. On page 10 of the report it states that the AEC requested $152,-152,000 for testing of atomic weapons and $8,500,000 for special test detection activities, the total of which I think comes to roughly $161.7 million, the amount Dr. Ray testified to.

On page 11 the committee recommends authorization of $112,552,000 for on-continent tests, with an increase of $15 million that the committee decided to impose, in spite of the fact the AEC did not request it. This leaves a difference of $49 million. Can the gentleman indicate what that $49 million is to be used for?

Mr. PRICE of Illinois. This is all in the area of weapons testing. I do not have the committee report in front of me right now.

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

Mr. PRICE of Illinois. I yield to the gentleman from California.

Mr. HOSMER. That is the balance for the weapons testing program, in accordance with the need for information, and it will provide about 10 additional experiments of a classified nature, but which are quite important if this program is to be carried forward.

Now, I would say "take the money out" to the gentlewoman from New York, and any person who feels that the weapons program is unnecessary, and who feels that we no longer have countries in the world that need to be deterred by this kind of weaponry. On the other hand I would advise "leave it in" those who do believe that peace has not settled down all around us, and that a certain amount of muscle is still needed with respect to potential enemies, that the guard should be kept up in a nuclear fashion. We should go along with the committee recommendation. It will afford a balanced funding for weapons work. It is carefully calculated to produce the maximum amount of national protection for the dollars invested.

Ms. ABZUG. Mr. Chairman, will the gentleman yield further?

Mr. PRICE of Illinois. I yield to the gentlewoman from New York.

Ms. ABZUG. I thank the gentleman very much for his advice. I will try following it subsequent to this debate. I will bring out an amendment appropriate to the welfare of America; but at the same time, I would appreciate an answer to my question, and that is, What does the balance of $49 million represent? It is not, I take it, for on-continent tests. That is stated to be $112 million or so. Is it for underwater tests or is it just for laboratory tests?

Mr. PRICE of Illinois. For the weapons program, for research and development assigned to new weapons.

Ms. ABZUG. Is there not a separate section for research and development?

Mr. PRICE of Illinois. There is a separate section for research and development. Most of the weaponry items are research and development themselves.

Ms. ABZUG. I see; so this is for laboratory tests? Is the amount specifically budgeted or just left open for possible future authorization?

Mr. PRICE of Illinois. It is specifically budgeted for weapons.

Ms. ABZUG. Could we get an enumeration of which laboratories are in the process of doing this?

Mr. PRICE of Illinois. It is in the weapons program at Los Alamos and probably Livermore.

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

Mr. PRICE of Illinois. I yield to the gentleman from California.

Mr. HOSMER. Part of that money is used for the Nevada test site and the laboratories. These complexes all work together, the test sites and Los Alamos and Livermore, and these funds go to the common support of the triplex.

Ms. ABZUG. Mr. Chairman, I have one more question. Would the gentleman from Illinois give an indication as to whether it is the opinion of this committee that it is in a better position than the AEC to determine whether there should be an increase in authorization? Does the gentleman believe his opinion to be better than that of the AEC?

As I understand from the gentleman's remarks and from reading the report, he has increased the request of the AEC.

Mr. PRICE of Illinois. Mr. Chairman, I yielded to the gentlewoman from New York for a question. I think our judgment is based on the information that we do get from the AEC and the laboratory personnel engaged in this field of research.

Ms. ABZUG. Mr. Chairman, we must not let the actions of this House be controlled by panic. The recent energy shortage, however real or permanent, must not blind us to other realities. In our eagerness to develop new sources of energy, we are rushing recklessly into situations that we may live to regret—if indeed we live through them at all.

Nuclear power is by no means our only alternative, but it is certainly our most dangerous alternative. Yet the bulk of the funding for developing new sources of energy is going to nuclear methods, rather than to exploration of far safer and less costly ways—in particular, solar energy. Once again those with vested interests are using a crisis to grab money, while gambling with our very lives. The Commission that should be a watchdog for such interests has instead become their tool.

The present request represents a 45-percent increase over last year's funding. Yet both the military and civilian uses proposed in this authorization pose the most ominous threats. Over the years we have developed a kind of contemptuous familiarity with the atom. We seem to feel that because we haven't destroyed the earth in almost 30 years, we can continue playing with this lethal toy; We can become even more careless, as this bill proposes to do. Yet the threat today is ever more real as nuclear capabilities proliferate.

The military portion of this bill asks $859 million for weapons, including production and surveillance, research and development, test detection and testing. The Joint Committee has actually increased the AEC's request for on-continent testing by $15 million, which involves continuous daily hazards to residents of the States involved, to those living on routes where nuclear materials are transported, and in fact to everyone. Is it going to take some fantastic nuclear accident to awaken us to the danger? We have already had many close calls in which during production or transportation, workers and whole communities have been threatened. The stockpiling and storage and testing of such weapons—and the impossibility of destroying the residue safely—is a constant threat to us all; yet we treat requests such as this, as though they were routine authorizations.

Parity with the Soviet Union is always given as the necessary justification for continued development and testing. But please consider these figures: In mid-1973, the United States had 6,784 strategic nuclear warheads—in simple language, H-bombs; the Soviet Union had 2,200. In mid-1974, the United States possesses 7,940 H-bombs; the Soviets, 2,600. There are great technical arguments about the various kinds of bombs and their potential; the basic fact is that we have a preponderance of bombs and the Soviet Union is ringed with our bases.

The new nuclear strategy, which looks like conversion to first-strike capacity, cannot be very reassuring to the Soviets in the SALT talks. We cannot expect disarmament to be anything but a pious wish so long as we continue to arm ever more heavily. Even our relations with our neighbors are threatened: The radioactivity from our underground tests forms into clouds that drift across international borders. The U.S. disarmament agency continues to express its concern that we are violating the present ban on atmospheric testing.

Turning to civilian uses, Dr. Fred C. Ikle, director of ACDA is also concerned about the use of nuclear explosions to recover gas locked deep beneath the ground, as proposed by the AEC. Such experiments if not properly handled, he says, might jeopardize the U.S. long-standing policy of opposing nuclear proliferation. Yet dozens of large financial interests are anxious to experiment with such underground explosions. And Edward Fleming, information officer of the AEC, can only say that such experiments "never hurt anybody." What will he say when they do?

A report made last October by the AEC's own task force—Department of Regulation—gives very clear warning of the dangers of the nuclear power plants which we are asked to approve for civil-

ian use, in this authorization. Here are a few of the comments from that report:

. . . There is still an unanswered question as to the quantified degree of safety (or conversely, the level of risk) of a nuclear power plant. (pp. 10–11)

The ultimate determination of the acceptable level of public risk is actually a matter which should be debated and established in the public arena. (p. 11)

The risk to the public from a reactor is truly a value judgement . . . Quantification of these risks is complicated since identification of all possible accident combinations has not been accomplished. (p. 12)

Review of the operating history associated with 30 operating nuclear reactors indicated that during the period 1/1/72–5/30/73 approximately 850 abnormal occurrences were reported to the AEC. Many of the occurrences were significant and of a generic nature requiring followup investigations at other plants. Forty percent of the occurrences were traceable to some extent to design and/or fabrication related deficiencies. The remaining incidents were caused by operator error, improper maintenance, inadequate erection control, administrative deficiencies, random failure and combination thereof.

The task force recommends a tenfold increase in surveillance. This seems to me totally inadequate.

I believe we should follow some such course as that charted by the Waldie-Aspin bill which requires an immediate moratorium on new construction licenses for nuclear powerplants, and directs the Office of Technology Assessment to submit an independent assessment of nuclear safety problems, economics, and net energy production to Congress within 5 years.

At the same time, we should greatly increase funding for solar and other energy sources. A report made by Subpanel IX of the AEC states that—

At an average energy conversion efficiency of 5%, less than 4% of the US continental land mass could supply 100% of the nation's current energy needs. Thus, solar energy could contribute significantly to the national goal of permanent self-sufficiency while minimizing environmental degradation . . .

With these studies and experiments we should make a thorough re-evaluation of the role of the military and its current weapons program. In an interdependent world, running short of resources, we simply cannot afford to continue our present wasteful and dangerous ways.

I intend to offer amendments to delete funds for nuclear testing, to delay construction of nuclear reactors pending further study, and to support every amendment that furthers the cause of peace by limiting military spending.

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

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

Mr. ANDERSON of Illinois. Mr. Chairman, I thank the gentleman from California for yielding.

Mr. Chairman, I rise in support of H.R. 13919, the bill authorizing appropriations to the Atomic Energy Commission for fiscal year 1975.

Mr. Chairman, I just want to make one additional observation in view of the colloquy that has just taken place between the chairman of the committee, the gentleman from Illinois (Mr. PRICE), and the gentlewoman from New York. That is, that I think it is not commonly realized the extent to which the budget for the Atomic Energy Commission does increasingly represent the devotion of our resources in this area to the peaceful use of the atom. For example, as late as 1962, more than 70 percent of the AEC budget was earmarked for military and weapons costs, but because of the growing realization that has taken place and because of the dwindling fossil fuel supplies, it is important to increase authorizations for the purpose of developing nuclear power as an alternative source of energy.

Mr. Chairman, it is interesting, I think, and significant to note that over the decade, about 12 years since 1962, we have seen a decline in that percentage of the AEC budget, the 70 percent which I mentioned was earmarked for military and weapons costs. We have seen that drop to slightly less than 42 percent during the coming fiscal year, during fiscal year 1975, so three-fifths of the total budget of some $3.6 billion now is going to develop the peaceful use of the atom.

Mr. Chairman, in the remarks that I will insert in the RECORD, I will point out at some length the extent to which, particularly in recognition of the growing energy problem that we face in this country, work under the sponsorship of the Atomic Energy Commission will be conducted in the coal liquefaction area, in the development of a catalytic process for converting sulfuric coal to oil for powerplants as well as transportation fuel.

Mr. Chairman, an effort is being made to utilize the existing facilities, AEC facilities, in chemical engineering and process development in such places as Oak Ridge National Laboratory and Argonne National Laboratory in my own State of Illinois and elsewhere around the country to use the tremendous investment that we have already made in these facilities for the further development, for the good of mankind, and with particular reference to the solution of the energy problem that confronts the Nation and the world.

Mr. Chairman, I rise in support of the activities being requested for general energy development. With the funds being provided for this program, the AEC laboratories will be able to conduct research and development on a number of energy technologies—including coal gasification and liquefaction, geothermal, solar, batteries, and other energy storage systems, and underground electrical transmission.

While the funds being requested are relatively modest, the activities they will support represent an important part of the effort for achieving the national goal of energy self-sufficiency for the United States. There is no longer any question that this country must significantly increase its R. & D. efforts to develop new energy technologies as well as to improve existing technologies.

It is generally recognized that the AEC research and development laboratories represent a truly unique and great national asset. These laboratories employ about 25,000 scientists and engineers representing all technical skills and disciplines. The labs are equipped with some of the finest equipment and testing facilities available in the country. It makes eminent sense to utilize this national resource to help develop nonnuclear energy technologies.

In reviewing these programs, the committee found that the OMB had deleted funds for several promising activities proposed by the AEC—notably solar energy and coal liquefaction. It is our understanding that these programs were not deleted due to a lack of technical justification, but rather to an OMB decision that R. & D. in these two areas should be conducted under the jurisdiction of other agencies. It was also indicated that there was a possibility that these other agencies might fund the programs at the AEC laboratories, although no firm guarantee that this would happen was provided. In view of these considerations, the committee determined that direct authorization was the only way reasonable assurance could be provided that these programs would be continued to be funded on a timely basis. Accordingly, the committee recommended that $7.7 million be added for coal liquefaction and $1.2 million for solar energy to carry forward the following work.

COAL LIQUEFACTION

In the coal liquefaction area, work is to be conducted on the development of a catalytic process for converting high-sulfur coal to oil for powerplant use as well as for transportation fuel. The program will utilize the existing AEC capabilities in chemical engineering and process development at Oak Ridge National Laboratory and other locations. The major project goal will be to achieve a commercial-scale demonstration of one promising coal liquefaction process in the early 1980's.

SOLAR ENERGY

In the solar energy area, the funds added by the committee will assure the continuation of work started in fiscal year 1974 as a result of an add-on of funds by the Joint Committee.

Specifically, work in fiscal year 1975 will continue at Sandia on studies aimed at demonstrating the feasibility of making practical use of solar energy to serve community and commercial power requirements. This work is aimed at developing a system for large-scale utilization within 10 years. In addition, work will be continued on developing an expanded metal type of roof panel construction for collection of solar energy at Los Alamos and for work on nonfocusing mirrors at Argonne.

In summary, I strongly urge that my colleagues support the programs on general energy development recommended by the Joint Committee. These energy R. & D. programs offer the promise of significant payoffs with respect to helping meet the Nation's future energy needs.

Mr. PRICE of Illinois. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Chairman, this, to me, is in a way an historic time, be-

cause, having been on the Joint Committee on Atomic Energy since its inception and having fought alongside the gentleman from Illinois (Mr. PRICE) for civilian control of atomic energy when the House passed the bill giving it over to the military, I recall that we later saw the civilian control of atomic energy adopted by both the Senate and the House. I have served all these years, 28 years, on this committee, and since I have announced my retirement at the end of this year, of course, this will be the last year in which I will be able to participate in the consideration of this program.

I take a great deal of pride in the work that the Joint Committee on Atomic Energy has done. We have developed the atomic program in accord with the principles set forth in the act.

For the first 6 or 7 years we were engaged in weapon production, and that was as it should be, because at that time we were in a race against the Soviets to maintain nuclear weapon superiority.

Over the years, however, and since 1954—and I would like to ask the gentlewoman from New York, who is so critical of this program, to listen to this—we have changed the appropriation. As a result of the efforts of the Joint Committee on Atomic Energy, we have changed the appropriation from zero percent for peacetime application to a figure of around 58 percent application for peacetime uses and 42 percent for weapon uses. We have done this without weakening the Nation from the standpoint of weaponry.

We did that, Mr. Chairman, because we felt that we had achieved the degree of strength that would make this Nation secure against nuclear attack and, more importantly it would prevent a nuclear attack, because we look upon the atomic arsenal of this Nation as not a provocative program of armament but as a form of security insurance against the possibility of attack by the only other nation in the world that is equal to ourselves today in terms of atomic strength.

I might point out that that atomic weapon equality has come about in the last 4, 5, or 6 years between the U.S.S.R. and the United States.

Mr. Chairman, I want to make one further observation. At the time of the Cuban episode, when President Kennedy told the Soviets to turn their missile ships around—we should recall that they were installing intercontinental missiles and intermediate missiles in Cuba at that time—it developed that they turned those ships around. I will say for the benefit of the gentlewoman from New York, who is so critical of the military parts of this program, that if it had not been for the strength of the United States in the military field—and it was 4 to 1 at that time—the Soviets would not have turned those ships around.

I would fear today that if the same proposal were made, at a time when they have now achieved parity with the United States and are going ahead at a rate greater than ours in the building of weapons, including the research and development in the United States, at a time where they are proceeding at a far greater rate in the field of atomic war-making machinery, I quaver today when I consider as to whether such an ultimatum by a President of the United States would be obeyed or simply laughed at.

So I say that I am proud that this committee has upheld the strength of the United States in the weapons field, not to make aggressive war on other nations, because that is not the desire nor the goal of the American people. We are a peace-loving people, but we are also a people that want to preserve the liberties and the freedoms that we have. That is why we have built up this atomic strength that we have today.

Mr. Chairman, I say that any attempt to weaken ourselves or to diminish that strength is a move in the direction of hazard to this country. It is a move in the direction of producing an outbreak of war; it would be an imposition of danger upon other nations which have no atomic strength of the will of the Soviet Union.

So, therefore, I take a great deal of pride in the work of this committee over the years as we have moved toward peacetime applications. Today there are many thousands of peacetime applications of atomic energy. One of the most important items is the fact that we now stand ready to fill in this gap in energy, in electrical energy, which has come about.

Mr. PRICE of Illinois. Mr. Chairman, will the gentleman yield to me?

Mr. HOLIFIELD. Of course I yield to the distinguished gentleman.

Mr. PRICE of Illinois. Mr. Chairman, I want to say how much the committee and the Congress are going to miss the distinguished gentleman from California.

As he stated in his opening remarks, he has been a charter member of the Joint Committee on Atomic Energy. He and I were the only two members of the old Military Affairs Committee that fought for civilian control of the atomic energy program. We were successful in that fight and lived with that program for a total of about 28 years now. No one in this country has contributed more to the atomic energy program than has the gentleman from California.

I will miss him as a personal friend and as a close associate on this committee. It is a little difficult to look forward to a session of Congress when CHET HOLIFIELD will not be down in the well presenting this authorization bill to the House and defending the program and defending it for the reasons he stated in his earlier remarks this afternoon.

Mr. HOLIFIELD. I thank the distinguished gentleman for those kind remarks.

Mr. HOSMER. Will the gentleman yield?

Mr. HOLIFIELD. I yield briefly to the gentleman.

Mr. HOSMER. Mr. Chairman, I would like to echo the remarks of the gentleman from Illinois and say to my good friend from California that I am happy to have had the privilege of serving with him on this Joint Committee on Atomic Energy. It is an experience for which I shall be forever grateful. It has been intellectually stimulating and inspiring from the standpoint of the opportunity over these years to share our efforts and work with men of such dedicated patriotism as the gentleman from California (Mr. HOLIFIELD) and the gentleman from Illinois (Mr. PRICE) who share the honor of being the final survivors of the original membership of this Joint Committee on Atomic Energy.

Mr. HOLIFIELD. I thank the gentleman.

I want to say that over all the 18 years that I have worked on this committee with the gentleman from California (Mr. HOSMER) he has been most dedicated in looking after the welfare of America and has been absolutely indispensable in our deliberations. There has never been any partisanship or rivalry between us, but the committee has only worked for the security and the benefit of America. We have many accomplishments to our record.

I started to say one of the great accomplishments was the development of the electric producing reactors. We are facing a decline in fossil fuels. There is a shortage of 6 million barrels of oil per day as against the 17 million that we are using now. We are going to keep going forward in an attempt to fill that gap, and we believe we can do it so that we can come up with self-sufficiency in this country. The legislation we have already passed dealing with establishment of the Energy Research and Development Administration will help to accomplish this by looking into all types of potential uses of any fuel resource that we have domestically. We believe that this in time will fill the gap, which we need to fill if this Nation is to endure and is to continue with a standard of living which is commensurate with what it has now, and if it is to endure as a free nation.

I want to say this to the gentlewoman from New York. She asked if we on the Joint Committee put ourselves above the Atomic Energy Commission in knowledge. I will tell her that yes we do and we have. We have eliminated programs that the Atomic Energy Commission wanted and we have imposed programs upon them that we thought the people of the United States needed.

Our judgment, the judgment of the Congress of the United States, has prevailed and not a constantly changing judgment of a constantly changing commission that may have membership which remains the same for a period of 2, 3, 5, or 7 years and whose interest would then move on to other fields. We have had a continuity of policy direction which has been expressed on the part of a number of members on our committee who have had knowledge which was gained not only from the records of the Atomic Energy Commission but information that was developed on our own which has given us the ability and the judgment to say when the Atomic Energy Commission is right and when they are wrong. We have done that as our responsibility to the Members of this House. We, the Congress of the United States, have set this program up and not the Atomic Energy Commission and

not some laboratory that had a pet project that they wanted to go forward with.

Not some laboratory man that had a particular project to go on. And as this day goes on——

The CHAIRMAN. The time of the gentleman has expired.

Mr. PRICE of Illinois. Mr. Chairman, I yield 1 additional minute to the gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Chairman, I thank the gentleman for the additional time.

Mr. Chairman, as I started to say, as this day goes on we will exercise that judgment. We will explain to the House the judgment that we have utilized in making these decisions which in some instances have added to and in some instances have taken from programs of the Joint Committee on Atomic Energy. We consider this our responsibility, and we consider we have discharged this responsibility. As long as there are members on this committee I am sure they will continue to use judgment that they have accrued over the years, and to make that judgment known to the Members of the House so that they can substantiate that judgment and then go forward with the vital programs which are so valuable to the future of America.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HOSMER. Mr. Chairman, I yield 3 minutes to the gentleman from Idaho (Mr. HANSEN).

Mr. HANSEN of Idaho. Mr. Chairman, I thank the gentleman for yielding.

I rise in support of the authorization bill which is now before the House. The programs included in the bill and the funding levels authorized, reflect the progress that we have made over the past more than two decades in building the very strong nuclear energy base. We must now build on that to help our country achieve the goal of energy self-sufficiency. The authorization also reflects the high priority being assigned to many of the Nation's most promising energy research and development programs.

Because of the past leadership of this committee and the support of the Congress, we have a system of national laboratories and engineering and test facilities and thousands of technicians and scientists whose talents and capabilities can now be applied to the whole range of energy research and development programs.

Mr. Chairman, in pointing to past progress, I want to pay tribute to two outstanding leaders in the Congress who have contributed so much to the development of our Nation's nuclear energy programs and whose exceptional talents will be sorely missed in the future because of their announced intention to retire from the House of Representatives at the end of the year.

I want to acknowledge our indebtedness to the gentleman from California (Mr. HOLIFIELD) who, as it has been mentioned, is one of the charter members of the Joint Committee on Atomic Energy, and to our colleague on this side of the aisle, the gentleman from California (Mr. HOSMER) the ranking minority member on the House side of the Joint Committee on Atomic Energy.

These two gentlemen are indeed architects of our atomic energy programs. They are builders. Their exceptional leadership talents have contributed enormously to our past progress. I would not want this occasion to pass without acknowledging the debt of gratitude that the Congress and the country owes to CHET HOLIFIELD and CRAIG HOSMER.

Mr. Chairman, I would like to discuss in more detail some of the specific programs that are covered in the authorization bill before us today: Reactor safety; waste management and transportation; regulation; and weapons program.

REACTOR SAFETY

In order to appreciate the magnitude of the Commission's reactor safety research effort, one should recognize that this activity is carried out under two different budget categories. Under the civilian reactor development program the nuclear safety effort is directed principally toward safety phenomena associated with the breeder reactor and the high temperature gas reactor.

In a second budget category is an independent safety program carried out under the Reactor Safety Research Division. The principal focus here is on the light water reactors—the type now operating throughout this country. A major portion of this program includes the conduct of large-scale reactor tests associated with the light water safety program which are to be carried out at the National Reactor Testing Station in Idaho.

The budget figures submitted to the Congress and recommended for approval by the committee for AEC's reactor safety research program are as follows: in the Reactor Development Division $40,110,000; and, in the Reactor Safety Research Division, $52,940,000, for a total of $93,050,000. This compares to an estimate for fiscal 1974 of $72,200,000. The budget now before us represents an increase of 28 percent over the previous year. In addition, the Electric Power Research Institute, through contributions by utility organizations throughout the country, is planning to finance additional reactor safety efforts which will supplement the information to be obtained through Commission programs. Still further, the reactor vendors themselves carry out special reactor safety tests and assessments related to the specific needs of their designs.

As you can see, the totality of the efforts which I have described represents a large and comprehensive program. The joint committee has received detailed testimony on these research efforts presented by those who will carry out the programs, as well as testimony on the adequacy of the overall programs by those who will utilize the data produced in assessing the safety of reactors—the AEC regulatory staff, the Atomic Safety and Licensing Board Panel and the Advisory Committee on Reactor Safeguards.

There is, of course, no limit to the amount of research which can be carried out in the name of safety. The joint committee believes, however, that those who will utilize this information believe that the program proposed is a reasonable one and the committee concurs in that conclusion.

I urge rejection of the amendment.

WASTE MANAGEMENT AND TRANSPORTATION

The Joint Committee has recommended authorization of $28,570,000 for the Commission's waste management program for fiscal year 1975. This is the full amount requested by the AEC and represents an increase of $11,890,000 or 72 percent over the previous year.

The principal effort of this program is directed toward the development of retrievable surface storage facilities for early storage of solidified waste resulting from the civilian nuclear power program. The waste products from civilian reactors accumulate at a predictable rate which can be handled in an orderly fashion. The first such waste products are expected to be delivered to the AEC by industry in 1983.

The Commission program contemplates development of a satisfactory retrievable storage approach which should provide more than enough lead time to fully explore ultimate disposal techniques. The disposal approach which continues to offer the most promising satisfactory solution is disposal in geologic salt formations. Other geologic formations, however, are being explored.

The waste products from our nuclear weapons development and production programs were accumulated at a rapid rate beginning in the late 1940's. This waste, in the millions of gallons in volume, is in liquid or salt cake form and is stored in tanks at the Hanford and Savannah River installations of the Commission. There have been leaks from time to time but the Commission has shown by its extensive monitoring programs that no radioactive material has leaked into underground water supplies at either facility. A program is underway to install new improved tankage and to speed the solidification of this material so that it will be in a less mobile form, thus further reducing the risk of release of material to nearby water supplies.

In the area of transportation of radioactive wastes the Commission is continuing the development of technology for improved design and increased reliability of shipping casks so that these high level wastes can be safely shipped from reactor facility to fuel reprocessing plants and from reprocessing plants to retrievable storage facilities. These containers must pass rigorous drop tests, fire tests, and other safety checks to assure that they will maintain their integrity in the event of a possible transportation shipping accident.

REGULATION

The committee has recommended authorization of $80,500,000, $12,665,000 above the amount requested in the President's budget for the regulatory program in fiscal year 1975. The total figure is actually slightly above the amount that the Commission requested of the OMB.

The principal cost of the regulatory

program is for salaries of the scientists and engineers who carry out the detailed safety review of license applications. The funds in this portion of the AEC budget pertain to the conduct of the safety and environmental reviews, the compliance or enforcement functions, and other such activities of the licensing program.

The regulatory program should not be confused with the AEC's reactor safety research program. The Commission's reactor safety research program is carried out in two parts. The first is the effort carried out by the Division of Reactor Research and Development and the second is a separate Reactor Safety Research Division which reports directly to the General Manager. The combined efforts of these safety programs planned for fiscal year 1975 total $93,000,000—an increase of 28 percent over the previous year.

The conduct of reactor safety research is important to the Commission's regulatory effort. Those involved in the regulatory program must continue to make their needs known to the reactor safety research program personnel in order to assure that the questions which need to be answered are indeed studied and researched by those who carry out the safety research programs.

The joint committee believes that the regulatory program of the Commission has been growing at a rapid pace, but believes that the recommended addition of personnel and funds is appropriate in order to maintain the high quality of the technical review and concurrently provide for a speeding up of the licensing process.

WEAPONS PROGRAM

I rise in support of the authorization of funds for the Atomic Energy Commission weapons activities.

In looking at the fiscal year 1975 AEC budget authorization request for the weapons activities, the increase of $39.2 million represents only about a 4.7-percent increase, an increase less than the inflation rate of the past year. Further, if you remove that portion which is devoted to funding the laser fusion program—a predominantly civilian power oriented program—the increase is only about 3.5 percent. This would have required the layoffs of between 850 to 1,000 persons in the laboratories for weapons work, in the production complex and within the test programs. The Joint Committee on Atomic Energy is examining the weapons program concluded that the on-continent test program had been so reduced in funding by the Administration that no advanced technology experiments could be conducted within the fiscal year 1975. In order not to freeze weapons technology at the 1974 level, the committee recommended that an additional $15 million be added to the on-continent test program. This would raise the increase in the weapons program—without laser fusion—from 3.5 percent to about 5.3 percent. This is still below the inflation rate and will still require the AEC to lay off about 400 to 500 persons—of which about 200 must be professionals within the two nuclear weapons laboratories. Thus, the real effect of the fiscal year 1975 budget, even with the $15 million testing increase, does not cause an expansion of the weapons program, but a slight cutback. This is being done at a time when the necessity to sustain a strong research and development effort in nuclear weapons technology has not diminished. It is the heart of the past progress in gaining an effective arms control agreement with the Soviet Union and must continue to be the basis for any future agreements. Thus, the authorization request now being considered appears to be about the minimum in order to maintain proper support in holding our present position in our national security posture in this time of great international uncertainty.

Mr. HOSMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee (Mr. BAKER).

Mr. BAKER. Mr. Chairman, I rise in support of H.R. 13919, authorizing appropriations for the Atomic Energy Commission for fiscal year 1975.

This bill represents a response to the energy shortage, a response that will carry on through the rest of this century. We are all aware of the long lead times involved in nuclear power plant construction and basic research. There is also greater time added since we now realize that cautionary safety measures are needed to protect the environment and the health of our citizens. All this means long lead times to get power plants "on-line." For this reason I certainly agree with my good friend and distinguished colleague, the senior Senator from Tennessee (Mr. BAKER), that we must go forward with the development of a number of new technologies in the atomic energy field.

I am highly pleased to see that the Joint Committee has once again proposed an increase in operating funds of $9,000,000 over the AEC's request of $82,000,000 for the Controlled Thermonuclear Research program. This increase is needed to advance the completion date for the operation of a CTR demonstration powerplant before the present schedule of the later nineties. The competence and expertise of the scientists working on this program is outstanding. The problems they have solved and the ones they must still solve are extremely complex.

Authorization is included for $19.2 million for heavy ion research facilities. This funding is essential. An ad hoc panel of the National Academy of Sciences has praised very highly the benefits of developing the heavy ion concept.

It had been decided to conclude work on molten salt technology during this fiscal year. However, study has been resumed principally as a supplement to the development of the liquid metal fast breeder reactor. An additional $1.5 million authorization has been requested by the committee for a molten salt breeder reactor demonstration plant. This is seed money to determine the possible benefits of undertaking a program in the area of molten salt as has been done with the liquid metal fast breeder reactor.

I have been greatly encouraged by the decision to provide $250,000 to Anderson County, Tenn., and $295,000 to Roane County, Tenn., as payments in lieu of taxes under section 168 of the Atomic Energy Act. The AEC commissioners have acknowledged that Anderson and Roane Counties have peculiar fiscal problems because of their proximity to and interrelationship with AEC's operations. There is no question that AEC's activities constitute a special burden on Roane and Anderson Counties. A private industrial-type complex with comparable facilities would be paying millions of dollars annually in property taxes to these counties. What this means is that the residents and small businesses in Roane and Anderson Counties have been forced to bear a much heavier share of the cost of governmental services than nonindustrial taxpayers in other counties. I am glad to see some action on this problem, and I urge the committee to continue to study the situation.

Mr. Chairman, I rise in support of the many vital activities of the Atomic Energy Commission in all its many areas. The benefits of this research and development of atomic power do and will continue to benefit all of us. Our fossil fuel resources are limited, as was brought home often painfully to all of us during the last 6 months. This winter has taught us the dangerous folly of dependence on foreign countries for supplies of energy. We must meet the energy demands of the future, but we can no longer afford to use up our fossil fuel resources at our current rate. It is imperative that we begin to diversify our energy sources. One of the ways to do this is to develop our nuclear power technology. I urge my colleagues to support H.R. 13919.

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

Mr. Chairman, I rise in support of H.R. 13919, a bill to authorize appropriations to the Atomic Energy Commission for fiscal year 1975.

My distinguished colleague from Illinois (Mr. PRICE), has already summarized the highlights of the bill, including special coverage of those committee actions which constitute a significant increase or decrease to the program amounts requested by the administration. The accompanying table indicates various differences between fiscal year 1974 AEC costs and fiscal year 1975 administration requests and committee actions respecting numerous categories of the proposed authorization. I would like to invite your attention to a few items which, in my view, are truly significant and for which the committee report contains specific recommendations.

One of the few actions this Nation can take to become independent in the energy field, without awaiting the results of research and development and without depending on foreign assistance of any kind, is to build both nuclear and fossil-fueled powerplants. As concerns nuclear plants the time has come to make plans for the design and construction of the additional uranium enriching capacity which will be needed to meet the fuel needs of these future plants. A decision on this matter must be made very soon and the committee is presently considering what these plans should be. In the interim the most important thing we can do is to improve and upgrade the capacity of the Government's enrichment plants to pre-produce the maximum amount of enriched uranium. To take advantage of this the committee recommends the addition of $7,100,000 for the program to

improve our plants. As explained on page 43 of the report the additional production obtainable from this action will, besides making more enriched uranium available to meet our needs in the early 1980's permit us to produce the additional material at a very low incremental cost. The nature of the improvement program, which is called the Cascade improvement program (CIP), is such that the additional material can be produced without an increase in operating cost. As stated in our report, the incremental cost of the gain in capacity is about $20 per unit of production which compares very favorably with the estimated cost of about $47 per unit from a new diffusion plant.

Another important matter I would like to bring to your attention is the financial benefits of the Government's uranium enrichment efforts. Our foriegn sales of enriched uranium are a major contribution to our Nation's balance of payments. In addition, as stated on page 9 of the report, the overall sales of enriched uranium in fiscal year 1975 are estimated at $547,230,000. An AEC analysis shows these revenues will essentially offset the total operating and construction costs of the production program as well as the costs of modernizing and expanding existing plants and the costs of developing new enrichment capacity.

I would also like to invite your attention to the word of caution the committee expresses in the report starting at the bottom of page 9. This word of caution stems from the announcement by the Secretary of State at the recent Washington conference of oil using nations—February 14—that uranium enrichment technology would be an area of discussion and cooperation in future meetings. Since our Nation's enrichment technology has been acquired at considerable expense and with the use of our best scientific talents, it is of great importance not only to our economic welfare but also to our national security. Accordingly, the committee believes that the Atomic Energy Commission should not take any action, however preliminary, to release to foreign nationals our uranium enrichment technology without first discussing the matter with the committee. As stated in the report, the committee takes its responsibilities to the Congress in this respect most seriously.

The positron-electron joint project is described on pages 39 and 40 of the committee report. This project is a collaborative effort between Lawrence Berkeley Laboratory and the Stanford Linear Accelerator Center. Aside from the scientific need for the facility, this cooperative aspect of the project is worthy of some note. In these years of inflation and declining availability of support for the programs of the Stanford and Berkeley Laboratories, as well as other high energy physics facilities, joint efforts such as this one can effectively take advantage of the unique facilities and skills of each laboratory involved to provide unusually high management and technical competence for such projects, while at the same time helping to maintain the viability of the laboratories.

The project will provide for partial design services necessary to develop engineering drawings and specifications for an advanced high-energy electron-positron colliding beam facility.

The particles will be injected into the storage ring by the existing linear accelerator at the Stanford Linear Accelerator Center. The collision energies for electrons in this facility will equal, or possibly exceed, the highest proton collision energies available in the world, and will thus provide insight into the structures of the new particles discovered by the proton accelerators.

This project has been included in the 5-year AEC program and was reviewed by the joint committee during hearings on the AEC physical research budget for 1975. It has been the subject of a 2-year joint study by Berkeley and Stanford which will culminate in a detailed construction proposal to AEC this spring. Preconstruction research and development has also been carried out at both laboratories. In order that the project can get off to an early start, the committee recommends authorization of $900,000 to permit preliminary design work during fiscal year 1975. Full authorization will be considered when more complete figures and design parameters are available.

In summary I join with Chairman PRICE in the support of this legislation. In my view the Committee's recommendations provide a good balance between supporting our national security while concurrently supporting our efforts toward total independence in meeting our energy needs.

I join with Chairman PRICE in urging favorable consideration of this bill. The authorization table follows:

FISCAL YEAR 1975 AEC AUTHORIZATION

[In millions]

Category	Fiscal year— 1974 estimated costs	1975 request	1975 authorization	Percent change From fiscal year 1974 costs	From fiscal year 1975 request
Operating expenses:					
Nuclear materials	$531.8	$654.6	$654.6	23.1	----------
Weapons	836.1	875.2	890.2	6.5	1.7
Naval reactor development	149.5	161.5	170.3	13.9	5.0
Civilian reactor R. & D	270.4	371.5	381.7	41.2	2.7
Reactor safety research	40.7	52.9	52.9	30.1	----------
Applied energy technology	14.6	32.3	41.2	183.0	27.5
Space nuclear systems	26.1	27.0	27.0	3.4	----------
Physical research	252.3	286.8	286.8	13.7	----------
Controlled thermonuclear research	53.0	82.0	91.0	71.7	11.0
Biomedical and environmental research and safety	122.5	166.5	166.5	36.0	----------
Regulation activities	54.4	67.8	80.5	47.9	18.7
Program support	154.3	170.1	170.6	10.6	.3
Cost of work for others	11.9	9.1	9.1	−23.5	----------
Revenues applied	$−805.3	$−669.6	$−669.6	−16.9	----------
Changes in selected resources	240.0	181.6	198.6	−17.3	9.4
Unobligated balance brought forward	−221.8	----------	----------	−100.0	----------
Total operating expenses authorization	1,735.1	2,469.4	2,551.5	47.1	3.3
Plant and capital equipment:					
New construction projects	175.2	297.8	273.3	56.0	−8.2
Capital equipment not related to construction	172.3	204.1	208.9	21.2	2.4
Increases in prior year authorizations	370.8	629.0	643.2	73.5	2.2
Total plant and capital equipment authorization	718.3	1,130.9	1,125.3	56.7	−.5
Grand total	2,453.4	3,600.3	3,676.8	49.9	2.1

Mr. PRICE of Illinois. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Wyoming (Mr. RONCALIO).

Mr. RONCALIO of Wyoming. Mr. Chairman, I want to thank my able chairman, the gentleman from Illinois (Mr. PRICE), for a few minutes on this legislation.

Mr. Chairman, I would join also with my good friend, the gentleman from Idaho (Mr. HANSEN), in his observation of the historic significance of this day. CHET HOLIFIELD is, indeed, a notable, competent, wonderful man.

I also commend the gentleman for his many years of work and experience.

I passed up an assignment on the Committee on Appropriations of the House because I felt that the Joint Committee on Atomic Energy is a committee for the coming nuclear option, particularly to solve the energy shortage and to stop the seemingly endless consumption of fossil fuels which have such a severe impact on many parts of the country.

So I hope that we will have the gentleman from California (Mr. HOLIFIELD) around for many years to help and guide us, as well as Mr. HOSMER, and I hope they will stay active in the advent of the nuclear power age.

Mr. Chairman, I rise in support of H.R. 13919. I should like to think that this will be passed with one amendment that I will offer to cut a few dollars, a minute portion, off the total appropriation.

I consider ploughshare to be a wasteful, foolish program, a program that is, in fact, costing the nuclear business some of its finest support from millions of American citizens who want to help it, but who cannot understand why we continue to waste money and pursue programs that have proven time and time again to be wasteful of our resources.

At the time that amendment is offered, it will be rebutted quite vocally and competently and probably successfully, and some will argue at that time—and I will not have the time to rebut them—that we have a nuclear proliferation treaty to provide assurances that we have to share

with Russia, and other nations which signed it, the benefits of the peaceful application of nuclear explosive devices, and, therefore, we must waste $4 million to do so. I submit it is nonsense.

Granted we share whatever research we have with them, that does not mean we have to appropriate billions of dollars for wasteful research.

I have here the publication of every shot made in Russia for the last 20 years, before and during the nonproliferation treaties. If anyone would like to see how wasteful their shots have been, they can look these over. Their primary purpose in Russia is to dig canals and underground storage reservoirs for gas and other minerals. Like our programs, theirs also have proven nothing. Here they are, in this publication, if the Members want to look at them.

Another objection to my amendment will be that it will terminate experiments and planning which might unlock some of our energy reserves in addition to natural gas. This is another way of saying if you let us have $1,900,000 of this $4 million, we will go out and make a mess of the shale fields, such as we now have with the tight gas fields, where we contaminate gas and make it unusable. Please understand that fact.

The recovery of oil shale by atomic detonations is objectionable. Secretary of the Interior, Mr. Rogers, C. B. Morton, and others, say so—the General Accounting Office, the Secretary of the Interior, the Shell Oil Co., and others agree we should not continue that program; it just is not economical or beneficial.

But my basic reason is not the tritium leak in the Fawn Creek well publicized last week in Colorado that has everyone shaken up now. The basic reason is this overall reactor program needs our help.

It is the finest and ultimate accomplishment of American science to carry out the project and alleviate the needs man will have for fossil fuel. The great breakthrough is just around the corner. Yet we have citizens by the thousands resisting every power plant site, every plan for nuclear power, no matter how safe.

We need their help, and we are not going to get it if we scare them away with this foolish program.

Mr. HOSMER. Mr. Chairman, I yield to the gentleman from Minnesota (Mr. FRENZEL) such time as he may consume.

Mr. FRENZEL. Mr. Chairman, I rise in qualified support of H.R. 13919 and in unqualified praise of the two gentlemen from California (Mr. HOLIFIELD and Mr. HOSMER).

When last year's AEC authorization, H.R. 8662, was before this Committee of the Whole on June 25, 1973, I had a brief discussion with the distinguished gentleman from Illinois (Mr. PRICE) about the possibilities of some small amount of control going to the States under agreement with AEC.

At that time, the Podell amendment was under discussion. I did support that amendment, but suggested that a bill I had offered provided a better chance to bridge the gap between those who favor Federal preemption of regulation, and those who favor allowing States to set more rigid standards.

I sense that there is less interest today than a year ago in either the Podell amendment, or in my compromise to allow those States who have executed agreements with AEC, and have been judged competent by AEC, to exercise some controls of their own. For this reason I shall not move either the Podell amendment or my own.

I do, however, rise today to remind this House that as States grow in competency, their desires to control some aspects of nuclear generation within their borders must be recognized. I believe that the nuclear electric generating capability of our country will be relied on increasingly as the various aspects of our energy problems unfold over the next 25 years. This seems merely another reason to rely on the States to help manage and police the system. I do hope the Joint Committee will give more attention to this question of improving the working of our Federal system by giving more decisionmaking to the States.

Mr. HOSMER. Mr. Chairman, I yield 4 minutes to the gentleman from Colorado (Mr. JOHNSON).

Mr. JOHNSON of Colorado. Mr. Chairman, I thank the gentleman from California for yielding.

I would like to engage in a colloquy with the gentleman from California, if I might, because two of the three Plowshare experiments were conducted in my district and the third one is still being evaluated.

I would like to discuss this with the gentleman so we can understand the full impact of what we are discussing today. As I understand it, the Atomic Energy Commission has requested authorization for $4.4 million for the Plowshare portion of its budget. Is that correct?

Mr. HOSMER. That is correct.

Mr. JOHNSON of Colorado. And none of that money would be spent for a nuclear explosion during fiscal year 1975. Is that correct?

Mr. HOSMER. That is correct.

Mr. JOHNSON of Colorado. And the gentleman would also confirm that it is the present status of the law and present intention of the AEC that there will be no further underground explosions under the Plowshare program until the AEC comes to the Congress and gets an additional authorization?

Mr. HOSMER. That is correct. There will be none until fiscal year 1977 which will require an authorization.

However, I will say to the gentleman that there is planned a Plowshare event, if there is authorization and appropriation for 1977 to be conducted at the Nevada test site in a geological formation which is similar to that of oil shale so that information may be obtained on the effects of the underground explosions in this particular kind of formation.

Mr. JOHNSON of Colorado. That is the point I was leading up to, that this $4 million, while it does not contemplate actual use of a nuclear explosion, is leading up to the planned development of a $107.6 million program for experimentation in the field of oil shale and gas release. Is that correct?

Mr. HOSMER. If the gentleman will yield further, that is not entirely correct. If step by step each one of these experiments, each one of these inquiries, each one of these pieces of research and development goes along in a satisfactory fashion from the public health standpoint and from the economic standpoint and from all other standpoints of concern, including the environment, they will move up to that amount but certainly not without all of these preconditions.

Mr. JOHNSON of Colorado. As I understand it, the Chairman of the Atomic Energy Commission wrote Representative RONCALIO of Wyoming earlier this year, on January 24, and he released this letter at the time, so there is nothing I am privy to, but in her letter she said the nuclear gas stimulation technology which they were talking about would amount to $56.2 million over a 5-year period and include demonstration field experiments with the stimulation of 5 or 6 wells with 3 or 5 explosives per well, so we are talking about planned nuclear explosions amounting to perhaps 30 explosions, are we not?

Mr. HOSMER. That would depend on whether or not, if the gentleman will yield, the programs that were outlined for energy development over a 5-year period for $10 billion or over a 20-year period for $20 billion, whatever it was, is carried forward in this particular category. And, that would be, from this standpoint, a conceptualization of what might occur. I would say to the gentleman that in such shots as might be fired for Plowshare gas stimulation purposes we would have the simultaneous shots, shots occurring at the same time or within microseconds of each other at the same location. So we really have to consider these as one shot.

Mr. JOHNSON of Colorado. That is correct, and they are also planning for sequential firing.

If the gentleman will respond further, as part of this $107 million, it is estimated $51.4 million is planned for the program, is that not correct?

Mr. HOSMER. Yes. I would state that as I understand it, that would be correct; however, again that depends on each step moving forward, one upon the other.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOSMER. I yield the gentleman an additional 1 minute.

Mr. HOSMER. That would be $51.4 million for all the work that is necessary. The actual nuclear work would be a very modest fraction of that total.

Mr. JOHNSON of Colorado. I thank the gentleman for his answer. As the gentleman knows, if these steps are completed and the full $107 million is spent, ultimately the product that is achieved from all this will be used in my district for the development of oil shale and gas.

Mr. HOSMER. I would say, if the gentleman will yield further, that vis-a-vis the Nation's energy problem, and from statements made by people inside and outside of government, that the necessity for the augmentation of our energy resources, with emphasis upon natural

gas and petroleum from shale, it seems to me that this kind of modest expenditure to give ourselves a technological base to determine if we actually can do this, as a precondition to a decision whether or not we ought to do it with these technologies is, indeed, a wise and a provident course. One would be conforming strictly to the scientific method and one which seems to conform strictly to the logic of the requirements for energy as we see them ahead.

Mr. JOHNSON of Colorado. The gentleman is aware the oil companies have embarked upon a several billion dollar program for extraction of oil shale. They have made commitments for this vast program.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HOSMER. I yield the gentleman 1 additional minute.

Mr. JOHNSON of Colorado. Why should the Government go in this project when we still have not got the full reports back from these projects to give us enough information to make a solid decision to go ahead? Why should we go ahead with this program, when the oil companies are already in the process of expending billions of dollars for the purpose of extraction of oil from shale?

Mr. HOSMER. The oil companies still depend upon the additional information needed from AEC continued research and development.

Secondly, the oil shale program as visualized by industry has not yet come up with a technology that satisfactorily obtains petroleum from the underground by in situ techniques which do not disturb the surface.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HOSMER. I yield the gentleman 1 additional minute.

Mr. HOSMER. If we are going to get this energy out from under the real estate of the gentleman's State, we need knowledge that we do not now have in order to be able to do it without scarring and environmentally violating the surface of the ground; so if the gentleman is interested in the compatibility of these recovery processes with the environment, I would say that one of the highest priorities should be in this very area of learning about in situ recovery which leaves the surface undisturbed.

Mr. JOHNSON of Colorado. I would say to the gentleman that I am not yet willing to embark on a $107-million program that would result in the number of atomic blasts that may be required. I do not think we can yet make that environmental choice between surface damage from extraction as presently used in the oil shale business versus nuclear blasts. I do think we can wait for the final data to get back from the nuclear shocks.

Mr. HOSMER. Mr. Chairman, actually, if the gentleman will yield again, we are willing to wait. We are not asking for $107 million. We are only asking for $4.4 million. The gentleman will have year by year, assuming that the wisdom of his constituency returns the gentleman to this body, the opportunity to evaluate annually whether to go ahead or stop.

Mr. JOHNSON of Colorado. Mr. Chairman, I think I had better quit at this point.

Mr. PRICE of Illinois. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. WALDIE).

Mr. WALDIE. Mr. Chairman, may I ask a question? Is it my understanding that the private insurance industry will not today insure the full risk presented by a nuclear powerplant accident.

Mr. PRICE of Illinois. I did not get the first part of the gentleman's question.

Mr. WALDIE. Mr. Chairman, is it my understanding that the private insurance industry will not today insure the full risk of an accident occurring at a nuclear powerplant?

Mr. PRICE of Illinois. Mr. Chairman, the private insurance industry has insured up to $100 million.

Mr. WALDIE. And the remainder of the $560 million or $600 million maximum liability is borne by the Government?

Mr. PRICE of Illinois. Of course, no one knows whether there will be any accident that would ever require anything in excess of $100 million.

The gentleman must recall that the reason that we have Federal indemnification legislation is to avoid a situation like the Texas City catastrophe. Of course, this was in the early days of the atomic energy program when people envisioned many things. But over the years during which we have had this indemnification, there has not been a single claim made on it.

Mr. WALDIE. Mr. Chairman, I understand that. But may I restate the question: Is it true that the private insurance industry will not bear the full risk of an accident occurring at a nuclear powerplant?

Mr. PRICE of Illinois. They have never been asked to bear the full risk.

Mr. WALDIE. Why have they not been asked to bear the full risk?

Mr. PRICE of Illinois. Mr. Chairman, no one knows what the full risk is, but they do insure up to $100 million. That may well be the full risk.

Mr. WALDIE. Is it the Chairman's understanding that if we repeal the Price-Anderson bill, the private insurance industry will then grant insurance covering the risks to the nuclear power plants in this country?

Mr. PRICE of Illinois. Mr. Chairman, the private insurance industry has increased the coverage almost periodically. It was a very much lower figure.

Mr. WALDIE. Would the Chairman accept an amendment repealing any contribution by the Federal Government to any cost of insurance or the payment of any claims for any accident that might occur in the operation or in the failure of a nuclear power plant?

Mr. PRICE of Illinois. Particularly, in this bill I would not because this is an authorization bill for the operating funds of the Commission. Such legislation would not be germane on this particular bill.

Mr. WALDIE. Mr. Chairman, I thank the Chairman. In the few moments remaining, it is my understanding that, in fact, the private insurance carriers would in no way assume the responsibility of insuring the potential loss and damage that would occur from a nuclear accident at a nuclear power plant. That is the only industry that exists in this country that is not insured by the private insurance industry. The private insurance industry has made a determination that the risks of the operation of nuclear power plants are much too hazardous for them to fully insure those risks and so the taxpayer must subsidize that insurable risk and the risk, by definition, is limited far below the multimillion dollar risk that exists in actuality.

Mr. PRICE of Illinois. I do not think they have made that determination at all. They do insure up to $100 million.

Mr. WALDIE. In response, I only reaffirm my view that the actual risk of a nuclear power plant is so large that the private insurance industry won't touch it. That is a fair but disturbing assessment of the extent of danger and hazard presented to the neighbors and "other living things" of nuclear power plants—I wish to include further remarks relative to this legislation.

Mr. Chairman, my concern regarding the question of nuclear powerplants gives me cause to rise in opposition to H.R. 13919. While I realize there has never been a major nuclear accident, there does exist today a tremendous difference of opinion within the scientific community about the safety and security of the nuclear industry.

H.R. 13919 would seem to recognize the apparent safety issues involving the expansion of nuclear powerplants. Authorization for safety has risen markedly in apparent recognition of the growing concern of many Americans in the safety question.

Yet it would seem, Mr. Chairman, that an increase in safety research would, or at least should, be accompanied by a period of reassessment pending the outcome of those safety studies.

I have introduced legislation, H.R. 13716, which provides a five year period of reassessment during which time the Office of Technology Assessment conducts an independent study. I realize the doubtful fate of that bill during a time when the AEC is rushing along on a grand design of nuclear powerplants that would bring the number of operating nuclear powerplants up to 1,200 by the turn of the century.

I have similar concerns about the question of possible illegal diversion of nuclear materials in transit or in a place at a nuclear powerplant. A study by Dr. Theodore B. Taylor says the AEC's program of safety against theft or diversion is not adequate.

Therefore, Mr. Chairman, I propose that the AEC design safeguard systems for each stage of the nuclear fuel cycle as well as a set of procedures for all AEC license holders to protect against theft and sabotage.

Additionally, Mr. Chairman, we should impose a limit on the AEC's issuance of operating licenses. It is my view that we should halt the issuance of all new operation licenses pending the outcome of perhaps the most critical and basic safety study yet undertaken by the Commission.

That study, the loss of fluid test, is nearing completion at the National Re-

actor Testing Station in Idaho. It is my understanding that this test will determine the validity of safety procedures and hardware in the event of a sudden loss of coolant during full power operation.

I am surprised that this basic test has not been completed before this time. With some 42 powerplants now in operation and many more in some stage of construction or planning, I think it would be an altogether wise decision on the part of the Congress and the AEC to suspend the granting of new operating licenses until the data is assessed from the loss of fluid test in 1975.

Finally, Mr. Chairman, I want to briefly touch on the question of liquid metal fast breeder reactors.

Some weeks ago I wrote to Ms. Dixy Lee Ray, Chairman of the AEC, regarding my own doubts and reservations about the Breeder reactor program. I expressed my concern that the AEC was putting all its research "eggs" in the breeder project and that the breeder fuel, plutonium, was the source of very real fear on the part of many scientists. I have not received a satisfactory response to this inquiry. Today's bill has a large amount budgeted for breeder research—too much in light of the real questions about this program—its costs, its safety and its efficiency.

Mr. HOSMER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I think that my colleague, the gentleman from California (Mr. WALDIE) has committed the classic fallacy of post hoc ergo propter hoc, which means that when things look that way, maybe they are not.

The insurance companies now offer $110 million of liability insurance for a nuclear incident, and they do so on an actuarial basis. Since the nuclear industry in the United States has never had a nuclear power reactor accident, there simply exists no actuarial statistics upon which that industry can base any further insurance limits. They can only base their limits on the amount of money which they have collected and have got in the pot.

There are two different ways to go about this insurance business. The actuarial way to determine maximum insurers liability is not available and for that reason, this is an anomalous situation.

The gentleman from California makes a totally erroneous inference from it. Instead of criticizing, he should be complimenting the Commission and the Congress for taking the Price-Anderson approach to the problem.

Mr. VANIK. Mr. Chairman, we are being called upon today to consider H.R. 13919, a bill to authorize appropriations to the Atomic Energy Commission for fiscal year 1975. The Joint Committee on Atomic Energy has reported out a bill that authorizes appropriations of over $3.6 billion, a 45-percent increase over last year.

Mr. Chairman, I am inclined to vote against this legislation for several reasons.

First, despite almost doubling the authorization, little if any additional consideration and funding is being given to non-nuclear energy research and development. Instead, millions of dollars are being poured into continuing fission and fast-breeder reactor nuclear research, an area that shows signs of never being made a healthy and fail-safe part of the American environment.

Although true "alternative" energy resources are available, this legislation continues to largely ignore their existence except for relatively tiny amounts of funding. Solar energy, a source of practically infinite amounts of clean and safe energy that I have long advocated, has been almost completely forgotten in this bill. A paltry $1.2 million is included for solar. Coal liquefaction research receives only $7.7 million. There is $10.7 million for geothermal, $4.5 million for in-situ coal gasification, and $9.2 million for energy shortage and transmission. It is interesting to note that although AEC plans to spend hundreds of millions of dollars to generate electricity by one method or another, they are spending less than $10 million to find and promote ways to efficiently transmit and store this energy, thus losing huge amounts of the generated energy.

The total non-nuclear applied energy technology budget amounts to only $33.3 million. This means that less than 1 per cent of the $3.6 billion is devoted to non-nuclear energy research.

While I am particularly concerned with the lack of nonnuclear energy funding, I am also disturbed at the very low level of spending priority given to controlled thermonuclear research—CTR—fusion energy. The joint committee also expresses in their committee report their disappointment that the fusion development timetable has been lengthened several years. The committee said that the fusion program had already shown "sufficient continued progress" to warrant emphasis. Additionally, fusion successfully avoids the horrible problems with waste containment associated with light-water reactors.

Although I support the objectives of the amendment of the gentleman from New York (Mr. ROBISON) to increase the spending for fusion, I think that the money for such an increase should be obtained from within the authorization presented to us by the joint committee, and should not consist of additional moneys that serve to further bloat the already huge AEC budget.

It is difficult to understand why the Atomic Energy Commission seems to minimize programs, nuclear or nonnuclear, that appear to hold promise of providing large benefits to the American energy-consuming public. The attitude seems to be, "If it works, stifle it."

An area of concern that continues to upset me is the issue of nuclear safety. Despite AEC and Chairman Ray's protestations to the contrary, it simply has not been shown that we do not stand to lose more at the hands of a nuclear accident than we can gain by a hell-bent development of light-water reactors.

At this stage it appears that the only way we can really express our concern with the safety issue is to show it in a "no" vote of concern today. The AEC has rendered itself practically immune from popular criticism—classifying it as either uninformed or a roadblock to progress. Some of their spokesmen have gone so far as to imply that continued criticism, whatever its validity, is likely to provoke Commission irresponsibility that will lead to the accidents critics seek to avoid. Their attitude seems to be: "Just leave us alone and everything will be all right." This is preposterous.

An indication of the real chance of nuclear accidents is the unwillingness of the private sector to insure nuclear plants. Private insurance companies deemed the risks unacceptable, thus forcing the Congress to provide the Price-Anderson act as a means of covering otherwise uninsurable plants. This amounts to a public subsidy for the private utility companies—the potential victims of nuclear accidents are being forced to pay premiums on facilities owned and operated by profit-making companies.

Most of this potential for nuclear accidents lies in the area of water-cooled reactors—both in the actual operation of the controlled thermonuclear reaction that creates heat to drive electrical generators, and in the disposal of the resulting nuclear wastes. Although engineering and technology have improved much since the first nuclear generator in 1957, accidents and mishaps have not been eliminated.

Because of these basic questions and uncertainities, a select committee of the British House of Commons recommended against purchase of American light-water reactors by their country.

To compound public concern over these accidents, the AEC has generally been reluctant to come clean with descriptions of mishaps, interagency communications, and the results of post-accident studies.

In addition to AEC self-protectionism, utility company operators of nuclear generating plants have been often unresponsive to safety needs. Just as we have been disappointed with Commerce's response to consumer issues, environmental protection, and community awareness, the same profit-motive philosophy will serve to promote industry neglect of the safety needs of nuclear power plants. A local example of utility irresponsibility is Vepco, which has been cited for a host of violations, and has been heavily fined. Another company is constructing a nuclear power plant on top of an old geological fault. We obviously cannot leave the safety of the American populace in the hands of people more interested in profit than reliability.

Another area of much concern to me is the level of spending authorized under the "weapons" category of this legislation. This category calls for $890,230,000—a quarter of the entire AEC budget—all of it in areas of military activity, with little or no immediate domestic benefit whatsoever.

While I believe that necessary military research must be continued, I believe this bill neglects equally an important domestic consideration—adequate supplies of safe energy necessary for energy independence.

It is interesting and ironic, Mr.

Chairman, that on the same day we vote on $890 million for weapons in this AEC authorization, we are also being asked to authorize appropriations for the Arms Control and Disarmament Agency—the Agency charged with responsibility for reducing the enormous escalation of arms expenditures and deployment—including implementation of the Nuclear-Proliferation Treaty (NPT) and work with the International Atomic Energy Agency.

While the AEC authorization allocates almost $1 billion for "Weapons," the ACDA authorization seeks $10 million. This is certainly pitiful evidence of our commitment to real control of the arms which could destroy the world.

Mr. Chairman, approximately 42 percent of the $3.6 billion in this bill is devoted to military applications of atomic energy. Although this percentage is down several percentage points from last year's authorization, the doubling of the overall AEC authorization completely negates any claims to a reduction in military dominance. There is absolutely no indication that there is any shift away from military programs. Indeed, it appears that what we are seeing is an escalation of military application by increasing gross AEC moneys under the scare of "energy crisis" and the pretension that the AEC is an "energy agency."

Mr. Chairman, in our debate over this legislation, I hope all of my colleagues will give serious consideration to the possibility of creating a National Energy Laboratory to take over the tasks of organization, development, and commercial stimulation of non-nuclear energy resources. Such an agency could be established within the AEC itself—taking advantage of the many gifted non-nuclear scientists already there, or as an independent body started from scratch.

The last 10 months have vividly shown us that we can no longer afford, financially, environmentally, or otherwise, to continue on a relatively unplanned course of national energy consumption. We need a national body that can avoid the biases of the energy industry while understanding the demands of the consumer—an agency that can delve into aspects of energy supply that will otherwise go unexploited because they are not presently profitable or they perhaps threaten the profitability of other industries.

In conclusion, Mr. Chairman, I must repeat that I find this legislation disappointing in its neglect of non-nuclear energy alternatives and conservation. We cannot rely entirely on nuclear energy no matter what its promised potential. If we are earnest about achieving a national self sufficiency, we must also diversify our research and development in safe, non-nuclear energy resources.

Ms. HOLTZMAN. Mr. Chairman, I must regrettably voice my opposition to this bill, H.R. 13919, which appropriates $3.6 billion to the Atomic Energy Commission.

I object, first, because at least 42 percent of the funds in this bill—more than $1.5 billion—are being spent on nuclear weapons—despite the fact that we are in the midst of an energy crisis, and the United States already has overwhelming nuclear superiority. Nuclear energy, properly developed and used, can provide relief from the scarcity of fossil fuels. Unfortunately, this bill continues the short-sighted policy of placing much too much emphasis on military uses of atomic energy at the expense of peaceful uses.

Second, in addition to putting too many of our energy eggs in the military basket, we are allocating too many of these eggs for nuclear fission. We ought instead to be diversifying our energy research into areas of solar energy, fusion, geothermal energy, and the like. Among the nuclear alternatives, fusion in particular should be given more attention. Fusion would not create the radioactive wastes that are produced by nuclear fission powerplants. We simply cannot dispose of these wastes safely.

Furthermore, the lack of security for nuclear materials is of grave concern to me. I recently read that a terrorist in Austria was carrying out his activities by placing radioactive materials on the seats of trains. It would be an incredible horror if entire populations were terrorized by lunatics with easy access to nuclear materials. This bill is defective because it lacks adequate provision to insure the security of nuclear materials and improve the safety of nuclear plants.

Finally, I am disturbed over the substantial sum which this bill allocates for nuclear testing. The pollution of our atmosphere is already approaching intolerable levels without adding to it the hazards of radioactive fallout. At this time, in view of the SALT talks and our overwhelming superiority in nuclear weapons systems, there seems to be no justification for continuing a costly nuclear testing program.

Mr. PRICE of Illinois. Mr. Chairman, I have no further requests for time.

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

The CHAIRMAN The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 101. There is hereby authorized to be appropriated to the Atomic Energy Commission in accordance with the provisions of section 261 of the Atomic Energy Act of 1954, as amended:

(a) For "Operating expenses", $2,551,553,000 not to exceed $132,200,000 in operating costs for the high-energy physics program category.

(b) For "Plant and capital equipment", including construction, acquisition, or modification of facilities, including land acquisition; and acquisition and fabrication of capital equipment not related to construction, a sum of dollars equal to the total of the following:

(1) NUCLEAR MATERIALS.—

Project 75–1–a, additional facilities, high-level waste handling and storage, Savannah River, South Carolina, $30,000,000.

Project 75–1–b, replacement ventilation air filter, H chemical separations area, Savannah River, South Carolina, $6,000,000.

Project 75–1–c, new waste calcining facility, Idaho Chemical Processing Plant, National Reactor Testing Station, Idaho, $20,000,000.

Project 75–1–d, waste management effluent control, Richland, Washington, $3,500,000.

Project 75–1–e, retooling of component preparation laboratories, multiple sites, $4,500,000.

Project 75–1–f, atmospheric pollution control facilities, stoker fired boilers, Savannah River, South Carolina, $7,500,000.

(2) NUCLEAR MATERIALS.—

Project 75–2–a, additional cooling tower capacity, gaseous diffusion plant, Portsmouth, Ohio, $2,200,000.

(3) WEAPONS.—

Project 75–3–a, weapons production, development, and test installations, $10,000,000.

Project 75–3–b, high energy laser facility, Los Alamos Scientific Laboratory, New Mexico, $22.600,000.

Project 75–3–c, TRIDENT production facilities, various locations, $22,200,000.

Project 75–3–d, consolidation of final assembly plants, Pantex, Amarillo, Texas, $4,500,000.

Project 75–3–e, addition to building 350 for safeguards analytical laboratory, Argonne National Laboratory, Illinois, $3,500,000.

(4) WEAPONS.—

Project 75–4–a, technical support relocation, Los Alamos Scientific Laboratory, New Mexico, $2,800,000.

(5) CIVILIAN REACTOR RESEARCH AND DEVELOPMENT.—

Project 75–5–a, transient test facility, Santa Susana, California, $4,000,000.

Project 75–5–b, advanced test reactor control system upgrading, National Reactor Testing Station, Idaho, $2,400,000.

Project 75–5–c, test reactor area water recycle and pollution control facilities, National Reactor Testing Station, Idaho, $1,000,000.

Project 75–5–d, modifications to reactors, $4,000,000.

Project 75–5–e, high temperature gas reactor fuel reprocessing facility, National Reactor Testing Station, Idaho, $10,100,000.

Project 75–5–f, high temperature gas reactor fuel refabrication pilot plant, Oak Ridge National Laboratory, Tennessee, $3,000,000.

Project 75–5–g, molten salt breeder reactor (preliminary planning preparatory to possible future demonstration project), $1,500,000.

(6) PHYSICAL RESEARCH.—

Project 75–6–a, accelerator and reactor improvements and modifications, $3,000,000.

Project 75–6–b, heavy ion research facilities, various locations, $19,200,000.

Project 75–6–c, positron-electron joint project, Lawrence Berkeley Laboratory and Stanford Linear Accelerator Center, $900,000.

(7) BIOMEDICAL AND ENVIRONMENTAL RESEARCH AND SAFETY.—

Project 75–7–a, upgrading of laboratory facilities, Oak Ridge National Laboratory, Tennessee, $2,100,000.

Project 75–7–b, environmental research laboratory, Savannah River, South Carolina, $2,000,000.

Project 75–7–c, intermediate-level waste management facilities, Oak Ridge National Laboratory, Tennessee, $9,500,000.

Project 75–7–d, modifications and additions to biomedical and environmental research facilities, $2,850,000.

(8) BIOMEDICAL AND ENVIRONMENTAL RESEARCH AND SAFETY.—

Project 75–8–a, environmental sciences laboratory, Oak Ridge National Laboratory, Tennessee, $8,800,000.

(9) GENERAL PLANT PROJECTS.—$55,650,000.

(10) CONSTRUCTION PLANNING AND DESIGN.—$2,000,000.

(11) CAPITAL EQUIPMENT.—Acquisition and fabrication of capital equipment not related to construction, $208,850,000.

(12) REACTOR SAFETY RESEARCH.—

Project 75–12–a, reactor safety facilities modifications, $1,000,000.

(13) APPLIED ENERGY TECHNOLOGY.—

Project 75–13–a, a hydrothermal pilot plant, $1,000,000.

SEC. 102. LIMITATIONS.—(a) The Commission is authorized to start any project set

forth in subsections 101(b) (1), (3), (5), (6), (7), (12), and (13) only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Commission is authorized to start any project set forth in subsection 101(b) (2), (4), (8), and (10) only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

(c) The Commission is authorized to start any project under subsection 101(b)(9) only if it is in accordance with the following:

(1) The maximum currently estimated cost of any project shall be $500,000 and the maximum currently estimated cost of any building included in such project shall be $100,000: provided that the building cost limitation may be exceeded if the Commission determines that it is necessary in the interest of efficiency and economy.

(2) The total cost of all projects undertaken under subsection 101(b)(9) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

(d) The total cost of any project undertaken under subsection 101(b) (1), (3), (5), (6), (7), (12), and (13) shall not exceed the estimated cost set forth for that project by more than 25 per centum, unless and until additional appropriations are authorized under section 261 of the Atomic Energy Act of 1954, as amended, provided that this subsection will not apply to any project with an estimated cost less than $5,000,000.

(c) The total cost of any project undertaken under subsection 101(b) (2), (4), (8), (9), and (10) shall not exceed the estimated cost set forth for that project by more than 10 per centum, unless and until additional appropriations are authorized under section 261 of the Atomic Energy Act of 1954, as amended, provided that this subsection will not apply to any project with an estimated cost less than $5,000,000.

SEC. 103. The Commission is authorized to perform construction design services for any Commission construction project whenever (1) such construction project has been included in a proposed authorization bill transmitted to the Congress by the Commission, and (2) the Commission determines that the project is of such urgency that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction.

SEC. 104. Any moneys received by the Commission (except sums received from the disposal of property under the Atomic Energy Community Act of 1955, as amended (42 U.S.C. 2301)), may be retained by the Commission and credited to its "Operating expenses" appropriation notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484).

SEC. 105. Transfers of sums from the "Operating expenses" appropriation may be made to other agencies of the Government for the performance of the work for which the appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred.

SEC. 106. When so specified in an appropriation Act, transfers of amounts between "Operating expenses" and "Plant and capital equipment" may be made as provided in such appropriation Act.

SEC. 107. AMENDMENT OF PRIOR YEAR ACTS.—(a) Section 101 of Public Law 89–428, as amended, is further amended by striking from subsection (b)(3) project 67–3–a, fast flux test facility, the figure $87,500,000", and substituting therefor the figure $420,000,000".

(b) Section 101 of Public Law 91–273, as amended, is further amended by striking from subsection (b) (1), project 71–1–f, process equipment modifications, gaseous diffusion plants, the figure "$172,100,000" and substituting therefore the figure $295,100,000".

(c) Section 106 of Public Law 91–273, as amended, is further amended by striking from subsection (a) the figure "$2,000,000" and substituting therefor the figure "3,000,000," and by adding thereto the following new subsection (c):

"(c) The Commission is hereby authorized to agree, by modification to the definitive cooperative arrangement reflecting such changes therein as it deems appropriate for such purpose, to the following: (1) to execute and deliver to the other parties to the AEC definitive contract, the special undertakings of indemnification specified in said contract, which undertakings shall be subject to availability of appropriations to the Atomic Energy Commission (or any other Federal agency to which the Commission's pertinent functions might be transferred at some future time) and to the provisions of section 3679 of the Revised Statutes, as amended; and (2) to acquire ownership and custody of the property constituting the Liquid Metal Fast Breeder Reactor powerplant or parts thereof, and to use, decommission, and dispose of said property, as provided for in AEC definitive contract."

(d) Section 101 of Public Law 92–314, as amended, is amended by striking from subsection (b)(4), project 73–4–b, land acquisition, Rocky Flats, Colorado, the figure "$8,000,000" and substituting therefor the figure "$11,400,000".

(e) Section 101 of Public Law 93–60 is amended by (1) striking from subsection (b)(1), project 74–1–a, additional facilities, high level waste storage, Savannah River, South Carolina, the figure $14,000,000" and substituting therefor the figure $17,500,000", (2) striking from subsection (b)(1), project 74–1–g, cascade uprating program, gaseous diffusion plants, the words "(partial AE and limited component procurement only)" and further striking the figure "$6,000,000" and substituting therefor the figure "$183,100,000", and (3) striking from subsection (b)(2), project 74–2–d, national security and resources study center, the word "(AE only), site undesignated" and substituting therefor the words "Los Alamos Scientific Laboratory, New Mexico" and further striking the figure "$350,000" and substituting therefor the figure "$4,600,000".

SEC. 108. RESCISSION.—(a) Public Law 91–44, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 70–1–b, bedrock waste storage (AE and site selection drilling only), Savannah River, South Carolina, $4,300,000.

(b) Public Law 92–84, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 72–3–b, national radioactive waste repository, site undertermined, $3,500,000.

(c) Public Law 92–314, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 73–6–c, accelerator improvements, Cambridge Electron Accelerator, Massachusetts, $75,000.

TITLE II

SEC. 201. Section 157b.(3) of the Atomic Energy Act of 1954, as amended, is amended by striking out "upon the recommendation of" and inserting in lieu thereof "after consultation with".

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

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

There was no objection.

AMENDMENT OFFERED BY MR. RONCALIO OF WYOMING

Mr. RONCALIO of Wyoming. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RONCALIO of Wyoming: Section 101, (a), Page 1, line 7, strike the figure "$2,551,533,000" and insert in lieu thereof "$2,547,508,000".

Mr. RONCALIO of Wyoming. Mr. Chairman, at the outset of my remarks, I ask that the following extrinsic material, which I have already been granted permission for, be included in my remarks. One item will be an article from the Denver Post of Thursday, April 18, 1974, entitled "Rio Blanco Tritium Leak Reported." The second is an article in the Denver Post on April 19, 1974, entitled "Blanco Well Ordered Sealed."

The material is as follows:

[From the Denver Post, Apr. 18, 1974]

RADIOACTIVE WATER DETECTED: RIO BLANCO TRITIUM LEAK REPORTED

(By Steve Wynkoop)

The Colorado Water Quality Division is investigating reports that radioactive water produced along with gas at Project Rio Blanco has leaked out of a nearby deep-disposal well.

The well was used for disposal of water containing tritium during flaring operations which ended Feb. 16 at the site, 30 miles southwest of Meeker, Colo.

Word of the leakage came as a surprise to some project officials contacted Wednesday and Thursday.

H. H. Aronson, vice president of CER Geonuclear Corp., the project's industrial sponsor acknowledged the leak but said he assumed the radioactive water would flow downwards into the well.

"HAVEN'T LOOKED"

"I really have to admit I haven't looked very closely at the injection system," he admitted.

Gary Countryman, assistant manager of the Casper, Wyo., office of Continental Oil Co., said he was unaware of any leakage.

Continental is operating reentry and testing efforts at the site.

John Toman, Project Plowshare group leader at Lawrence Livermore Laboratories, Livermore, Calif., said he understood there had been a leak, but the water contained "only slightly more than background levels of tritium."

Sources at the Environmental Protection Agency (EPA), which was asked to analyze natural gas containing the tritium, said the gas contained 1,000 times normal background levels of tritium.

PINHOLE LEAK

Aronson said the source of the tritium is a pinhole leak in the pipe used to force water into the well.

The well is also used as a source of gas for the project, and the leaking water apparently vaporized in the gas, which was subsequently burned, releasing tritium to the atmosphere, the EPA sources said.

Aronson said the well wasn't used to produce gas. Aronson couldn't explain the conflicting versions of the tritium-release incident.

ENGINEER TO VISIT

Frank Rozich, director of the Colorado Water Quality Division, said a division engineer would visit the site Thursday.

Al Hazle, Colorado radiological health officer, said the state was informed of the problem by a Mr. Bainbridge of CER Geonuclear. Aronson and Countryman said they were unaware of a Mr. Bainbridge.

Rozich said it was his understanding

that about a gallon of radioactive water a day was leaking out of the well.

"So far the amount detected is well below drinking-water standards, and they have shut down all operations," Rozich said.

Aronson said operations hadn't been shut down because of the leak. Operations were suspended at the site with the end of testing in February.

The state issued CER and Continental a permit Oct. 16 to use the Fawn Creek Government No. 1 well for disposal purposes.

Under the plan submitted by the firms, the water was to be disposed of at 5,600 to 6,072 feet at the rate of 600 barrels a day during flairing.

[From the Denver Post, Apr. 19, 1974]

BLANCO WELL ORDERED SEALED

The Colorado Department of Health Friday ordered the sealing of the Project Rio Blanco disposal well that is leaking radioactive water into the environment.

In a letter to H. H. Aronson, who is vice president of CER Geonuclear, cosponsor of the nuclear gas stimulation project, Robert Siek, acting director of environmental health, said he was "deeply concerned" about the situation.

"We were not notified of this incident when it was first detected, which we understand was a significant period of time prior to the health department being informed," Siek said.

The department learned of the leak late Tuesday. Apparently, the Atomic Energy Commission and CER knew of it as early as Feb. 15, more than two months ago, The Denver Post learned.

REVIEW SEEN

Siek said that because of the uncertainty of information and lack of data on the situation, the well should be sealed until the department has reviewed the situation and has been able to evaluate it and potential health consequences.

CER officials confirmed the leak, but had little data on it available Friday. The radioactive water (tritium) is from natural gas stimulated by underground May 17 detonation of three 30-kiloton nuclear devices about 30 miles southwest of Meeker, Colo.

The water was pumped down a nearby disposal well to keep the tritium out of soil, air and water, thus reducing the man-made radiation going into the environment from the project.

When the leak was discovered, a conventional gas well nearby was reopened, the radioactive water introduced into the gas and the gas burned, putting the tritium into the air.

EPA REPORT

An Environmental Protection Agency official said the tritium level in the gas is 1,000 times that found naturally in the environment.

Health department officials Friday said they couldn't evaluate the potential health consequences, because they had little information on the incident and were having difficulty finding persons who have the data.

The radioactive water was to have been pumped more than a mile underground where it couldn't contaminate underground or surface water. Several barrels of the water, at 42 gallons per barrel, were thus disposed of during gas testing last fall and earlier this year.

The source of the leak apparently is a small hole in the well pipe carrying the water underground.

Mr. Chairman, this was not a leak of tritium of ionized radioactivity from the well itself. This was a leak from an adjacent waste disposal well some distance away, into which the tritiated water was being pumped down into the ground as it was being collected from natural gas that was being flared or wasted at Rio Blanco, on what is called a work-down on the Rio Blanco well. The well was ordered sealed last week, and that item has also been included in the RECORD for the sake of those who will be reading of this.

These two items only report the last incident that raises the fears of many people in the West, and it endangers the confidence of the people for the sorely needed nuclear reactor program, and other AEC sponsored matters that, fortunately, are at least free of the wasteful, inefficient record of the Plowshare deteriorations.

Mr. Chairman, I would like to express my support for authorization of full funding for most of the Atomic Energy Commission's carefully planned programs. I am especially pleased to see their plans for greater effort toward solution to our growing national energy needs. I am very pleased to see the increased effort planned in thermonuclear fusion research and in the civilian reactor program, especially the renewed effort in development of molten salt breeder technology. I concur with authorization of their requests for increased funding of the nuclear source materials program, for updating appraisal of U.S. uranium reserves, and of the nuclear materials industrial participation program for encouraging development and transfer to industry.

I also heartily endorse their request for more than doubling of the funding for their applied energy technology programs which will attempt development of new energy—hydrothermal, geothermal, and synthetic fuel—sources and of improved energy storage and transmission technology. All of these promising energy-related programs certainly deserve our prompt approval.

NOT WORTHY

Mr. Chairman, I oppose authorization of only one of the AEC's proposed fiscal year 1975 programs, and that is its applications of underground explosions program. The very real hazards posed by this program, which proposes using nuclear explosives for natural resource recovery, were demonstrated just a few days ago. As noted in these news releases which I would like to insert in the RECORD today, the Colorado Department of Health announced last Friday, April 19, that it has ordered sealing of the Project Rio Blanco disposal well, following an Environmental Protection Agency report that radioactive water has been leaking for about 2 months.

Mr. Chairman, this incident, is another concrete, not-to-be-ignored proof of the dangers of using nuclear explosives in this manner. To put an end to continuation of this hazardous effort, I would like to offer today amendments deleting $4.025 million of the $4.4 million requested for the operating expenses, and deleting the $310,000 requested for the plant and capital equipment expenses of the applications of underground explosions program.

I would like to assure my colleagues that the revisions I propose in my amendments are a direct reflection of recommendations made by the Joint Committee on Atomic Energy in their recent report No. 93-969, authorizing appropriations for the Atomic Energy Commission for fiscal year 1975; and I quote from page 27 of this report:

> The Committee notes . . . that satisfactory results have not been forthcoming from the fiscal year 1974 Rio Blanco event. The Committee considers that the Commission must place strong emphasis on resolving the uncertainties in results from that experiment before proceeding with other major experiments. Further, the Joint Committee believes it important that the AEC complete the conventional hydrofracturing experiment it started near the Rio Blanco site during fiscal year 1974.

WOULD LOUSE UP SHALE FIELDS

Without my amendments, the AEC program plans for fiscal year 1975 call for $1.935 million for developing nuclear explosive methods for in situ recovery of oil from shale, $1.6 million for research, development, and testing of nuclear explosives for natural resource recovery, $300,000 for studies of nuclear explosive effects, $200,000 for development of nuclear methods for in situ mining of large ore bodies, and $310,000 for new plant facilities and equipment.

Contrary to the Joint Committee on Atomic Energy directives I just mentioned, all of this $4.335 million is earmarked for funding of virtually new, major experiments. Only $375,000 is requested for nuclear gas stimulation, and only a portion of that is earmarked for evaluation of the disappointing results of the Rio Blanco experiment. No funding is requested for hydrofracturing, since all of that work is being transferred to the Department of the Interior.

Mr. Chairman, I view the fiscal year 1975 AEC budget plans for its applications of underground explosions programs as directly counter to the JCAE's recommendation that Rio Blanco's uncertainties be resolved before proceeding with other major experiments.

PLOWSHARE IS A FAILURE

I would also like to point out to my colleagues that continuation of this program, now in progress for more than 16 years and still remaining without successful recovery of any useable natural resource, is even contrary, in my judgment, to recent statements by AEC Chairman Dixy Lee Ray. In testimony before the JCAE, on her report to the President on "The Nation's Energy Future," Dr. Ray said that each of our national energy research programs "should be funded on its merits, accelerated when it succeeds, and terminated or cut back severely when it fails after a reasonable amount of effort." I think that you will have to agree that Government investment—not to mention that of industry—of more than $150 million and more than 16 years of study and experimentation is more than a reasonable amount of time, money, and effort. Since the Plowshare program, which is now included in the AEC program and budget under its applications of underground explosions program, still remains unsuccessful in virtually all of its endeavors, I must contend that it should be subject to the drastic cutbacks called for in my amendments.

Before closing, I would like to emphasize one point for my colleagues, and that is the fact that I do not stand alone in my objections to this program. Secretary Rogers Morton of the U.S. Department of the Interior concurs with my views. I submit for the RECORD a copy of his February 22, 1974, letter advising me of his Department's position. I ask that you carefully note his statement that—

Indeed it has been the position of the Department that implementation of the full-field Rio Blanco development would preclude orderly and efficient development of the overlying oil shale resource. . . .

The Comptroller General of the United States has also now joined me in questioning both the economics of nuclear natural gas recovery and its compatibility with oil shale mining. In an April 2, 1974, General Accounting Office report to the Congress, entitled "Progress and Problems in Developing Nuclear and Other Experimental Techniques for Recovering Natural Gas in the Rocky Mountain Area," it is clearly stated that—

AEC and Bureau officials disagree as to whether fractures in the Gasbuggy and Rulison experiments are closing. Our analysis showed that, if fractures created by nuclear detonation close, the wellhead cost of gas increases significantly, depending on how quickly the fractures close.

Because this issue is important to the economics of nuclear stimulation and its cost comparison with massive hydraulic fracturing, more should be done to minimize the uncertainty on this issue before nuclear stimulation can be considered economically acceptable. . .

And that—

According to the Department of the Interior, underground mining of oil shale might be incompatible with the prior or concurrent use of nuclear stimulation because fractures created by the nuclear explosives might collapse underground mines in the area of the explosion . . . we consider it important to resolve this question as soon as practicable. . .

Former Governor of Colorado and Director of the Energy Policy Office John Love has also voiced objection to nuclear stimulation. When asked by Executive magazine, August 1973, page 48:

What is your opinion of the use of underground nuclear explosions to release natural gas and thereby hasten its exploitation.

Governor Love replied:

On nuclear stimulation of tight sands, I cannot foresee and do not now support full-field development or a large number of shots based on our current situation. I think that a better solution to that situation is again through the pricing structure. Natural gas at a more realistic price would justify, I believe, conventional fracturing of those sands and would be a better solution.

The U.S. Geological Survey, in a September 1972, "Study Group Report on Project Rio Blanco," has also taken a strong position against nuclear methods of gas recovery, noting that nuclear stimulation would be incompatible with underground mining of shale, that it would cause increases in conventional mining costs, and that its potential seismic hazards and radioactivity would cause serious reservations on the part of industry regarding undertaking of future conventional extraction of natural resources in the same area.

The Shell Oil Co. has also objected in its August 1973 report on "The National Energy Problem," challenging that nuclear stimulated gas is "substandard and that volume was less than expected."

Mr. Chairman, I have just recited for you the viewpoints of but a few of those who believe as I do in these matters. My colleagues, I firmly believe that "full-field" use of the literally thousands of nuclear explosions required for effective energy resource recovery will never receive the approval of the people of this Nation. This being the case, I respectfully ask your support for my amendments which insure compliance with Joint Committee recommendations against Plowshare's expansion into new areas and compliance with Dr. Ray's own standards by deleting fiscal year 1975 funding for all work other than completion of Rio Blanco's evaluation. In my view, it is unconscionable for us to authorize $4.335 million for experiments which will again allow Plowshare to leave its most recent failures in gas stimulation and move on into another new area of disappointment.

I appeal to all of you to vote for the amendments I am submitting here today.

THE SECRETARY OF THE INTERIOR,
Washington, February 22, 1974.

HON. TENO RONCALIO,
House of Representatives,
Washington, D.C.

DEAR TENO: I had the opportunity to review your paper on the nuclear extraction program with some of our people. There seems to be very little disagreement with your conclusions.

As you may remember, the Department of the Interior participated as a co-sponsor in Project Gas Buggy and Project Rulison. Subsequent to the Rulison Project all of the funds available to the Department for gas stimulation investigations have been expended on development of various forms of hydrofracturing technology which we in the Department feel have more favorable cost-benefit ratios and also have potential applications in oil recovery.

The Department was not a co-sponsor of Rio Blanco and indeed it has been the position of the Department that implementation of the full field of Rio Blanco development would preclude orderly and efficient development of the overlying oil shale resource.

I hope this finds you fully recovered from your bout in the hospital.

Yours sincerely,

ROGERS C. B. MORTON.

Mr. JOHNSON of Colorado. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I shall not take the full 5 minutes, but I would like to point out to my colleagues that of the $4.4 million which we have been asked to grant here, $375,000 of that is being used for evaluation of the Rio Blanco shot; $4.1 million is being used for the purpose of preparing for additional shots. I can say to the Members that they are not going to spend $4 million and then say, "OK, now we have got it all prepared we will not use it." We know that they will be asking for more money to continue with additional shots. But it would seem to me to use this amount of money in this fashion at this time does not make sense. I believe that we should wait until we have the necessary information.

Mr. Chairman, I think the gentleman from Wyoming (Mr. RONCALIO) has offered a tremendously sensible amendment. I for one am not willing to say that we should not continue with nuclear shots. I am not willing to draw that line as yet, but I do believe that until we have the final reports back from the AEC as to their final evaluation of the Rio Blanco shot that we should hold up on this matter. I do not see why we should go ahead at this time and spend that amount of money in preparation for the next series of tests which will ultimately have to take place if the reports are favorable. I believe we should not do that until we get the final evaluations. I say let us just call a halt to these shots until we get the final evaluation, and then we can make the determination as to whether we want to go ahead with this testing.

Mr. RONCALIO of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield to the gentleman from Wyoming.

Mr. RONCALIO of Wyoming. Mr. Chairman, I thank the gentleman for yielding to me, and I want to thank the gentleman from Colorado for the observations the gentleman has made in such a quiet and calm manner.

The amount of money asked for concerning the Rio Blanco shot, we can have that spent in the next year, but I think that if we are wise we will hold up on that money until we have the final evaluation report. If we were sure that this would be safe, then certainly I would be for it. But I believe we should wait until we have the final analysis so that we can have the proper knowledge that is needed so that we will be ready to continue on down the road in this development. When we have this knowledge and it warrants support, then we will have support for this type of program. But if we go ahead without that necessary information then we will continue to have criticism of these programs, especially if we continue to do wasteful things like this appears to be.

Mr. JOHNSON of Colorado. Mr. Chairman, I thank the gentleman from Wyoming.

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

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Wyoming.

Mr. Chairman, there is a principle called Murphy's Law, which states "If anything can go wrong, it will." I have with me copies of two articles from the Denver Post of last week which report that a pin hole leak in a disposal well for *radioactive* water from the Rio Blanco gas stimulation project has caused the release of this water back into the environment. Notwithstanding this hazard and notwithstanding the reported 2-month delay in notifying the Colorado Department of Health, so that it could close off the well (something which deserves examination at some other time), the Atomic Energy Commission wants to plow ahead with more of the same, now proposing also to develop nuclear explosive methods of in-

situ recovery of oil from oil shale, recovery of ore, and the like.

The Atomc Energy Commission is calling on Congress to authorize blind expenditures—to spend money without any real idea of the economic, environmental, or social impact of the projects which it proposes. It wants to go on spending the public money when, at the same time and under Government subsidies private industry is going ahead on its own with innovative non-nuclear procedures to do these same things. I agree with the Joint Committee on Atomic Energy that we should await the results of the Rio Blanco project before authorizing further funds for more Plowshare projects. We do not know, but can only guess, what other by-products and hazards Rio Blanco may ultimately produce.

The Plowshare experiments are the Atomic Energy Commission's answers to the questions of peaceful uses for atomic energy. As Mr. RONCALIO has stated on prior occasions, what it all boils down to is that it is a technology in search of a peaceful use. Perhaps what is needed here more than anything is a definition of what is in fact "peaceful," because I am just not sure in this case. I am not at peace awaiting further disclosure of Rio Blanco problems. And I am not at peace in looking forward to a multiplicity of such projects without first determining what the economic, social, and environmental impacts of these projects are likely to be.

Mr. Chairman, we all recognize the need to develop new technologies in the search for new energy sources, but at the same time we must explore the limitations of those new technologies before striking out on new adventures. We do not yet know the full effects of Rio Blanco, or indeed, whether it is even economically feasible. Pending the results of the final Rio Blanco study, we simply do not need further authorizations. I urge my colleagues to join Mr. RONCALIO in deleting the $4.025 million from the Atomic Energy Commission authorization that is requested for Project Plowshare.

Mr. EVANS of Colorado. Mr. Chairman, I rise to speak in favor of the amendment.

energy. As Mr. RONCALIO has stated on

Mr. Chairman, I would like to direct a question to my good friend, the chairman of the committee, the gentleman from Illinois (Mr. PRICE). For many years the United States has tried to take atomic energy and apply it to peaceful uses. I know we have tried this in many, many areas. Now directing our attention to the question of extracting sources of energy, I should like the gentleman to tell me whether or not over this period we have ever been successful as of this moment in extracting sources of energy for use in this country by means of underground atomic detonations.

Mr. PRICE of Illinois. Will the gentleman yield?

Mr. EVANS of Colorado. I yield to the gentleman from Illinois.

Mr. PRICE of Illinois. Of course, the gentleman knows there have been experiments to determine whether or not we can successfully do it, and I would suggest the Rulison test and other tests indicate that it is possible to extract energy from the earth by this process. But the money in this particular bill is not for any experiment in the fiscal year ahead; it is to evaluate and to determine the results of the previous tests.

Mr. EVANS of Colorado. That is true in relation to the $375,000.

Mr. PRICE of Illinois. If the gentleman will yield, that is true in relation to almost all of the $4,025,000.

Mr. EVANS of Colorado. May I inquire of the gentleman whether or not any of the $4 million which this amendment would strike would be used for programing and planning for future underground shots such as Rio Blanco?

Mr. PRICE of Illinois. If the gentleman will yield, it is possible it could be, but eventually they would have to come in for additional funds, and Congress would then have to determine whether or not to permit them to go ahead with another test, based on the need for additional funds.

Mr. EVANS of Colorado. We have a separation here of this sum that we are talking about. There are two parts, one, the $4 million which the gentleman from Wyoming describes as funds which would be used for future planning of additional shots; and, two, the $375,000 which he leaves in the bill, which he describes as funds which are necessary to continue the studies of those shots that have already taken place.

My question to the distinguished gentleman is this: Does he agree that that is a correct division of the funds that we are talking about?

Mr. PRICE of Illinois. If the gentleman will yield, no, I do not agree to that at all.

Mr. EVANS of Colorado. May I ask the gentleman, then, to tell me what the testimony was before his committee with relation to the use of these funds? How much of these funds was for the study of past explosions, and how much of these funds was for future planning for additional explosions?

Mr. PRICE of Illinois. If the gentleman will yield, we do not have the detailed breakdown of the whole $4 million, but the greater portion of that $4 million was for the evaluation. The gentleman from Colorado will notice the gentleman from Wyoming said $375,000 was necessary for the evaluation of the Rio Blanco tests, but there were two other tests that are under evaluation.

Mr. EVANS of Colorado. Does the gentleman have any idea how much money they need to evaluate those other shots which have taken place in the past?

Mr. PRICE of Illinois. Most of the $4 million.

Mr. EVANS of Colorado. How much, then, in here is there for planned future explosions? Can the gentleman tell me?

Mr. PRICE of Illinois. A very limited amount.

Mr. EVANS of Colorado. How many dollars would that be?

Mr. PRICE of Illinois. I do not have the exact figure.

Mr. JOHNSON of Colorado. Mr. Chairman, will the gentleman yield? I have those figures.

Mr. EVANS of Colorado. I yield to the gentleman from Colorado.

Mr. JOHNSON of Colorado. I thank the gentleman for yielding.

The figures provided to me this morning came from the Joint Committee staff, and they are $1,925,000 for investigation of the techniques to use nuclear methods for the possible recovery of oil from oil shale by in situ methods in which the processing occurs in place under the earth's surface. No actual nuclear experiment will be conducted during fiscal year 1975.

Two hundred thousand dollars for investigation of techniques for underground extraction of minerals, principally low-grade copper ores, by in situ leaching.

Three hundred thousand dollars for continued investigation of explosion effects.

Three hundred and seventy-five thousand dollars for completing the analysis of the Rio Blanco experiment.

One million six hundred thousand dollars for research and development directed toward appropriate nuclear explosive designs for use in applications foi recovery of natural resources.

This is to make them cheaper and cleaner. Obviously the $4.4 million is designed for additional planning of these shots under that $107 million program.

Mr. EVANS of Colorado. I thank the gentleman. I would simply say trying to get some usable energy, we have not yet been successful in developing a usable energy and it is my belief that until we have the knowledge it seems unwise to go ahead and plan additional explosions.

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

Mr. Chairman, I ask if I may have the attention of the gentleman from Colorado (Mr. EVANS).

In the field of research and development a great deal of study, a great deal of design and other factors go into any kind of program before experiments are conducted. In many instances there are a number of experiments that have to be conducted sequentially and each experiment proves something or disproves some theory that the people who are engaged in the development have to know about.

The money that has been spent in the field of fracturing underground rocks to increase the flow of gas was successful in its goals. There was an increase of flow of gas at Gasbuggy and some other experiments. The rate of and duration of that increase is of course a matter of evaluation.

The contamination that had occurred as a result of using nuclear devices was also a matter of evaluation. There was contamination which the scientists expected. We expect it because it is very difficult to have a nuclear shot without contamination, but contamination has a life and a half life, and there comes a time when contamination dies down, and there are ways of cleaning up contamination.

Remember, this occurs underground. There is no hazard in the air itself. So each one of these experiments has proven certain things and disproven certain

things. This is the ordinary course in research and development.

We would not ask for adoption of a theory until we have done a certain amount of experimentation in it.

Let me say this to the gentleman. I understand the opposition that comes from the people of Colorado about having anything like this occur in their area. The people in my area are just as much opposed to having a fossil fuel plant for electricity and yet they want electricity. The people of this country are going to have to have electricity and fuel of one kind or another.

Is it or is it not better to experiment in the methods of opening up a completely new source of gas or of oil or should we depend upon the importation of some 33 percent, as we do today, of the oil we use in this country, a difference between 11 billion of domestic production and 17 billion of total requirements? Are we going to not remain dependent upon the unstable sources and in some instances excessive price of sources abroad?

Should we try to develop our coal so we can use it? Every ton of coal throws 300 pounds of contaminants into the air.

We want to experiment and take the contaminants out so we can use the coal. We want to do the same thing with oil. We want to do the same thing with gas. We want to do the same thing with any other fuel that might have a contaminating possibility.

Let us take for instance the billions of tons of shale in Colorado. Are we going to try to experiment to find a way to bring that shale into use through heating that shale in situ, in place, or are we going to dig it and bring it out and then heat it, burn it, and create millions of tons of waste? If we try to bring out the shale and get oil from the shale deposits, we are going to have to move six times as much dirt as we moved in the construction of the Panama Canal.

We have to find a way to get this fuel in a way which is economical and safe for the American people. This is what we are trying to do. We have been told we are continuing to develop devices to reduce contamination. We have been told plans will have to be submitted to Congress in the future before we go ahead and fund more experiments.

I would leave it up to the intelligence of this Congress and to the need of the American people whether we go ahead in this field or not. In the meantime, I say the wise thing to do is study it and find out what the limits are.

The CHAIRMAN. The time of the gentleman has expired.

(At the request of Mr. EVANS of Colorado and by unanimous consent, Mr. HOLIFIELD was allowed to proceed for an additional 3 minutes.)

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

Mr. HOLIFIELD. Yes, I yield to the gentleman.

Mr. EVANS of Colorado. I agree with the ideas the gentleman has in mind; but there is one thing that strikes me as illogical. We have these underground explosions and it is true, as the gentleman from Illinois said, that gas has been produced; but it is also true that this gas is unusable.

Mr. HOLIFIELD. That is true. I said it was contaminated.

Mr. EVANS of Colorado. Here is what strikes me as illogical. No matter what we do with these underground explosions with the timing or what have you, unless we have an underground explosion that is clean it would seem wiser to clean up the gas that has been produced, because if the gas from other explosions is contaminated, we will still be producing gas that cannot be used.

Mr. HOLIFIELD. We use different kinds of gases. Some are contaminated and some are not. We have been moving toward a low degree of contamination. We have spent millions and millions of dollars moving away from radiation in certain weapons and we have brought it way down. We will also bring it down in the devices that we use for cracking shale or gas rock. We will bring down that contamination, but it takes study and research in the laboratories to build those devices. This is part of the work that is going on.

True, it is a small sum, relatively speaking.

Mr. EVANS of Colorado. I just wish to express my serious reservation about planning additional explosions before we have the knowledge that as a result of those explosions the gas we produce will be capable of being used.

Mr. HOLIFIELD. The gentleman cannot have that knowledge until we have that research and development. The gentleman is confusing the money in this bill for the development of fusion.

Mr. EVANS of Colorado. It is a most interesting undertaking.

Mr. HOLIFIELD. It certainly is. Does the gentleman realize we have spent $669 million and we have not yet produced 1 second of fusion? Does the gentleman also realize that fusion has contamination?

Mr. EVANS of Colorado. I just wish we would understand when we look at the cost ratio, the program is still unsuccessful.

Mr. HOLIFIELD. Very little cost has gone into this program in relation to fusion.

Mr. EVANS of Colorado. I was not talking about fusion.

Mr. HOLIFIELD. There is over $100 million in this bill today for fusion and we are continuing to develop this because we hope to arrive at a point that it will be beneficial to the Nation.

Mr. EVANS of Colorado. I was talking about the further explosions in the producing of gas.

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

Mr. Chairman, during the debate earlier, Murphy's law was mentioned, the law that says that anything that can go wrong will go wrong. Let me say that I think Murphy's law applies more precisely here to the debate on this bill than it has perhaps ever applied before, both as to logic and as to the facts.

Now, first, the facts. The gentleman from Wyoming is basing a large part of his argument for this intellectually atavistic amendment on the basis of a newspaper article that he is going to insert in the RECORD.

Now, what are the facts? The facts are, as to the discovery of tritium in this well on January 25, 1974, that Mr. Belmont Evans of the Department of Health of the State of Colorado was notified promptly of the discovery at the site. He then notified his home office.

Mr. Chairman, if that news did not percolate around the public health department of Colorado, that certainly is not the fault of the Congress of the United States or the AEC. AEC has received confirmation that this information was so passed along on that date.

Mr. Chairman, that is fact No. 1.

What is fact No. 2? This newspaper article that the gentleman refers to says that another man by the name of Robert Siek, S-i-e-k, who is Acting Director of Environmental Health, apparently, for Colorado, is "deeply concerned" about the situation of this leak of tritium, "deeply concerned."

Mr. Chairman, what is the fact about whether or not this gentleman should be deeply concerned? There was discovered coming out of this well into which tritiated water from the main Rio Blanco well had been injected for disposal, natural gas containing 800 to 1,000 pico-curies per millimeter of tritium, just a trace.

What is that besides being a number?

Mr. RONCALIO of Wyoming. Mr. Chairman, will the gentleman yield so that I may answer that?

Mr. HOSMER. No, I decline to permit the gentleman to answer it because I will answer it myself. I know the answer probably better than the gentleman from Wyoming does.

Mr. Chairman, one pico-curie per milliliter of water is one trillionth of a curie—one trillionth of a curie. That is natural background. That is the background radiation from tritium, one trillionth of a curie. This tritium radiation that was discovered was 800 to 1,000 times that amount.

What does that mean?

For drinking water the health standard is still one-third, the amount of tritium, needed to exceed health limits for safe-to-drink water. So this is one-third less than that, the drinking water limit. Fact No. 2 is that there is absolutely no basis for any "deep concern" here. Mr. Chairman, this is absolutely ridiculous, to oppose this kind of work for that specious reason.

Now as to logic.

What about the logic of coming in here and saying, "Cut it off. Cut it all off. This has to go. It leads to one hundred and bumpteen millions of dollars expenditure"?

Mr. Chairman, that has already been disposed of during my colloquy with the gentleman from Colorado (Mr. JOHNSON).

I am sure that some of the gentlemen, at least within the sound of my voice, listened to the colloquy respecting this $4.4 million that is in here, respecting the fact that every single year the AEC has to come before this body for authorization, a building block has to be built on last year's experience in order

to convince this body that any more money should be authorized for this program.

Mr. Chairman, this is the kind of thing that anybody with an intelligent scientific approach to getting the knowledge that is necessary to solve that——

Mr. RONCALIO of Wyoming. Mr. Chairman, would the gentlemen yield?

Mr. HOSMER. Mr. Chairman, I will not yield to the gentleman, and I would appreciate it if he would stop interrupting me until I give him the opportunity to do so.

This is the kind of approach that anybody will take with an ounce of sense, if he wants to find out something on which to base an intelligent decision later. We have to find out the facts sought to be discovered—researched—here to determine whether or not to move ahead in later years.

The possibility of using nuclear explosives for peaceful purposes has long been a hope of the Atomic Energy Commission—and that hope has been regularly supported by the Congress. This program was known as Plowshare, is now called applications of underground explosives, because the program now includes underground explosions from chemical—or conventional—explosives as well as the nuclear explosives. For the past few years the objective of this potentially important effort has been to develop techniques which could unlock some of our heretofore unavailable energy resources such as oil shale and the natural gas in tight geological formations in the Rocky Mountain area. The recent emphasis of Plowshare has been upon the recovery of natural gas by nuclear stimulation. This involves the detonating of nuclear explosives in a wellbore to enlarge greatly its effective diameter and cause more gas to flow. The Gasbuggy experiment was conducted in 1967 in New Mexico, the Rulison experiment conducted in the Piceance Basin of Colorado in 1969, and the Rio Blanco experiment also in Colorado in May 1973.

The Rio Blanco experiment was fired successfully, but the testing of gas production which began in November 1973 showed that gas was being released from only one of the three cavities created by the three nuclear devices fired underground. Analysis is continuing in order to find out the reasons for that result, and funds are includued in the authorization bill of $375,000 to complete both the analysis and production testing of the well. The Joint Committee feels that until those answers are provided and understood, that there should be no further nuclear experiments. There are no nuclear experiments planned by the Atomic Energy Commission for fiscal year 1975. The next one planned is not until 1977 and is proposed to be conducted at Nevada test site to develop the technique which might later be used in in situ recovery of oil shale. That experiment would not be a part of the oncontinent nuclear test program and will be requested for authorization in a subsequent year under the applied technology portion of the AEC request.

The proposed amendment of the gentleman from Wyoming would delete $4,025,000 from the Plowshare budget, leaving only $375,000 to complete the work on Rio Blanco. What would be the effect of that amendment?

First, it would terminate the development of technology of conducting underground nuclear explosions for peaceful purposes. The United States incurred an obligation under article V of the Non-Proliferation Treaty to provide assurances to the nonnuclear parties that they will share in the benefits of peaceful application of nuclear explosive devices. Therefore, because of this obligation alone, we must continue the development of both techniques and devices at this minimal funding level.

Second, it would terminate experiments and planning which might unlock some of our energy reserves in addition to natural gas. The AEC, in cooperation with industry is engaging in experiments and planning which might make in situ recovery of oil from oil shale by explosives—chemical as well as nuclear. This might turn out to be the most economical method of obtaining tremendous amounts of oil and with the least effect on the environment.

Third, it would terminate laboratory experimentation on the development of a method for in situ chemical mining of primary sulfide ores. This project has had considerable industrial interest. Related to this is a small effort in the chemical leaching of copper.

Therefore, in order to continue the investigation of efforts which could lead to an economical method of unlocking our energy resources—and to continue to be able to respond to our treaty obligations, I believe that the Plowshare program should continue.

Now, specifically as to the status of Project Rio Blanco tritiated water disposal. As a result of the mid-November 5-day Rio Blanco production test, 3,378 barrels of water have been injected into the Fawn Creek Government No. 1 well, also known as RB–E–01. Average tritium concentration in the injected water has been 0.03 micro Ci/ml with a maximum of 0.041 micro Ci/ml and a minimum of 0.014 micro Ci/ml. Before injection, the water was cooled by dilution for surface handling purposes. Prior to dilution, tritium concentrations have averaged about 0.058 micro Ci/ml with a maximum of 0.065 micro Ci/ml. The November 9, 1973, permit for subsurface disposal issued by the Colorado Water Quality Control Division allows disposal of up to 24,000 barrels of water at a maximum tritium concentration of 0.05 micro Ci/ml. The 0.05 micro Ci/ml maximum concentration specified in the permit was taken from hearing testimony for the permit where it was indicated that an average level of 0.05 micro Ci/ml was "our best estimate, based on experience from Rulison and Gasbuggy," but that it contained "some probable error."

CER and Conoco requested by letter dated January 16, 1974, that the permit be amended to allow a maximum tritium concentration of 0.075 micro Ci/ml in injected water. Heat exchangers had been obtained to cool the gas stream and, thus, dilution would no longer be necessary except to satisfy the permit requirements. The request reviewed by the staff of the Colorado Water Quality Control Division, who advised that the 60-day hearing process would be required for such an amendment. Rather than wait 60 days it was decided to dilute to meet the permit requirements.

The Fawn Creek well was an existing well at the initiation of the Rio Blanco Project. This well was identified with State approval as a disposal well for tritiated water produced with the gas from the Rio Blanco project. The tritiated water is disposed of at an interval of about 6,000 feet. The well is also used by the Continental Oil Co., Conoco, for gas production from a high interval or formation at about 4,000 feet. The two are not connected. The gas is produced only for use at the site and is not commercially available. Other than its disposal function, the well serves to help Conoco meet some of its requirements under its Federal unit agreement.

The Fawn Creek Government No. 1 well is located approximately 1,300 feet southwest of the Rio Blanco emplacement well. Its lower zones act as a disposal facility for the injection of low level tritiated water produced from the RB–E–01 emplacement well during drawdown testing. This water is injected under relatively low pressure so as to preclude unnecessary fracturing of the injection zone. The gas producing zone above the water injection zone is separated by an impermeable zone in the formation and by a packer in the well that should preclude the mixing of injected water and producible gas. The gas produced from the Fawn Creek well is used to pilot the RB–E–01 flare stack and to heat the water in the tritiated water holding tanks until it is injected into the Fawn Creek well.

During drawdown testing of the RB–E–01 and injection of the tritiated water, the Fawn Creek gas is sampled and analyzed continously to see if any tritium is associated with the gas. On January 25, 1974, during phase II drawdown operations, some tritium in the water phase of the gas was thought to be observed. However, these levels were so low that they approached the limits of resolution of the detection equipment. The State of Colorado was notified at once and concurred with the decision to make further measurements in order to reliably identify the amount of tritium with laboratory instruments having greater sensitivity.

Since January 25, exhaustive sampling has taken place and analysis is presently in progress. While final conclusions have not been reached, analysts agree that there is no tritium in the Fawn Creek gas, but that there are minute traces of tritium in water produced with the gas. Furthermore, these levels are only a fraction of the quantity allowed by Federal radiation protection standards for drinking water for individual consumption in an uncontrolled area.

AEC is attempting to identify the avenue by which this small quantity of injection water is entering the gas production zone. Very minute quantities of RB–E–01 injection water are thought to

be entering this zone through a leak in the tubing or around the packer, although a definite mechanism is not known at this time. The State of Colorado is aware of the current investigation and will soon be issued a full report.

Mr. Chairman, I urge defeat of the amendment.

Mr. BROWN of California. Mr. Chairman, I rise in general support of this amendment.

Mr. RONCALIO of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Wyoming.

Mr. RONCALIO of Wyoming. Mr. Chairman, I hate to do this, but I am going to take the floor in order to answer that display of wisdom which was just given by my good friend from California.

One year ago, on this very occasion, my good friend, the gentleman from California, Mr. CRAIG HOSMER, stood in this well, and he said to me standing over there, "Do you not know what connate water is? You do not, do you?" He said, "It is not possible to have a leak in an atomic well. It is impossible for water to leak." He said that in his wisdom 1 year ago, and now we have these leaks all over the place today. So let us not get emotional today, nor give heed to his argument.

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

Mr. BROWN of California. After the gentleman from Wyoming has finished, I will yield to the gentleman from California.

Mr. RONCALIO of Wyoming. Mr. Chairman, I had a bad enough time this afternoon getting a few minutes.

I will state that I am fond of the gentleman from California. I hold the gentleman from California in great respect, and I will go to bat for him on his nuclear enrichment idea, USEC. I will be on the platform with him side by side defending atomic peaceful purposes, and the necessity for power generation by reactors, breeders and all.

However, I say to the gentleman that I would be here asking for adoption of this amendment even if there had been nothing in last week's Denver Post. Last week's item in the Denver Post had nothing to do with my offering this amendment. This amendment has been ready for months, and I would withdraw it now if I could see that one cubic foot of gas has been useful or can be proven useful. I will say to the gentleman from California (Mr. HOLIFIELD) not one cent herein goes to clean the gas accumulated now in these chimneys.

If I could be shown that this money would be used to recover the gas and make it usable, I would withdraw my amendment now.

Mr. Chairman, this is not what the money is for. The money is for sequential detonations experiments not unlike the Wagon Wheel concept which called for 30-minute intervals, and I will point out that was the game plan 3 years ago and that was scrapped.

Mr. Chairman, I hope that my good friend, the gentleman from California (Mr. HOSMER) will help me rest the fears of many people mentioned by the gentleman from California (Mr. WALDIE) and toward this program and we can go along for the good of the nuclear power programs which are so sorely needed today.

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

Mr. BROWN of California. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, I just think that the record should be clear as to where this particular tritium is coming from.

The Rio Blanco well produced about 3,000 barrels of tritiated water. This was injected for disposal into a well nearby which was known as RB–E–01, and this particular minuscule amount of tritium escaped back from that well in gas coming from it. This is not big leakage all over the bottom of the State of Colorado or anything like that. This is a case of the injection of tritiated water into a well, and a tiny amount coming back out, very minor, so minor that one could still drink that water without any risk to his health.

This is what the argument is all about. Nothing.

Mr. Chairman, I thank the gentleman from California for yielding.

Mr. PRICE of Illinois. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think the members of the Committee are informed concerning this program. I would just like to correct one or two apprehensions the Members may have.

First of all, concerning the use of the funds, the $4,400,000 is almost exclusively for research, for investigation of the techniques so that at some time in the future, if this is acceptable to more people in more areas, they will have the latest and the most satisfactory techniques in order to avoid any situation that would not be acceptable.

It is said that the gas may not be usable. Most scientists believe it is usable right now, even the gas from the Rulison project, the first test. It is not licensed, but knowledgeable scientists believe it is usable.

Of course, another reason for the $4,400,000 is to refine the techniques to such a point that there would be no question about the usability of the gas. I would think that the people from the State of Colorado would be vitally interested in this program, because of future development of oil shale deposits. They are going to get oil from shale and they are going to get it in whatever fashion they can get it in. It would appear to me that the experiments in this particular program might develop the cleanest extraction process, and would do the least harm to the environment of any program now known. I think if I were from the State of Colorado, I would be wholeheartedly in favor of this program.

I hope the committee will reject the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming (Mr. RONCALIO).

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

Mr. RONCALIO of Wyoming. Mr. Chairman, on that I demand a recorded vote.

A recorded vote was refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. LUJAN

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

The Clerk read as follows:

Amendment offered by Mr. LUJAN: Page 10, line 14 strike out "$4,000,000" and insert "$4,600,000".

Mr. LUJAN. Thank you, Mr. Chairman.

Mr. Chairman, the amendment that I have offered asks for the authorization to be increased by $600,000. It is really very simple and does not take a lot of understanding to know what it is all about.

Mr. Chairman, in Los Alamos there is authorized a building called the National Security and Resource Study Center. That building is in this authorization bill today. What prompts me to offer this amendment today is that we have been talking about all the research that needs to be done on solar energy systems. We know a lot of ways in which we can use the sun in order to heat and cool buildings. The technology is nothing new. We know that the sun will heat water and if you circulate the water around a building you will heat the building. We also know that if you put certain equipment into the building, you can chill or air condition the building during the summertime using the same energy. So the building is in the process of being designed now, and I thought it would be a good idea to incorporate into the design a solar system for heating and cooling that building.

The picture on my left shows how a very simple system can be put in. I hope nobody asks me how this really works basically, but I will say the scientists who have been working on it tell me that it will work.

Now, we know that these things will work. I will not go into how the whole system works, Mr. Chairman, but for those who would have an interest in it and so that it will be a matter of record, I will get unanimous consent later on when we are in the House to include this material.

Without saying anything further on the subject, I think the idea is perfectly well understood and a very simple thing to do at this point when the building is being designed.

I urge the support of my amendment and at this point will put the material I have been referring to into the RECORD.

Mr. PRICE of Illinois. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New Mexico (Mr. LUJAN).

Mr. Chairman, I hesitate to be in opposition to the amendment offered by my good friend from New Mexico. As a matter of fact, in the committee we gave considerable thought to this proposal. We thought for a time we might include it in the bill before us this afternoon. However, we went into it thoroughly, and we were in contact with the AEC but the Commission had not reviewed the proposal.

This idea is very much in the conceptual stage, and there is a valid question as to whether the concept has been

developed to the point where a construction project is justified or can be carried out with reasonable hope of success.

I think that we should at least delay further consideration of such an idea until we do get more information. Perhaps if the concept is developed and ready by next year, we could give it consideration then. But at this time I think that we should reject this amendment.

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

Mr. PRICE of Illinois. I yield to the gentleman from New Mexico.

Mr. LUJAN. Mr. Chairman, there is nothing new in the solar heating system. As I said earlier, we know just by everyday experience that the sun will heat the water, and if that water circulates through the building, then obviously it is going to heat that building. Also we have a water absorption chiller that will serve for cooling the building. The scientists there tell me that they know that it will work.

Second, if we delay this—and I would say that there has been some legislation that has passed this House on solar energy demonstrations.

Mr. PRICE of Illinois. Mr. Chairman, let me say that I fully understand the point the gentleman is making. There is nothing new in the idea, and there is nothing new in the fact that through solar energy you can heat and cool, but there is a lot to be learned about how to store the heat, and how to produce energy from it. All you can do is possibly warm the building and maybe cool it, but you cannot provide the other functions that are required of energy. So I think there is a lot more to be studied about it. For that reason I ask that the amendment be rejected.

Mr. HOSMER. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment offered by the gentleman from New Mexico (Mr. LUJAN).

Mr. Chairman, I should like to call the attention of the Members of this body to the very nice drawing of this building that the gentleman from New Mexico has presented. One can see the front door there, and if one looks at it carefully one can get an idea of maybe the building is possibly 50 by 100 feet in size, or possibly 5,000 square feet in all.

Now, in terms of the $600,000 that the gentleman wants to put in for heating and cooling, plus building, I think that a couple of facts should be understood.

First, if we took that money in dollar bills and plastered them on the roof instead of this solar material that is shown in the drawing, it would stack it 433 dollar bills deep, each stack would be 433 dollar bills. That will indicate how much money we would be spending on this.

Second, the Members cannot see from this drawing what is around this building. What is in fact around this building are a lot of other buildings where we already have the utilities in, such as the steam for heating in the winter time. So this $600,000 is simply to air-condition a 5,000-square-foot building at the astronomical cost of $120 per square foot. That does not seem to me to make good sense.

I think if we want to get into this kind of experimental work that we should have a lot more facts and figures in front of us than the gentleman from New Mexico has given us.

The gentleman from New Mexico himself says that he cannot explain how this thing would work. As a consequence, I think that it is up to us as responsible legislators to wait until ERDA or somebody comes along with an equivalent type of program in experimental solar heating and cooling. Then we will get the government dollar's full use instead of stacking dollars 433 deep on top of a building at Los Alamos.

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

Mr. HOSMER. I yield to the gentleman from New Mexico.

Mr. LUJAN. Mr. Chairman, the gentleman from California knows that I am not an engineer, and therefore I cannot tell the gentleman how the heating and cooling system works. All I know is that it does work, and the scientists have told me so.

If the gentleman from California really wants to know how it works then I have a book right here that I am sure the gentleman from California could understand.

Mr. HOSMER. Mr. Chairman, I did not say that I did not understand how it works; I said the gentleman from New Mexico said that he did not understand how it works.

Mr. LUJAN. Well, if the gentleman from California understands how it works, then undoubtedly it is a good and workable project.

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

Mr. HOSMER. I yield to the gentleman.

Mr. HOLIFIELD. The gentleman from New Mexico, of course, is making a plea for something to go on an experimental project, to go on a building in his area in New Mexico. He is to be commended for looking out for his people. He said there is nothing new about the sun heating water. Of course, there is nothing new about the sun heating water. Everybody knows that who has ever been out in the sun and who has had a little water on him. He knows the sun will dry the water up by evaporation.

The point missed completely is: Is it economic? Is this an economic way to do this thing? Are we ready yet to spend that much money on an old-fashioned method of heating water? The time may very well come, and we have money in this program for various kinds of experiments, some of them on various kinds of things. The point is that in the solar field the time has not come. They are doing this in Japan all the time, but they are not doing it economically. They are doing it as a matter of desperation because they do not have fossil fuels or nuclear power except what they buy from us. So this is a premature idea. The AEC did not ask for it; the committee did not approve it; and I do not blame the gentleman for advocating it, but it is just simply a local improvement which the gentleman would like to have. I would like to have it, but I do not think the Congress is yet ready to endorse an engineering facility on top of a building that we are going to build out there. It should take its time. The project should be brought before us and explained, and its economic costs should be made known to us, and then let the committee approve or disapprove of the project, not because we have a picture here in front of us.

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

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

Mr. ROBINSON of Virginia. I thank the gentleman for yielding.

In order to reassure my colleague from New Mexico and perhaps inform some of my other colleagues, I should like to say that 1-hour's drive from here in Fauquier, Va., there is a high school, the Fauquier County High School, which has received a National Science Foundation grant of $400,000, taxpayers' dollars, to heat and cool a high school and do exactly the kind of research which I believe the gentleman's amendment would advise that we get into. That project is under way.

Mr. HOSMER. I thank the gentleman for pointing out the redundancy of the amendment.

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

Mr. Chairman, I rise in support of this legislation and in support of this amendment. I do so because possibly I am one of the half dozen or so Members who has visited the installation at Los Alamos and who has reviewed with the staff at Los Alamos the plans for this building.

This is an extremely small item in a rather large budget. The whole building, I think, is scheduled for something like $4 million. The authorization bill before us is close to $4 billion, $3⅔ billion, and obviously the members of the committee, and the staff, have not been able to give the close attention to this very small item which it deserves.

I got the impression, and perhaps it was erroneous, from the distinguished chairman of the committee that he thought the building was already under construction. On the other hand I think the gentleman from New Mexico (Mr. LUJAN), the author of the amendment gave the impression that this was a sort of spur-of-the-moment type of amendment, which really does not do it justice.

A group of members from the Committee on Science and Astronautics, which is also concerned with solar energy, visited Los Alamos a few months ago and we were given a rather extensive briefing on this building and the plans to heat it and cool it by use of solar technology. The briefing in fact included showing us the types of hardware that were proposed, for example a new type of solar panel that had been developed by U.S. Steel for use in large buildings of this sort.

I think it is also regrettable that the impression has been given that this is a matter just of concern to the Members from New Mexico because the installation happens to be in their State.

The contract for this building will not, to the best of my knowledge, necessarily

be let to New Mexico contractors. The competition for the architects for this building has been going on for several months and the final selection between two eminent firms, one on the east coast and one on the west coast, was just announced last week. The competition for the architects specified that they would have to have the capability to do the solar engineering design that was necessary for this particular building. I am very happy to announce that it was a distinguished California firm of architects, working in collaboration with solar heating engineers from the California Institute of Technology, which was successful in winning the architectural design contract just within the last few days.

The point is that now after all this preparatory work, which goes back for several months, aimed at using this as a demonstration by the Federal Government of solar heating and cooling technology, including the selection of qualified engineers and experts in solar heating and cooling as a part of the architectural team, unfortunately we are now at the point where the authorization for the building by, I think, inadvertence more than anything else, does not include the slight additional amount of money required to do the detailed design of the solar heating and cooling and to pay for the slight additional cost that would be required.

It will be more expensive to include a solar heating and cooling capability in this building, but I might point out that the General Services Administration has already been authorized to contract for several governmental buildings which will use solar heating and cooling in several parts of the United States. This will be the first time that the Atomic Energy Commission has undertaken such a task to complement the very excellent work which they are doing in energy research in other ways, and I think it would be a fundamental error not to add this very tiny bit of money to demonstrate that in New Mexico as well as Virginia and Maryland, we can have a successful heating and cooling installation. Hence, I am very much in support of this particular amendment.

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

Mr. BROWN of California. I yield to the gentleman from New York.

Mr. SMITH of New York. Mr. Chairman, when the gentleman was out there, did they have any estimates on the comparative cost of a solar heating and cooling system as compared to using traditional systems such as, for example, one powered by fuel oil, coal, gas, or electricity?

Mr. BROWN of California. They had some. The initial costs are higher and I think we all recognize that. They do not have firm estimates on what the lifetime costs would be. In part, the reason for doing this project would be to acquire data as to lifetime costs of using solar heating and cooling, rather than fossil fuels.

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

Mr. Chairman, I would like to make several points in support of those made by the gentleman from California (Mr. BROWN), and the gentleman from New Mexico (Mr. LUJAN) has said.

First, this is not a research project. It is a demonstration project, of a technogoly that we know exists. What we are trying to do is demonstrate how well solar energy will work and how much it will cost, for a multistory building of this type.

I visited Los Alamos as chairman of the Subcommittee on Energy of the House Committee on Science and Astronautics. We examined the design of this building and we examined physical models of solar energy collectors.

On of the reasons that the proposal before us is a little more expensive than we might ordinarily assume, is because the cost includes the cost of the roof of the building itself.

This is a new technique for demonstrating the use of solar energy for heating and cooling a large multistory building. In this case double sheets of steel will be used for the solar collector, and water will be pumped between them.

The gentleman from California (Mr. HOLIFIELD) should be aware of the fact that the same excellent engineering skills that goes into the designing of nuclear weapons has gone into designing the heating and cooling system of this building. It is the estimate of the designers that they can save 96 percent of the fuel costs for heating and cooling this building using solar energy.

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

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

Mr. HOLIFIELD. All the gentleman has to do is pay a fee to an architect or an engineer and they will design anything in the world. Once having it installed, maybe the heat is cheaper; but how much does it cost to install it over the period of years it will be used?

Mr. McCORMACK. This is, of course, exactly what we are trying to demonstrate in this particular instance. This is why it is so important that we have the good technology that we have at Los Alamos working on this project to demonstrate this sort of system to the rest of the country. We will be building many multistory buildings collecting solar energy, and GSA is already having various solar heated Federal buildings built.

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

Mr. McCORMACK. I will not yield further until I am finished.

I think the important point to remember is that we have the top engineers in the country who have already done the design work on this project.

It is the first major solar demonstration program in this country of a multistory building.

It is cheaper than any system that has been proposed by the National Science Foundation in any of its demonstrations for solar energy on a per-square-foot basis. These things recommend it very highly.

It is perhaps the most advanced demonstration program for solar heating and cooling that we have in this country. For these reasons, the fact it is for both heating and cooling, the fact it is the most advanced and the most efficient and the least expensive per square foot, recommends it to us.

I firmly and sincerely recommend this farsighted demonstration program to the Members of the House.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

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

Mr. BROWN of California. I want to stress the point that the gentleman touched on lightly; that is, we were actually shown a model of the solar collection panels which have been fabricated by United States Steel for this building. The key thing that is going to make solar energy economically competitive is the availability of a technology of an actual commercial construction process for a solar panel. We have had difficulty getting major firms, such as United States Steel, to take an interest in this. In the case of this building they have done so. We feel to give them the opportunity of going into this fairly large scale project of manufacturing solar collectors, as they would in this building, will give powerful impetus to a whole new industry which is vitally necessary in this field.

Mr. McCORMACK. I thank the gentleman from California.

Mr. GROSS. Mr. Chairman, I move to strike the next to last word.

Mr. Chairman, I rise to ask someone who may be knowledgeable on the subject if the House did not pass a bill a few weeks ago to provide for the research, experimentation, and demonstration, in the field of solar energy? It there anyone here who remembers the details of that bill?

Mr. McCORMACK. Will the gentleman yield?

Mr. GROSS. Mr. Chairman, yes, I yield to the gentleman from Washington.

Mr. McCORMACK. Mr. Chairman, I will be happy to respond. As you know, I was a cosponsor of this demonstration bill. The bill is over in the Senate. Unfortunately, it is becoming bogged down over there in a large number of solar energy bills, and we have no knowledge of how long or how soon that bill is going to come out of the Senate.

This demonstration project we are talking about here is one which is a specific project, and a very important one. In any event, I think there is plenty of room to do both even if the solar energy demonstration bill we have enacted does pass.

Mr. GROSS. Mr. Chairman, how much does that bill authorize for spending?

Mr. McCORMACK. For $50 million over a period of 5 years, but only $4.5 million for this coming year, most of which is for designing prototypes and that sort of thing.

Mr. Chairman, it is a longer range program, and the specific building we are talking about here is already being designed and is funded, so it is one specific program in Los Alamos. The long-range demonstration program will be enacted under the Solar Energy Demonstration Act.

Mr. BROWN of California. Will the gentleman yield to me?

Mr. GROSS. Mr. Chairman, yes, I yield to the gentleman from California.

Mr. BROWN of California. Mr. Chairman, I might point out another difference with regard to the bill that the House passed; that is, it was aimed entirely at residential structures and was to be under the general auspices of HUD. This applies to a large commercial building which would not be included in the bill the House passed.

Mr. GROSS. Mr. Chairman, it does seem to me that this $600,000 project ought to be financed out of the $50 million when the solar energy bill is passed. I know of no emergency in connection with this particular project unless it is payment of the firm of architects who have worked on it. We are running out of $600,000 donations for special privilege projects in the operation of this Government. The $50 million in the other solar energy bill ought to be adequate. Let this project in New Mexico take its place in line along with all other solar experiments. It has no place in this atomic bill.

Mr. Chairman, I urge the House to defeat the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico (Mr. LUJAN).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device and there were—ayes 275, noes 122, not voting 36, as follows:

[Roll No. 173]

AYES—275

Abdnor	Cleveland	Gibbons
Abzug	Cochran	Gilman
Adams	Cohen	Ginn
Addabbo	Collins, Ill.	Goldwater
Anderson, Calif.	Conable	Gonzalez
Anderson, Ill.	Conlan	Grasso
Armstrong	Conte	Green, Pa.
Ashley	Conyers	Griffiths
Badillo	Cotter	Grover
Baker	Coughlin	Gubser
Bell	Cronin	Gude
Bennett	Culver	Guyer
Bergland	Daniel, Dan	Hamilton
Bevill	Davis, Ga.	Hammer-schmidt
Biester	Davis, S.C.	Hanley
Bingham	de la Garza	Hanrahan
Boggs	Dellenback	Harrington
Brasco	Dellums	Harsha
Bray	Denholm	Hastings
Breaux	Dennis	Hechler, W. Va.
Breckinridge	Derwinski	Heckler, Mass.
Broomfield	Drinan	Heinz
Brotzman	Dulski	Helstoski
Brown, Calif.	du Pont	Hillis
Broyhill, N.C.	Edwards, Calif.	Hogan
Broyhill, Va.	Eilberg	Holt
Buchanan	Eshleman	Holtzman
Burke, Calif.	Fascell	Horton
Burke, Mass.	Findley	Howard
Burton	Fish	Huber
Byron	Flood	Hudnut
Camp	Flowers	Hungate
Carey, N.Y.	Flynt	Hunt
Carney, Ohio	Foley	Johnson, Colo.
Carter	Ford	Jones, Ala.
Casey, Tex.	Forsythe	Jones, N.C.
Cederberg	Fountain	Jones, Okla.
Chappell	Fraser	Jones, Tenn.
Chisholm	Frenzel	Karth
Clancy	Frey	Kastenmeier
Clark	Froehlich	Kemp
Clausen, Don H.	Fulton	King
Clay	Fuqua	Koch
	Gaydos	Kyros
	Giaimo	
	Lagomarsino	O'Hara
	Latta	Owens
	Leggett	Parris
	Lehman	Perkins
	Lent	Pettis
	Litton	Peyser
	Long, La.	Pike
	Long, Md.	Poage
	Lott	Podell
	Lujan	Powell, Ohio
	Luken	Preyer
	McCloskey	Price, Tex.
	McCollister	Pritchard
	McCormack	Quie
	McDade	Railsback
	McEwen	Randall
	McKay	Rangel
	McKinney	Rarick
	Macdonald	Rees
	Madigan	Regula
	Maraziti	Reuss
	Mathias, Calif.	Riegle
	Mathis, Ga.	Rinaldo
	Matsunaga	Robison, N.Y.
	Mayne	Rodino
	Mazzoli	Roe
	Meeds	Rogers
	Melcher	Roncalio, Wyo.
	Metcalfe	Rose
	Mezvinsky	Rosenthal
	Michel	Rostenkowski
	Milford	Rousselot
	Miller	Roy
	Minish	Runnels
	Mink	Ryan
	Minshall, Ohio	St Germain
	Mitchell, Md.	Sandman
	Mitchell, N.Y.	Sarasin
	Moakley	Sarbanes
	Mollohan	Schroeder
	Moorhead, Calif.	Sebelius
	Morgan	Seiberling
	Mosher	Shoup
	Moss	Shriver
	Nedzi	Shuster
	Nelsen	Skubitz
	Obey	Smith, Iowa
	O'Brien	Smith, N.Y.
		Spence
		Stanton, J. William
		Stanton, James V.
		Stark
		Steed
		Steele
		Steelman
		Steiger, Ariz.
		Stephens
		Stratton
		Stuckey
		Studds
		Sullivan
		Symington
		Talcott
		Thompson, N.J.
		Thone
		Thornton
		Tiernan
		Towell, Nev.
		Traxler
		Treen
		Udall
		Ullman
		Van Deerlin
		Vander Jagt
		Vander Veen
		Vanik
		Veysey
		Waldie
		Walsh
		Whalen
		White
		Whitehurst
		Widnall
		Williams
		Wilson, Bob
		Wilson, Charles, Tex.
		Winn
		Wolff
		Wright
		Wyatt
		Wylie
		Wyman
		Yatron
		Young, Alaska
		Young, Ill.

NOES—122

Alexander	Erlenborn	Patten
Andrews, N.C.	Esch	Pepper
Andrews, N. Dak.	Evans, Colo.	Price, Ill.
Annunzio	Evins, Tenn.	Quillen
Archer	Fisher	Rhodes
Arends	Frelinghuysen	Roberts
Ashbrook	Goodling	Robinson, Va.
Bafalis	Gray	Roush
Bauman	Gross	Roybal
Beard	Hansen, Idaho	Ruppe
Biaggi	Hays	Ruth
Boland	Henderson	Satterfield
Bolling	Hicks	Scherle
Bowen	Hinshaw	Schneebeli
Brademas	Holifield	Shipley
Brinkley	Hosmer	Sisk
Brooks	Hutchinson	Slack
Brown, Ohio	Ichord	Snyder
Burgener	Jarman	Staggers
Burke, Fla.	Johnson, Calif.	Stubblefield
Burleson, Tex.	Jordan	Symms
Burlison, Mo.	Ketchum	Taylor, Mo.
Butler	Kluczynski	Taylor, N.C.
Chamberlain	McClory	Teague
Clawson, Del	McFall	Thomson, Wis.
Collier	Madden	Vigorito
Collins, Tex.	Mahon	Waggonner
Corman	Mallary	Wampler
Crane	Mann	Ware
Daniel, Robert W., Jr.	Martin, Nebr.	Whitten
Danielson	Martin, N.C.	Wiggins
Davis, Wis.	Mills	Wilson, Charles H., Calif.
Delaney	Mizell	Wydler
Dent	Montgomery	Yates
Devine	Moorhead, Pa.	Young, Fla.
Dickinson	Murphy, Ill.	Young, S.C.
Dingell	Murphy, N.Y.	Young, Tex.
Downing	Murtha	Zablocki
Duncan	Natcher	Zion
Edwards, Ala.	Nichols	Zwach
	O'Neill	
	Passman	

NOT VOTING—36

Aspin	Gettys	Landgrebe
Barrett	Green, Oreg.	Landrum
Blackburn	Gunter	McSpadden
Blatnik	Haley	Myers
Brown, Mich.	Hanna	Nix
Daniels, Dominick V.	Hansen, Wash.	Patman
Diggs	Hawkins	Pickle
Donohue	Hébert	Reid
Dorn	Johnson, Pa.	Roncallo, N.Y.
Eckhardt	Kazen	Rooney, N.Y.
Sikes	Kuykendall	Rooney, Pa.
Steiger, Wis.	Stokes	
	Young, Ga.	

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROBISON OF NEW YORK

Mr. ROBISON of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBISON of New York: On page 1, line 7, strike "$2,551,533,000," and insert: "$2,572,533,000, including $21,000,000 for the controlled thermonuclear research program, and"

Mr. ROBISON of New York. Mr. Chairman, those who know me, through my years of service here, know that I am neither a chronic "big-spender" nor a compulsive "boat-rocker." Seldom, for instance, have I concerned myself directly in the work of other committees than those I have served on; and I only do so, now, with substantial reservations for I have a high regard for the Joint Committee, members and staff, and value their judgment.

However, the subject matter before us does involve an issue with which the Public Works-AEC Subcommittee of the Appropriations Committee—on which I do serve—is annually involved, that being the funding level for the various programs carried on by the Atomic Energy Commission. And the funding level we are now considering, for authorization purposes, insofar as the same relates to the AEC's research work on the so-called fusion process for producing electrical energy in a nuclear reactor, also happens to involve a specific issue with which, over the years, I have become personally interested.

Hence, I fell compelled to offer the amendment now before you.

It is a simple amendment, What it would do is add $21 million to the authorized level of what is called "operating expenses," in this bill, so that the fusion research program can proceed according to the Atomic Energy Commission's own stated capability for conducting that research.

Following upon the recommendations of Chairman Dixy Lee Ray's formal Energy Research and Development Report to the President, the AEC proposed to OMB that the Controlled Thermonuclear Research program—what I have been calling fusion research—should receive $112 million for operating expenses during fiscal 1975. OMB sliced that request by $30 million to an administration budgetary recommendation of $82 million. As my colleagues understand, the bill before us proposes to add $9 million to that administration recommendation and, thereby, give the fusion research program an operating budget of $91 million.

Now, fusion power research has shown some encouraging experimental progress during the past year. From testimony presented before the Public Works-AEC Appropriations Subcommittee, it is apparent that the fusion reactor program is beginning to move away from theoretical research and into the practical engineering problems of building an energy-producing fusion reactor.

Although this is not yet a highly dramatic turn of events, it is evidence of the kind of progress we are all going to have to pay careful attention to in the next few years.

In this sense, I hope my amendment will help frame an immensely important question this body will have to answer, in large and small ways, during the coming decade. That is: Are we going to remain flexible enough in our energy research and development programs, and in our allocation of capital and material resources to them, so as to be capable of developing the most promising energy alternatives as they may come along. Put another way: Though we know we have only so many "eggs" to put in so many energy-research "baskets," are we going to avoid the mistake of putting too many of them in just the handiest or more-obvious "baskets"?

If commercial development of the fusion reactor is ever achieved, we would have a source of power with limitless fuel. The basic fusion fuels are effectively in infinite supply. It has been estimated that the fusion fuel in the ocean will last until the earth falls into the sun, which is—one hoped—a long time in the future, so that is really, for us, an infinity. The extraction of that fuel from water has no adverse effects. It leaves no holes; it in no significant way alters water chemistry. The byproducts of extraction are valuable fresh water, hydrogen gas and oxygen gas. In other words, there is no known negative environmental impact associated with fusion fuel production.

Second, there is inherent safety, with no possibility of "nuclear run-away" for two reasons. One is associated with the fact that the plasma, which is the vital agent in the fusion reaction, will not allow all of the particles in the core of the reactor to fuse at one time. The other reason is that the total amount of fuel in a fusion reactor at any moment would be in the order of a gram; so if you made all of that "go" at once, it would only cause a relatively minor temperature increase in the system.

There will be no emergency core cooling problems in these systems, and they do not require any weapons grade materials, so there is no possibility of a diversion for clandestine purpose.

Yet, it is important to emphasize again that the only real certainty about the fusion reactor program is that we still know more about its promise than its prospects. Unlike the "fast-breeder," fusion is clearly still far away from commercial demonstration. However, we are nearing that point of decision when we will have enough experimental data available to begin some long-term energy planning—with or without fusion—as the case may be.

I argue we should move toward that day as expeditiously as sound budgeting practice will allow. The President's Task Force on Energy Research and Development, chaired by AEC Chairman Dixy Lee Ray tells us that the AEC is capable of doing more on fusion power research—and should do more—than is provided in the bill before us. I suggest to my colleagues that we let the AEC proceed, and so I urge adoption of my amendment.

The CHAIRMAN. The time of the gentleman from New York has expired.

(On request of Mr. RHODES, and by unanimous consent, Mr. ROBISON of New York was allowed to proceed for 2 additional minutes.)

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

Mr. ROBISON of New York. I yield to the gentleman from Arizona.

Mr. RHODES. Mr. Chairman, I thank my good friend, the gentleman from New York, for yielding.

As I understand it the amendment offered by the gentleman from New York would actually provide authorization and not appropriation.

Mr. ROBISON of New York. That is correct.

Mr. RHODES. It would authorize the sums of money which the Atomic Energy Commission feels it can efficiently spend on the fusion reactor for the next fiscal year. Is that correct?

Mr. ROBISON of New York. That is correct.

Mr. RHODES. It is also my understanding that the fusion process is almost to the point where we hope for a significant breakthrough which will bring closer by many years the time when this particular means of providing power to the earth without radioactive residue can be accomplished. Is that correct?

Mr. ROBISON of New York. That is my understanding.

Mr. RHODES. Mr. Chairman, the United States has embarked on Operation Independence aimed at supplying our own energy needs in the future.

The nuclear potential offers us a great opportunity to develop safe and dependable power sources independent of imports. We already have made progress, with 6 percent of our power originating from atomic fuel.

The fast-breeder reactor research program is moving ahead. The fusion process offers an alternative with many advantages, and I believe that we should invest research funds to develop technology and pilot programs to determine if it can be brought to commercial feasibility.

I support the amendment of my colleague, Mr. ROBISON, to add $21 million to the Atomic Energy Commission authorization, to step up research on the fusion approach to solving our long-term energy demands. We will need to develop many alternative sources to shed dependence on foreign petroleum, and it behooves us to investigate those that appear to have a high potential energy yield.

I hope the gentleman's amendment will be adopted.

Mr. ROBISON of New York. I appreciate the gentleman's help.

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

Mr. Chairman, I find myself in a peculiar position. During the last 2 years now I have worked to increase the fusion budget, last year I worked successfully to increase it by $8.5 million, and this year I worked successfully in the committee to increase it by $9 million. However, I rise to oppose this amendment, agreeing with the gentleman from New York on all points except that this extra $21 million could really be used advantageously by the Atomic Energy Commission in the fusion research and development program during fiscal year 1975.

I agree with him that we are on a new plateau in fusion research and development, that now for the first time the physicists who are operating in fusion research programs understand the physics and dynamics of the plasma in which the fusion reaction must occur.

Now for the first time we can with reasonable accuracy predict success; but we are in the midst of an orderly program which the committee considered very seriously in authorizing a total of $91 million, a $9 million increase over the OMB recommendation.

Now, let me explain some of the background in this matter. We are almost doubling the amount of money available for magnetic fusion research development in 1 year's time. At the present time, in fiscal year 1974, the total budget for magnetic fusion is $57 million. This includes capital equipment and construction costs. We are increasing it, according to the committee request, to $111.3 million, almost doubling it in 1 year's time.

That is not all, Mr. Chairman. We are in the midst of a 5-year program for research and development. Let me read the figures for the next 4 fiscal years; going from a total of $111.3 million for fiscal year 1975, we plan for fiscal year 1976 to go to $180 million; in fiscal year 1977 to about $250 million; in fiscal year 1978 to $330 million; in fiscal year 1979 to $340 million, for a total of $1.2 billion.

In addition to that, we will be spending $440 million for laser research, including military and civilian applications. This is a total of 1.6 billion that has been funded for this program.

Now, we must have a controlled and orderly program. We cannot produce fusion just by spending dollars.

The recommendation made by the Atomic Energy Commission for a total of $21 million more than the present budget was made last fall, about 6 months ago.

The OMB recommendations were made last December and the AEC has been operating on these recommendations since that time. When the committee increased the OMB figure by $9 million, it did so for four specific areas of operations which the AEC has agreed to follow; in materials research, in new exploratory concepts, in neutral beam concepts and in superconducting magnetic development.

Now, it is not realistic to imagine that because we put more money into the research budget, research can be accelerated overnight. It has to be planned and programed. The program under which the AEC is conducting fusion R. & D. is a well-organized one, and I recommend, as much as I respect the gentleman from New York, that we vote down the amendment.

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

Mr. McCORMACK. I will be happy to yield to the gentleman from New York.

Mr. ROBISON of New York. I understand that Chairman Ray in the AEC recommended a 5-year program for fusion of $1.340 billion. What we have now

is the OMB 5-year program of $1.2 billion, this being the first installment of it. It is some $14 million below overall what AEC thought was an orderly program to begin with.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCORMACK. Mr. Chairman, I request 1 additional minute to respond to this question.

(By unanimous consent Mr. McCORMACK was allowed to proceed for an additional 1 minute.)

Mr. McCORMACK. I can only say in answer to the question the gentleman has raised that the AEC budget was prepared last fall, that the AEC has been operating on the OMB recommendations of a reduced figure since December, and that their present programs are based on these reduced figures.

Mr. Chairman, I am perfectly willing to join the gentleman, because I think I am as enthusiastic a supporter of the fusion program as he is, in a serious reevaluation of this program for the next fiscal year to see whether the $180 million should be increased at that time, but I do not think it is practical to increase it for fiscal year 1975.

Mr. HOSMER. Mr. Chairman, will the gentleman yield

Mr. McCORMACK. I will be glad to yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, I wish to compliment the gentleman for his very, very perspicacious observations on the nature of the subject. He properly points out that the Dixie Lee Ray estimates were made as a part of the overall energy estimate and not as a part of this AEC budget; later the OMB comes along and identifies on a more precise basis the amount of money that might be more desirable to be spent, but that in this instance can be spent.

Fusion is an area in which we have very few scientific disciplines active and doing the work. We are training them, creating Ph. D.'s in this area and engineers in this area capable of going ahead, which we do not have now. It is a problem of how much money to spend.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

(By unanimous consent and at the request of Mr. HOSMER, Mr. McCORMACK was allowed to proceed for 1 additional minute.)

Mr. HOSMER. Mr. Chairman, therefore, I suggest that the gentleman has stated the case properly, and I do hope that the amendment will be voted down.

Mr. McCORMACK. Mr. Chairman, I thank the gentleman from California for his comments. I want to say, with all due respect to the gentleman from New York, the sponsor of the amendment, that no one can be a stronger enthusiast for the fusion program than I am, and as the members of the joint committee will tell the gentleman, we considered this matter seriously in committee. In addition, I spoke last week to an American Nuclear Society Fusion Conference in San Diego, to several hundred leading researchers. They were all very happy with the level of funding for fusion research that has been recommended by the committee. I think we should be certain that the program is never budget-limited in the future, and I will be happy to join in future studies with the gentleman from New York to be certain that does not happen.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. ROBISON).

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

RECORDED VOTE

Mr. ROBISON of New York. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 115, noes 283, not voting 35, as follows:

[Roll No. 174]

AYES—115

Abdnor	Gaydos	Mollohan
Abzug	Giaimo	Mosher
Addabbo	Gibbons	Nelsen
Andrews, N. Dak.	Gilman	Obey
Armstrong	Grasso	O'Brien
Badillo	Green, Pa.	Peyser
Bennett	Griffiths	Pike
Biester	Gude	Podell
Bingham	Hanley	Quie
Brasco	Hansen, Idaho	Railsback
Broomfield	Harsha	Rangel
Brotzman	Hastings	Regula
Brown, Calif.	Hechler, W. Va.	Rhodes
Buchanan	Heinz	Riegle
Cederberg	Hillis	Roberts
Chamberlain	Hinshaw	Robison, N.Y.
Chisholm	Holtzman	Rosenthal
Cleveland	Horton	Runnels
Cohen	Huber	Sarasin
Conable	Kastenmeier	Sarbanes
Conlan	Kemp	Schroeder
Conte	King	Shuster
Cotter	Koch	Smith, N.Y.
Coughlin	Lujan	Stanton, J. William
Dellenback	McCollister	Stark
Dellums	McEwen	Steed
Duncan	McKinney	Steele
du Pont	Mallary	Teague
Edwards, Calif.	Maraziti	Towell, Nev.
Esch	Martin, N.C.	Ullman
Fascell	Mathis, Ga.	Waldie
Findley	Mazzoli	Walsh
Fish	Melcher	Whalen
Flynt	Miller	Widnall
Fraser	Minish	Wilson, Bob
Frelinghuysen	Minshall, Ohio	Wright
Frenzel	Mitchell, Md.	Wyatt
Froehlich	Mitchell, N.Y.	Young, Tex.
	Moakley	

NOES—283

Adams	Burton	Donohue
Alexander	Butler	Downing
Anderson, Calif.	Byron	Drinan
Anderson, Ill.	Camp	Dulski
Andrews, N.C.	Carney, Ohio	Eckhardt
Annunzio	Carter	Edwards, Ala.
Archer	Casey, Tex.	Eilberg
Arends	Chappell	Erlenborn
Ashbrook	Clancy	Eshleman
Ashley	Clark	Evans, Colo.
Bafalis	Clausen, Don H.	Evins, Tenn.
Baker	Clawson, Del	Fisher
Bauman	Clay	Flood
Beard	Cochran	Flowers
Bell	Collier	Foley
Bergland	Collins, Tex.	Ford
Bevill	Conyers	Forsythe
Biaggi	Corman	Fountain
Boggs	Crane	Frey
Boland	Cronin	Fulton
Bolling	Culver	Fuqua
Bowen	Daniel, Dan	Ginn
Brademas	Daniel, Robert W., Jr.	Goldwater
Bray	Danielson	Gonzalez
Breaux	Davis, Ga.	Goodling
Breckinridge	Davis, S.C.	Gray
Brinkley	Davis, Wis.	Gross
Brooks	de la Garza	Grover
Brown, Ohio	Delaney	Gubser
Broyhill, N.C.	Denholm	Guyer
Broyhill, Va.	Dennis	Hamilton
Burgener	Dent	Hammer-schmidt
Burke, Calif.	Derwinski	Hanrahan
Burke, Fla.	Devine	Harrington
Burke, Mass.	Dickinson	Hays
Burleson, Tex.	Dingell	Heckler, Mass.
Burlison, Mo.	Downing	Helstoski
Byron	Duncan	Henderson
Camp	Edwards, Calif.	Hicks
Carney, Ohio	Esch	Hogan
Carter	Fascell	Holifield
Casey, Tex.	Findley	Holt
Chappell	Fish	Hosmer
Clancy	Flynt	Howard
Clark	Fraser	Hudnut
Clausen, Don H.	Frelinghuysen	Hungate
Clawson, Del	Frenzel	Hunt
Clay	Froehlich	Hutchinson
Cochran	Gaydos	Ichord
Collier	Giaimo	Jarman
Collins, Tex.	Gibbons	Johnson, Calif.
Conyers	Gilman	Johnson, Colo.
Corman	Grasso	Jones, Ala.
Crane	Green, Pa.	Jones, N.C.
Cronin	Griffiths	Jones, Okla.
Culver	Gude	Jones, Tenn.
Daniel, Dan	Hanley	Jordan
Daniel, Robert W., Jr.	Hansen, Idaho	Karth
Danielson	Harsha	Ketchum
Davis, Ga.	Hastings	Kluczynski
Davis, S.C.	Hechler, W. Va.	Kyros
Davis, Wis.	Heinz	Lagomarsino
de la Garza	Hillis	Landrum
Delaney	Hinshaw	Latta
Denholm	Holtzman	Leggett
Dennis	Horton	Lehman
Dent	Huber	Lent
Derwinski	Kastenmeier	Litton
Devine	Kemp	Long, La.
Dickinson	King	Long, Md.
Dingell	Koch	Lott
Donohue	Lujan	Luken
Downing	McCollister	McClory
Drinan	McEwen	McCloskey
Dulski	McKinney	McCormack
Eckhardt	Mallary	McDade
Edwards, Ala.	Maraziti	McFall
Eilberg	Martin, N.C.	McKay
Erlenborn	Mathis, Ga.	Macdonald
Eshleman	Mazzoli	Madden
Evans, Colo.	Melcher	Madigan
Evins, Tenn.	Miller	Mahon
Fisher	Minish	Mann
Flood	Minshall, Ohio	Martin, Nebr.
Flowers	Mitchell, Md.	Mathias, Calif.
Foley	Mitchell, N.Y.	Matsunaga
Ford	Moakley	Mayne
Forsythe	Mollohan	Meeds
Fountain	Mosher	Metcalfe
Frey	Nelsen	Mezvinsky
Fulton	Obey	Michel
Fuqua	O'Brien	Milford
Ginn	Peyser	Mills
Goldwater	Pike	Mink
Gonzalez	Podell	Mizell
Goodling	Quie	Montgomery
Gray	Railsback	Moorhead, Calif.
Gross	Rangel	Moorhead, Pa.
Grover	Regula	Morgan
Gubser	Rhodes	Moss
Guyer	Riegle	Murphy, Ill.
Hamilton	Roberts	Murphy, N.Y.
Hammer-schmidt	Robison, N.Y.	Murtha
Hanrahan	Rosenthal	Natcher
Harrington	Runnels	Nedzi
Hays	Sarasin	Nichols
Heckler, Mass.	Sarbanes	O'Hara
Helstoski	Schroeder	O'Neill
Henderson	Shuster	Owens
Hicks	Smith, N.Y.	Parris
Hogan	Stanton, J. William	Passman
Holifield	Stark	Patten
Holt	Steed	Pepper
Hosmer	Steele	Perkins
Howard	Teague	Pettis
Hudnut	Towell, Nev.	Poage
Hungate	Ullman	Powell, Ohio
Hunt	Waldie	Preyer
Hutchinson	Walsh	Price, Ill.
Ichord	Whalen	Price, Tex.
Jarman	Widnall	Pritchard
Johnson, Calif.	Wilson, Bob	Quillen
Johnson, Colo.	Wright	Randall
Jones, Ala.	Wyatt	Rarick
Jones, N.C.	Young, Tex.	Rees
Jones, Okla.		Reuss
Jones, Tenn.		Rinaldo
Jordan		Robinson, Va.
Karth		Rodino
Ketchum		Roe
Kluczynski		Rogers
Kyros		Roncalio, Wyo.
Lagomarsino		Rose
Landrum		Rostenkowski
Latta		Roush
Leggett		Rousselot
Lehman		Roy
Lent		Roybal
Litton		Ruppe
Long, La.		Ruth
Long, Md.		Ryan
Lott		St Germain
Luken		Sandman
McClory		Satterfield
McCloskey		Scherle
McCormack		Schneebeli
McDade		Sebelius
McFall		Seiberling
McKay		Shipley
Macdonald		Shoup
Madden		Shriver
Madigan		Sisk
Mahon		Skubitz
Mann		Slack
Martin, Nebr.		Smith, Iowa
Mathias, Calif.		Snyder
Matsunaga		Spence
Mayne		Staggers
Meeds		Stanton, James V.
Metcalfe		Steelman
Mezvinsky		Steiger, Ariz.
Michel		Stephens
Milford		Stratton
Mills		Stubblefield
Mink		Stuckey
Mizell		Studds
Montgomery		Sullivan
Moorhead,		Symington
		Symms
		Talcott
		Taylor, Mo.
		Taylor, N.C.
		Thompson, N.J.
		Thomson, Wis.
		Thone
		Thornton
		Tiernan
		Traxler
		Treen
		Udall
		Van Deerlin
		Vander Jagt
		Vander Veen
		Vanik
		Veysey
		Vigorito
		Waggonner
		Wampler
		Ware
		White
		Whitehurst
		Whitten
		Wiggins
		Williams
		Wilson, Charles H., Calif.
		Wilson, Charles, Tex.
		Winn
		Wolff
		Wydler
		Wylie
		Wyman
		Yates
		Yatron
		Young, Alaska
		Young, Fla.
		Young, Ill.
		Young, S.C.
		Zablocki
		Zion
		Zwach

NOT VOTING—35

Aspin	Green, Oreg.	Myers
Barrett	Gunter	Nix
Blackburn	Haley	Patman
Blatnik	Hanna	Pickle
Brown, Mich.	Hansen, Wash.	Reid
Carey, N.Y.	Hawkins	Roncallo, N.Y.
Collins, Ill.	Hébert	Rooney, N.Y.
Daniels, Dominick V.	Johnson, Pa.	Rooney, Pa.
Diggs	Kazen	Sikes
Dorn	Kuykendall	Steiger, Wis.
Gettys	Landgrebe	Stokes
	McSpadden	Young, Ga.

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. ABZUG

Ms. ABZUG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. ABZUG: Page 1, line 7 delete section (a) and insert the following:

"(a) For "Operating expenses", $2,438,981,000 of which no more than $762,678,000 shall be used as operating funds for the weapons program and no more than $132,200,000 as operating costs in the high-energy physics program category. None of these funds shall be used for conducting underground nuclear testing."

Ms. ABZUG. Mr. Chairman, this amendment seeks to strike $112,552,000 from this bill, which is presently suggested as an authorization for the testing of nuclear weapons. During the general debate, the gentleman from California (Mr. HOLIFIELD), the gentleman from

Illinois (Mr. PRICE), the gentleman from California (Mr. HOSMER), and others, and Mr. ANDERSON indicated that it was very important to recognize that over the years there has been a shift in the balance between the civilian and military use and expenditures of money for nuclear power. The important task is trying to find ways in which nuclear energy can be used in a safe manner, and I am glad that the gentlemen referred to it.

There was also reference to the fact that our nuclear position in the world had been a very important deterrent in dealing with the enemies of this country, and that because we have this enormous deterrent power, we have prevented any country from using power against us. That may also be true. The fact is that we may presently be witnessing, however, a different situation. There is a current debate over retargeting of missiles and a proposed shift in our entire nuclear strategy which moves away from the use of nuclear might, a situation of deterrent power as an instrument in dealing with our enemies to a first strike capacity. I find it particularly disturbing that after having achieved significant advance and superiority in technology, we are still wishing to expend a large sum of money, as a matter of fact, $15 million more than recommended by the AEC, for the testing of military weapons. I oppose this. I oppose it because I think it moves away from our effort to create détente in the country and in the world. It moves away from our desire to find peaceful uses for nuclear energy. It moves away from the fact that the continued testing of nuclear weapons threatens the safety of our own people and of the people of neighboring countries. I oppose it, because it is not necessary for us to test new technology and new weapons in order to maintain our power in the world.

I heard today, and I have heard before, as a justification for testing nuclear weapons despite our enormous superiority and technology in this field, the fact that we have to have parity with the Soviet Union.

No one has seriously challenged the superiority of the United States in nuclear weapons. No one has suggested that we do not have more weapons than the Soviet Union. The debate is over certain kinds of weapons. No one on this floor has seriously challenged the oft repeated statistics that the U.S. strategic nuclear warheads, that is, H-bombs, numbered 6,784 in 1973 and 7,940 in 1974, and that the Soviet Union in mid-1973 possessed 2,200 H-bombs and in mid-1974, 2,600. The basic fact is that we have a preponderance of bombs.

In the other body it has been sensibly suggested that SALT disagreements should be resolved by reducing weapons rather than building and testing new ones and that the ultimate goal should be a comprehensive test ban treaty.

This goal, a total test ban treaty, is essential to prevent the acceleration of an arms race, to prevent the proliferation of nuclear weapons. I submit that the further testing of the military atomic warheads negates this goal.

I suggest that a reacceleration of our arms race will not help us create any kind of security in this country or any other country. I believe this goal of peace and the stated goal of the SALT talks become unreachable if we persist in testing bigger and better and newer and more modern weapons. The sincerity of our protestations of peace for our people and the people of the world are seriously questioned when we make such propositions.

If ever the endless circle of arming and rearming is to be broken, it should be we who are the stronger adversary who take the first step.

I urge my colleagues to put an end to testing of military weapons which threaten our lives and threaten the world's atmosphere.

Mr. PRICE of Illinois. Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from New York.

Testing of nuclear weapons is the very heart of the Atomic Energy Commission's nuclear weapons research and development program. Without an aggressive nuclear weapons test program—as required by the Congress in the Safeguards of the Limited Nuclear Test Ban Treaty—there would be no real progress in maintaining that essential edge of quality in our strategic nuclear deterrent. That deterrent is the core of our national security. It is also the keystone of gaining any further effective progress with the Soviet Union in arms limitation agreements through SALT II. Were the test program eliminated, we would also find a sure and certain withering away of the nuclear weapons laboratories of the AEC. The tests are an integral part of the weapons research and development program—not an adjunct. In this uncertain world where détente is a hope but not a certainty, this year would be the wrong time to take an action which would cut the heart out of maintaining our strategic deterrent ready and vigorous over the long haul. I therefore oppose the amendment which would eliminate the nuclear weapons test program.

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

Mr. PRICE of Illinois. I yield to the gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Chairman, I just want to affirm what the chairman of the committee has said. The strength of the United States in nuclear weapons figured in SALT I talks. This is a $115 million cut suggested by the gentlewoman from New York.

This is in the weapons testing program which is required by the treaty safeguards, as the gentleman said.

Now, why is this important? It is important because there is continuous testing in the Soviet Union of new types of warheads. They are developing the MIRV warhead right now and we know from our intelligence sources they have obtained a certain advance in that field. If we stop our testing at this time, we are just turning the field over to them.

I am really concerned as an American citizen of us keeping our strength so that we can have power at the diplomatic table to get the kind of a peace this world wants. It will not come through weakness on our part. It will come through strength at the table and that strength must be based on our capability.

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

Mr. PRICE of Illinois. I yield to the gentleman from California.

Mr. HOSMER. By striking out the funds for nuclear spending by the United States, it will amount to a sudden policy reversal with most drastic worldwide repercussions. It is most unthinkable that this House would make a move of such magnitude with so little debate, so little background for the Nation depending so much for so many years upon this kind of protection for its national security.

I strongly urge that the amendment be disposed of and be defeated as decisively as possible.

Mr. PRICE of Illinois. Mr. Chairman, I urge that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. ABZUG).

The question was taken; and on a division (demanded by Ms. ABZUG) there were—ayes 6, noes 78.

So the amendment was rejected.

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

Mr. Chairman, I note on page 2 of the report this language:

> The recommended authorization for fiscal year 1975 is $3,676,833,000, which is $76,560,000, or about 2 percent more than the amount requested.

Who recommended the $76,560,000 above the original request? Who is the author of that request, if I may ask the chairman of the committee?

Mr. PRICE of Illinois. If the gentleman from Iowa will yield, the $76 million was added, of course, in the committee. This is 45 percent, as the gentleman says, over the request of the Commission. Thirty-two percent of that was for energy related programs that were not considered at the time the Commission sent their original request to us.

Mr. GROSS. So the $76,560,000 is unbudgeted, is that correct?

Mr. PRICE of Illinois. No, not exactly; most of the items added for the energy related program were the result of late budgeting after the President's request or recommendation to step up the energy program for energy development.

Mr. GROSS. The bill as submitted to the House calls for the spending in fiscal year 1975 of $1,130,518,000 above the amount requested for the same general purposes in fiscal year 1974; is that correct?

Mr. PRICE of Illinois. That is correct.

Mr. GROSS. Plus $600,000 as approved by the House for the special privilege solar heat experimental project in New Mexico a few moments ago, which had no place in this bill. In other words, we have a highly enriched atomic energy bill for fiscal 1975?

Mr. PRICE of Illinois. Not exactly; the gentleman's statement is not exactly correct. It is an increase, but a great amount of that increase also is based on the cost of living, and that plus more

put into the program. If we expect to maintain the program and increase the fusion, this increase is necessary.

Mr. GROSS. Mr. Chairman, has any Member of the House been made aware of the fact that there is no money in the U.S. Treasury; that this money will have to be borrowed and 8 percent interest paid on the money? How in the world can a $1,100,000,000 increase over last year, to a total of $3,676,000,000, be justified?

Mr. PRICE of Illinois. I tried as best I could to relate why some of these increases occurred. Many of them are because of our determination to do something about developing new sources of energy in this country to meet the problems of the future.

Mr. GROSS. Mr. Chairman, if this runaway inflation continues—I think the gentleman will agree with me—if this inflation continues, there will not be the need for some of the energy consumption that we have today. Does the gentleman not agree with that?

Mr. PRICE of Illinois. I agree with the gentleman, but I also think the gentleman will agree with me that $3.6 billion is a big figure, but in relation to some other areas of government, it is a small figure.

Mr. GROSS. It assumes an even larger figure, in the mind of the gentleman from Iowa, when it is $1,100,000,000 more than was appropriated for these purposes last year.

Mr. PRICE of Illinois. Mr. Chairman, I stated the reason for these increases.

Mr. GROSS. Mr. Chairman, this leads to a question—and I do not expect the gentleman to answer it—it leads to a quesion of where it is proposed to get this kind of money.

Mr. PRICE of Illinois. The gentleman has been here as long as I have been, and he knows where the money comes from.

Mr. GROSS. Mr. Chairman, is it true that this bill provides for the sale to foreign countries of enriched uranium to the tune of about a half billion dollars?

Mr. PRICE of Illinois. Yes, but that is a program that the gentleman should favor because that develops money for our own economy. That brings back money. That is one of our most profitable operations.

Mr. GROSS. If we get paid for it.

Mr. PRICE of Illinois. We do.

Mr. GROSS. Mr. Chairman, this bill, with its increase of $1,130,518,000 over last year and to a total of $3,677,433,000, has been enriched to the point where my blood cannot assimilate it. This country is in a critical financial situation. No authorization bill should provide for a one-third increase in spending or anything approaching that figure.

In the event there is no record vote on this measure let the record show that I am opposed to it.

AMENDMENT OFFERED BY MR. WALDIE

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

The Clerk read as follows:

Amendment offered by Mr. WALDIE: On page 11, after line 7 insert the following:

"SEC. 109. Notwithstanding any other provisions of this Act, no funds authorized hereunder shall be expended for the construction or operation of nuclear fission power plants in the United States pending action by the United States Congress following a comprehensive one year study and report to the Congress by the Office of Technological Assessment concerning the nuclear fuel cycle, with particular emphasis on its safety and environmental hazards."

Mr. WALDIE. Mr. Chairman, I wish to inform the members of the Committee that what I am proposing in this amendment is that we refer the problems of safety in the operation of nuclear power plants to the Office of Technological Assessment for a comprehensive report as to precisely what the extent of the present day hazards are, particularly in view of the fact that we are contemplating a major proliferation of nuclear energy powered plants in the country.

I have offered the amendment, in part, in accord with the spirit that I think the gentleman from Wyoming (Mr. RONCALIO) expressed earlier today when he said that this source of energy does offer a great deal of hope to us, but that it is being resisted constantly throughout the country because the people's fears have not in fact been addressed and the people's concerns have not in fact been alleviated.

I believe that a year's study, addressing those fears and concerns, would do much to remove doubts that now exist. Let me list some of those doubts.

Christian Science Monitor, in an article on Thursday, April 11, 1974, discussed the problem of the protection of nuclear materials from theft and illegal use, and that was the result of a study of the Ford Foundation, which concluded "that under conceivable circumstances a few persons, possibly even one person working alone, who possessed about 10 kilograms of plutonium oxide and a substantial amount of chemical high explosives, could within several weeks design and build a crude fission bomb."

The study goes on to conclude that it is unlikely that will happen, that the probabilities are very low. But it suggests that the safety protections and security protections of these materials in transit are so inadequate that the probabilities exist and the amount of damage that would be done does not seem to permit us to tolerate inadequate security measures.

In addition, Mr. Chairman, the problem of the loss of coolant fluid has not yet been resolved. The program to test loss of fluid in the coolant process that was authorized in 1964 is due to be concluded, I understand, some time in 1975 or possibly later.

That, to me, is a most critical safety factor, if we do not know whether or not a really fail-safe technique can be built into this system. And at the present time it is my understanding that we do not know; we hope it is so, and we believe it is so. But the whole purpose of the loss test is to determine this with greater certainty than now exists.

If we do not know that, we certainly ought to be willing to delay this massive proliferation of these nuclear powerplants until such time as an independent investigation, separate and apart from the Atomic Energy Commission, vested in the Office of Technological Assessment, an arm of the Congress, is concluded and completed.

Mr. Chairman, I am also disturbed about the lack of conviction on the part of those to whom I have talked as to whether we have handled properly the problem of waste disposal. It is true that we are dealing now with a fairly minimal problem, I suspect, in terms of the numbers, because the numbers of plants are small. But if we go to the point of the proliferation of plants that is contemplated by the year 2000, then the problem of waste disposal assumes proportions far beyond that which exists today, and I would think the 1-year moratorium upon the proliferation of these plans, while these factors are being studied, would add more confidence to the American people with the feeling that this source of energy is a source of energy that presents acceptable hazards in its uses and in terms of its benefits.

Finally, there is this last issue: I am worried about the fact that the private insurance industry refuses to accept the risk of a nuclear powerplant accident. The private insurance industry has maintained that this risk is beyond its capacity to insure. In response to some of those concerns, the Congress, under the Price-Anderson Act, limited liability. The Congress limited liability, not to that which may or would occur in the event of a nuclear accident in a power plant, but it limited liability to that which it was willing to pay for, and within that limited liability about $600 million, if I recall, or $500 million of it is guaranteed by the Government none of it by the private nuclear powerplants themselves.

The private insurance companies guarantee only a small portion of that risk. The AEC's own studies suggest that the extent of hazard and the extent of loss that we risk in terms of a major accident are quite great.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California (Mr. WALDIE).

Mr. HANSEN of Idaho. Will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. HANSEN of Idaho. I thank the gentleman for yielding.

I want to make the point that while I can sympathize with what appears to be some of the concerns raised by the author of this amendment, as I read it, the amendment does not address itself to those very issues.

The amendment would appear to preclude the construction and operation of fission powerplants. For the most part those plants are not constructed and operated by the Atomic Energy Commission. The Commission exercises regulatory and supervisory authority, but what it would do, as I read the amendment, is stop the operation of naval nuclear powerplants in the United States and stop the reactors used in connection with the materials testing program and all the experimental reactors. In fact, it would preclude the completion of and

the operation of the loss of fluid test, which is a fission reactor and for which there is an urgent need to complete the reactor in order to carry out the tests for safety research purposes.

The question of the gentleman with regard to waste management and the disposal of nuclear materials are things that ought to be examined in the light of the risks and the benefits attached to them, but they would not be covered by the amendment as I read it. There is no prohibition included in it. I think it goes wide of the mark.

I would support the thought that we involve the Office of Technology Assessment in order to review further the results of safety studies now going on in order that Congress would be able to make its own evaluation of the safety of these powerplants.

Mr. HOLIFIELD. Mr. Chairman, the gentleman has correctly stated the situation.

Mr. Chairman, I am constantly amazed at people like my friend from California who want to turn back the clock. Apparently he does not realize that today there are 44 licensed nuclear plants in operation in the United States with a total of 26,389 megawatts and there are 54 more being built at this time with a capacity of 51,669 megawatts and there are 109 on order which would bring in 119,481 megawatts in addition.

What would this do? This amount of nuclear power will save us 2.3 billion barrels of oil per year. We were paying $3.25 a barrel for oil in 1973 and $7.5 billion of American money flowed out against our balance of trade to these foreign countries mostly in the Middle East and South America. Now, what we are faced with is not $3.25 oil but, rather, $10.25 per barrel oil, in most instances, and in a few instances $7, $8, and $9 a barrel oil. We are not talking about a deficit of $7.5 billion at today's oil prices. If we import the same amount of oil that we imported in 1973, it will cost us $22 billion, and that is an outflow of American money.

If there is anybody at all listening, I want them to listen to the effect that this will have on our fiscal situation. You talk about inflation and the depreciation of the dollar. If we do not solve this energy crisis, you are going to have such an attack on the dollar throughout the world that you will not have a 20-cent loss on the dollar, as we had in the last few years, but you will have a 100-cent loss on the value of the dollar.

You will have a 100-percent loss of value of the dollar because we cannot send that amount of dollars out to get energy we need to operate on the present level.

This amendment offered by the gentleman from California seeks to set a moratorium while we study this. What does the gentleman from California think we have been doing since 1946? We have been studying this matter. We have had 18 members of the Joint Committee on Atomic Energy doing this. You, the Congress, have approved these programs that I am talking about to strengthen America from a defense standpoint, and to strengthen it from an economic standpoint. Never was the work of a committee more justified than the work of this committee, for now we stand at the threshold of filling the void in fossil fuels by the use of nuclear power. We will fill half of this need by the year 2000 unless we have nervous Nellies and doubting Thomases come forward saying that they are concerned and they are worried about the future. Well, I am concerned, and I am worried too. I am worried about the fiscal integrity of this country. I am worried about the industrial productivity of this country. I am worried about the military power of this country. I am concerned and I am worried. I am worried from the standpoint of the 28 years of study of this problem, but not from reading some nervous Nellie's stories in the Progressive magazine, or some other magazine where they predict catastrophe and calamity to everybody in the world. Why, if we had had that kind of an attitude we would have never had the automobile. We would never have had the train. We would still be sitting in caves with our ancestors beside a wood fire, scratching ourselves for recreation and eating burnt meat.

Let us vote this amendment down.

Mr. FISH. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from California (Mr. WALDIE).

Mr. Chairman, in the first session of this Congress I introduced legislation providing for a 1-year moratorium on the construction of new atomic plants. My approach provided for a comprehensive investigation by the National Academy of Sciences of the safety implications of AEC licensing procedures, site selection, security, and the level of radioactive emissions permitted.

I support the amendment of the gentleman from California. We need to know a great deal more about the problems and hazards involved before we make a commitment to nuclear power that will be irrevocable.

Today only 1 percent of our energy is derived from atomic power—about that derived from firewood. It is the potential for death and destruction, not its as yet unproved contribution to our energy needs, that should concern us. We should be as concerned about the safety of our citizens as we are about their energy needs.

The gentleman's amendment properly calls for a study by an agency other than the AEC. A scientific inquiry of this importance must have the utmost credibility. It would appear obvious that the agency responsible for fostering atomic power and licensing atomic plants is not the one to examine itself.

Ms. ABZUG. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from California (Mr. WALDIE).

Mr. Chairman, we may not be able to have these new developments that are so needed unless we exercise the restraints and use the technologies that we have in a way that will bring about progress without great sacrifice.

All of us are interested in alternative forms of energy, and we would all like to see the effective and peaceful use of nuclear power. But many areas of grave concern have been raised by the Natural Resources Defense Council, which is a body composed of citizens and scientists of well-known reputation. These people have raised the issue of the inherent risks of accidents and leakage, theft or blackmail in these reactors, and the massive difficulties with radioactive wastes.

The major concern of the Natural Resources Defense Council is that these reactors would produce hundreds of thousands of pounds of plutonium, capable of annihilating the entire human population. Not just our population—1 ounce of radioactive plutonium could do that—but the whole human race. Yet the AEC proposes to build hundreds of such reactors by the end of the century.

Our newspapers and magazines have been filled with these concerns and with specific evidence of weaknesses inherent in the handling of these reactors. I do not think that emotionalism or impassioned speeches—with which I always am in great sympathy, having tossed off a few myself at times—can or will give us clearcut answers to these very serious questions which have been raised.

We have the ability to use the correct kind of research with the necessary amount of restraint, and to do the essential study that is being proposed here today. We must not act hastily at the expense of civilization, or any part of civilization, when we can act to prevent nuclear disaster.

Therefore, Mr. Chairman, I support the amendment offered by the gentleman from California (Mr. WALDIE) to explore all avenues before we leap into a catastrophic program without first making sure we know all its weaknesses.

Mr. HOSMER. I rise in opposition to the amendment. It is time, for the record, that these alleged risks from nuclear power that people are always talking about in vague and indefinite terms be specified.

In exchange for a year or more moratorium on nuclear plants which today produce just under 6 percent of the Nation's electricity the amendment would impose, by legislative fiat, something which would be very, very costly, the benefit would be only a respite of that length of time from whatever the risks of operating these plants may be.

Now, what is that worth? Let us find out what kind of a bargain my colleague from California (Mr. WALDIE) is asking you to strike.

It works out just about like this:

Despite what alarmists tell you, the risks from nuclear processes are trivial, and totally outweighed by their benefits.

The minute amount of radiation lost from powerplants to the environment will always constitute a minifraction of the sea of natural radiation in which we are born and live our lives.

Storage and disposal of long-lived radioactive byproducts is a nonproblem because the amount will always remain small enough to be easily manageable. By the year 2000 it will total only enough high level waste to cover a football field 3 feet deep.

As for accidents, Dr. Dixy Lee Ray, Chairman of the AEC, affirms that the worst possible nuclear reactor accident

"credible in any way" would not take more lives than the crash of a large airplane. And, the possibility of one happening is but one-in-a-million per year of reactor operation.

The gentleman's amendment would strike just about the most lousy bargain for the people of the United States that anyone ever tried to impose. I urge defeat of the amendment. I urge its defeat soundly.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. WALDIE).

The amendment was rejected.

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

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BURLISON of Missouri, 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. 13919, to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the amendment.

The 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.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 3292) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, a bill similar to H.R. 13919 just passed by the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

MOTION OFFERED BY MR. PRICE OF ILLINOIS

Mr. PRICE of Illinois. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PRICE of Illinois moves to strike out all after the enacting clause of the bill S. 3292 and insert in lieu thereof the provisions of H.R. 13919, as passed, as follows:

SEC. 101. There is hereby authorized to be appropriated to the Atomic Energy Commission in accordance with the provisions of secton 261 of the Atomic Energy Act of 1954, as amended:

(a) For "Operating expenses", $2,551,533,000 not to exceed $132,200,000 in operating costs for the high-energy physics program category.

(b) For "Plant and capital equipment", including construction, acquisition, or modification of facilities, including land acquisition; and acquisition and fabrication of capital equipment not related to construction, a sum of dollars equal to the total of the following:

(1) NUCLEAR MATERIALS.—

Project 75–1–a, additional facilities, high-level waste handling and storage, Savannah River, South Carolina, $30,000,000.

Project 75–1–b, replacement ventilation air filter, H chemical separations area, Savannah River, South Carolina, $6,000,000.

Project 75–1–c, new waste calcining facility, Idaho Chemical Processing Plant, National Reactor Testing Station, Idaho, $20,000,000.

Project 75–1–d, waste management effluent control, Richland, Washington, $3,500,000.

Project 75–1–e, retooling of component preparation laboratories, multiple sites, $4,500,000.

Project 75–1–f, atmospheric pollution control facilities, stoker fired boilers, Savannah River, South Carolina, $7,500,000.

(2) NUCLEAR MATERIALS.—

Project 75–2–a, additional cooling tower capacity, gaseous diffusion plant, Portsmouth, Ohio, $2,200,000.

(3) WEAPONS.—

Project 75–3–a, weapons production, development, and test installations, $10,000,000.

Project 75–3–b, high energy laser facility, Los Alamos Scientific Laboratory, New Mexico, $22,600,000.

Project, 75–3–c, TRIDENT production facilities, various locations, $22,200,000.

Project 75–3–d, consolidation of final assembly plants, Pantex, Amarillo, Texas, $4,500,000.

Project 75–3–e, addition to building 350 for safeguards analytical laboratory, Argonne National Laboratory, Illinois, $3,500,000.

(4) WEAPONS.—

Project 75–4–a, technical support relocation, Los Alamos Scientific Laboratory, New Mexico, $2,800,000.

(5) CIVILIAN REACTOR RESEARCH AND DEVELOPMENT.—

Project 75–5–a, transient test facility, Santa Susana, California, $4,000,000.

Project 75–5–b, advanced test reactor control system upgrading, National Reactor Testing Station, Idaho, $2,400,000.

Project 75–5–c, test reactor area water recycle and pollution control facilities, National Reactor Testing Station, Idaho, $1,000,000.

Project 75–5–d, modifications to reactors, $4,000,000.

Project 75–5–e, high temperature gas reactor fuel reprocessing facility, National Reactor Testing Station, Idaho, $10,100,000.

Project 75–5–f, high temperature gas reactor fuel refabrication pilot plant, Oak Ridge National Laboratory, Tennessee, $3,000,000.

Project 75–5–g, molten salt breeder reactor (preliminary planning preparatory to possible future demonstration project), $1,500,000.

(6) PHYSICAL RESEARCH.—

Project 75–6–a, accelerator and reactor improvements and modifications, $3,000,000.

Project 75–6–b, heavy ion research facilities, various locations, $19,200,000.

Project 75–6–c, positron-electron joint project, Lawrence Berkeley Laboratory and Stanford Linear Accelerator Center, $900,000.

(7) BIOMEDICAL AND ENVIRONMENTAL RESEARCH AND SAFETY.—

Project 75–7–a, upgrading of laboratory facilities, Oak Ridge National Laboratory, Tennessee, $2,100,000.

Project 75–7–b, environmental research laboratory, Savannah River, South Carolina, $2,000,000.

Project 75–7–c, intermediate-level waste management facilities, Oak Ridge National Laboratory, Tennessee, $9,500,000.

Project 75–7–d, modifications and additions to biomedical and environmental research facilities, $2,850,000.

(8) BIOMEDICAL AND ENVIRONMENTAL RESEARCH AND SAFETY.—

Project 75–8–a, environmental sciences laboratory, Oak Ridge National Laboratory, Tennessee, $8,800,000.

(9) GENERAL PLANT PROJECTS.—$55,650,000.

(10) CONSTRUCTION PLANNING AND DESIGN.—$2,000,000.

(11) CAPITAL EQUIPMENT.—Acquisition and fabrication of capital equipment not related to construction, $208,850,000.

(12) REACTOR SAFETY RESEARCH.—

Project 75–12–a, reactor safety facilities modifications $1,000,000.

(13) APPLIED ENERGY TECHNOLOGY.—

Project 75–13–a, hydrothermal pilot plant, $1,000,000.

SEC. 102. LIMITATIONS.—(a) The Commission is authorized to start any project set forth in subsections 101(b) (1), (3), (5), (6), (7), (12), and (13) only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Commission is authorized to start any project set forth in subsection 101(b) (2), (4), (8), and (10) only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

(c) The Commission is authorized to start any project under subsection 101(b) (9) only if it is in accordance with the following:

(1) The maximum currently estimated cost of any project shall be $500,000 and the maximum currently estimated cost of any building included in such project shall be $100,000: provided that the building cost limitation may be exceeded if the Commission determines that it is necessary in the interest of efficiency and economy.

(2) The total cost of all projects undertaken under subsection 101(b) (9) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

(d) The total cost of any project undertaken under subsection 101(b) (1), (3), (5), (6), (7), (12), and (13) shall not exceed the estimated cost set forth for that project by more than 25 per centum, unless and until additional appropriations are authorized under section 261 of the Atomic Energy Act of 1954, as amended, provided that this subsection will not apply to any project with an estimated cost less than $5,000,000.

(c) The total cost of any project undertaken under subsection 101(b) (2), (4), (8), (9), and (10) shall not exceed the estimated cost set forth for that project by more than 10 per centum, unless and until additional appropriations are authorized under section 261 of the Atomic Energy Act of 1954, as amended, provided that this subsection will not apply to any project with an estimated cost less than $5,000,000.

SEC. 103. The Commission is authorized to perform construction design services for any Commission construction project whenever (1) such construction project has been included in a proposed authorization bill transmitted to the Congress by the Commission, and (2) the Commission determines that the project is of such urgency that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction.

SEC. 104. Any moneys received by the Commission (except sums received from the disposal of property under the Atomic Energy Community Act of 1955, as amended (42 U.S.C. 2301)), may be retained by the Commission and credited to its "Operating expenses" appropriation notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484).

SEC. 105. Transfers of sums from the "Operating expenses" appropriation may be made to other agencies of the Government for the performance of the work for which the appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred.

SEC. 106. When so specified in an appro-

priation Act, transfers of amounts between "Operating expenses" and "Plant and capital equipment" may be made as provided in such appropriation Act.

SEC. 107. AMENDMENT OF PRIOR YEAR ACTS.—(a) Section 101 of Public Law 89–428, as amended, is further amended by striking from subsection (b)(3) project 67–3–a, fast flux test facility, the figure "$87,500,000", and substituting therefor the figure "$420,000,000".

(b) Section 101 of Public Law 91–273, as amended, is further amended by striking from subsection (b)(1), project 71–1–f, process equipment modifications, gaseous diffusion plants, the figure "$172,100,000" and substituting therefor the figure "$295,100,000".

(c) Section 106 of Public Law 91–273, as amended, is further amended by striking from subsection (a) the figure "$2,000,000" and substituting therefor the figure "$3,000,000," and by adding thereto the following new subsection (c):

"(c) The Commission is hereby authorized to agree by modification to the definitive cooperative arrangement reflecting such changes therein as it deems appropriate for such purpose, to the following: (1) to execute and deliver to the other parties to the AEC definitive contract, the special undertakings of indemification specified in said contract, which undertakings shall be subject to availability of appropriations to the Atomic Energy Commission (or any other Federal Agency to which the Commission's pertinent functions might be transferred at some future time) and to the provisions of section 3679 of the Revised Statutes, as amended; and (2) to acquire ownership and custody of the property constituting the Liquid Metal Fast Breeder Reactor powerplant or parts thereof, and to use, decommission, and dispose of said property, as provided for in AEC definitive contract."

(d) Section 101 of Public Law 92–310, as amended, is amended by striking from subsection(b)(4), project 73–4–b, land acquisition, Rocky Flats, Colorado, the figure "$8,000,000" and substituting therefor the figure "$11,400,000".

(e) Section 101 of Public Law 93–60 is amended by (1) striking from subsection (b)(1), project 74–1–a, additional facilities, high level waste storage, Savannah River, South Carolina, the figure "$14,000,000" and substituting therefor the figure "$17,500,000", (2) striking from subsection (b)(1), project 74–1–g, cascade uprating program, gaseous diffusion plants, the words "(partial AE and limited component procurement only)" and further striking the figure "$6,000,000" and substituting therefor the figure "$183,100,000", and (3) striking from subsection (b)(2), project 74–2–d, national security and resources study center, the words "(AE only), site undesignated" and substituting therefor the words "Los Alamos Scientific Laboratory, New Mexico" and further striking the figure "$350,000" and substituting therefor the figure "$4,600,000".

SEC. 108. RESCISSION.—(a) Public Law 91–44, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 70–1–b, bedrock waste storage (AE and site selection drilling only), Savannah River, South Carolina, $4,300,000.

(b) Public Law 92–84, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 72–3–b, national radioactive waste repository, site undetermined, $3,500,000.

(c) Public Law 92–314, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 73–6–c, accelerator improvements, Cambridge Electron Accelerator, Massachusetts, $75,000.

TITLE II

SEC. 201. Section 157b.(3) of the Atomic Energy Act of 1954, as amended, is amended by striking out "upon the recommendation of" and inserting in lieu thereof "after consultation with".

The motion was agreed to.

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

A motion to reconsider was laid on the table.

A similar House bill (H.R. 13919) was laid on the table.

AMENDING THE ARMS CONTROL AND DISARMAMENT ACT

Mr. MORGAN. 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. 12799) to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations, and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12799 with Miss JORDAN in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule the gentleman from Pennsylvania (Mr. MORGAN) will be recognized for 30 minutes and the gentleman from New York (Mr. FRELINGHUYSEN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. MORGAN).

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

Madam Chairman, the bill before us, H.R. 12799, authorizes an appropriation of $10.1 million to fund the Arms Control and Disarmament Agency in fiscal year 1975.

The bill also amends the Agency's authority to obtain the services of consultants in line with the authority given by Congress to other agencies of the executive branch.

Further, the bill requires the Director of the Arms Control and Disarmament Agency to file an arms control impact statement with Congress on new strategic weapons systems costing more than $50 million, and in certain other circumstances.

In its original request, the executive branch asked for a 2-year authorization of $21 million for fiscal years 1975 and 1976.

After giving the request careful consideration, the committee decided to limit the Agency to a 1-year authorization and set a figure at $10.1. That amount is equal to the appropriations request by the Agency for fiscal year 1975.

We limited the authorization to 1 year because the committee is about to begin a thorough study of the Agency and its role in arms control policymaking.

The Committee on Foreign Affairs has exercised oversight over the Arms Control and Disarmament Agency since its inception in 1961. The time has come now to see how the Agency has passed the test of time and what changes should be made in its organization and operations.

Such a review will be conducted by the Subcommittee on National Security Policy and Scientific Developments, chaired by Mr. ZABLOCKI.

That subcommittee expects to have its study completed and its legislative recommendations, if any, ready early next year—in time for authorizing the Agency's budget for fiscal year 1976.

The second purpose of the legislation before us today is to bring the Agency's authority to obtain the services of experts and consultants in line with other Government agencies.

The old ceiling of $100 per day was set back in 1961.

At present, other Government agencies, including the Departments of State and Defense, can pay their consultants up to $138.48 a day.

The bill would give the Arms Control and Disarmament Agency similar authority. The total cost of the increased ceiling to the Agency will, at maximum, be $20,000.

A third purpose of this bill is to require the Director of the Arms Control and Disarmament Agency to report regularly to Congress on the arms control impact of strategic weapons programs in two situations:

First, when a new weapons system has an annual cost of $50 million or more; and

Second, when another Government agency has taken an action which the Director believes will have a substantial impact on U.S. strategic arms or arms control policies.

This amendment was added in our committee as a modest but useful step toward obtaining for Congress improved information about nuclear arms policy and strategic weapons systems.

We all are by now familiar with environmental impact reports. The reports required by this amendment would be arms control impact reports to Congress.

They would help improve the authorization, appropriations and oversight functions of the legislative branch in this important area of national security.

There has been some suggestion that the reporting requirement will mean considerable additional cost to ACDA.

From the information available to us, we do not believe that to be true. The Agency already develops similar kinds of information about weapons systems and arms policy as part of its normal work. That information is provided to other parts of the executive branch.

This amendment would simply make the same sort of information available to the proper committees of the Congress.

We have also provided, in the legislative history, that confidential or classified materials could be included and would be handled by the committees involved under the usual injunction of secrecy.

Madam Chairman, the committee is convinced that the Arms Control and Disarmament Agency continues to do very essential work.

Important negotiations are now going on with the Soviets on strategic arms—the so-called SALT II negotiations.

Other important arms control talks involving NATO and the Warsaw Pact nations are in progress in Vienna. They are known as MBFR—mutual and balanced force reduction talks.

Soon, in Geneva, the Conference of the Committee on Disarmament will renew its consideration of a variety of arms control subjects.

Finally, preparations are beginning now for the review conference required by the Nuclear Non-Proliferation Treaty, NPT—a conference to be held some time next year.

The Arms Control and Disarmament Agency is intimately involved in all of those efforts. For that essential work, it deserves the support of the Congress.

I, therefore, urge the strong approval of H.R. 12799 by the House as the bill was reported from the Committee on Foreign Affairs.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. FRELINGHUYSEN).

(Mr. FRELINGHUYSEN asked and was given permission to revise and extend his remarks.)

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

Madam Chairman, I am a supporter of the work of the Arms Control and Disarmament Agency. And today I am pleased to support the Foreign Affairs Committee's recommendation of a 1-year authorization for the Agency in the amount of $10.1 million for fiscal year 1975.

The Agency is a key element in the important arms control negotiations in which our country has been engaged. These include the strategic arms limitation talks, SALT, mutual and balanced force reductions in Europe, MBFR, the Conference of the Committee on Disarmament, CCD, and other activities such as its work with the International Atomic Energy Agency on nuclear safeguards.

It has the major, supportive role in the SALT II negotiations. Certainly, if these negotiations are ultimately to succeed, we must continue to have a vigorous, adequately funded agency. In this connection, I must say I support the plans of our Subcommittee on National Security Policy and Scientific Development to conduct an indepth study of the Agency. In view of the continuing importance of the arms control negotiations we must be sure that the Arms Control and Disarmament Agency is properly structured and has the necessary congressional mandate to do the job.

However, I strongly oppose the far-reaching amendment of Mr. HARRINGTON which was adopted by the committee without prior consideration during the hearings.

I would urge that all the Members read the additional views which are in the committee report. As noted in the "additional views" of the committee report, this ill-advised amendment would give the Agency a major oversight role over other Federal agencies, thus duplicating the work of congressional committees which have jurisdiction over the agencies and properly perform the oversight function vested in the Congress.

Aside from my objection to the Harrington amendment, which I will vote to delete from the bill, I support this legislation and urge its passage.

Mr. MORGAN. Madam Chairman, I yield such time as he may consume to the gentleman from Wisconsin (Mr. ZABLOCKI).

Mr. ZABLOCKI. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I rise in support of the legislation before the House this afternoon—H.R. 12799.

As an original sponsor of the Arms Control and Disarmament Act, I have for many years been deeply interested in the operation of the law and of the agency—the Arms Control and Disarmament Agency—which it established.

Still fresh in my memory are the warnings of some critics that the formation of such an agency would give haven to radical disarmers and undermine our national security.

As we know, those warnings were unfounded. Instead, the Arms Control and Disarmament Agency — CDA — has helped strengthen our national security through its work in negotiating and backstopping a variety of agreements to slow down the arms race and minimize dangers of world catastrophe.

Let me review briefly some of the international agreements on arms control in which the Agency has been directly involved:

In 1963, it helped negotiate the Limited Test Ban Treaty which restricted nuclear testing to underground locations for the signatory nations—which include the United States and the Soviet Union. As a result of that agreement, the dangers to the health of millions from radioactive fallout have been greatly diminished.

In 1967, ACDA helped negotiate a treaty banning nuclear explosions in outer space and a treaty prohibiting the deployment of weapons in Latin America.

In 1968 the Agency was instrumental in framing U.S. policy on nuclear proliferation during talks which resulted in the Nuclear Non-Proliferation Treaty—NPT.

At the Conference of the Committee on Disarmament in Geneva—known as the CCD—the ACDA officials in 1971 negotiated the Seabed Arms Control Treaty, and in 1972, an international ban on the stockpiling and use of biological weapons.

ACDA also has been intimately involved in bilateral agreements with the Russians on arms control. In 1963 it helped negotiate the "hot line" agreement with the Soviets and it led the delegation for the first phase of the strategic arms limitation talks—known as SALT I.

From SALT I came a number of agreements—two minor ones in 1971 which improved the "hot line" agreement and provided precautions against nuclear accidents, and two major agreements in 1972.

Those major SALT agreements marked the most important steps ever taken to phase down the nuclear arms race.

The treaty on defensive weapons has meant that the United States has been spared the expense of building an anti-ballistic-missile system whose usefulness was a matter of great controversy.

The interim agreement on strategic offensive weapons—which was overwhelmingly approved by the House in the summer of 1972—also helped prevent another expensive spiral in the arms race.

All these agreements—important as they are—have simply opened the way for further negotiations to control arms. Among them are SALT II with the Soviets, the mutual and balanced force reduction talks in Vienna, and discussions on a comprehensive nuclear test ban and chemical warfare ban at the CCD.

In order that ACDA can continue to pay the role which Congress intended when it established the Agency in 1961, I believe that a thoroughgoing study of the Agency's activities should be undertaken at this time.

For that reason the committee in this bill approved a 1-year authorization, rather than the 2-year term requested by the executive branch.

During the next few months the House Foreign Affairs Subcommittee on National Security Policy and Scientific Developments, of which I am chairman, will conduct an intensive review of the Agency's activities and its role in the making of U.S. arms control policy.

The results of that study will be made available to the full committee and the Congress early in 1975 in ample time to draft new legislation to extend the authorization of the Agency.

The study is needed now for several reasons:

First, although 13 years have elapsed since Congress created the Agency, it has never been subjected to an in-depth review.

Although the Foreign Affairs Committee exercised its oversight responsibilities through the biannual authorization process, such an examination necessarily is limited in time and scope.

A second reason for the study are indications that the Agency has, in some instances, diverged from congressional intent, as expressed in the basic legislation.

For example, although the Arms Control and Disarmament Act directs the Agency to disseminate public information about arms control as a "primary responsibility," only a small portion of its budget is devoted to that purpose.

A third reason for the study are growing indications that the Arms Control and Disarmament Agency no longer plays the role in U.S. arms control policy formation which it once did.

Severe budget cuts imposed on the Agency by the administration, the terminating of 44 staff positions, and a loss of

key negotiating roles at SALT and the CCD have caused many to be concerned about the situation of ACDA.

I am confident that the subcommittee study will illuminate whatever problems may be plaguing the Agency, and will provide a basis for Congress to act early next year to resolve through legislation any difficulties which may exist.

In the meantime, I urge that H.R. 12799—legislation extending to Arms Control and Disarmament Agency through the end of fiscal year 1975—be approved by the House.

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

Mr. DERWINSKI. Madam Chairman, my remarks will be brief. As Members know, I am a supporter of the Arms Control and Disarmament Agency.

I support the recommendation of a million for fiscal year 1975. Also, I agree that it is a good idea for the Zablocki subcommittee to carry out an indepth study of the Agency and to make recommendations as to the future direction of ACDA.

However, I do strongly oppose the Harrington amendment which was adopted in committee without prior consideration while the Director of the Agency was before the committee. The amendment is ill-advised. It results in duplication and overlapping of jurisdiction since the Department of Defense and the Atomic Energy Commission are reviewed by the Armed Services Committee and the Joint Committee on Atomic Energy which have jurisdiction over their programs.

When the Clerk completes reading the last committee amendment—which is the Harrington amendment—I intend to speak in opposition to the amendment and urge that it be defeated.

Madam Chairman, could the chairman of the committee, Dr. MORGAN, permit me to direct one question, please? Is it my understanding that all we are going to do ths afternoon is complete the general debate?

Mr. MORGAN. That is correct.

Mr. DERWINSKI. Therefore, the reading of the bill and the committee amendments will be held until early tomorrow afternoon?

Mr. MORGAN. The gentleman is correct.

Mr. DERWINSKI. Madam Chairman, I thank the gentleman.

Mr. ALEXANDER. Madam Chairman, negotiations of complex matters, between mistrusting parties, involving nonidentical weapons systems deemed vital to the survival of each, is an exceedingly difficult job. The Arms Control Development Agency, which will be funded for another year by the passage of H.R. 12799 provides the technical backup for the U.S. delegation to SALT and has primary responsibility for maintaining a variety of forums in which other disarmament negotiations have in the past, and will in the future, be taking place. These efforts are essential in our quest for a more peaceful world. They have already born such results as the Limited Test Ban Treaty, the Treaty for the Nonproliferation of Nuclear Weapons, the Seabed Arms Control Treaty, and the Biological Weapons Convention.

H.R. 12799 would also require that the Director of the Arms Control Disarmament Agency report to the Congress on a regular basis the likely effect of any Federal action having a substantial impact on U.S. strategic arms, or arms control policies. This will undoubtedly aid us in our assessment of, and our contribution to, national policy in any future negotiations.

As a congressional adviser to the U.S. delegation to the Conference of the Committee on Disarmament last summer, I was struck by the hopeful necessity of these kinds of meetings. The U.S. position must continue to reflect a sound knowledge of man's worst instincts and a bold faith for a higher goal for mankind.

We can begin to reach that goal by objectively and programatically defining those conditions under which peace is maintained, and concentrating at the negotiating table on securing them. In one phase of this goal, securing a limit on strategic arms, the essential condition is the prevention of either side achieving a belief in its own first strike potential. A successful SALT II agreement requires an acknowledgement of this, and should not fall back on ritualistic formulas of numbers of rockets or total "throw power."

It has become increasingly clear that for all of the dangers involved the "balance of terror" works. Time after time, in Berlin, in the Mideast, in Cuba, we have seen the United States and the Soviet Union reach a crises situation in which both countries feel vital national interests are at stake, the kind of issues over which nations have traditionally gone to war, and faced with the alternative, the great powers have found some path of mutual accommodation.

The cost over this period has been high. Innovation on one side requires new research and development on the other. Buildup follows buildup in a spiraling effort to keep the strategic threat credible. Hundreds of billions of dollars have been spent in order to assure that the equipment bought last year would become obsolete. It has been estimated that the cost to the United States of producing the weapon systems now in some stage of research and development will run in excess of $91 billion in the decade of the seventies. Total cost of weapon development or procurement in fiscal 1974 will run between $8 and $9 billion.

The United States must maintain a level of military strength that will continue to guarantee deterrence. Peace is a product of strength. We cannot as a national afford less; we need not pay for more.

Mr. HARRINGTON. Madam Chairman, today the House will complete general debate on legislation for which, I suppose, I bear a measure of responsibility.

Section 2 of H.R. 12799, the authorization for the Arms Control and Disarmament Agency, results from an amendment I offered in the Committee on Foreign Affairs—which, I note, was improved in the committee by my colleagues DON FRASER, DANTE FASCELL, and LESTER WOLFF, before committee acceptance.

Section 2 is really just a logical extension of the basic principles of the existing statutory authority for ACDA. It requires that the ACDA Director file reports with the Congress on major strategic weapons programs—those exceeding a yearly cost of $50 million. Also, the Director is given discretionary authority to file reports on actions of a policy nature which will have a substantial impact on U.S. strategic arms or arms control policies. These reports—arms control impact statements—would be presented to the Congress within 30 days of the ACDA Director's determination. By the terms of section 2 of H.R. 12799, the reports are to cover strategic weapons programs in research, development, testing, engineering, or deployment.

The Director's report to the Congress on those weapons systems covered by the $50 million trigger would, by the terms of section 2, include the nature, scope, purpose, cost and impact of the weapons program, if developed or deployed. It would seem to me desirable that these reports, even though prepared by ACDA—for which the Foreign Affairs Committee has legislative jurisdiction—should be made available to the other appropriate committees of the House by the Speaker, to whom the legislation directs that the ACDA reports be transmitted. Other committees which these reports would assist would be the Armed Services Committee, the Appropriations Committee, and the Joint Committee on Atomic Energy. Timely submission of these reports by ACDA would insure their value to the committees of the Congress as part of the authorization, appropriation, and oversight process.

Of course, as is indicated in the committee report, these ACDA reports should be handled under the appropriate injunction of secrecy. Conceivably, the ACDA reports might be filed in both classified and unclassified forms—in a manner analagous to the Defense Posture Statement filed annually by the Secretary of Defense.

Some questions have been raised as to the ability of ACDA to perform the requirements of section 2, given its limited resources and limited—$10 million—budget. My analysis convinces me that ACDA can satisfactorily carry out the reporting function without need for any additional funds.

The Director of ACDA already receives, as a matter of course, much of the information required for the arms control impact statements. He receives this information by virtue of his positions on such forums as the verification panel, the verification panel working group, and the defense program review committee, and other forums within the national security policy/arms control planning process. Further, in recent years ACDA has regularly carried out reviews and analysis of strategic weapons programs. Section 2 would make the benefit of these reviews available to the Congress.

Further, there should be no question as to the ability of ACDA to obtain the information needed for the reports. Documents such as selected acquisition reports—SAR's—and development concept papers—DCP's—contain useful cost information. More important, ACDA is given unambiguous statutory authority to obtain information by Public Law 87–297.

Section 2 of Public Law 87-297 states that ACDA:

Must have the capacity to provide the essential scientific, economic, political, military, psychological, and technological information upon which realistic arms control and disarmament policy must be based.

Further authority is contained in section 31 of the statute, which gives the ACDA Director the authority to "make full use of available facilities, Government and private," in carrying out his responsibilities under the act. Section 35 gives the President authority to establish procedures for insuring the cooperation of other agencies with ACDA in assuring a "continuing exchange of information between the Agency and the Department of Defense, the Atomic Energy Commission, the National Aeronautics and Space Administration, and other affected Government agencies." Section 41(a) gives the ACDA Director authority to utilize or employ the "services, personnel, equipment, or facilities" of other agencies with the consent of the other agency, and section 41(c) gives ACDA the authority to enter into agreements with other agencies, including military departments, so that officers or other employees can be detailed to service with ACDA.

Executive Order No. 11044, dated August 12, 1962, reaffirms and strengthens ACDA's authority. By its terms the ACDA Director is to assume "primary responsibility" for arms control and disarmament matters. Other agencies are required by the order to coordinate their activities with ACDA, and the Director of ACDA and the heads of other agencies are to "keep each other fully informed" on all significant aspects of U.S. arms control and disarmament policies, including "current and prospective policies, plans and programs."

What is more, as I envision the functioning of the reporting requirement, ACDA's role would primarily be analysis and comment, using factual material and information supplied by the originating agency of the program—the Department of Defense or the Atomic Energy Commission, as appropriate—in a manner similar to the functioning of environmental impact statements now required by Federal law.

On another point of potential concern, let me indicate my view that section 2 of H.R. 12799 in no way authorizes or in any way requires ACDA to superimpose itself over any other agencies, and in no way should cause ACDA to interfere with the processes of the National Security Council.

WHY WE NEED SECTION 2

Madam Chairman, as indicated at the beginning of my statement, I believe that the arms control impact statement provision of H.R. 12799 is a modest but useful step entirely in keeping with the basic purpose of ACDA's existing authority.

Section 2 of the original statute authorizing ACDA, Public Law 87-297, notes that "arms control and disarmament policy, being an important aspect of foreign policy, must be consistent with the national security policy as a whole." The Arms Control and Disarmament Agency was created to be "the central organization charged by statute with primary responsibility" for accomplishing the formulation of arms control and disarmament policy consistent with the national security.

Requiring reports to the Congress on the arms control impact of major strategic weapons system is exactly the kind of role, combining national security interests with the goal of arms control and disarmament, that was contemplated for ACDA at its origination. We all recognize, I hope, the responsibilities of the Congress in the formulation and conduct of foreign policy. Presently, Congress receives information on the military—or national security—aspects of new weapons programs, but Congress is inadequately apprised of the arms control perspective, and, as Congress recognized in 1961 in the original ACDA statute, these concerns are intertwined, not separable. This interdependency of national security interest and arms control is perhaps more true today than 13 years ago when ACDA was established.

The "arms control impact statements" required by section 2 of H.R. 12799 are simply a way of providing the Congress with the kind of information that is consistent with aforementioned objectives of the ACDA statute. This logical step—making use of the "impact statement" technique that has developed during recent years—will cost no money. It will help institutionalize the analysis and review process of strategic weapons and policies that was undertaken by the Nixon administration—with great success—prior to and during the SALT I negotiations. It would help restrain the adverse effects of technology upon arms limitation and control efforts by giving the Congress the information it needs to evaluate, in advance of irreparable damage, the undesirable arms control consequences that might conceivably result from deployment of some major strategic weapons systems.

As Philip Morrison, chairman of the Federation of American Scientists, wrote in endorsement of section 2:

Past experience, of which MIRV is a very good example, reveals a long lag before interested parties were aware of the very destabilizing impact this development could have. An impact report could have crystallized a suitable awareness much earlier and would have saved our Nation considerable funds and anguish in subsequent SALT talk negotiations.

Section 2 would also strengthen ACDA, which appears to have fallen on hard times of late, in the aftermath of SALT I, ACDA would be given new and important responsibilities, and would be given, in a sense, a new constituency—the Congress.

The new Director of ACDA, Dr. Fred Ikle, seems to have recognized the importance of ACDA's connection to the Congress. On March 5 of this year, before the Foreign Affairs Committee, Dr. Ikle said:

When it comes to deciding our arms control policy, therefore, strong and effective cooperation between the Congress and the Executive Branch is imperative. It is only through joint effort that we can move forward.

By strengthening the Arms Control and Disarmament Agency, we strengthen the management of strategic arms development. We strengthen the ability of Congress to weigh the complex and critically important questions of arms control and national security policy. Section 2 of H.R. 12799, the fiscal 1975 authorization for ACDA, is a modest but desirable way to improve the manner in which our country develops its foreign and national security policy. I urge my colleagues to support section 2, and H.R. 12799 in general.

Mr. FRELINGHUYSEN. Madam Chairman, I have no further requests for time.

Mr. MORGAN. Madam Chairman, I have no further requests for time.

Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. McFALL) having assumed the chair, Miss JORDAN, 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. 12799) to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the general debate on H.R. 12799, amending the Arms Control and Disarmament Act, just concluded.

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

There was no objection.

SOLAR ENERGY AMENDMENT

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

Mr. McCLORY. Mr. Speaker, in voting upon the amendment offered by my colleague from New Mexico (Mr. LUJAN), I inadvertantly voted "nay." In reviewing the Lujan amendment to finance the construction of a solar heating and cooling system at the new AEC building in Los Alamos, N. Mex., I am convinced that my vote should have been "aye." Mr. Chairman, I favor the development and utilization of solar energy for heating and cooling systems and to satisfy our other energy requirements. The Lujan amendment appears to be consistent with my overall views—and I am pleased to note that the House adopted the amendment by a decisive vote.

REMEMBERING

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

Mr. PODELL. Mr. Speaker, on April 19, the Jewish community throughout the world marked one of its saddest anniversaries, the Warsaw Ghetto uprising. On that day, 31 years ago, a handful of

Jews, decimated by starvation, disease, and the most inhuman treatment ever visited by man on his fellows, decided they had had enough and they would strike back at their Nazi tormentors. If they were to die, then at least they could die fighting for what they believed in, their Jewish faith, and their self-respect as human beings.

The anniversary of the Warsaw Ghetto uprising was commemorated by this body last year, with the passage of a resolution marking the day as a special observance. It is traditionally a day that brings forth many pious sentiments about bravery in the face of impossible odds, the victory of the human soul over incredible adversity and brutality, and so forth. And unfortunately, it is a day that is all too soon forgotten after the speeches have been made.

Last year, we all spoke about what we could learn from the Warsaw Ghetto uprising. We said we could learn how to fight back against those who seek to destroy us, we could learn how to triumph morally even though we suffer a great defeat, we could learn the true meaning of personal sacrifice for an ideal. And then, after our learning was done, we all gathered up our speeches and went back to work.

We cannot be condemned for putting the Warsaw Ghetto uprising out of our minds except for one short day each year. Such is the nature of the business we do. But we should not forget that the words which we speak in memory of that day are more than mere words. Perhaps of all the special commemoratives that the Congress is called upon to note, this is the one which evokes the strongest emotions, and which will leave the greatest impression on the world. For what happened in the streets of a tiny sector of Warsaw 31 years ago this week is truly a testament to the strength of the human spirit, and must never be forgotten.

How many of us would be willing to die for our convictions, whatever they are? How many of us would be able to make a stand for our dignity as human beings? How many of us would be brave enough to face the most powerful armed forces in Europe at that time, and hold them off for weeks with the most meager and unsophisticated of weapons? This is what happened, when a tiny group of beleaguered Jews held off the armed might of the Third Reich until the Jewish Ghetto in Warsaw was left in smoking ruins.

I do not know how many times this story has been told. It is the subject of a number of fiction and nonfiction books. Survivors of the holocaust tell it to their children and grandchildren, over and over again, to make sure that the memory of what happened will never fade from the minds of men. There is even a museum in Israel which houses memorabilia of what happened to the Jews in the holocaust.

This is not an unhealthy reverence for the dead. Rather, it is a necessary and concerted effort by a handful of people to leave the world with a record of the depths to which man can sink in the name of power and brutality, perhaps to scare us so that we will never again sink so low.

The human race has come a long way since those black and bitter days in 1943. Germany has been rebuilt to the point where it rivals the United States, once her bitterest enemy, in economic growth and development. Many of the survivors of the holocaust have gone on to become successful productive citizens in the United States, Israel, and elsewhere. For them, life has finally turned out well. They have learned that not all the world looks at a Jew and seems something to be despised. But they have not forgotten, and neither should we.

Rather, we should understand what happened at the Warsaw Ghetto, and take from it the hope that this will never happen again in the history of man. In death, we should see the birth of a new hope, that men can still fight for what they believe in and live together without hatred. In destruction, we should see the creation of a new promise to future generations, that there will be peace, and a respect for everyone, no matter what his beliefs or appearance.

And finally, when we remember the Warsaw Ghetto, we should remember as well those who survived and went to Israel. We should remember that Israel, too, is beset by difficulties, that, while not insurmountable, are most trying. And we should remember that Israel symbolizes the culmination of what the Jews in Warsaw were fighting for—the right to be Jews, free from fear and terror.

I sincerely hope that the spirit of the freedom fighters of the Warsaw Ghetto will live as long as there are men to tell the story to their children, and that we will never forget what happened there. For only by remembering will we be able to prevent a reoccurrence.

LEGISLATION TO INCREASE MILEAGE ALLOWANCE FOR FEDERAL EMPLOYEES

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

Mr. WHITEHURST. Mr. Speaker, today I am introducing legislation to provide the Administrator of the General Services Administration with the authority to increase the mileage allowance for Federal employees who use their private automobiles on Government business. With the recent dramatic increases in the cost of gasoline, as well as the reduced mileage per gallon achieved by new cars due to antipollution devices, the cost of operating an automobile has increased substantially. In response to the rising cost, the GSA Administrator recently raised the allowance to 12 cents per mile which is the highest mileage rate allowed under existing law.

Since recent studies have demonstrated that the cost of operating a standard size automobile is now at least 14.4 cents per mile, and may be as high as 16.5 cents per mile, the bill I am introducing today will grant the GSA Administrator the authority to increase the mileage allowance up to as much as 17 cents per mile.

I want to make it clear that my legislation would not mandate an immediate increase to 17 cents per mile. It would merely increase the statutory ceiling on the mileage allowance from the present 12 cents to 17 cents. The Administrator would have the discretion to set the actual allowance in accordance with automobile operating costs at any given time.

The General Services Administration recently conducted a study which indicated that the average cost of operating a standard size automobile is 14.4 cents per mile. This figure was based on the operating costs in suburban Baltimore, an area which is believed to reflect the average prices, taxes, and road and driving conditions of the Nation as a whole. However, the study also points out that the costs of driving in many other metropolitan areas, such as Los Angeles, Chicago, and New York, are considerably higher than 14.4 cents per mile. In addition, the American Automobile Association has recently estimated that the cost of driving has climbed to an average of 16.5 cents per mile for most motorists. Since neither the GSA nor the AAA studies reflect the most recent increases in the price of gasoline, it is my judgment that a ceiling of 17 cents is quite reasonable.

The law states that Federal employees can use their private automobiles to carry out Government business when it best suits the needs of the Government. Thus, Federal workers use their private automobiles only when their destination is inaccessible by public transportation or the cost of public transportation is greater than the cost of using their private automobiles. It is clearly the Government which benefits from this law, and not the individual Federal employee.

Since Federal workers are aiding the Government by agreeing to use their private automobiles on Government business, we should not tolerate these employees losing money by utilizing their own automobiles. Yet both the GEA and the American Automobile Association studies demonstrate that a considerable amount of money is currently being lost by the thousands of Federal employees who use their private automobiles for Government business. This is clearly inequitable. I urge the Congress to promptly enact my legislation so that Federal employees can receive just compensation for the expenses incurred while operating their automobiles to carry out governmental responsibilities.

UNCLE'S EASTER BUNNY

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

Mr. GROSS. Mr. Speaker, just before the Easter recess, when the House agreed to play Easter Bunny to the Postal Serv-

ice by handing over $230 million for transitional expenses, we were told that the Postal Service simply could not exist without this subsidy and that dire consequences were in store if they did not get the money.

I do not believe it.

What we need is a little old-fashioned congressional control over Postal Service expenditures instead of blindly dishing out taxpayers' cash from the Treasury every time these so-called managers of the Postal Service overextend themselves.

The break-even concept written into the Postal Reorganization Act was intended to relieve the taxpayer of a Postal Service burden and to provide some constraints on Postal Service management to live within its income. The result under the current postal administration has been just the opposite.

Instead of fashioning a postal operation that is confined to its revenue, these postal managers plunge ahead with fanciful and uneconomic obligations and then raise postal rates or ask Congress for additional money to pay the bills. Their justification for annual postal rate increases and mounting "transitional" appropriations is that "Congress mandated the Postal Service to break even."

But the questions never asked, and which demand answers, are: Did Congress mandate the managers of the Postal Service to capitulate to a labor agreement that adds $1.4 billion annually to its budget? Did Congress mandate the managers of the Postal Service to commit itself to an ill-conceived, nationwide bulk mail system that is at least $92 million over its estimated cost of $950 million?

Did Congress mandate the managers of the Postal Service to abandon their headquarters building and ensconce themselves in the plush surroundings of L'Enfant Plaza? Did Congress mandate the managers of the Postal Service to embark on a multimillion-dollar advertising campaign or to spend nearly half a million dollars on "educational kits" for grade schoolers?

Mr. Speaker, during the coming days I intend to ask these and other questions. We cannot escape the fact that the Postal Service is a Federal entity, spending Federal money, and the taxpayers deserve a full explanation of its operation.

THE PROPOSED ECONOMIC STABILITY ACT OF 1974 PROVIDES AN ANSWER TO THE PUZZLING QUESTION OF HOW BEST TO CONTROL INFLATION AND TO AID IN ECONOMIC RECOVERY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 30 minutes.

Mr. KEMP. Mr. Speaker, defined in its simplest terms, monetary policy is that policy which governs the Nation's supply of money.

Misdirected monetary policy can be, therefore, the basic cause of much of our Nation's economic turmoil. Monetary policy effects the rate of inflation, the value of the dollar, foreign exchange rates, international economic policy, interest rates, credit terms, and productivity. Properly defined and applied, monetary policy can resolve most of our economic problems. But, improperly defined or misapplied, it can worsen them.

The monetary policy of this Nation is too often overlooked as a means to strengthen our economy and conversely as a factor in the rate of inflation. Surely, monetary policy is not the only answer—because fiscal policy must also be considered in the equation—but it is indeed a large part of the answer. For, while our economy is a nexus of interrelated dynamics, any tinkering with money supply, no matter how small, usually has an effect on the entire economy, often as secondary or tertiary effects seldom anticipated and usually not seen until after the policies which created them have already been amended to compensate for some other actual or perceived ill-effect or aberration.

We have had far too much tinkering with money supply and monetary policy during the past 2 years, often erratic tinkering, and now we face a situation which can be best solved by moving to the most competent governor of the economy—the market system itself.

This is why I have today introduced a bill, the proposed Economic Stability Act of 1974, which I think can give us a specific, solid start toward permanently stemming the inflationary tide which threatens to engulf us, while simultaneously insuring the economic growth which we need. This measure, which I am honored to sponsor in the House, is a companion bill to S. 3101, introduced on March 4 by the distinguished Senator from Tennessee (Mr. BROCK) a man whose devotion to arighting the imbalances in our economy should be recognized and commended by each of us.

WE ARE FACED WITH A DUAL PROBLEM OF FIGHTING INFLATION WHILE ENCOURAGING ECONOMIC RECOVERY

Because we have foolishly relied too heavily on Government regulation to control the economy and to work out its problems, we have now painted ourselves into that corner of classical economics from which escape can be dangerous unless carefully thought through. We are faced with the worst inflation of this century; we must control it. Yet, we are also faced with a sagging economic picture; we must recover from it. How can we do both—control inflation and encourage economic recovery?

There is an answer. It is facing up to the need for responsible fiscal policy and agreeing on a consistent monetary policy, with a projected rate of money supply issuance known to everyone in advance—and, most importantly, known by everyone not to be subject to intense fluctuation—up or down—by fiat. We need a monetary policy governed by known rules, not by acting under potential political pressures. By yielding too quickly, or by acting without a full range of the facts or possible consequences in front of them, or by acting inconsistently, men—even if they are the best minds of the Federal Reserve System—cannot give us the economic certainties which we need. And, if we do not have those certainties, we are going to continue to suffer from both spiraling inflation and a sagging economy.

Let me be candid: Federal Reserve policy has been fluctuating back and forth from restrictive to expansionist policies. If it were not for the seriousness of the matter, it would be amusing. But it is not amusing, for the very future of every one of us is at stake. Our economic prosperity is on the line. This is no time for anything but the most serious and most prudent of measures. That is why I believe it is time for the enactment of a proposed Economic Stability Act of 1974; the purpose of which is to control the rate of expansion of money at a reasonable growth rate.

WHAT IS NOT THE ANSWER

Before I discuss in detail the provisions of the proposed Economic Stability Act, I think it wise to examine what is not the answer to our dilemma. The answer is not permitting the Federal Reserve to exercise the same breadth of discretionary policies that it has exercised heretofore.

The Federal Reserve System is a governmentally established agency assigned responsibility for monetary policy. Established prior to the First World War, the System did not begin to exercise its full range of authority until the tumultuous 1920's.

How well did it exercise its authority?

Dr. Milton Friedman, a former president of the prestigious American Economic Association, has concluded, as a product of one of the most careful studies ever made on the dynamics of our monetary supply, that the great depression was produced more by Government mismanagement of the economy than by any inherent instability in the private economy.

In discussing the role of the Federal Reserve in that mismanagement, Professor Friedman has concluded:

> In 1930 and 1931, it exercised this responsibility so ineptly as to convert what otherwise would have been a moderate contraction into a major catastrophe.
>
> I am myself persuaded, on the basis of extensive study of the historical evidence, that the difference in economic stability . . . is in fact attributable to the difference in monetary institutions. This evidence persuades me that at least a third of the price rise during and just after World War I is attributable to the establishment of the Federal Reserve System and would not have occurred if the earlier banking system had been retained; that the severity of each of the major contractions—1920–21, 1929–33, and 1937–38—is directly attributable to acts of commission and omission by the Reserve authorities and would not have occurred under earlier monetary and banking arrangements.

Parenthetically, what we have here is an analysis which shows, to my satisfaction, that governmental measures constitute the major impediments to economic growth in the United States. Restrictions on international trade, high tax burdens, a complex and often in-

equitable tax structure, numerous regulatory commissions, Government wage and price controls, and a host of other measures give individuals an incentive to misuse and misdirect resources and distort the investment of new savings. What we need—for both economic stability and economic growth—is a reduction of Government intervention, not its increase. Such a reduction would still leave an important role for Government. For example, it is desirable that we use Government to provide a stable monetary framework—I repeat, framework—for a free economy. This is part of the function of providing a stable legal framework.

Let me return to the role of the Federal Reserve System.

The establishment of the System was the most notable change in U.S. monetary institutions since the Civil War National Banking Act. For the first time since the expiration of the charter of the Second Bank of the United States in 1836, the Reserve System became a separate, official body charged with explicit responsibility for monetary conditions, and it was supposedly clothed with adequate power to achieve monetary stability or, at least, to prevent pronounced instability.

It is, therefore, highly instructive for us today to compare experience as a whole before and after the establishment of the Federal Reserve System. The first period—the period prior to the System—runs from right after the Civil War, about 1865, to 1914; the second period runs from 1914 to date.

The second period—the period after the System was established—is clearly the more unstable economically, whether instability is measured by the fluctuations in the stock of money, or in prices, or in output.

Partly, the greater instability reflects the effect of two world wars during the second period; these would have been a source of instability whatever our monetary system. But, even if the war and immediate postwar years are omitted, and we consider only the peacetime years from about 1920 through 1939 and 1947 to date, the result is, nonetheless, the same. The stock of money, prices, and output was decidedly more unstable after the establishment of the Reserve System than before. The most dramatic period of instability in output was, of course, the period between the two wars which includes the severe contractions of 1920–21, 1929–33, and 1937–38.

No other 20-year period in American history contains as many as three such severe contractions in the economy: That fact should be taken as profound.

Yet, as we have seen, one of the major reasons for establishing the Federal Reserve System in the first place was to deal with such situations. Instead of dealing with them, the System may have actually created them, or, minimally, accentuated them.

The System was given the power to create more cash, if a widespread demand should arise on the part of the public for currency instead of deposits, and it was given the means to make the cash available to banks on the security of the bank's assets. In this way, it was expected that any threatened panic could be averted, that there would be no need for suspension of controvertibility of deposits into currency, and that the depressing effects of monetary crises could be entirely avoided.

The first need for these powers and hence the first test of their efficacy came in November and December of 1930, as a result of the string of bank failures. But the Reserve System failed the test and failed it miserably. It did little or nothing to provide the banking system with liquidity; it was a real failure of will on the part of the System.

Then, the initial wave of bank failures died down, and in early 1931 there were even signs of returning confidence. So what did the Reserve then do? It reduced its own credit outstanding—which is to say it offset the naturally expansionary forces which the country needed by engaging in mild deflationary action. This was a bad mistake, but fortunately, the revival continued.

But, renewed bank failures started another series of runs and again set in motion a renewed decline in the stock of money. Again, the System stood idly by. In the face of an unprecedented liquidation of the commercial banking system, the books of the System show a decline—I repeat, a decline—in the amount of credit it made available to its member banks, when an increase was called for. Another severe mistake.

To make matters worse, the System then made an unprecedented error. In September of 1931, Britain went off the gold standard, an act preceded and followed by gold withdrawals from the United States. Although gold had been flowing into the United States in the prior 2 years, and even though the U.S. gold stock and the Federal Reserve gold reserve ratio were at all-time highs, the Reserve reacted by raising the discount rate—the rate of interest at which it stood ready to lend to member banks—more sharply than it had within so brief a period in its whole history before or since. The measure arrested the gold drain as intended, but it also touched off a spectacular increase in additional bank closings and runs. One out of 10 banks fell that time alone.

A temporary reversal in Reserve policy in 1932 involving the purchase of $1 billion of Government bonds slowed down the rate of decline, but the Reserve had acted too late again. A renewed collapse followed. One more mistake.

The lesson to us today should be clear: A System established in large part to prevent a temporary suspension of convertibility of deposits into currency—a measure which had previously prevented banks from failing—first let nearly a third of the banks of the country go out of existence, and then welcomed a suspension of convertibility that was incomparably more sweeping and severe than any earlier suspension.

Why have I concentrated so heavily on this period at the beginning of the great depression? Because I am afraid we may not have learned adequately our lessons. I am convinced, upon a careful examination of the evidence, that our monetary policy today is dangerously paralleling those policies and reactions immediately prior to and at the beginning of the great depression.

I would be remiss in my responsibilities to the people and to my colleagues if I failed to make this point. It is horrendous to even contemplate, but unless we do contemplate it—and then do something concretely about it—we will bear a great share of the responsibility for the ensuing chaos if our economy continues to stumble along.

Speculation? Not hardly. Look at the April 13 editorial page of Business Week on what confusion exists at the System:

Monetary authorities now face a tough choice: whether to concentrate policy on fighting inflation or on encouraging economic recovery.

In January and February, the money supply grew at an annual rate of more than 9%. Since the economy at the time was sliding downhill because of the energy crunch, a few months of fast growth in credit did not seem so alarming. Besides, Federal Reserve economists believed the economy might be headed for recession and needed some stimulus.

In the past several weeks, the Fed has switched to inflation fighting, reversing its field—once again.

In recent weeks, the risk of recession has diminished—while prices continue their skyrocketing advance. The money managers have consequently cinched up on the credit reins.

Money supply growth has been about flat for six weeks. But credit demands are huge, kicking off one of the sharpest rises in interest rates ever.

The scramble for funds stems from several factors. Inflation itself is one cause. Expectation of continued inflation has raised the premium for money. It takes more money to finance higher-cost inventories and rising accounts payable. And there has also been a sharp increase in the rate of inventory accumulation. Expansion in bank loans consequently has been very large.

The speed with which rates are ratcheting upward is extrordinary. Last week, a New York banker told Business Week that if loan demand continued as it had been doing, "a 10% prime is not an impossibility." This week it was already there.

What makes the Fed's job more difficult now is that it risks bringing on a business slowdown before the recovery gets a head of steam.

With rates where they are, if the Fed governors hang tough, they could drive rates higher still. Federal funds are now trading up to 10½%.

Thus, even if the optimists are right and the slowdown was only an energy-induced interruption, the Fed could kill off housing before it got rolling, knock down business borrowing, and thus abort the economic recovery.

Having reached this point, the Fed may be forced to do what it does not want to do—allow the money supply to grow fast enough to fill a large chunk of the rising demand for funds.

Mr. Speaker, I respect highly the distinguished Chairman of the Board of Governors of the Federal Reserve System, Dr. Arthur F. Burns. I am not critical of Dr. Burns or his staff. But,

I am critical of those policies which tend to accentuate our problems and not resolve them.

The Congress should act now to control economic policy more effectively. This is what the proposed Economic Stability Act of 1974 is all about.

THE ECONOMIC STABILITY ACT IS AN IMPORTANT STEP IN THE RIGHT DIRECTION

There is, at present, an agreement between the System and the Joint Economic Committee by which the System provides the committee, on a quarterly basis, with a report on monetary and credit conditions. Included in this report is an estimate of the growth in the monetary supply. Theoretically, when the money supply grows by less than 2 percent or more than 6 percent on an annualized basis, the Federal Reserve explains why.

Why is this information of such importance to the Congress? Because a careful study of American history reveals the following two crucial facts:

First, there has never been a significant inflation which was not preceded by a rapid increase in the money supply; and,

Second, there has not been a recession in the United States in the past 100 years which was not preceded by a nonincreasing money supply.

This evidence should come as no surprise. An economy needs money to facilitate exchange, and a growing economy requires a growing money supply. When that money is too severely restricted, so too is the growth of the economy, with recession or even worse ensuing. Similarly, when the money supply grows more rapidly than the economy, defined as the total production of real goods and services, we have the age-old phenomenon of too much money causing too few goods. The price of these goods is, naturally, bid up, and rampant inflation results.

At least a partial solution to this problem appears fairly clear. It is one which many economists have been advocating for years.

It would be desirable to have the money supply grow at a steady pace, probably between 2 to 5 or 6 percent at the very highest on an annualized basis more closely alined with increases in productivity.

The Economic Stability Act, by serving to clarify the informal agreement between the System and the Joint Committee, can significantly increase the probability of insuring steady economic growth with a minimum of inflation and unemployment.

Specifically, the proposed act instructs the System to increase the money supply only within limits.

A COMMITMENT

In so many words, Mr. Speaker, I am not proposing a panacea; I know that to be unrealistic. Nor, do I consider these concepts to be inflexible. But, this bill, and that of Senator BROCK, reflects our desire to both start the debate on this matter and to accelerate interest on it.

I cannot speak for other Members, but I, for one, do not intend to sit back and allow economic turmoil to reign. Elected officials helped to create many of these problems. We can resolve them, too.

I am not going to be a part of any group which buries its head on this issue, for unless we do come to grips with this problem, those who did nothing may soon have to answer to the people for why they failed to take action to stop crippling inflation, or an economic recession, or worse.

I think we should all resolve now to be on the side of those who took affirmative action to correct these problems. Our free economy depends upon it.

CONGRESSMAN LENT DISCLOSES 1973 FINANCIAL STATUS

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

Mr. LENT. Mr. Speaker, as is my practice and because of the concern with possible conflicts of interest and the financial status of all public officials expressed by many citizens, I am pleased to disclose at this time pertinent information regarding my financial status for the year 1973. This financial disclosure follows the March 12, 1974, recommendations of the Ad Hoc Committee on Financial Disclosure of the New York State Delegation to Congress, which consists of 39 Members of the House:

First. Sources of all noncongressional income—law firm of Hill, Lent and Troescher, Esqs., Lynbrook, N.Y. I received income from the practice of law, rent, speaking honorariums, interest and dividends. I do not practice in the Federal courts or before Federal agencies.

Second. Unsecured indebtedness in excess of $1,000—None.

Third. The sources of all reimbursements for expenditures in excess of $300 per item—I had congressional expenses not compensated for by the Federal Government of $16,794. Of this sum, $7,470 was paid out of my personal funds; $7,324 was paid out of the Fourth Congressional District Congressional Club—the congressional club consists of individuals who pay annual dues of $100 each to maintain a fund used exclusively to help me defray the cost of newsletters, reports and questionnaires sent to constituents, and to pay travel, dues, office, telephone, community relations, and other expenses directly related to my job as Congressman. The proceeds of this fund were included as income on my 1973 income tax returns—and $2,000 was paid by the National Republican Congressional Committee.

I had additional cost-of-living expenses directly related to my job as Congressman, including the maintenance of living quarters in Washington, D.C., travel, et cetera, estimated at $6,800, for which I was not reimbursed. I was allowed the statutory maximum deduction of $3,000 for these living expenses on my 1973 income tax return—IRC Selection 162(a). These expenses were entirely paid from personal funds.

Fourth. The identity of all stocks, bonds, and other securities owned outright or beneficially—I own shares in three mutual funds: Scudder, Stevens & Clark Common Stock Fund; Scudder, Stevens & Clark Special Fund; and Growth Industry Shares. I own no tax-free bonds or other securities.

Fifth. Business entities—including partnerships, corporations, trusts and sole proprietorships, professional organizations—of a noneleemosynary nature, and foundations in which I am a director, officer, partner, or serve in an advisory or managerial capacity—I am a partner in the law firm of Hill, Lent and Troescher, Esqs., Lynbrook, N.Y.

Fifth. I paid $10,617 in Federal and New York State income taxes for the year 1973. I have filed a report of my earnings and sources of earnings with the House Committee on Standards of Official Conduct pursuant to rule XLIV of the House of Representatives every year I have been in Congress.

A GROWING INTEREST IN PRIVACY LEGISLATION

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

Mr. GOLDWATER. Mr. Speaker, since the special order on the congressional commitment to privacy, taken on April 2, 1974, and in which some 60 Members of the House participated, my office and that of my colleague, Congressman ED KOCH, have been receiving a growing number of requests for information relating to the subject. Another stimulus was added to this interest when Congressman KOCH and myself introduced our joint omnibus privacy bill, H.R. 14163. We have experienced some difficulties in meeting the requests for copies of the bill. In order to assist my colleagues and that portion of the general public that takes advantage of the CONGRESSIONAL RECORD, I am offering the bill for printing in the RECORD:

H.R. 14163

A bill to protect the constitutional right of privacy of individuals concerning whom identifiable information is recorded by enacting principles of information practices in furtherance of articles I, III, IV, V, IX, X, and XIV of amendment to the United States Constitution

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Right to Privacy Act".

FINDINGS AND DECLARATION OF POLICY

SEC. 2. (a) The Congress finds—

(1) that an individual's privacy is directly affected by the extensive collection, maintenance, use and dissemination of personal information;

(2) that the increasing use of computers and sophisticated information technology has greatly magnified the harm that can occur from these practices;

(3) that an individual's opportunities to secure employment, insurance, credit, and his right to due process and other legal pro-

tections are endangered by these personal information systems, and

(4) that in order to preserve the rights guaranteed by the first, third, fourth, fifth, ninth, and fourteenth amendments of the United States Constitution, uniform Federal legislation is necessary to establish procedures to govern information systems containing records on individuals.

(b) The purpose of this Act is to insure safeguards for personal privacy from record-keeping organizations by adherence to the following principles of information practice:

(1) There should be no personal information system whose existence is secret.

(2) Information should not be collected unless the need for it has been clearly established in advance.

(3) Information should be appropriate and relevant to the purpose for which it has been collected.

(4) Information should not be obtained by fraudulent or unfair means.

(5) Information should not be used unless it is accurate and current.

(6) There should be a prescribed procedure for an individual to learn the information stored about him, the purpose for which it has been recorded, and particulars about its use and dissemination.

(7) There should be a clearly prescribed procedure for an individual to correct, erase or amend inaccurate obsolete or irrelevant information.

(8) Any organization holding personal information should assure its reliability and take precautions to prevent its misuse.

(9) There should be a clearly prescribed procedure for an individual to prevent personal information collected for one purpose from being used for another purpose without his consent.

(10) The Federal Government should not collect personal information except as authorized by law.

DEFINITIONS

SEC. 3. As used in this Act—

(1) the term "information system", means the total components and operations of a recordkeeping process, whether automated or manual, containing personal information and the name, personal number, or other identifying particulars;

(2) the term "personal information" means all information that describes, locates or indexes anything about an individual including his education, financial transactions, medical history, criminal, or employment record, or that affords a basis for inferring personal characteristics, such as finger and voice prints, photographs, or things done by or to such individual; and the record of his presence, registration, or membership in an organization or activity, or admission to an institution;

(3) the term "data subject" means an individual about whom personal information is indexed or may be located under his name, personal number, or other identifiable particulars, in an information system;

(4) the term "disseminate" means to release, transfer, or otherwise communicate information orally, in writing, or by electronic means;

(5) the term "organization" means any Federal agency; the government of the District of Columbia; any authority of any State, local government, or other jurisdiction; any public or private entity engaged in business for profit, as relates to that business;

(6) the term "purge" means to obliterate information completely from the transient, permanent, or archival records of an organization; and

(7) the term "Federal agency" means any department, agency, instrumentality, or establishment in the executive branch of the Government of the United States and includes any officer or employee thereof.

SAFEGUARD REQUIREMENTS FOR PERSONAL INFORMATION FOR ADMINISTRATIVE, STATISTICAL, REPORTING, AND RESEARCH PURPOSES

SEC. 4. (a) ADMINISTRATIVE REQUIREMENTS.—Any organization maintaining an information system that includes personal information shall—

(1) collect, maintain, use, and disseminate only personal information necessary to accomplish a proper purpose of the organization;

(2) collect information to the greatest extent possible from the data subject directly;

(3) establish categories for maintaining personal information to operate in conjunction with confidentiality requirements and access controls;

(4) maintain information in the system with accuracy, completeness, timeliness, and pertinence as necessary to assure fairness in determinations relating to a data subject;

(5) make no dissemination to another system without (A) specifying requirements for security and the use of information exclusively for the purposes set forth in the notice required under subsection (c) including limitations on access thereto, and (B) determining that the conditions of transfer provide substantial assurance that those requirements and limitations will be observed;

(6) transfer no personal information beyond the jurisdiction of the United States without specific authorization from the data subject or pursuant to a treaty or executive agreement in force guaranteeing that any foreign government or organization receiving personal information will comply with the applicable provisions of this Act with respect to that personal information;

(7) afford any data subject of a foreign nationality, whether residing in the United States or not, the same rights under this Act as American citizens;

(8) maintain a list of all persons having regular access to personal information in the information system;

(9) maintain a complete and accurate record, including identity and purpose, of every access to any personal information in a system, including the identity of any persons or organizations not having regular access authority;

(10) take affirmative action to establish rules of conduct and inform each person involved in the design, development, operation, or maintenance of the system or the collection or use of any personal information contained therein, about all the requirements of this Act, the rules and procedures, including penalties for noncompliance, of the organization designed to assure compliance with such requirements;

(11) establish appropriate safeguards to secure the system from any reasonably foreseeable threat to its security;

(12) comply with the written request of any individual who receives a communication in the mails, over the telephone, or in person from a commercial organization, who believes that his name or address is available because of his inclusion on a mailing list, to remove his name and address from that list; and

(13) shall collect no personal information concerning the political or religious beliefs, affiliations, and activities of data subjects which is maintained, used or disseminated in or by any information system operated by any governmental agency, unless authorized by statute.

(b) SPECIAL ADDITIONAL REQUIREMENTS FOR STATISTICAL-REPORTING AND RESEARCH INFORMATION SYSTEMS.—(1) Any organization maintaining an information system that disseminates statistical reports or research findings based on personal information drawn from the system, or from systems of other organizations, shall—

(A) make available to any data subject or group, without revealing trade secrets, methodology and materials necessary to validate statistical analyses, and

(B) make no materials available for independent analysis without guarantees that any personal information will be used in a way that might prejudice judgments about any data subject.

(2) No Federal agency shall—

(A) require any individual to disclose for statistical purposes any personal information unless such disclosure is required by a constitutional provision or act of Congress, and the individual is so informed;

(B) request any individual voluntarily to disclose personal information unless such request has been specifically authorized by act of Congress, and the individual shall be advised that such disclosure is voluntary;

(C) make available to any non-Federal person any statistical studies or reports or other compilations of information derived by mechanical or electronical means from files containing personal information, or no manual or computer material relating thereto, except those prepared, published, and made available for general public use; and

(D) publish statistics of taxpayer income classified, in whole or in part, on the basis of a coding system for the delivery of mail.

(3) Any organization maintaining an information system that disseminates statistical reports or research findings based on personal information drawn from the system, or from systems of other organizations, and which purges the names, personal numbers, or other identifying particulars of individuals and certifies to the Federal Privacy Board that no inferences may be drawn about any individual, shall be exempt from the requirements of section 4(a) (3), and (4), and sections 4 (c) and (d) (1), and (2).

(c) PUBLIC NOTICE REQUIREMENT.—Any organization maintaining or proposing to establish an information system for personal information shall—

(1) give notice of the existence and character of each existing system once a year to the Federal Privacy Board;

(2) give public notice of the existence and character of each existing system each year, in the case of Federal organizations in the Federal Register, or in the case of other organizations in local or regional printed media likely to bring attention to the existence of the records to data subjects;

(3) publish such annual notices for all its existing systems simultaneously; and

(4) in the case of a new system, or the substantial modification of an existing system, shall give public notice and notice to the Federal Privacy Board within a reasonable time but in no case less than three months, in advance of the initiation or modification to assure individuals who may be affected by its operation a reasonable opportunity to comment.

(5) shall assure that public notice given under this subsection specifies the following:

(A) The name of the system.

(B) The general purpose of the system.

(C) The categories of personal information, and approximate number of persons on whom information is maintained.

(D) The categories of information maintained, confidentiality requirements, and access controls.

(E) The organization's policies and practices regarding information storage, duration of retention, and purging thereof.

(F) The categories of information sources.

(G) A description of types of use made of information including all classes of users and the organizational relationships among them.

(H) The procedures whereby an individual can—

(i) be informed if he is the subject of information in the system;

(ii) gain access to such information; and

(iii) contest the accuracy, completeness, timeliness, pertinence, and the necessity for retention.

(I) The procedures whereby an individual or group can gain access to the information system used for statistical reporting or research in order to subject them to independent analysis.

(J) The business address and telephone number of the person immediately responsible for the system.

(d) RIGHTS OF DATA SUBJECTS.—Any organization maintaining personal information shall—

(1) inform an individual asked to supply personal information whether he is legally required, or may refuse, to supply the information requested, and also of any specific consequences which are known to the organization, of providing or not providing such information;

(2) request permission of a data subject to disseminate part or all of this information to another organization or system not having regular access authority, and indicate the use for which it is intended, and the specific consequences for the individual, which are known to the organization, of providing or not providing such permission;

(3) upon request and proper identification of any data subject, grant such subject the right to inspect, in a form comprehensible to such individual—

(A) all personal information about that data subject except in the case of medical information, when such information shall, upon written authorization, be given to a physician designated by the data subject;

(B) the nature of the sources of the information; and

(C) the recipients of personal information about the data subject including the identity of all persons and organizations involved and their relationship to the system when not having regular access authority.

(4) comply with the following minimum conditions of disclosure to data subject:

(A) An organization shall make disclosures to data subjects required under this Act, during normal business hours.

(B) The disclosures to data subjects required under this Act shall be made (i) in person, if he appears in person and furnishes proper identification, (ii) by mail, if he has made a written request, with proper identification, at reasonable standard charges for document search and duplication.

(C) The data subject shall be permitted to be accompanied by one person of his choosing, who must furnish reasonable identification. An organization may require the data subject to furnish a written statement granting permission to the organization to discuss that individual's file in such person's presence.

(5) if the data subject gives notice that he wishes to challenge, correct, or explain information about him in the information system, the following minimum procedures shall be followed:

(A) The organization maintaining the information system shall investigate and record the current status of that personal information.

(B) If, after such investigation, such information is found to be incomplete, inaccurate, not pertinent, not timely nor necessary to be retained, or can no longer be verified, it shall be promptly purged.

(C) If the investigation does not resolve the dispute, the data subject may file a two hundred word statement setting forth his position.

(D) Whenever a statement of dispute is filed, the organization maintaining the information system shall, in any subsequent dissemination or use of the information in question, clearly note that it is disputed and supply the statement of the data subject along with the information.

(E) The organization maintaining the information system shall clearly and conspicuously disclose to the data subject his rights to make such a request.

(F) Following any correction or purging of personal information the organization shall at the request of the data subject, furnish to past recipients notification that the item has been purged or corrected.

(G) In the case of a failure to resolve a dispute, the organization shall advise the data subject of his right to request the assistance of the Federal Privacy Board.

(e) NOTIFICATION PROCEDURE.—Each organization that maintains a personal information system on the date of the enactment of this Act shall notify by mail each data subject of the fact not later than two years following the date of enactment of this Act, at the last known address of the subject, and such notice shall meet the following requirements:

(1) The notice shall describe the type of information held in their system or systems, expected uses allowed or contemplated.

(2) The notice shall provide the name and full address of the place where the data subject may obtain personal information pertaining to him, and in the system.

(f) Data subjects of archival-type inactive files, records, or reports shall be notified by mail of the reactivation, accessing, or reaccessing not later than six months after the date of the enactment of this Act.

EXEMPTIONS TO APPLICATIONS OF REQUIREMENTS

SEC. 5. (a) The provisions of this Act shall not be applicable to personal information systems—

(1) to the extent that information in such systems is maintained by a Federal agency, and the head of that agency determines that the release of the information would seriously damage national defense;

(2) which are part of active criminal investigatory files compiled by Federal, State, or local law enforcement organizations, except where such files have been maintained for a period longer than is necessary to commence criminal prosecution;

(3) maintained by the press and news media, except information relating to employees of such organizations.

(b) Any data subject denied access to personal information under this section shall be entitled to judicial review of the grounds for that denial in the appropriate United States District Court.

USE OF SOCIAL SECURITY NUMBER

SEC. 6. It shall be unlawful for any organization to require an individual to disclose or furnish his social security account number, for any purpose in connection with any business transaction or commercial or other activity, or to refuse to extend credit or make a loan or to enter into any other business transaction or commercial relationship with an individual (except to the extent specifically necessary for the conduct or administration of the old-age, survivors, and disability insurance program) wholly or partly because such individual does not disclose or furnish such number, unless the disclosure or furnishing of such number is specifically required by Federal law.

FEDERAL PRIVACY BOARD

SEC. 7. (a) ESTABLISHMENT.—There is established the Federal Privacy Board (hereinafter in this section referred to as the "Board").

(b) MEMBERSHIP.—The Board shall consist of five members, each serving for a term of three years, three of whom shall constitute a quorum. No member shall serve more than two terms. The members of the Board shall be appointed by the President, by and with the advice and consent of the Senate. No more than three of the members appointed to serve at the same time shall be of the same political party. Each member shall be appointed from the public at large and not from among officers or employees of the United States. Membership on the Board shall be the sole employment of each member.

(c) COMPENSATION.—Members of the Board shall be compensated at the rate provided for GS–18 under section 5332 of title 5 of the United States Code.

(d) CHAIRMAN.—The Chairman of the Board shall be elected by the Board every two years.

(e) STAFF.—The Board shall appoint and fix the compensation of such personnel as are necessary to the carrying out of its duties.

FUNCTIONS OF THE BOARD

SEC. 8. The Board shall—

(1) publish an annual Data Base Directory of the United States containing the name and characteristics of each personal information system;

(2) make rules to assure compliance with this Act;

(3) perform or cause to be performed such research activities as may become necessary to implement this Act, and to assist organizations in complying with this Act;

(4) be granted admission at reasonable hours to premises where any information system is kept or where computers or equipment or recordings for automatic data processing are kept, and may by subpena compel the production of documents relating to such information system or such processing as is necessary to carry out its duties, but no personal information shall be compelled to be produced without the prior consent of the data subject to which it pertains. Enforcement of any subpena issued under this section shall be had in the appropriate United States district court;

(5) upon the determination of a violation of a provision of this Act or regulation promulgated under the Act, the Board may, after opportunity for a hearing, order the organization violating such provision to cease and desist such violation. The Board may enforce any order issued under this paragraph in a civil action in the appropriate United States district court:

(6) be authorized to delegate its authority under this section, with respect to information systems within a State or the District of Columbia, to such State or District, during such period of time as the Board remains satisfied that the authority established by such State or District to carry out the provisions of this Act in such State is satisfactorily enforcing those provisions;

(7) conduct open, public hearings on all petitions for exceptions or exemptions from provisions, application, or jurisdiction of this Act. The Board shall have no authority to make such exceptions or exemptions but shall submit appropriate reports and recommendations to Congress; and

(8) issue an annual report of its activities to the Congress and the President.

TRADE SECRETS

SEC. 9. In connection with any dispute over the application of any provision of this Act, no organization shall reveal any personal information or any professional, proprietary, or business secrets; except as is required un-

der this Act. All disclosures so required shall be regarded as confidential by those to whom they are made.

CRIMINAL PENALTY

SEC. 10. Any organization or responsible officer of an organization who willfully—

(1) keeps an information system without having notified the Federal Privacy Board; or

(2) issues personal information in violation of this Act;

shall be fined not more than $10,000 in each instance or imprisoned not more than five years, or both.

CIVIL REMEDIES

SEC. 11. (a) INJUNCTIONS FOR COMPLIANCE.—The Attorney General of the United States, on the advice of the Federal Privacy Board, or any aggrieved person, may bring an action in the appropriate United States district court against any person who has engaged, is engaged, or is about to engage in any acts or practices in violation of the provisions of this Act or rules of the Federal Privacy Board, to enjoin such acts or practices.

(b) CIVIL LIABILITY FOR UNFAIR PERSONAL INFORMATION PRACTICE.—Any person who violates the provisions of the Act, or any rule, regulation, or order issued thereunder, shall be liable to any person aggrieved thereby in an amount equal to the sum of—

(1) any actual damages sustained by an individual;

(2) punitive damages where appropriate;

(3) in the case of any successful action to enforce any liability under this section, the costs of the action together with reasonable attorney's fees as determined by the court.

The United States consents to be sued under this section without limitation on the amount in controversy.

EFFECTIVE DATE

SEC. 12. This Act shall take effect one year after the date of its enactment.

NEED FOR FULL FUNDING FOR FUSION RESEARCH

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

Mr. RAILSBACK. Mr. Speaker, I commend the gentleman from New York for his amendment to the Atomic Energy Commission authorization, and add that I am in complete support of increasing the funds for fusion research by $21 million. This increase will bring the appropriation up to the level of the budget request made by the AEC.

I have done a great deal of reading myself about alternative energy sources, and, from what I have learned, I am convinced fusion energy holds real promise for our Nation's energy needs. It is an energy source that does not pollute; and its fuel, deuterium or heavy hydrogen, is abundant in ocean waters. The fuel provided by the seawater could serve the world for thousands of years.

So far, scientists have not been able to harness fusion energy successfully, but, through continuing research, they are increasingly hopeful to succeed in the first decade of the 21st century. The new concept using lasers to promote fusion has increased support as a means leading to the eventual success of fusion power.

I know my colleague from New York has also been interested in this alternative energy source for a long time, and I would like to commend him for his efforts and associate myself with his remarks.

Thank you.

FRIENDS RESHAPE NORTHEAST RAILS

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

Mr. SKUBITZ. Mr. Speaker, during the Easter vacation, I had an opportunity to catch up on some of my reading.

One article which aroused my interest carried this heading, "Friends Reshape Northeast Railroads."

The lead paragraph stated—

Much of the influence behind restructuring the bankrupt northeast railroads—appears to have become centered in the hands of three old friends.

I do not suggest that anything is wrong. I do think that since the Congress has approved the expenditure of several billion dollars to finance this program, this article may be of interest. I do recommend it to my colleagues on the Interstate Commerce Committee:

[From the Washington Star-News, Mar. 24, 1974]

FRIENDS RESHAPE NORTHEAST RAILS

(By Stephen M. Aug)

Much of the influence behind the restructuring of the bankrupt northeastern railroads—probably the biggest rail reorganization in history—appears to have become cenered in the hands of three old friends.

An examination of the backgrounds of the three—two of whom will be adversaries of the third—shows the way their lives have crisscrossed ever since they were classmates at Yale Law School.

What's more, two outsiders who have been given key roles in the northeastern rail reorganization—a Washington lawyer and the new president of the United States Railway Association—both were selected largely on the recommendations of two of these men.

The three are:

John W. Barnum, Undersecretary of Transporation (the second-ranking official in DOT), who has specialized in northeastern rail problems.

Robert W. Blanchette, currently counsel to the trustees of the bankrupt Penn Central Transportation Co., who has been nominated to become a trustee of the rail system—a position in which he is to represent the best interests of the railroad's creditors.

Rodney E. Eyster, general counsel at DOT.

All three were graduated from Yale Law School in 1957 and all were on the staff of the Yale Law Journal—Blanchette was editor-in-chief, Eyster the notes editor and Barnum a member of the editorial board.

On graduation the three split. Blanchette set up his own law firm in New Haven, Conn.—Adams, Blanchette & Evans, Eyster and Barnum both joined the prestigious New York firm of Cravath, Swaine & Moore.

Eyster remained with Cravath for about a year and left in 1958 to join Blanchette's firm. The two remained law partners until 1963, when Blanchette left to become counsel to the trustees of the bankrupt New York, New Haven & Hartford Railroad (now part of the Penn Central).

Eyster left the same firm and went to Chicago, where he joined Sonnenschein, Levinson, Carlin, Nath & Rosenthal.

Barnum, meanwhile, remained at Cravath, eventually becoming a partner, until 1971, when he joined DOT, first as general counsel and since July as undersecretary. Last September he brought in his old friend Eyster (who had been an usher at Barnum's wedding in 1958 and best man for Blanchette in 1969) to become general counsel at DOT.

For much of the past year as the fight dragged on over legislation to restructure the northeastern railroads, both Barnum and Blanchette participated heavily—although as Blanchette recalls, often at odds.

Barnum had early espoused the administration view that the entire restructuring should be done through private enterprise.

Blanchette argued at length on behalf of the trustees that the federal government should pay the cost of laying off possibly thousands of railroad workers and might have to issue something more valuable than common stock to the creditors of the railroads whose properties are taken.

Blanchette's views prevailed in the final legislation.

The legislation called for creation of two organizations—the United States Railway Association, a private nonprofit corporation that would design a new northeastern rail system and administer federal financial aid to help it rebuild, and the Consolidated Rail Corp., a private profit-making company that will run the new railroad.

One of the first challenges facing the government after passage of the legislation were half a dozen lawsuits filed by creditors, challenging the constitutionality of the new law.

To fight the challenge on behalf of the new USRA, Barnum retained Washington lawyer Lloyd N. Cutler, a partner in the well-known firm of Wilmer, Cutler & Pickering.

The firm, it turns out, arose from what was before World War II the Washington office of Cravath, deGeersdorff, Saine & Wood (now Cravath Swaine & Moore). The Wilmer, Cutler firm still acts as Washington correspondents on many matters for the Cravath firm.

The second challenge was hiring personnel to staff the new USRA. The chief operating officer, retained recently, is Edward G. Jordan, who was approached to accept the post by Eyster.

Jordan and Eyster met several years ago when Eyster's Chicago law firm represented a computer company of which Jordan was a vice president.

During the coming months, Blanchette can be expected to be in frequent discussions with Barnum and Eyster over the manner in which northeastern rail lines are to be restructured.

One matter on which the Penn Central trustees are certain to approach DOT is interim financial aid to keep the railroad operating while the two-year restructuring process continues.

Congress has provided $85 million in cash grants plus $150 million in loan guarantees to help keep the Penn Central afloat.

The money is also available to other rail lines—but it would be to Penn Central's benefit to keep it all available for lines in the Northeast.

So far, Penn Central has asked for about $10.8 million, while the Chicago, Rock Island & Pacific is seeking $100 million.

Further, USRA and DOT will be working closely laying out the Northeast rail system—determining which lines are to be included and which may be abandoned—and the value of the properties to be taken from Penn Central and other eastern lines and conveyed to the new Consolidated Rail Corp.

How much contact the three old friends will actually have—whether Blanchette will be trying to get as much as possible for the track Penn Central hands over to the new corporation, and how much USRA tries to keep the price down (Barnum represents Sec-

retary of Transportation Claude S. Brinegar in USRA board actions)—is open to question.

Eyster contended it's not likely that the Penn Central trustees will meet with DOT or USRA officials to negotiate on prices or on the creative process.

"USRA is going to make the determination of value of the property in an operating sense first and later in a dollar sense," Eyster said, pointing out that there are 11 members on the USRA board and Barnum represents only Brinegar as a member. He added that a final system plan would be drafted for board consideration by the USRA staff—under Jordan's direction.

How much part will friendship among the three old classmates play?

"While we're good friends, we represent interests that are not necessarily identical in every respect," Blanchette said, adding, "It's like good friends who appear in court on opposite sides—friendship doesn't play any role in our professional dealings."

FEDERAL PAPERWORK: THE MOST ONEROUS REPORTING REQUIREMENT—IRS FORM 941

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, today, I am joining with my very distinguished colleague from Oregon, Congressman AL ULLMAN, ranking majority member of the Ways and Means Committee, in sponsoring legislation aimed at relieving the single most onerous Federal reporting requirement: the quarterly wage report for social security purposes. Our Senate colleagues, Senator THOMAS MCINTYRE, has sponsored this piece of legislation in the other body, and its prospects for implementation in this 93d Congress are distinct.

Under the provisions of this measure, the reporting of wages by employers would be consolidated and the quarterly IRS Form 941, which causes businessmen to cringe, would be changed to an annual system. The existing IRS Form W2 would be used, thus relieving a major aspect of the Federal paperwork burden. The National Federation of Independent Business and its 371,000-strong membership is strongly behind this legislation, and I know that its enactment would be met with genuine gratitude by the entire American business sector.

The proposal which AL ULLMAN and I are sponsoring today in the House would accomplish this significant change through a series of some 40 highly technical amendments to the present Social Security Act and to the Internal Revenue Code of 1954, as amended. IRS Form 941 represents the most difficult and costly paperwork burden imposed on small business. It falls most heavily on small and medium-sized businesses and costs employers $235 million each year in clerical and accounting costs alone.

The National Federation of Independent Business has singled out this particular form and it has consistently sought relief in behalf of the small businessman, whose overhead costs will be significantly reduced if this form were changed from a quarterly to an annual report.

According to a survey by the Federal Small Business Administration, 8 out of every 10 respondents favored eliminating Form 941 and using Form W2 to obtain data for social security purposes. Their expenses, it was clearly determined, would be substantially reduced. Not only would the business community derive benefits and savings from implementation of this legislation, but also the Federal Government, which processes approximately 175 million reports of wage payments each year. The General Accounting Office calculates that the processing of paperwork costs the Government over $15 billion a year. That figure accounted for some 6 percent of Federal expenditures in fiscal 1973. And, it now costs $7 billion more per year to process Federal paperwork than it did 6 years ago—$11 billion more per year than paperwork costs back in 1955. These figures clearly underscore the magnitude of the alarming proportions that the paperwork burden has reached.

Several major advantages of the changeover from a quarterly wage report to a yearly system were illustrated in a report of the President's Advisory Council on Management Improvement, as follows:

1. Data processing systems have made tremendous strides since the initial proposal that a single reporting system is not only technically feasible but also administratively adequate.

2. The objections raised in the past are no longer of sufficient weight to continue the now obsolescent system.

3. The annual reduction in the number of reports submitted by business is estimated at approximately 18 million, with a savings in excess of 200 million dollars. Savings to the Federal Government would be reflected in a reduction in operating costs and increased compliance income, but accurate estimates of dollar savings will have to wait on the development of the system.

Mr. Speaker, the legislation which Congressman ULLMAN and I are jointly sponsoring today is going to me met with an extremely favorable response by every businessman, whether he represents a large or small operation, although it will be of particular benefit to the smaller establishment.

Its passage will be a major attack against the Federal paperwork burden and is part of my current effort here in the House to achieve constructive progress in lessening that burden, to the greatest possible extent.

My "Federal Paperwork Burden Relief Act," which directs the GAO to conduct a Federal wide study of the nature and extent of reporting requirements, has been cosponsored by 162 of our House colleagues. Congressman ULLMAN and I will be enlisting the support of our colleagues on the measure we are introducing today. I am confident that approval of each will represent a meaningful and successful attack on the ever-increasing problem of Federal paperwork.

A leading columnist in my district, Mr. Ray Koehler of the Reading Times, has editorialized the paperwork bill and the proposal being introduced today in the House. I respectfully request that these two articles be reprinted in the RECORD and I heartily commend them to the attention of my congressional colleagues:

[From Reading Times, Apr. 16, 1974]

GUS'S PAPER BILL GAINS SUPPORT

U.S. Rep. Gus Yatron, who used to be an ice cream dealer, knows about the heartaches and vexations of the small businessman.

He knows how businessmen, who want only to make a decent living, are being strangled by red tape and are suffocating under an unflagging growth of federal government paperwork.

It is to protect Americans from bureaucrats, who seem more intent on shuffling papers than providing services, that he has introduced the "Federal Paperwork Burden Relief Act."

The bill, cosponsored by 162 of his colleagues, would eliminate useless paperwork for American business—big and small.

It directs the General Accounting Office (GAO) to study the nature and extent of creeping paperism and report its findings to Congress in the form of recommendations for administrative actions and legislative enactments.

Congress then would be able to begin to cut away the red tape—and very likely eliminate a lot of paper shuffling boondogglers.

The scope of the problem was highlighted by a National Federation of Independent Business, Inc., survey which says reports required by federal agencies use an estimated 10 billion sheets of paper a year while the cost of filling out these sheets of paper amounts to $18 billion dollars.

"Implementation of the act would achieve meaningful inroads in lessening, coordinating and revising federal reporting requirements," said Yatron, who has literally been digging his way from beneath a volume of congratulatory mail since he introduced it.

Hoo-rah for Gus. It's time someone makes a move in this direction. If his bill does nothing else, it might cause some soul searching in various bureaus and, hopefully, put a brake on burgeoning paper work.

Direct benefits would accrue to the small businessman who can't be expected to assume the cost and time-consuming factors in complying with completion of myriad papers and forms.

Why, the rules and regulations of such a governmental agency as the Internal Revenue Service have made it necessary for the ordinary businessman to become a top-notch bookkeeper and to have an attorney on call.

One estimate says costs to small business operations for complying with IRS requirements alone averaged $860 in 1971—a jump of 160 per cent from $325 in 1961!

It is a frustrating if not intolerable situation.

Gus Yatron says the last thing a small businessman needs in the present economic climate is an onerous paperwork load.

To date, the Reading Democrat's bill has received several dozen endorsements.

The late President Kennedy said, "A journey of 10,000 miles begins with a single step." U.S. Rep. Gus Yatron, Berks County's man on Capitol Hill, and U.S. Rep. Al Ullman of Oregon, second ranking member of the House Ways and Means Committee, today will take the first step to reduce more than an estimated $18 billion, which excessive federal paperwork is costing small business.

The Yatron-Ullman bill, if enacted, would save small business about $235 million a year by: Eliminating the requirement which forces the small business employer to file reports on Social Security taxes every quarter, and instead would permit the employer to file just once a year, incorporated with the W2 form which furnishes the Treasury with information on withholding taxes.

Besides saving small business unnecessary expenditures, such a reform also should reduce the federal work force, which shuffles through these quarterly reports that have no value.

Maybe cutting the federal work force is a bit much to expect in a government which thrives on bureaucracy, but it's this very personnel pool which is responsible for the long delay in getting action.

In 1971, a special President's Commission on Management Improvement recommended the quarterly reports be abandoned, as they serve no useful purpose. In 1973, ex-Treasury Secretary George Shultz took the same position.

So, earlier this year, Yatron introduced the "Federal Paperwork Burden Relief Act." It was co-sponsored by 162 of his colleagues.

But, it might take some time for Yatron's bill, which directs the GAO to hack through the federal paperwork jungle and come up with recommendations for pruning a substantial share of paper now required.

And, small business needs relief from paper strangulation now.

Hence, Yatron and Ullman have teamed to change the single most onerous reporting requirement for small business from quarterly to yearly.

The proposed reform would in no way slow the cash flow to the Treasury. It would merely end one of the many duplications of unneeded but costly reports that end in bales in some dark Washington basement, after they have been shuffled from desk to desk.

Because of Ullman's Congressional seniority, second only to representative Wilbur D. Mills on Ways and Means, Yatron sees passage of the Yatron-Ullman bill as "sure thing this year."

"I also hope my own bill will be passed, but it probably could become part of a major tax reform bill or as an amendment to other legislation," Yatron stated during the weekend.

"I would think," he said, "that the IRS and the Social Security Administration would welcome passage of the paperwork burden relief measure because it would eliminate extra paperwork for government agencies."

Should Yatron's paperwork bill materialize into solid reform measures, the Reading Democrat could become the patron saint of small business.

CHAPTER 2 OF THE GREAT OIL ROBBERY

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

Mr. VANIK. Mr. Speaker, this week brings us another chapter in the continuing story of the "Great Oil Robbery." Three major oil companies—Gulf, Standard Oil of Indiana, and Texaco—have announced tremendous increases in their first quarter earnings performance. Gulf Oil's earnings bulged 71 percent over the same period last year, while Standard's ballooned even further, with an 81-percent increase. The blue ribbon prize goes, however, to Texaco—its earnings were up a phenomenal 123 percent. The stockholders of Gulf, Indiana Standard, and Texaco must be elated at the news, but the real happiness is in the oak-paneled corporate offices. This happiness is reflected in the salaries and bonuses paid to oil company executives. For example, in 1973, John Swearingen, chairman of the board of Standard of Indiana, got a pay boost of 6.4 percent to $455,000. But Mr. Swearingen, happy though he must be, did not fare as well as Raleigh Warner, his counterpart at Gulf Oil. Mr. Warner made a big jump up the corporate ladder with a remarkable pay hike of 42 percent to $490,000—not bad for a year's work. Now, 1973 was not a bad year for the oil companies, but with 1974 going the way it is, things should be better for the oil companies and their executives—but a worse year for everyone else who has to pay the bill.

The Ways and Means Committee has set out to grapple with this problem. Unfortunately, the legislation the committee is shaping into final form will do little to attack the fundamental problem underlying oil company profits. The committee has developed a windfall profits tax that does not tax profits and a phaseout of the depletion allowance that is riddled with irrational exemptions.

Before we go racing off and voting for slogans, we should stop and ask ourselves what we are trying to achieve with a reform of our tax laws in this area. The most disturbing factor in the oil companies, profit growth is not the size of the increase but the fact that the oil companies are paying virtually no tax on any of their profits. Most oil companies pay Federal income tax at an effective rate of less than 10 percent. In short, at the very center of the issue of burgeoning oil industry profits is the matter of tax justice.

The legislation presently under consideration in the committee fails to achieve either equity or fairness, and in the process it complicates and confuses the already complex and confusing tax code. Rather than making foolish promises to attack excess profits in the oil industry, Congress should eliminate the special tax gimmicks now available to the oil industry: the intangible drilling expense, the percentage depletion allowance, and the foreign tax credit. Any past justification for extending these taxpayer subsidies no longer exists.

Only through honest and direct tax reform will we eliminate the specter of outrageous oil profiteering. To follow any other course is simply throwing straws in the wind.

LABOR—FAIR WEATHER FRIEND—XX

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

Mr. GONZALEZ. Mr. Speaker, the Labor Council for Latin American Advancement had a board meeting down in El Paso last week, and there for the first time that I know of, the board considered the question of whether it was right or wrong for their officers to take it upon themselves to accuse me of antilabor sentiments.

Now this was a curious thing. In this meeting, one and all agreed that there is not a man in Congress whose voting record labor approves of more than mine; yet here they were wondering if they should consider me antilabor. That was the nub of it.

Unfortunately, many of those present did not see the real issue. They just saw it as a question of whether labor should accede to my call for an apology. These speakers were afraid that it would look bad if their organization apologized, claiming that this would make the labor movement look as if it was giving in to one man. They could not want to look so weak. So the issue, as these delegates saw it, was one of pride. Their pride would not let them admit that they had been misused by their officers, even though everyone present readily admitted that I was anything but antilabor.

One delegate said that he would support the actions of the LCLAA officers in attacking me, because they were right on that issue. This particular fellow was an officer and party to the attack, so his defense of it is understandable, in terms of his own self-interest. But then this fellow went on to say that this did not mean that he would ask labor not to support me in the future. Indeed, he would work in my behalf, and oppose anyone who ran for election against me.

Now I admit that it is a little hard to follow the man's logic. But to restate the situation, the LCLAA felt that though I had been a tried and true friend of labor, they, and labor, would look weak if they retracted their attack. They would, they said, stand by their statement, but contact me and try to work things out.

There is nothing to work out. I have been wronged, and I expect the wrong to be righted, period.

These fellows think that I might forget all of this. I have no such intention.

The president of the Texas AFL–CIO misunderstands me if he thinks it mollifies me any to receive copies of a letter from him defending me, when I know that in the LCLAA meeting he did not. In fact, this official offered the opinion that I will run out of things to say about this business. Further, he thinks that it would be impossible for labor to be put in the position of "bowing down to one man."

This is the same Harry Hubbard who last December was defending me, as the following letter shows:

JANUARY 3, 1974.

Mr. RAY MENDOZA,
Chairman, Labor Council for Latin American Advancement, Washington, D.C.

DEAR BROTHER MENDOZA: We just read your press release dated December 19, 1973, vigorously condemning Congressman Henry B. Gonzalez for his union-busting attitude in regards to his supposed stand with Willie Farah and the Farah Pants Manufacturing Company.

As you know, Congressman Gonzalez has always been a close friend of Labor with an excellent voting record and a strong supporter of working people, in general. We would like to know if Congressman Gonzalez has been contacted in regards to this matter and what is his explanation.

While we certainly don't condone anyone attacking the Farah strikers, and we support their causes 100%, it is difficult for us to believe that Congressman Gonzalez would do anything detrimental to union members or take exceptions with the leaders of the Catholic Church.

We would think, with the outstanding past of Congressman Gonzalez, a full explanation from him would be in order before this press release was released. Hoping this was the case, any documentary evidence you have to substantiate these charges would be ap-

preciated by us for our own personal understanding.

Fraternally,

HARRY HUBBARD,
President.
SHERMAN FRICKS,
Secretary-Treasurer.

I want Harry Hubbard to know that I do not forget, and I have a great deal more to say than he thinks. And I want the Texas AFL–CIO to understand that I know hypocrisy when I see it.

To my labor friends in general, I say that it does not take away from anyone's stature to correct a manifest wrong. The opposite is true. Pride is a very great sin, and pride is what carried the day with Hubbard and the others at the LCLAA meeting. That is too bad. I am one friend of labor who knows now just how high a value to place on the friendly coos I am supposed to be hearing from the LCLAA peacemakers, someday soon.

TAXATION OF TELEPHONE COOPERATIVES

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

Mr. JONES of Tennessee. Mr. Speaker, section 501(c)(12) of the Internal Revenue Code provides an income tax exemption for mutual or cooperative telephone companies who receive at least 85 percent of their incomes from their members for the purpose of meeting losses and expenses. Cooperatives who do not meet the 85-percent test have been allowed by the Internal Revenue Service to exclude from taxable income all overcollections returned to patrons.

Recently, however, a difficulty has arisen over payment for termination service. When a person places a call from an area served by one telephone company into an area served by another, the company—or cooperative—on the receiving end of the call is said to have provided a termination service and is entitled to be compensated for this service. Such compensation rarely, if ever, consists of cash. Instead, a reciprocal arrangement usually exists whereby telephone companies and cooperatives agree to provide termination services for one another.

The Internal Revenue Service has recently taken the position in one case at least that such a reciprocal arrangement constitutes a payment, and when this payment is made from a telephone company to a cooperative, the payment should be counted as income from a source other than cooperative members.

This interpretation by the Internal Revenue Service would probably cause every telephone cooperative in the United States to fail to qualify as tax exempt under the 85-percent test. This interpretation would also greatly reduce the amount of excludable patronage refunds for the nonexempt cooperatives.

When Congress enacted an income tax exemption for telephone cooperatives which met the 85-percent test, I am sure that the above mentioned interpretation was not intended. It would have been pointless to enact an exemption for telephone cooperatives if none could qualify for it.

The amendments which I have today introduced would make it clear, for all open years in question, that income received by a telephone cooperative from a nonmember telephone company for the performance of services would not be considered in applying the income test.

INVASION OF PRIVACY

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

Mr. METCALFE. Mr. Speaker, recent articles in the Chicago Tribune indicate that the Federal Bureau of Investigation has "extensive secret files detailing the activities of the city's—Chicago—major black leaders." The article by David Young, Chicago Tribune writer, goes on to state that the surveillance of black groups in Chicago resulted in a large file known as the "137 file." Young further wrote that—

> Hundreds of black, civic, business, and political leaders in Chicago are included in the "137 file."

The Tribune article mentions only three specific individuals as being in the 137 file: The Reverend Jesse Jackson, head of Operation PUSH; the Reverend Ralph Abernathy, head of the Southern Christian Leadership Conference, and myself.

Further, it must also be pointed out that in August 1967, the then Director of the Federal Bureau of Investigation initiated a program entitled "Counterintelligence Program, Black Nationalist-Hate Groups, Racial Intelligence" shortened to "COINTELPRO." The program, according to the Federal Bureau of Investigation, has since been discontinued.

However, the problem that this type of operation illustrates still exists and it is to that problem that I want to briefly address myself.

A government has the right, and indeed the obligation, to protect itself from the destructive actions of a few who would attempt to circumvent the political processes to achieve their objectives. However, every agency of the Government must act so as never to transgress the basic rights of the individual citizen. Young stated that—

> The information contained in most of the files is known as raw intelligence.

This raw intelligence that exists in the 137 files, as reported in the Tribune, was gathered by someone, either by agents of the Federal Bureau of Investigation, or by informers acting under the direction and supervision of such agents, but in either case certainly pursuant to the directives of the Director.

Mr. Justice James Wilson, in one of his lectures states that—

> Every wanton, or causeless, or unnecessary act of authority, exerted, or authorized, or encouraged . . . over the citizen, is wrong, and unjustifiable, and tyrannical, for every citizen is, of right, entitled to liberty, personal as well as mental, in the highest possible degree, which can consist with the safety and welfare of the state.

This body has the obligation to investigate the activities of the Bureau to determine how this organization, charged with the responsibilities that it has, could establish an operation which resulted in the 137 file.

The right of dissent within our society is guaranteed by the Constitution. An officer of the Government must be ever mindful of that fact when executing the law of the land. Surveillance, such as the type that was needed to achieve the implementation of the Bureau's directive and as evidenced by the existence of the 137 file, can have a very chilling effect on the right of dissent within a free society.

I think it is of paramount importance that this body, through the appropriate committee, investigate the full scope of the intelligence operations of the Federal Bureau of Investigation.

There is also another area of which this body should be mindful when considering the activities of the Bureau and that is the right to privacy. Bernard Schwartz in "Rights of the Person," volume 1, states that—

> The right to privacy in its present-day constitutional connotation is far more than only an immunity against physical invasion of ones private possessions. It is nothing less than the right of the individual to be protected from any wrongful intrusion into his private life, whether committed by a private person or by government itself.

The charges contained in the Tribune article are indeed frightening. That hundreds of black civic, business, and political leaders in Chicago are included in the 137 file makes me wonder whether we are a people ruled by men or by laws. These actions of the Federal Bureau of Investigation must make us more determined to exercise the proper congressional oversight responsibilities to determine whether this agency is acting with proper respect for constitutionally guaranteed rights.

AMERICA DESERVES A NATIONAL TRANSPORTATION POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER), is recognized for 15 minutes.

Mr. ALEXANDER. Mr. Speaker, Bernard Baruch once remarked that—

> The highest and best form of efficiency is the spontaneous cooperation of a free people.

Today I am introducing a bill which I hope will be blessed with cooperation among the parties interested in bringing about increased efficiency and effectiveness in the area of transportation. I hasten to point out here that transportation is a vastly complex and comprehensive subject and that the proposal which I introduce today is not intended to be all inclusive. It is fully my intention to work as cooperatively as possible with the members of the House Public Works Committee who are struggling to shape the portion of this year's transportation

legislation that is within their jurisdiction.

I sincerely hope and believe that we can develop a workable compromise from among the various elements of the proposals which the committee's members are and will be reviewing. The proposal which I introduce today is the product of much study in this area and of understanding gathered early this month when I chaired hearings before the Agriculture Subcommittee on Rural Development.

These hearings reviewed the effect Federal transportation policy has had and can be expected to have on the countryside. I am deeply disturbed by what we learned is a nationwide, deteriorating situation in the countryside transportation system. The problem this creates is one for the whole Nation. It adds expense to an already too high food bill. It raises the specter of increased shortages in food created by the inability of this Nation to provide the countryside distribution system essential to our efforts to feed our cities and at the same time use our agricultural production to improve our international balance-of-payments position.

The bill which I introduce today is intended to respond to a number of problem areas. Its first section sets out its purpose to amend both title 23 of the United States Code and the Federal Highway Act of 1973.

The second section of this bill would amend title 23 to include in it a clear declaration of the intent of the Congress to establish a national transportation policy which takes into account the interdependence of the cities and the countryside. The time is long passed when we as a Nation could afford to treat the needs of the cities and the countryside as separate and apart.

The third section of the bill would provide for a change in the definitions contained in section 101(a) of title 23. This is simply a change from the use of the word "rural" to the word "countryside" in this law.

Section 104 of my proposal would provide for critically needed expansion in the ability of the various States across the Nation to fill the needs of the countryside transportation network. This section would increase the funding provided in the 1973 Federal Highway Act for the Federal-aid primary system in rural areas from $700 million in fiscal year 1975 to $1 billion and from $700 million in fiscal year 1976 to $1,400 million. It would also raise the $400 million authorizations for fiscal years 1975 and 1976 to $500 million for Federal-aid secondary systems in rural areas. In other words, the funding would be increased from a total of $2.2 billion for the 2 fiscal years to $3.4 billion.

Section 105 of the proposal would expand the funding for the special bridge replacement program provided for in title 23 of the United States Code from a total of $150 million for fiscal years 1975 and 1976 to $150 million for each of these years.

In addition to the expansion of the funding for this replacement program for Federal aid system highways, this section would make it possible for this program to be used for replacing bridges which are not adequate for the needs of the region served, as well as because they are judged as unsafe.

In section 106 of my bill I propose the creation of new emergency bridge replacement program. This one would be for use on non-Federal aid system public roads. It would be financed by funds produced by the taxes paid into the Highway Trust Fund by consumers on petroleum products used for travel on non-Federal aid system highways and roads. Let me make clear that I do not mean a new tax. I mean the tax which these drivers have been paying since such taxes have been being collected.

The program which I propose would be administered at the county level by the appropriate official, officials, or agency with responsibility for highway and road programs. Provisions of my proposal are designed to help insure that the local bridge replacement decisions are made in coordination with the existing regional and State transportation plans.

I would emphasize here that this program should be operated in such a manner that there is something of a "double standard." In other words, it should be possible for county officials, in consultation with the State highway officials, to decide that one bridge need only have a carrying capacity of, say, 15 tons while another needs a carrying capacity of 30 tons.

The final section of my proposal would provide increased funding for fiscal years 1975 and 1976 for the projects in high-hazard locations program contained in title 23 of the United States Code. In addition the proposal would allow 15 percent of these funds for projects on public highways and roads not on Federal-aid systems.

I urge my colleagues to review these proposals with the transportation needs of the whole Nation in mind and with the understanding that there is a strong interdependency between the cities and the countryside:

H.R. 14283

A bill to amend Title 23, United States Code, the Federal-aid Highway Act of 1973, and other related provisions of law, to increase safety on the nation's highways

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SEC. 101. This Act may be cited as the 1974 Amendments Act to the Federal-Aid Highway Act of 1973, and Title 23, United States Code.

DECLARING INTENT TO ESTABLISH A NATIONAL TRANSPORTATION POLICY

SEC. 102. Sec. 101 (b) of Title 23, United States Code is amended by adding at the end of the third paragraph a new paragraph reading:

"It is further declared that the Congress finds it to be in the highest national interest that a national transportation policy which takes fully into account the interdependence of the cities and the countryside, the metropolitan areas and the non-metropolitan areas, and the interrelationships of the various transportation modes, and which encourages the development of and the most efficient multimodal use of the best available technology and transportation resources in such a way as to fill the needs of the whole Nation. It is further the intent of the Congress that this act shall be administered as an integral part of said national transportation policy."

SEC. 103 (a) Sec. 101 (a) of Title 23, United States Code, is amended by deleting the sentence reading:

"The term 'rural areas' means all areas of a State not included in urban areas."

and, inserting in lieu thereof the following:

"The term 'countryside areas' means all areas of the State not included in urban areas."

(b) SEC. 103 of Title 23, United States Code, is amended to conform with the amendment of Sec. 101 (a) provided in (a) of this section by deleting the word "rural" where it appears and inserting in lieu thereof the word "countryside."

INCREASED AUTHORIZATION FOR PRIMARY AND SECONDARY HIGHWAY SYSTEMS

SEC. 104. 104 (a) (1) of Title 1 of the Federal-Aid Highway Act of 1973 is amended to read as follows:

"(1) For the Federal-aid primary system in rural areas, out of the Highway Trust Fund, $680,000,000 for the fiscal year ending June 30, 1974, $1,000,000,000 for the fiscal year ending June 30, 1975, and $1,400,000,000 for the fiscal year ending June 30, 1976. For the Federal-aid secondary system in rural areas, out of the Highway Trust Fund, $390,000,000 for the fiscal year ending June 30, 1974, $500,000,000 for the fiscal year ending June 30, 1975, and $500,000,000 for the fiscal year ending June 30, 1976."

BRIDGE REPLACEMENT AND RECONSTRUCTION

SEC. 105. In order to increase the public safety and to facilitate the transportation of natural resources, including agricultural commodities from farm to market and mining products, Secs. 204 (a) and (f) of the Federal-aid Highway Act of 1973 are amended to read as follows:

"SEC. 204. (a) Subsection (e) of section 144 of Title 23, United States Code, is amended by striking out "1972; and" and inserting in lieu thereof "1972,"; by inserting immediately after "1973." the following: "$25,000,000 for the fiscal year ending June 30, 1974, $150,000,000 for the fiscal year ending June 30, 1975, and $150,000,000 for the fiscal year ending June 30, 1976."

SEC. 106. Chapter I of Title 23, United States Code, is amended at the end thereof by adding a new section as follows:

"SEC. 154. EMERGENCY BRIDGE REPLACEMENT PROGRAM

"(a) Congress hereby finds and declares it to be in the vital interest of the Nation that an emergency bridge replacement program for non-federal countryside roads and highways be established to enable the several states to replace bridges over waterways and other topographical barriers when the Counties, States and Secretary find that the bridge is significantly important and is unsafe or inadequate, to serve area needs particularly that of transporting natural resources including agricultural and mining products because of structural deficiencies, physical deterioration, or functional obsolesence.

"(b) The counties, in consultation with and with the assistance of the State in which they are located, shall (1) inventory all bridges located on any non-federal aid system public road over waterways and other topographical barriers of the United States; (2) classify them according to their serviceability, safety, essentiality for public use; and (3) based on that classification assign each a priority for replacement.

"(c) This program shall be administered within each County of each State by the appropriate official, officials or agency with responsibility for administering non-federal

aid highway and road programs in that County and shall be coordinated at the State level by the state agency responsible for administering state highway programs.

"(d) The priority classifications of the bridges to be replaced shall be made by the appropriate official, officials or agency of the county as provided in (c) of this Section, in consultation with the regional economic development district, where applicable, in which the county is located and the state agency responsible for the highway transportation planning to ensure that the replacement decisions are not in violation of existing regional and state transportation plans.

"(e) Funding for this program shall be provided by the appropriation out of the highway trust fund of a percentage of the fund's annual income available by law for distribution to the States at least equal to the percentage of miles traveled on non-Federal aid system roads as it relates to the miles traveled on both Federal aid and non-Federal aid system public roads. Such funds shall be available for obligation on January 1 preceding the beginning of the fiscal year for which they are authorized and shall remain available until expended.

"(f) Such funds shall be apportioned to the various States in the following manner:

"Twenty percent in the ratio which the area of each State bears to the total area of all States; thirty percent in the ratio which the dollar volume of agricultural (including timber) and mining produce of each State bears to the total of all the States; twenty percent in the ratio which the rural population of each State bears to the total rural population of all the States; and, thirty percent in the ratio which the non-Federal aid rural system public road mileage of each State bears to the total non-Federal aid rural system public road mileage of all States.

"(g) Each State shall apportion to the various counties within each State the funds allocated to each State in the following manner:

"Twenty percent in the ratio which the area of each county bears to the total area of all the counties; thirty percent in the ratio which the dollar volume of agricultural (including timber) and mining produce of each county bears to the total of all the counties; twenty percent in the ratio which the rural population of each county bears to the total rural population of all the counties; and thirty percent in the ratio which the non-Federal rural aid system public road mileage in each county bears to the total non-Federal rural aid system public road mileage of all the counties.

"(h) The State department or agency responsible for administering State highway programs shall receive and apportion all moneys allocated by the Federal Government under this program and shall establish income producing accounts for each of the participating counties within the State. Funds from such accounts shall be disbursed by the State for purposes specified under this section on the direction of the county for which the account has been established. Any income accruing upon unexpended balances in the county's account shall be paid into that account, except that the State may retain a sum equal to the income produced by 25 percent of the rate of interest or other appreciation upon which the income is paid to defray the cost of administering the accounts.

"(i) Engineering, contracting, inspection and all other services incidental to the purposes of this section unless otherwise specified shall be provided by the official, officials, or agency responsible for providing such services for non-Federal aid system highways and road programs in each county: *Provided*, That the State agency responsible for administering highway programs shall be consulted on these decisions. If the State agency provides these services and compensation is not otherwise provided, the county may pay to the State agency a fee not to exceed the actual cost of the project which might be properly attributed to those activities for which the service is provided.

"(j) Funds authorized by this section shall be available solely for expenditure for projects authorized under this section.

"(k) Notwithstanding any other provisions of law the General Bridge Act of 1946 (33 U.S.C. 425, 533) shall apply to bridges authorized to be reconstructed and bridges to be constructed to replace unsafe bridges under this section.

"(l) The Secretary shall report to the Congress annually on projects approved under this section with any recommendations he may have developed in consultation with the various States for further improvements in the emergency bridge replacement program authorized in accordance with this section."

PROJECTS FOR HIGH-HAZARD LOCATIONS

SEC. 107. Sections (b) and (c) of section 152 of title 23, United States Code, as amended by section 209(a) of the Federal-aid Highway Act of 1973 are further amended to read as follows:

"(b) For projects to eliminate or reduce the hazards at specific locations or sections of highways which have high accident experiences or high accident potentials, by the Federal Highway Administration, there is hereby authorized to be appropriated, out of highway trust fund, for the fiscal year ending June 30, 1974, $50,000,000 and for each of the fiscal years ending June 30, 1975, and June 30, 1976, the sum of $150,000,000. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

"(c) Funds authorized by this section shall be available for expenditure for projects on any of the Federal-aid systems (other than the Interstate System) except in the Virgin Islands, Guam, and American Samoa; and not more than 15 percent of the funds authorized may be approved for expenditure on projects off of the Federal-aid systems whenever the Secretary shall find that such a project is necessary for the public safety, or to provide for the movement of agricultural products from farm to markets.

BELLA S. ABZUG FINANCIAL DISCLOSURE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 15 minutes.

Ms. ABZUG. Mr. Speaker, I am reporting today on my personal finances and income tax payments. Although I file a joint return with my husband and some of these details represent an invasion of his personal privacy as a private citizen, he has agreed to waive his privacy in consideration of my standing as a public official:

A. Sources of all Non-Congressional Income:

1. Lecture Honoraria and Articles (An itemization of each source and amount of honoraria is filed with the Clerk of the House pursuant to House Rule XLIV and is available for public scrutiny)	$21,245.00
Less expenses	7,758.48
Net income from above	13,486.52
Reimbursed expenses in connection with honoraria. (No other non-U.S. Government sources for reimbursement of expenditures)	1,113.88
2. Dividends and interest from Securities Account in joint name of Maurice Abzug and Bella S. Abzug in which Bella S. Abzug has only a minor interest. (The interest expense paid on this securities account amounted to $4,061.24)	$5,012.60
3. Interest on savings account in joint name of Bella S. and Maurice Abzug	112.76
4. Partnership income (Greenwich Associates)	319.53
B. Congressional expenses not compensated for by the federal government and paid for out of my personal funds	22,714.77
C. Assets:	
1. Securities account in the joint name of Maurice and Bella S. Abzug in which Bella S. Abzug has a minor interest. (Maurice Abzug is a stockholder):	
Market value of stock and bonds	78,750.00
Debit	29,608.00
Equity	49,142.00

(Although not required by law or House Rule XLIV, I have filed the identity and value of each stock and bond held in this account with the Clerk of the House for public scrutiny.)

2. Ten Bonds A.T. & T. 8¾ percent	10,000.00
3. Greenwich Savings Bank—joint account in the names of Maurice and Bella Abzug	3,036.48
4. Sergeant at Arms checking account	4,451.17
5. Partner in Greenwich Associates	4,405.32
6. Automobile	1,500.00
7. Personal contribution to Federal Retirement Fund	3,966.66
D. Unsecured loan owed to National Bank of North America	5,833.20
E. I paid Federal, State and New York City income taxes as follows:	
1973	
Federal	12,903.80
State	3,354.15
City	855.67
1972	
Federal	11,712.81
State	3,040.75
City	788.63
1971	
Federal	14,879.60
State	3,946.50
City	1,001.88

NOTE.—My 1971 tax return was audited after my name appeared on the "enemies list" and the result of the subsequent audit was a refund of $279.30.

F. I am a partner in Greenwich Associates in which I own a 1/9 interest in a piece of property the value of which is listed above. I am also a director of Women's Action Alliance which is a non-profit organization that provides information and materials of women's concerns to individuals and groups across the country.

THE SOLID WASTE ENERGY RECOVERY ACT OF 1974: "CASH FOR TRASH"

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from Tennessee (Mr. FULTON) is recognized for 10 minutes.

Mr. FULTON. Mr. Speaker, on April 10, 1974, I introduced legislation which will move us rapidly forward in our efforts to utilize heretofore untapped but readily available sources of energy. At the same time the legislation can help alleviate the rapidly growing problem of solid waste disposal which today is becoming more and more costly as it consumes more and more valuable acres in landfill.

Ours is a "throwaway" society. Sociologists and others may well debate and deplore this fact or its applications, but it is a fact and we must cope with it. Each year we throw away about 200 million tons of waste in the form of trash, garbage, and junk which we call "disposable solid waste."

It is estimated today that it costs about $20 a ton to gather, transport, and dump this trash in a sanitary landfill or dump. Total this all up and it comes to about $4 billion each year. And it is all waste—just junk and trash—which continues, in many ways, to cause problems and will for years to come.

Today there are means of turning this economic liability into an asset. Junk and trash can now be recovered, treated and transformed into a number of byproducts which are economical not only because of the cost-saving features but also because the byproducts become useable and salable materials.

My own community, Metropolitan Nashville-Davidson County, Tenn., is pioneering in energy recovery with an economically feasible system which collects trash, separates it, incinerates it, and uses the heat to operate a centralized heating and cooling plant. This plant has become the focal point of interest and a generator of considerable excitement as cities throughout the Nation learn of and explore the potential in their own communities for changing trash to cash.

"Cash for Trash" is one name given to the Nashville project which is run by Nashville Thermal, a nonprofit corporation. The facility will heat and cool more than thirty city, State and nongovernmental buildings in the downtown area under 30-year, noncancelable contracts. The city, which now has about 1,400 tons of trash a day to dispose of, has agreed to give the new corporation as much of it as it wants, without charge, for the next 30 years. Initially the plant will consume about half the available solid waste to produce almost 400,000 pounds of steam an hour and about 14,000 tons of air conditioning. Eventually, it will use all of the city's available refuse and its heating and cooling capacity will be increased accordingly.

The plant was planned and constructed by I. C. Thomasson & Associates, consulting engineers, at a cost of about $16 million.

While such is not planned at this time, the concept is not improbable that outlying communities and their governments may in the future, tie into the Nashville system. It would be worth it to them to do so, some officials say, in terms alone of cost savings in collection and disposal of trash.

There is no new technology involved in the Nashville facility. In Europe the concept is commonly employed and it was from the European plants that Nashville's Mayor Beverly Briley got the idea for Nashville Thermal. But, in the United States, only four other cities—Chicago, Norfolk, Miami, and Harrisburg—create steam from burning solid waste.

Nashville is unique in that it not only produces steam for heating but also utilizes output for producing coolant. As one writer has put it:

> The Nashville plant simply combines these proven ideas, and the happy result is beginning to look like one of those rare bonanzas that helps everybody.

Specifically the Nashville project will:

Replace the individual heating and cooling systems of its customers, at a savings of some 2 million kilowatt hours of electricity the first year;

Reduce the heating and cooling costs of the customers by at least 25 percent;

Reduce the amount of electricity needed in a typical building by as much as 50 percent;

Save the city government more than $1.25 million a year through the reductions in the cost of garbage collection and sanitary landfill operations;

Virtually eliminate the city's solid waste disposal problem by reducing its volume by 95 percent and leaving a 5-percent residue of metal that can be recycled and ash that can be resold for a variety of uses; and

Require less water than the heating and cooling of plants it replaces.

Thus we have a system that conserves energy in several ways, saves power consumers money and eases the bite on local tax dollars while virtually eliminating the solid waste disposal problem which not only means less costly government but reduces considerably certain public health problems. It is literally a program of "cash for trash."

But is it as environmentally attractive as it is economically feasible? Yes. In Nashville the process of incineration is such that all current air and water standards easily can be met.

We know too well the sound and proven rule that you do not get anything of value for nothing. However, these energy recovery systems seem to me a near exception to this rule. By using a little imagination it is not difficult to calculate the tremendous impact that such programs would have if employed on a nationwide scale. Dollar savings would be significant. Energy savings and additional energy production would be significant. The reduction of land waste through landfill would be significant and the reduction of public health problems attendant to the solid waste disposal problem would be significant.

Therefore I have introduced a modest bill designed to encourage the study and adoption of energy recovery systems by local as well as State governments throughout the Nation. I say it is modest because in terms of cost it is a relatively inexpensive bargain.

Basically the bill sets up a program of grants, of which the Federal Government will pay 90 percent for governmental units wishing to undertake feasibility studies and planning for energy recovery systems. It includes a program of Federal loans of up to 75 percent or, as an alternative, a loan interest subsidy program for construction of an acceptable facility.

It is estimated that perhaps 25 of these facilities might be constructed over the next 5 years. For that reason I have asked for an authorization of $60 million a year over this period for the loan program. It is estimated that each feasibility and planning study would run about $200,000. Therefore, over a 5-year period this cost would, at 90 percent Federal participation, total $900,000 a year.

Over the entire 5-year authorization, the funding would total only $4,500,000 for the grant program and $300 million for the loan program which would be repaid to the Federal Treasury. To my mind this is modest and it is about as close as we may ever come to accomplishing something very significant for almost nothing.

Also included in this legislation is a small grant program to permit cities such as St. Louis, Nashville, and others to purchase and install very vitally needed monitoring and data equipment. It should be pointed out that Nashville undertook its entire program at its own expense. However, its funding was limited and another $650,000 to $1 million is needed for monitoring and data collection equipment. This is very necessary and in the long run may make a measurable impact on cost reduction for this new Federal program.

There is provision in the bill for loans to defray the cost of this equipment. However it may be 24 to 36 months before any new facilities are operating. In the meantime much valuable data which could be obtained through the Nashville system, valuable in terms of what that system is doing and what it can contribute in the planning of similar systems, is simply being lost. Just Monday of this week my staff was talking with the National Bureau of Standards about this problem. The Bureau is engaged in a study project on energy recovery for the Department of Housing and Urban Development and told us that their job is being made very difficult because valuable data which Nashville and St. Louis could provide is not available because it is not being collected.

Finally, it should be noted that latitude for planning and application of method to an energy recovery system is very broad in this bill. It is not my desire nor would it be wise to try to limit other cities to what is being done in Nashville. Heating and coolant may not be needed elsewhere as it is being utilized in Nashville. Perhaps a city might wish to produce electricity for its own use or to run into its supply system. It is hoped that this broad approach will encourage cities to utilize existing technology or even produce new and feasible concepts, the initiative for which might be stifled without grant and loan programs. Also, Mr. Speaker, I include in the RECORD at this point a copy of my bill:

H.R. 14161

A bill to amend the Solid Waste Disposal Act to provide grants, loans, and loan insurance for the purpose of planning and constructing projects designed to recover energy from solid waste

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 "Solid Waste Energy Recovery Act of 1974".

SEC. 2. The Solid Waste Disposal Act is amended by redesignating sections 209 through 216, and all references thereto, as sections 210 through 217, respectively, and by inserting immediately after section 208 the following new section:

"GRANTS, LOANS, AND LOAN INSURANCE FOR PLANNING, CONSTRUCTING, AND PROCURING EQUIPMENT FOR ENERGY RECOVERY PROJECTS

"SEC. 209. (a) (1) The Administrator of the Environmental Protection Agency (hereafter referred to in this section as the 'Administrator') is authorized to—

"(A) make grants for the purpose of paying estimated costs which recover energy from solid wastes, for the purpose of reimbursing for costs of planning such systems which resulted in completion of construction of the same after January 1, 1971, and for the purpose of paying estimated costs of providing basic research, and monitoring equipment and systems necessary for analyzing and evaluating the efficiency and effectiveness of integrated energy recovery systems constructed after January 1, 1971.

"(B) make loans for the purpose of paying estimated costs of constructing the portion of resource recovery facilities which recovers energy from solid waste, including estimated costs of procuring any monitoring equipment, and constructing any structure needed to house such equipment, which the Administrator determines to be necessary for such aspect of any such facility;

"(C) insure loans obtained from a source other than the Federal Government for the purpose stated in subparagraph (B), and pay part of the interest charged on any such loan;

"(D) make loans for the purpose of paying estimated costs of procuring any monitoring equipment, and constructing any structures needed to house such equipment, for the aspect of any completed resource recovery facility which recovers energy from solid waste; and

"(E) insure loans obtained from a source other than the Federal Government for the purpose stated in subparagraph (D), and pay part of the interest charged on any such loan.

"(2) Such grants and loans may be made to, and such loan insurance made for the benefit of, any State, any political subdivision of any State, and any organization created by any State or any such subdivision to carry out a public function.

"(3) Eligibility for receiving any form of financial assistance available under paragraph (1) of this subsection shall not be conditioned on the recipient's having received or not having received any other form of assistance available under such paragraph.

"(b) (1) A grant may be made under subsection (a) (1) (A) only if—

"(A) the Administrator determines that the resource recovery system—

"(i) will recover energy from solid waste; and

"(ii) will be consistent with the guidelines recommended under section 210 with respect to solid waste recovery systems; and

"(B) the recipient is awarded the grant on the condition that such recipient will reimburse the Federal Government for the full amount of such grant, during a period of time and at an interest rate determined by the Administrator, if such recipient does not present to the Administrator, within 180 days after the recipient receives the grant, a study of the overall benefits to be derived from such system as compared to the benefits derived from the solid waste disposal system used by such recipient at the time such recipient receives the grant.

"(2) The amount of such grant shall be for 90 percent of the estimated or actual costs of the planning or evaluation of the system, including the costs of the following—

"(A) any study to be made regarding the economic and engineering feasibility and the environmental and public health and safety aspects of such system;

"(B) the study required to be made under paragraph (1) (B) of this subsection;

"(C) any engineering, architectural, legal, fiscal, and economic study to be made with respect to the planning of such project; and

"(D) any survey, design, plan, working drawing, and set of specifications to be made with respect to such planning;

"(E) any monitoring or scientific data gathering program, equipment or study needed to analyze the efficiency and effectiveness of systems constructed after January 1, 1971, for the purpose of making such information available for the planning of new systems.

"(c) A loan may be made or insured, and part of the interest may be paid on such insured loan, under subsection (a) (1) (B) and (a) (1) (C), only if the Administrator determines that—

"(1) the portion of the resource recovery facility which is to recover energy from solid waste will do so; and

"(2) the resource recovery system of which such facility is to be part will be consistent with the guidelines recommended under section 210 with respect to solid waste recovery systems.

"(d) A loan may be made or insured, and the interest may be paid on such insured loan, under subsection (a) (1) (D) and (a) (1) (E) only if the Administrator determines that—

"(1) the completed resource recovery facility does recover energy from solid waste; and

"(2) the resource recovery system of which such facility is a part is consistent with guidelines recommended under section 210 with respect to solid waste recovery systems.

"(e) (1) The amount of any loan made under subsection (a) (1) (B) or (a) (1) (D) shall be 75 percent of the estimated costs described in each such subsection.

"(2) The interest rate charged on any such loan shall be a rate 1½ percent less than the average prime interest rate, as determined by the Secretary of the Treasury, charged during the period of 5 years immediately preceding the date on which the Administrator awards any such loan with respect to loans similar in amount and purpose to the loans made under each such subsection.

"(f) (1) The Administrator, after making an award with respect to subsection (a) (1) (C) or (a) (1) (E), shall insure the total amount of a loan to be obtained from a source other than the Federal Government by the recipient of such award for the purpose stated in each such subsection.

"(2) The Administrator shall pay 75 percent of the interest charged with respect to any such loan.

"(g) The Administrator, no later than 180 days after the date of the enactment of the Solid Waste Energy Recovery Act of 1974, shall promulgate regulations establishing a procedure for awarding the forms of financial aid authorized under this section, including a regulation requiring, as a part of the application for any form of assistance available under subsection (a) (1) (B), (a) (1) (C), (a) (1) (D), or (a) (1) (E), a study of the overall benefits to be derived from the solid waste disposal system which will result from obtaining such aid as compared to the overall benefits derived from the system being used by the applicant on the date of the filing of his application for such assistance.

"(h) Any form of assistance authorized under this section may be made subject to conditions and requirements, in addition to those provided in this section, as the Administrator may determine is necessary to assure efficient use of such assistance.".

SEC. 3. Section 212 of the Solid Waste Disposal Act, as redesignated by section 2 of this Act, is amended by adding at the end thereof the following new subsection:

"(c) The Administrator shall encourage the use by any Federal agency of any system or facility determined by the Administrator, under section 209, to recover energy from waste products, if the Administrator determines it is economically and technologically feasible for such agency to utilize such system or facility.".

SEC. 4. Section 205(b) of the Solid Waste Disposal Act is amended by striking out "The Secretary is also authorized" and inserting in lieu thereof "The Administrator of the Environmental Protection Agency shall".

SEC. 5. Section 217 of the Solid Waste Disposal Act, as redesignated by section 2 of this Act, is amended—

(1) in paragraph (2) of subsection (a) by striking out "other than section 208" and inserting in lieu thereof the following: "other than sections 205(b), 208, and 209"; and

(2) by adding at the end of subsection (a) the following new paragraphs:

"(4) (A) There are authorized to be appropriated to the Administrator of the Environmental Protection Agency to carry out the provisions of section 209(a) (1) (A) of this Act not to exceed $———— for the fiscal year ending June 30, 1974, not to exceed $900,000 for the fiscal year ending June 30, 1975, not to exceed $900,000 for the fiscal year ending June 30, 1976, not to exceed $900,000 for the fiscal year ending June 30, 1977, and not to exceed $900,000 for the fiscal year ending June 30, 1978.

"(B) There are authorized to be appropriated to the Administrator of the Environmental Protection Agency to carry out the provisions of section 209(a) (1) (B), (a) (1) (C), (a) (1) (D), and (a) (1) (E) of this Act not to exceed $12,000,000 for the fiscal year ending June 30, 1974, not to exceed $12,000,000 for the fiscal year ending June 30, 1975, not to exceed $12,000,000 for the fiscal year ending June 30, 1976, not to exceed $12,000,000 for the fiscal year ending June 30, 1977, and not to exceed $12,000,000 for the fiscal year ending June 30, 1978.

POUND WISE AND PENNY FOOLISH: OUTLAW THROWAWAY CONTAINERS

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

Mr. PODELL. Mr. Speaker, recently at the United Nations, Secretary of State Kissinger made a stirring speech on the responsibility of the United States and other affluent nations to insure an acceptable quality of life for all peoples of the world. He said it is in everyone's self-interest to do so.

Indeed, the energy crisis has made it sufficiently clear to all Americans that the world is increasingly interdependent, that poor nations will not passively continue to supply us with raw materials while their own populations starve, and that the waste and overconsumption to

which Americans have become accustomed must finally end.

However, brave words are not enough. Concrete action for changing our lifestyle must be forthcoming. Our traditional extravagance must give way to a careful concern for conservation, for getting the most out of our available resources while preserving the land and environment for the future.

I am today introducing legislation to eliminate one significant source of waste by outlawing nonreturnable, no-deposit bottles in interstate commerce. The benefits gained by eliminating the tens of billions of nonreturnable beverage containers produced each year are obvious.

Tons of litter can be eliminated from our streets and parks. Vast amounts of energy can be saved. The solid waste disposal problems of the States and cities can be alleviated. The price of beer, soft drinks, and other liquids, including hard liquor, can be reduced. Hopefully, one of the most important of the benefits would be the involvement of millions of citizens in protecting the environment and cleaning up the countryside.

There are always those who see drawbacks in proposals for reasonable solutions to critical problems. And in the matter of strictly controlling throwaway containers, there are a long line of critics and doomsayers issuing dire predictions. In almost every case, however, these critics are identified with special interests, rather than with the public interest. There is always at least some resistance to change, even change for the better, and that is the position of the lobby for throwaways and continued waste of our resources.

However, the inconvenience and minor dislocation accompanying this step forward will be more than compensated for by shifting the limited resources available to more productive uses. We must sacrifice small conveniences and we must accept marginal dislocations if we are to eliminate the terrible waste that has become a habit in this Nation, and indeed in most industrialized nations.

This is not a pie-in-the-sky idea. It is not new. It has been tried, and it has been found to work exceedingly well.

Oregon instituted a program along these lines over a year ago, and in spite of industry's predictions of doom, the program has succeeded. A recent study established that the number of beverage containers ending up as waste or litter was reduced by a phenomenal 88 percent. Sales of soft drinks and beer were not affected and 365 new jobs were created.

Vermont has already adopted a similar program, and several other States are expected to follow their lead. It is time for Congress to accept innovation as well.

WHY BUSING MUST NOT BE PROHIBITED

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

Mr. RANGEL. Mr. Speaker, it is now almost 20 years since the historic Brown against Board of Education decision of 1954 was rendered by the Supreme Court of the United States.

In this ruling the Court declared segregated schools to be illegal and that they should desegregate with all deliberate speed. In retrospect one wonders if it was oversight or insight that made the Court use the conspicuous phrase "all deliberate speed."

It is probably due to the unfettered meaning of this phrase which has made the dilatory process of integration inevitable.

It has also left the civil rights legislation and subsequent court rulings on State and local levels open to a regressive legislative assault in Congress.

Presently in the Senate there are four bills which present a serious threat to the desegregation forces.

Mr. Clarence Mitchell, the distinguished civil rights leader and head of the Washington Bureau of the NAACP, appeared before the Senate Subcommittee on Constitutional Rights February 21, 1974.

In his statement before the committee he directed a comprehensive and probing attack on the regressive repercussions these bills would have if passed by Congress.

Mr. Mitchell's testimony is as follows:

STATEMENT OF CLARENCE MITCHELL

Mr. Chairman and members of the subcommittee, I am Clarence Mitchell, director of the Washington Bureau of the National Association for the Advancement of Colored People. I appear to register our organization's opposition to S. 179, S. 287, S. 619 and S. 1737. Although they use different approaches, all of these bills have two things in common. Each of them would undermine or nullify United States Supreme Court decisions ranging in time from Brown v. Board of Education, 347 U.S. 483 (1954), 349 U.S. 294 (1955) to Swann v. Charlotte-Mecklenburg Board of Education, 402 U.S. 1 (1971). Each of them seeks to reimpose upon the school children of the United States the unconstitutional handicap of separate and unequal education based on race.

Twenty years ago the United States Supreme Court struck down racial segregation in the public schools. From that day to the present those who want to maintain a dual system of education based on race have sought to destroy that decision with stratagems, economic pressure and even violence. New recruits from above the Mason-Dixon line have joined in the fray as votes on so-called antibusing amendments will show.

From the beginning of the pro-segregationist effort to nullify the Brown decision the contest has been unequal. Those who supported the decision had limited funds, slender resources and few forums in which to state their views. Those who opposed the decision controlled the political and economic power in the areas of resistance. They could and did fire hundreds from jobs as reprisals, they could and did use their state, county and local treasuries to raise delaying questions in courts. They could and did use their legislatures, county commissions and city councils to pass laws that were open and defiant efforts to keep the schools segregated. They could and did use the United States House of Representatives and the United States Senate as forums in which to proclaim manifestos, doctrines of nullification, proposals for interposition and proposed revisions of the United States Constitution itself. Moreover, they were aided by the agencies of the executive branch of the government of the United States.

This quotation from Swann describes an all too familiar pattern of the federal power being used to support segregation in the public schools:

"Residential patterns in the city (Charlotte, N.C.) and county (Mecklenburg) resulted in part from federal, state and local government action other than school board decisions. School board action based on these patterns, for example by locating schools in Negro residential areas and fixing the size of schools to accommodate the needs of immediate neighborhoods, resulted in segregated education."

As we have said, the bills now under consideration by this subcommittee seek to undermine Supreme Court decisions. They would also cancel out the legislative backing given to desegregation of the public schools under Titles IV and VI of the 1964 Civil Rights Act and safeguards protecting educators against discrimination provided by 1972 amendments to the equal employment opportunity act.

In Brown II (1955) the Supreme Court described remedies that could be used to implement Brown I (1954). The following is the exact language of the court:

"In the fashioning and effectuating of decrees, the courts will be guided by equitable principles. . . . The courts may consider problems related to administration, arising from the physical condition of the school plant, the school transportation system, personnel, revision of school districts and attendance areas into compact units to achieve a system of determining admission to the public schools on a non-racial basis and revision of local laws and regulations which may be necessary in solving the foregoing problems. They will also consider the adequacy of any plans the defendants may propose to meet these problems and to effectuate transition to a racially non-discriminatory school system."

Title VI of the 1964 civil rights act prohibits "exclusion from participation in, denial of benefits of and discrimination under federally assisted programs on grounds of race, color or national origin." Under this title Federal agencies have the power to withhold funds from school systems that discriminate on the basis of race.

S. 1737 makes a systematic attempt to knock out the cited portion of Brown II and also to destroy the safeguards against spending Federal funds to support segregation as provided by title VI.

S. 1737 would enact a new title XII to the Civil Rights Act of 1964. It would be called public school-freedom of choice.

Section 1202 would forbid any "department, agency, officer, or employee of the United States" to withhold funds from school boards, public schools or class operating under a so-called freedom of choice system.

Section 1203 would prevent withholding of funds from public schools as an inducement to transport students "for the purpose of altering in any way the racial composition of the student body" of a public school operating under the "freedom of choice" plan or "any other public school."

Section 1204 would prevent the withholding of funds "to coerce or induce" any school board operating such a (freedom of choice) public school system to close any public school, and transfer the students from it to another public school for the purpose of altering in any way the racial composition of the student body at any public school.

Section 1205 would prevent funds from being withheld as an inducement to effect desegregation of faculties in public schools.

Section 1206 would open the door for a flood of suits against the United States to force the release of funds that are withheld for the purpose of seeing that Federal monies are spent on a non-discriminatory basis.

Using the disguise of freedom of choice, S. 1737 prohibits the withholding or threat to withhold funds in order to promote desegregation by:

(1) Transportation of students

(2) Closing of schools and transfer of students

(3) Transfer of faculty.

Each and every one of these forms of effecting desegregation has been approved by the Supreme Court, where the circumstances warrant their use. The bill would place government agencies and personnel in a threefold dilemma. First, it seeks to force them to ignore the law of the land, as interpreted by the Supreme Court. Second, in some instances, it would require them to ignore court orders directed to them (such as that in *Adams v. Richardson*) and place them in danger of contempt of court. Third, it seeks to force them to violate the oath of office the government officials take under Article VI of the Constitution to support the Constitution. For if they do what this bill would direct them to do, they would be in violation of that oath.

As a final coup de grace Section 1207 would bar courts of the United States from having jurisdiction "to make any decisions, enter any judgment or issue any order requiring any school board to make any change in the racial composition of the student body at any public school or in any class at any public school to which students are assigned in conformity with a freedom of choice system. . . ." It would also prevent transportation of students, give parents the right to refuse to send their children to a given school, prevent transfer of children from closed schools and the transfer of faculty members if such actions would conflict with freedom of choice plans.

The long record of court cases involving freedom of choice plans shows that the mere use of the words does not insure that a school system which was formerly segregated on the basis of race will become a unitary system. At present the burden of proof is on those who discriminate. S. 1737 would effectively shift the burden to the victims of discrimination. S. 1737 would also effectively deprive the courts of power to give remedies in cases where the definition of freedom of choice under section 1201(g) of S. 1737 has been met. Under the definition of freedom of choice in S. 1737 results that give only token or lip service to desegregation would be permitted and the courts would be powerless to change them.

As S. 1737 seeks to utilize the "freedom of choice" concept to maintain the dual school system, S. 619 seeks to do the same by relying on the "Neighborhood school" concept.

The bill would require that before a court or federal department or agency orders student transportation as a remedy for school desegregation, it must consider five other possible remedies—the neighborhood school, taking into account school capacities and natural physical barriers; the neighborhood school, taking into account only school capacities; transfer of students from schools in which members of their race are a majority to those in which they are a minority; rezoning school attendance zones; any other educationally sound and administratively feasible plans.

All of these remedies have, of course, been considered by the courts before student transportation was ordered in some cases as a last resort. The establishment of these criteria is, then, a meaningless gesture. The only purpose we see it serves is to harass those courts that have worked diligently to bring about effective desegregation and to provide an excuse for further delay for those that have tried to evade their responsibilities.

Under S. 619, where student transportation is allowed, it would be permitted only to the closest or next closest school. This obviously would shut off students of inner city schools from relief from segregation in many places.

We suggest that this, too, is but another attack on our judicial system. It seeks unconstitutionally to limit the right of the courts to grant litigants full relief, or to fully implement the equal protection clause of the 14th amendment. The courts have interpreted that provision of the Constitution, in some instances, to require the transportation of students to end the dual school system. This bill seeks to thwart these decisions by denying the relief that the courts have found the 14th amendment requires.

This bill also contains what we consider to be one of the most destructive legislative proposals advanced in the fight against desegregation. We refer to section 206, which would permit the reopening of any school desegregation law suit or plan approved under title VI of the Civil Rights Act of 1964. This would allow the reexamination of every court and agency decision on desegregation going back to the 1954 *Brown* decision, literally thousands of decisions and plans.

By holding out a false hope of upsetting such desegregation as has been accomplished, this provision would create legal and community chaos and revive all the controversies, many of them bitter, that we had hoped were behind us. We do not think that in legal results it would accomplish anything except a mass of pointless litigation. In community terms it would only encourage a revival of activities by segregationist diehards.

Without going into all the details of the bill, we find many other provisions objectionable to those who believe in equality of opportunity.

Among the proposed legislative findings, we would point out three that are particularly disturbing. The first of these is that the dual school system has been effectively dismantled. This flies in the face of reality. Not only is it necessary to monitor many school districts under court or agency order to determine whether they are fulfilling their obligations under the orders, but discovery of segregation in previously undetected areas frequently occurs. This is especially so in the North, where many of the subtle practices in race relations made what in fact is *de jure* segregation appear *de facto*.

Another of the findings we feel is erroneous is that declaring it against public policy to require racial balance. Although the Supreme Court in the *Swann* case found this not to be constitutionally required, it held that there was discretion in local school boards to establish a racial balance. We believe that discretion should be protected. The last of these findings that we will note at present is that which would make it against public policy to require racial adjustments once desegregation has been accomplished, despite later population changes. This finding is also implemented later in the act by the provision (section 207) on termination of orders. This fails to take into consideration the role that government plays in the racial composition of school districts through housing, education, transportation, community services and other governmental policies and practices and how these policies result in population changes.

S. 179 represents a frontal attack on the judiciary. It seeks to take from courts "jurisdiction" to make any decision, enter any judgment, or issue any order requiring transportation to effect school desegregation.

While using jurisdictional language, this bill does not in fact prevent courts from hearing school desegregation cases. It prevents them from granting successful litigants a full remedy. Under it a court could find that the 14th amendment requires pupil transportation, but could not order public officials to provide that transportation. We feel that this is a statutory attempt to amend the Constitution and that it is constitutionally defective because Congress lacks the power to so amend the Constitution. On the practical level, if permitted, it would set up Congress as a super court, with authority to overrule any decision of a court by revoking the court's "jurisdiction" to render the objectionable decision.

Apparently in anticipation that the courts will not accept the legal principle the bill's author espouses, the bill further provides that when courts do order pupil transportation, the orders may not become effective until all appeals are exhausted or the time for appeals has expired.

Thus, after twenty years of delay in the implementation of the *Brown* decision, we have a proposal to continue indefinitely the time in which that decision may become fully effective. Anyone familiar with our legal system knows that delay can become a way of life for those bent on delay, notwithstanding the "expedited" judicial determination provisions of the bill.

S. 287 goes much beyond S. 179. It would deny jurisdiction to Federal courts in any case involving a public school, except for appeal or petition for writ of certiorari to the Supreme Court.

While this would apply to school desegregation cases, it would also bar access to Federal courts in many other areas of constitutional law. Some that come to mind are 1st amendment rights relating to prayer in public schools, academic freedom, student protest; constitutionally protected property rights such as teacher tenure and pension rights; due process in teaching discharge cases, etc. It would lower the public school to the position of the only public institution whose activities are beyond constitutional review by the Federal courts. We see nothing in law or reason that would justify such a sweeping exemption and cannot believe the Congress will take this proposal seriously.

At a time when our country is torn by strife about whether Government officials have engaged in unlawful acts, it is tragic to see that an effort is being made to give statutory protection to acts and practices that have unlawfully delayed desegregation in the public schools. We urge that S. 179, S. 287, S. 619 and S. 1737 be rejected.

TIMELY DELIVERY OF THE CONGRESSIONAL RECORD

(Mr. HAYS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HAYS. Mr. Speaker, today I introduced H.R. 14282. This legislation is introduced for the purpose of assuring Members of Congress that the CONGRESSIONAL RECORD, containing the official published proceedings of the House of Representatives and the Senate, will be delivered in a timely manner to those American citizens designated in accordance with law.

During my first year as chairman of the Joint Committee on Printing in 1972, I became aware of the fact that the U.S. Postal Service considers itself an entity above the printing, binding, and distribution law of the Federal Government. The Joint Committee on Printing files contain a letter to U.S. Postal Service from one of my predecessors as chairman, the late Senator B. Everett Jordan, setting forth in no uncertain terms the fact that they were covered by title 44 and by the committee's printing and binding regulations.

By letter dated February 14, 1972, I directed the Postmaster General as follows, and I quote:

> With all points reviewed, I am herewith directing that the Postal Service function within the context of Title 44, U.S. Code and the current rules and regulations of the Joint Committee on Printing.

On September 7, 1972, the Acting Public Printer was notified by the U.S. Postal Service that the CONGRESSIONAL RECORD was not eligible for mailing as second class matter since less than one-half of the subscription went to paying subscrib-

ers. This meant that the CONGRESSIONAL RECORD either would have to go as first-class matter at an approximate cost of $265 per year per subscription, or under "controlled circulation" which would mean delivery up to 10 days after publication. If the CONGRESSIONAL RECORD were allowed to travel by mail at the second-class newspaper rate, the yearly costs per subscription would be approximately $22.63.

This negotiation between the Public Printer, the U.S. Postal Service, and Senator HOWARD CANNON, chairman of the Joint Committee on Printing during 1973, continued until 1974. Finally under dateline of February 13, 1974, I wrote to the Honorable E. T. Klassen, Postmaster General of the United States, setting out the problems emanating either from first-class mailing or "controlled circulation" mailing of the RECORD and asking for a different determination. One paragraph of that letter says:

When one considers the unique character of the RECORD as the only publicly available report of Congressional proceedings and recognizes that specific, detailed free distribution authorization, much of which is via Members of the House of Representatives and the Senate, is pursuant to statute, it is clear that therein lies the reason for the cited ruling and equally clear that it is not objectively realistic or valid.

On April 4, 1974, a reply from Mr. Norman S. Halliday, Assistant Postmaster General, Government Relations Department, again denied our position that the CONGRESSIONAL RECORD, as an unique publication or document, was entitled to different handling than had heretofore been granted.

This legislation is introduced to alleviate that intolerable situation. For fiscal 1975, first-class mailing of the CONGRESSIONAL RECORD would cost $9,000,000, second class $771,000, 10-day late "controlled circulation" $1,215,000.

FINANCIAL DISCLOSURE

(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 am submitting my complete net worth statement for publication in the CONGRESSIONAL RECORD. I also have submitted this statement as part of my financial disclosure report filed with the House Committee on Standards of Official Conduct and have asked that the statement be made available in its entirety for inspection by the public. Since coming to Congress in 1969, I have filed a net worth statement with the House every year and made it public. I have done so because I believe constituents have a right to know about their Congressman's income, stockholdings, and liabilities.

I am also making public my 1973 income tax return. I have included the return in my financial disclosure statement submitted to the Committee on Standards of Official Conduct and have requested that it be made available to anyone wishing to see it. Furthermore, today I am sending a copy of the complete return to the New York Times, in accordance with its request, along with a copy of my net worth statement.

The statement setting forth my net worth as of December 31, 1973, follows:

HON. EDWARD I. KOCH, STATEMENT OF NET WORTH, DECEMBER 31, 1973

OLSHAN & OLSHAN,
Washington, D.C., April 2, 1974.

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

DEAR MR. KOCH: In accordance with your request we submit herewith your statement of net worth as of December 31, 1973.

Cash in checking and savings accounts were obtained from the reconciled year end bank statement and savings pass books and confirmed directly with the banks.

Amounts due from brokerage accounts were obtained from year end brokerage statements and confirmed independently.

Amounts due from the House of Representatives represents the December 1973 gross salary paid January 1, 1974.

Marketable securities owned were obtained from year end brokerage reports, independently confirmed with brokers and computed as of the close of business on December 31, 1973.

Cash surrender value of your $5000 paid up life insurance policy with the Veterans Administration and your $15,000 straight life insurance policies with the Mutual Benefit Life Insurance Company were confirmed directly with the insurers.

The pension with the New York City Employees Retirement System show the amount to your credit as of December 31, 1973.

Amounts due from the federal, state and city income tax authorities are based on your 1973 income tax returns.

No recognition was given to the value of your personal effects or household furniture because it was not practical to obtain appraisals.

In our opinion this statement presents fairly your net worth as of December 31, 1973.

Yours truly,

ROBERT M. OLSHAN,
Certified Public Accountant.

Assets

Cash in checking and savings accounts	$19,368.47
Due from brokerage account—Muller & Co	88.19
Salary due from House of Representatives	3,541.67
Marketable securities (see attached schedule)	8,281.25
Cash surrender value of life insurance policies	11,758.17
New York City employee retirement systems—Pension account	1,886.77
Federal, State, and city 1973 income tax refunds receivable	7,308.00
Total assets	52,232.52

Liabilities and net worth

Liabilities—Trade accounts payable	1,679.01
Honorable Edward I Koch, net worth	50,553.51
Total liabilities and net worth	52,232.52

HON. EDWARD I. KOCH SCHEDULE OF MARKETABLE SECURITIES, DEC. 31, 1973

Number of shares	Company	Fair market value per share	Fair market value
700 warrants	United Brands Co. (exp. Feb. 1, 1979).	1 to 1⅛	$743.75
200 shares	United Brands Co	7¾ to 8	1,575.00
2 shares	Faratron Corp	None	0
100 shares	Solitron Devices, Inc.	3⅜	337.50
100 shares	Ultrasonic Systems, Inc.	None	0
500 shares	American Motor Inns, Inc.	8 to 8¾	4,250.00
650 shares	Tratec, Inc	1⅛ to 2⅛	$1,300.00
$75.00	Israel bond[1]		75.00
Total			8,281.25

[1] Israel bond part of Joyce Koch's estate (mother deceased 1960) recently found and donated to UJA in February 1974.

TAX EQUITY FOR TENANTS

(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, if you own a house, Federal tax laws give you a break. You can deduct your interest on mortgages and property taxes every year from your total tax liability.

Persons who rent their apartments or homes—city dwellers primarily, but suburban and rural tenants too—are unfairly discriminated against. They cannot deduct from their tax liability that part of their rent representing mortgage interest and real estate taxes.

The California Legislature enacted an income tax credit for renters effective in 1973. The principle and result of the legislation are similar to the provisions of my bill which I first introduced in the 91st Congress and which now bears the number H.R. 702. My bill would allow a deduction to tenants of houses or apartments for their proportionate share of the taxes and interest included in the rent paid by them to their landlords.

California must be congratulated for leading the way. I only wish New York, the Empire State, were doing the same. And most of all, I hope that Congress finally considers and adopts legislation which would provide equity—putting renters on the same tax footing as homeowners.

I am enclosing for the RECORD the California State form 540, which explains the State's special tax credit:

Page 2 Instructions—Form 540

TAX CREDIT FOR RENTERS

For 1973 and subsequent years, California will allow a refundable credit to qualified renters, ranging from $25 to $45, depending on the individual's adjusted gross income. The credit is refundable; i.e., if the renter has no income tax liability, he will receive a refund in the amount of the credit.

FILING A RETURN FOR THE RENTER'S CREDIT ONLY

If you are not required to file a return because you do not meet the filing requirements prescribed on page 3 of these instructions, and you are filing a return only for the purpose of receiving the renter's credit, please follow the steps below:

1. Enter your name, address and social security number(s) in the spaces provided at the top of the form. If your 540 Booklet has a preaddressed label, peel off the label and place it in the address area of your return.

2. Complete applicable Filing Status, lines 1 through 5 on Form 540.

3. Enter your total income for the taxable year on line 16 of Form 540. If married and filing a joint return with your spouse, enter your combined total income.

4. Enter your allowable Renter's Credit on

line 28 and complete Part I on page 2 of Form 540. See instructions below for qualifications and allowable credit.

5. Sign your return. Both spouses must sign if filing a joint return.

6. Mail your return to Franchise Tax Board, P.O. Box 14-540, Sacramento, California 95813.

TO QUALIFY FOR THE RENTER'S CREDIT

1. You must have been a resident of California on March 1, 1973; and

2. You must have, on March 1, 1973 rented and occupied a house or dwelling in California which was your principal place of residence. Owning and occupying a mobilehome situated on rented land satisfies this requirement.

YOU DO NOT QUALIFY FOR THE RENTER'S CREDIT IF

1. The rented property was exempt from property taxes, unless you were required to pay property taxes on your possessory interest in such residence; or

2. You lived with another person who claimed you as a dependent for income tax purposes; or

3. You or your spouse were granted the homeowner's property tax exemption, unless the spouse granted the homeowners' property tax exemption maintained a residence separate from yours for the entire taxable year; or

4. You or your spouse received for the entire year welfare payments which included housing or shelter needs. However, one-twelfth of the allowable credit will be allowed for each full month of the taxable year you did not receive these payments.

OTHER RESIDENCE RULES

An unmarried person who was not a California resident for the entire taxable year shall receive one-twelfth of the allowable credit for each full month of residence in California.

A husband and wife shall receive but one credit, and if they file separate returns, the credit may be taken by either spouse or divided equally between them, except in the following situations:

1. If one spouse was a resident for the entire taxable year and the other spouse was a nonresident for all or part of the year, the resident spouse will be allowed the full credit.

2. If both spouses were nonresidents for part of the taxable year, the credit shall be divided equally between them and each spouse will be allowed one-twelfth of his or her half of the credit for each full month of residence in California.

3. If each spouse maintained a separate place of residence and resided in California the entire taxable year, each spouse will be allowed the full credit.

ALLOWABLE CREDIT

If your adjusted gross income (line 16, Form 540) is:	The allowable credit is:
$0–$5,000	$25
$5,000–$5,999	30
$6,000–$6,999	35
$7,000–$7,999	40
$8,000 and over	45

NOTE.—All questions in Part 1 on page 2 of Form 540 must be answered for credit to be allowed.

SUPPORT GROWS FOR AMNESTY

(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, with all due respect to the expertise of the pollster, Dr. George Gallup, his analysis of his own most recent poll on amnesty for draft resisters during the Vietnam war is highly misleading. Dr. Gallup's April 21, 1974, release to the press said that the "public opposes amnesty." Gallup emphasized the large number of people who "continue to oppose unconditional amnesty."

Yet what of the significant majority—61 percent—who in fact favored amnesty, including both conditional and unconditional? Not to combine these groups, and then to claim that the "public opposes amnesty," is to distort the facts of the growing broad base of support for amnesty.

Consider these facts from Gallup's own poll:

Of those polled 34 percent—5 percent more than 1 year ago—favor granting unconditional amnesty, allowing American draft resisters to return without punishment.

Another 27 percent favor conditional amnesty. This group divided as follows: 9 percent would require alternative, nonmilitary service for those who return; 16 percent favor requiring either military or nonmilitary service; and 2 percent favor imposing a fine.

A total of 61 percent of those polled favored either conditional or unconditional amnesty. Another 20 percent said that persons could return if they agreed to perform military service. Thirteen percent had no opinion.

Mr. Speaker, these statistics serve to show that the American people want their Government to show compassion after the divisiveness of the Vietnam war. The legislation which I have introduced, H.R. 675, calling for amnesty conditional upon 2 years of civilian service, is needed more than ever.

Mr. Speaker, there is good news from Dallas, Tex. At their March 1974 International Triennial Convention, the B'nai B'rith Women endorsed conditional amnesty.

JOINT RESOLUTION TO STIMULATE A NATIONAL ECONOMIC POLICY

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

Mr. HANLEY. Mr. Speaker, this afternoon I have introduced a joint resolution designed to stimulate a national economic policy to deal with the pressing problems affecting this Nation.

I, for one, am quite disturbed and concerned about the status of the economy. There are many problem areas, and some of these have never been present in the economy at the same time in our history.

My resolution calls upon the President to submit to the Congress a comprehensive report containing recommendations for the resolution of the economic problems identified in my proposal.

Obviously, the President already has full authority to request new legislative authority to deal with economic problems. What concerns me most is that I do not see any interest on the part of the administration to deal with these problems in accordance with a comprehensive plan to achieve concrete, well-understood goals.

The goal of U.S. economic policy ought to be prosperity and stable prices, with jobs for all who want to work.

Unfortunately, the United States is not achieving this goal. We have high unemployment, the worst inflation in many years, a seriously depressed housing industry, the highest interest rates since the Civil War, and very recently, serious economic indicators of a recession.

All of these, taken together, simply cannot be ignored or dismissed with a cliche or two. They are warning signs, and they cry out for affirmative action. They cannot and should not be dealt with singly, or in a piecemeal fashion.

The President, with the vast resources of the executive branch, and a prestigious Council of Economic Advisers, is in the best position by far to identify more carefully these economic ills and to formulate the comprehensive plan that is absolutely essential to a resolution of these ills. The American people simply cannot live with inflation and recession at the same time. Neither one, by itself, is desirable, but together they are doubly dangerous to the well-being of the Nation.

I hope that the President will take the resolution seriously, and in the cooperative spirit in which it is offered. I hope that the House Banking and Currency Committee returns to the issue of the economy very soon.

The signs of trouble are clear. If we fail to heed them, then we are responsible for the consequences.

Mr. Speaker, the text of the resolution is as follows:

RESOLUTION

Concurrent resolution calling for the President to transmit a report to Congress within sixty days which contains recommendations for the solution of the economic problems identified in this resolution

Whereas the United States is currently experiencing a rate of inflation which amounted to 10.0 percent over the past 12 months (February 1973–February 1974), which has steadily accelerated during the past quarter, and which currently shows no sign of significant moderation; and such a rate of inflation continues to weaken our competitive standing in world markets and places the greatest burden upon those with moderate incomes and those with fixed incomes whose purchasing power is diminished; and

Whereas unemployment remains at above 5 percent despite an inflationary investment boom, reflecting a type of imbalance in the U.S. economy which was unknown until a few years ago; and

Whereas interest rates have been climbing back to the record high 1973 level during the past two months, and since February, the commercial bank loan prime rate has risen from 8¾ to 10 percent, the rate on new 3 month Treasury bills has risen from 7.06 to 8.65 percent, and utility company bonds are now providing 9 percent yields, and such interest rates will threaten expansion of business investment and construction activities while the unemployment rate remains above 5 percent and homebuilding is at a depressed level; and

Whereas an energy crisis continues—housing fuel and utilities costs rose 15.6 percent between February 1973 and February 1974, including a rise of 1.9 percent between January and February, and in the two months from December to February, the average price of a gallon of gasoline rose 10 percent; these retail price increases, thus far, have only partially reflected a 76 percent increase

in wholesale prices of "fuels and related products and power" during 12 months ending with February 1974; and the December increases in prices of imported oil will contribute an estimated $10 billion deficit to the U.S. balance of payments on current account during 1974; and

Whereas stemming from extraordinarily large exports and an increased worldwide demand for grain foods and fees over the 12 months ending February 1974, wholesale prices of "farm products" increased 36 percent, and of "processed foods and feeds" 20 percent; and

Whereas due to limited capacity in petroleum refining and inadequate forest growth and management to produce required lumber, there have been 14 percent wholesale price increases in the 12 months through February 1974 in chemicals and allied products, lumber and wood products and pulp, paper and allied products, and limited steel production capacity is reflected in a 17 percent increase in wholesale prices of metal and metal products over the twelve months ending with February 1974; and

Whereas new housing unit starts declined 13 percent from 1972 to 1973, and the annual starts rate in the first two months of 1974 averaged 22 percent below the 1973 level; new construction starts to add to the housing supply are now below the level required to meet household growth and replacement needs; several million households still live in physically deficient or overcrowded units, and an increasing number are being burdened with high housing costs; and in the twelve months through February 1974, the housing cost component of the Consumer Price Index rose 8.6 percent, and in the last six of the twelve months it rose at an annual rate of 12 percent: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the President is authorized and directed to transmit a report to Congress within sixty days which shall contain recommendations for such legislative and administrative actions as he deems appropriate to solve the economic problems described in this resolution.

JOHN GRINER—IN MEMORIAM

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

Mr. HANLEY. Mr. Speaker, yesterday Federal employees lost a champion and a friend. John Griner, who 16 months ago retired as president of the American Federation of Government Employees, was a great labor leader, and his loss will be mourned by thousands of Federal employees throughout the country.

During his tenure as president of AFGE, Federal employees came into their own. The first comprehensive Federal labor-management program was adopted, pay and benefits were pushed up to match private industry, and the American Federation of Government Employees tripled in size to become the largest Federal employee union in the country. These gains were due in large part to the energy, foresight, and patience of John Griner.

For 10 years I have been a member of the Post Office and Civil Service Committee and for 6 of those 10 years I served as chairman of subcommittees dealing with civil service issues. I came to regard John Griner as a friend and adviser. I always found him to be a dedicated, fair, and tough-minded advocate for the well-being of all civil servants.

Every Federal employee owes him a debt of gratitude for the many battles he led during his distinguished career. We will all miss him.

NATIONAL LIBRARY WEEK

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

Mr. HANLEY. Mr. Speaker, I would like to join my colleagues in observing the week of April 22–27 as National Library Week.

Libraries of all types—public, academic, school, and special—have moved to the foreground as a prime national knowledge resource. No longer literary morgues, they are on the firing line in the struggle to maintain and advance our civilization.

The battle for Federal support of our national library programs is a continuing one. I remember back to this time last year, when the President issued a high-sounding statement extolling the worth and contribution which our Nation's libraries have provided in broadening the knowledge and wisdom and spirit of the people, while at the very same time, in his request in the fiscal year 1974 budget he urged the termination of all Federal aid to libraries in our schools and colleges as well as to public libraries. Happily the Congress rejected this direction. And it is going to be up to the Congress to make certain that the focus of attention continues in a positive way toward insuring the important role that libraries and information services play in our democratic society.

As chairman of the House Postal Service Subcommittee, one area immediately comes to mind. There is a very real crisis affecting access by the American people to magazines, books, and other educational and cultural materials through the mails due to spiraling postage costs. Libraries are severely affected because they pay the cost of postage on the books they receive. The American Library Association in repeated testimony clearly shows that each dollar increase in postal charges results in equivalent decreases in the amount of funds available for acquiring up-to-date materials for library collections.

To insure that the educational, cultural, and scientific value of materials being shipped through the mails is preserved I intend to introduce legislation to repeal the break-even concept of the Postal Reorganization Act by providing that approxiamtely 20 percent of the annual budget of the Postal Service be earmarked as a public service appropriation. I believe this a small price to pay to insure the concept basic to our democracy that all our people have easy access to printed materials through the mails.

Mr. Speaker, what we need now is not empty rhetoric about the importance of our libraries, but a concerted and determined effort with Federal support for State and local activities designed to further their development and improve their services. I hope my colleagues will join in this pursuit.

THE UNITED STATES IN SPACE—THE MANNED PROGRAM

(Mr. FREY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FREY. Mr. Speaker, within a few days, my colleagues will be asked to consider the NASA authorization bill for fiscal year 1975. This bill, as drawn up by the Science and Astronautics Committee, will provide the continued support necessary to maintain the momentum which our space program has now achieved.

This discussion is the second in a series which will cover the United States in space. It is my hope that this background will provide my colleagues with a fuller understanding of this country's commitment to space—a commitment leading to a better tomorrow.

As we near the completion of man's first 13 years in space, the spectacular successes of the recently completed Skylab mission bear witness to the fact that our manned program has recorded accomplishments far beyond our wildest expectations. On May 5, 1961, the Mercury-Redstone 3 spacecraft "Freedom 7" was launched, carrying with it the hopes and prayers of the entire free world. For Astronaut Alan Shepard, the 15 minutes of his first journey in space contained as much of the element of victory as his first step on the moon almost 10 years later.

Thirteen years ago, the late President John F. Kennedy dedicated this Nation to the goal of landing a man on the Moon and returning him safely to Earth. As a single objective, this project became as important and as challenging—and as expensive—as any major activity this country has ever undertaken. As a nation we met the challenge; we achieved our goal; and undeniably the most remarkable aspect of the entire program was the performance of man himself.

As was the case with our lunar successes, man proved to be the most versatile and valuable member of the entire complement of "equipment" of the Skylab mission. We should first recall that 63 seconds after liftoff of the unmanned Skylab cluster, the oribital workshop meteoroid shield malfunctioned and was torn off, affecting both workshop solar panels which thereby reduced the electrical power production to approximately one-half of that planned. The absence of the meteoroid shield also reduced part of the workshop's thermal protection and it was feared that the rapid rise in temperature, if not corrected, would damage food, medicine, and film on board the workshop. A temporary solution was devised by a ground-controlled reorientation of the workshop in relation to the Sun.

Skylab was not actually "saved," of course, until the crews of subsequent manned visits were able to successfully deploy the jammed solar panel and mount a sunshade over the damaged section of the hull during extravehicular activity. The ability of the ground and flight crews to react rapidly to repair and work around this otherwise crippling problem clearly demonstrated that, in space as well as on Earth, man with his intelligence and perseverance can do nearly the impossible.

I feel it appropriate to share, for a moment, a brief excerpt from Dr. Joseph P. Kerwin's recent testimony before the Science and Astronautics Committee. Dr. Kerwin was the science pilot for the Skylab II mission, the first manned visit to the orbital workshop. In his account of how the three astronauts worked together and conducted various experiments, Dr. Kerwin told the committee:

Some items were solo, some required two or even all of us. It takes a while for a crew to fall into a routine like this, neatly dovetailing with each other. When you rush 'downstairs,' late for a medical experiment and find that your partner has already done part of the prep, you know it's working. You know you've got a smooth and very versatile machine, almost infinitely programmable, not error free, but self-correcting, learning from its mistakes. A machine that gets the giggles late at night over the ice cream and strawberries, and occasionally looks out the window when it could be writing the log, but which lives and is replenished by these things, and will be ready to go again tomorrow. You've all experienced team work in your lives. Real team work is memorable. And in space it's just the same. People perform up there the way they do down here. There, capabilities, individually and collectively, and their potential and their weaknesses are the same.

Today, with our Apollo triumph behind us and the manned space flight program of the Skylab mission completed, we are faced with a serious question. The question is not whether we should have adopted our lunar goal or directed our resources to its accomplishment. The question instead asks what is man's role in space? What should his role be today and in the future, given the dollars we have invested in manned space and the results we have obtained.

No one can deny that the experience we have gained in our manned program represents a base of knowledge which has had beneficial impact on virtually every phase of our daily lives. Nor can anyone deny that the investment we have made in skills and facilities will be returned to our Nation a thousandfold within this very decade. Finally, in the strictest sense of man in space, no one can deny that until we are able to produce a machine with the intelligence, experience, judgment, and physical mobility of man, man does and must have a role in space. Man, we must concede, is the most highly sophisticated data sensing, data gathering, and data processing "device" in existence.

Interestingly, one of the major encumbrances of our present space program is the overwhelming amount of data returned by our unmanned automated satellites. Much of the information is valuable, but an inordinate amount is repetitious or otherwise nonessential. The system has simply been choked by unnecessary information. In contrast, man with his proven ability to discriminate and assess has provided a significantly higher return of essential and meaningful data than any of the unmanned space-borne missions. Man, as he is uniquely able to go to the heart of the problem, has relieved a major burden from the scientific and technical community here on Earth.

The value of man is also that he is motivated. He is goal oriented. When he is impeded, he creates, evaluates, and pursues an alternative. And finally, man is creative and imaginative, a capability hardly challengend by even the most complex of equipment.

This is not to deprecate the value of the unmanned mission. The manned and unmanned will, in fact, continue in existence as a complement to one another. But it has been man in space who has greatly expanded our knowledge of the phenomena of space and established the potential value of his role. It has also been man who has clearly demonstrated a high degree of effectiveness as a space experimenter. In the estimation of the National Academy of Sciences, through our manned space program, we "now possess the keystone for a near-term understanding of the entire process of planetary evolution." Thus, the capacity of man in terms of his total ability and overall performance would, therefore, compellingly dictate his continuing role in space. And what of man's new role?

Now that Project Apollo is completed and the Skylab mission has provided us with countless data yet to to be analyzed, our next manned mission will be the joint United States-Soviet space flight, scheduled for July 1975. The mission, known as the Apollo-Soyuz test project, or ASTP, is a direct consequence of President Nixon's intention to make international cooperation in space one of the basic purposes of the U.S. space program.

Then, as the decade of the 1970's closes, the space age will enter a new era based on a manned space transportation concept as bold and as far-reaching as the Apollo program and as innovative as the ASTP—the space shuttle. The shuttle is one of the most futuristic, efficient, and cost-saving concepts ever envisioned. Picture a cluster of four elements standing on the launch platform: a 737-sized orbiter vehicle, an expendable propellants tank, and twin recoverable solid rocket motors. At launch, the twin solid rocket motors and the orbiter's liquid hydrogen/oxygen engines are ignited simultaneously. They burn together until an altitude of about 40 km is reached at which point the solid rockets detach and descend by parachute, to be recovered, refurbished, and reused at least 10 times.

The orbiter continues into space to place its cargo of people or equipment into orbit. When its mission is completed, the orbiter will return to Earth, landing much like a conventional airplane. In a maximum of 2 weeks that same orbiter vehicle can be ready for another flight. This is the concept for the space travel of tomorrow; a concept which promises space transportation so superior to current systems that it will be used for almost all of the scientific, commercial, national security, and cooperative international space projects launched in this country during the 1980's and beyond.

The shuttle's feature of reusability will permit expensive elements such as engines, electronics, and structures to be amortized over many missions, possibly as many as 100 flights, rather than be charged to the cost of each mission as in the case of our present program of space flight operations. With the versatility and the economy of this vehicle, the United States will be able to place into space scientists and engineers as well as almost any size and shape of manned and unmanned vehicles.

As a final note, let me touch for a moment on the activities of the Soviet Union and its manned program. In terms of the total number of manned spaceflights, we might casually conclude we possess a clearly defined lead. We have flown 30 manned missions; the Soviets 20. But a comparison of the number of manned launches yields a very erroneous impression. Perhaps we can discount that the U.S.S.R. accomplished the first manned orbital flight; the first full day of manned space flight; the first simultaneous flight of two manned spacecraft; the first flight with three men; the first space walk; and the first docking of two manned spacecraft. These accomplishments after all were duplicated by the United States—although sometimes years later.

Perhaps the measure of success the Soviets have enjoyed will permit history to repeat itself. Recall for a moment your reaction when the Russians launched their Sputnik I, then their 1,000-pound Sputnik II with an animal on board—and then 1 month later, when our widely advertised first launch attempt with a 4-pound "satellite" onboard exploded on the launch pad. Imagine also your feelings if we had landed but a small mechanical tractor on the moon as a "grand" accomplishment to counter six teams of astronauts.

Man in space has made a monumental contribution. The list of benefits we have derived—tangible and intangible—is already endless. Yet we have just started to reap the benefits from our work and investment in space. To stop now is to waste the money already spent. To stop now is to give up just when man in space can become productive. To stop now is to ignore the needs of tomorrow. There is no justification for retreat.

THE UNITED STATES IN SPACE—TECHNOLOGY TRANSFER AND INTERNATIONAL COOPERATION

(Mr. FREY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FREY. Mr. Speaker, within the next few days my colleagues will be considering the NASA authorization bill for fiscal year 1975. The material I am presenting today represents the third in a series of four statements which discuss the space program of the United States. It is my hope that the background I am providing will offer my colleagues a fuller understanding of this country's commitment to space—a commitment leading to a better tomorrow.

The topic today addresses a number of the applications of space technology, as well as our international cooperation programs. These are two areas in which our work in space has had a highly beneficial impact and has provided a remarkable return on our investment.

The technological benefits that have accrued to the American people, and in-

deed, people all over the world, as a result of our 13 years of space exploration have been realized in every area from medicine, to industrial, to the consumer household.

As an example, the medical profession has benefited from NASA research in very dramatic fashion. A team of Grumman engineers, who were closely involved in the life support systems aboard the lunar excursion module, visited a prominent medical institute in Texas that specialized in body organ transplants. They were struck by the fact that the scant number of possible donors of hearts were often some distance from the recipients. From their knowledge of the technologies applied to the Apollo program they were able to devise an instrument that was transportable, and that would keep a heart alive and healthy for days while being brought to the patient who needed it. It also turned out that the instrument was very valuable in studying the processes of body organ rejection.

Another medical benefit is the use of a transducer which measures pressure differentials over the surface of small models in wind tunnels. This technology has been licensed for commercial development as a cardiac catheter in medical research. Because it is extremely small, this sensor can be inserted with a standard hypodermic needle. They will soon be used as a standard device in the National Institute of Health.

Sensors originally developed to measure the heartbeat, blood pressure, and other conditions of spaceborne astronauts are being installed in hospitals to monitor patient's conditions continuously.

Along the same lines, a new electrostatic camera, developed for space vehicles, produces moving or instant pictures without any processing. This camera can focus on a patient in critical condition and can keep vital photographic records which can be made instantly available to physicians. Transducer-transmitters that relay intestinal data are currently in use, and doctors now anticipate a battery-powered television system small enough to be swallowed which would transmit pictures from a patient's stomach.

Aids for the blind and deaf are also coming from space research. The principle of alternating panoramic fixation, used in satellite camera and lens systems, was applied to the development of new glasses with multidirectional lenses.

In addition, an electronic radar system is being developed and perfected by an aerospace firm as a bionics equivalent for the blind. Many other firms are doing similar research and development.

Similarly, a space helmet utilizing unique sponge electrodes, originally developed by NASA's Ames Research Center to obtain electro-encephalographic tracings from astronauts and test pilots under stress, is being adapted to detect hearing defects in children.

A sight switch which was developed for activating switches in a spacecraft by a mere movement of the astronaut's eye has now been adapted to aid paralyzed people. The sight switch can manipulate wheel chairs and activate callboards.

Ultrafast drills, with minute ball bearings developed through space research for satellite equipment, are available to dentists for almost painless dental work.

This list of applications goes on and on, but the important fact to be emphasized is that our investment in space has paid off and will continue to do so in unexpected and far more valuable terms than were ever anticipated.

I would also like to say a few words about one of the most important benefits to be realized as a result of our space effort—that of our international achievements and cooperative accomplishments.

I believe most of my colleagues are aware that the National Aeronautics and Space Administration's international activities are based on the National Aeronautics and Space Act of 1958. The act provides that U.S. space activities be conducted so that they contribute materially to cooperation with other nations and groups of nations. NASA's record over the past 3 years in meeting this objective has been nothing less than spectacular.

NASA has entered into more than 500 agreements for international space projects; orbited foreign satellites; flown foreign experiments on its spacecraft; participated in more than 800 cooperative scientific rocket soundings from sites in all quarters of the world; and involved more than 340 experimenters from 20 foreign nations in the analysis of lunar surface samples.

The European Space Research Organization—ESRO—and NASA have also affirmed the mutual goal to undertake such a cooperative program of space research by means of satellites. A direct result is that a number of ESRO member states will develop and build the Spacelab element for use with the proposed Space Shuttle. The Spacelab will have two elements: a manned laboratory module that will permit scientists and engineers to work in a normal shirt sleeve environment; and an instrument platform to support telescopes, antenna and other equipment requiring direct space exposure. The quid pro quo for ESRO's funding of the Spacelab, among other things, will be flight space aboard the Shuttle.

Space exploration, by its very nature, demands international cooperation: It holds great promise of bringing nations of this earth closer together in the peaceful conquest of space. A prime example of this international peaceful cooperation is the forthcoming Apollo-Soyuz test project—ASTP—slated for July 1975. This joint venture, involving Soviet and American spacecraft and crews, will not only be an important step toward possible future cooperative manned space flights, but will contribute greatly to space rescue techniques. The development of a new and universal docking system will provide for unlimited combinations of international space vehicle hookups, for emergency as well as other purposes.

As of this date, NASA has selected 18 scientific and space applications experiments to be conducted on the joint mission. Four of these are to be in astronomy and space physics and five in the life sciences. In addition to results from these experiments, other returns to be realized from this joint venture are the previously mentioned international space rescue capability; the enhancement of international cooperation through mutual confidence and trust built up in space efforts; closing the gap in American manned space flights between Skylab and the Space Shuttle in 1978; and opening the way for future joint space missions that will eliminate technical duplication and needless cost of a number of space programs.

Progress, as in all matters involving international agreement, will take time. But the next few years should see major advances in international space cooperation far beyond the achievements of the 1960's. Through such cooperation and collaboration, a greater common understanding will be achieved that will enable us to solve pressing technological, as well as political, problems.

Technological benefits and greater international cooperation are but two of the many areas in which positive returns have been realized from the United States space efforts. With continued support, our space program holds the promise of providing ever increasing dividends directed to the improved welfare of mankind, both today and tomorrow. With this as the potential dimensions of the contribution of space, nothing less than our full support can be justified.

CONFERENCE REPORT ON H.R. 11793

Mr. HOLIFIELD submitted the following conference report and statement on the bill (H.R. 11793) to reorganize and consolidate certain functions of the Federal Government in a new Federal Energy Administration in order to promote more efficient management of such functions:

CONFERENCE REPORT (H. REPT. No. 93-999)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11793) to reorganize and consolidate certain functions of the Federal Government in a new Federal Energy Administration in order to promote more efficient management of such functions, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Energy Administration Act of 1974".

DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby declares that the general welfare and the common defense and security require positive and effective action to conserve scarce energy supplies, to insure fair and efficient distribution of, and the maintenance of fair and reasonable consumer prices for, such supplies, to promote the expansion of readily usable energy sources, and to assist in developing policies and plans to meet the energy needs of the Nation.

(b) The Congress finds that to help achieve these objectives, and to assure a coordinated and effective approach to overcoming energy shortages, it is necessary to

reorganize certain agencies and functions of the executive branch and to establish a Federal Energy Administration.

(c) The sole purpose of this Act is to create an administration in the executive branch, called the Federal Energy Administration, to vest in the Administration certain functions as provided in this Act, and to transfer to such Administration certain executive branch functions authorized by other laws, where such transfer is necessary on an interim basis to deal with the Nation's energy shortages.

ESTABLISHMENT

SEC. 3. There is hereby established an independent agency in the executive branch to be known as the Federal Energy Administration (hereinafter in this Act referred to as the "Administration").

OFFICERS

SEC. 4. (a) There shall be at the head of the Administration an Administrator (hereinafter in this Act referred to as the "Administrator"), who shall be appointed by the President, by and with the advice and consent of the Senate. The Administrator shall receive compensation at the rate prescribed for offices and positions at level II of the Executive Schedule (5 U.S.C. 5313). The Administration shall be administered under the supervision and direction of the Administrator.

(b)(1) The functions and powers of the Administration shall be vested in and exercised by the Administrator.

(2) The Administrator may, from time to time and to the extent permitted by law, consistent with the purposes of this Act, delegate such of his functions as he deems appropriate.

(c) There shall be in the Administration two Deputy Administrators, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate prescribed for offices and positions at level III of the Executive Schedule (5 U.S.C. 5314).

(d) There are authorized to be in the Administration six Assistant Administrators, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate prescribed for offices and positions at level IV of the Executive Schedule (5 U.S.C. 5315).

(e) There shall be in the Administration a General Counsel, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate prescribed for offices and positions at level IV of the Executive Schedule (5 U.S.C. 5315).

(f)(1) There are authorized to be in the Administration not more than nine additional officers who shall be appointed by the Administrator and shall receive compensation at the rate prescribed for offices and positions at level V of the Executive Schedule (5 U.S.C. 5316).

(2) If any person, other than an officer within subsections (c), (d), or (e) of this section, is to be assigned principal responsibility for any program that shall be instituted in the Administration for either (i) allocation, (ii) pricing, (iii) rationing (if effected), or (iv) Federal and State coordination, he shall be one of the officers authorized by paragraph (1) of this subsection except that he shall be appointed by the President by and with the advice and consent of the Senate.

(3) Appointments to the positions described in this subsection may be made without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service.

(g) Subject to subsection (f) of this section, officers appointed pursuant to this section shall perform such functions as the Administrator shall specify from time to time.

(h) The Administrator shall designate the order in which the Deputy Administrators and other officials shall act for and perform the functions of the Administrator during his absence or disability or in the event of a vacancy in his office.

(i) (1) For the purposes of this Act, section 208(b) of title 18, United States Code, relating to conflicts of interest, can be invoked and implemented only by the Administrator personally. Such subsection shall not be invoked as to any person unless and until—

(A) the Congress has received, ten days prior thereto, a written report containing notice of the Administrator's intention so to invoke such subsection, a detailed statement of the subject matter concerning which a conflict exists; and in the case of an exemption set forth in clause (1) of such subsection, the nature of an officer's or employee's financial interest; or in the case of an exemption set forth in clause (2) of such subsection, the name and statement of financial interest of each person who will come within such exemption; and

(B) such written report is published in the Federal Register.

(2) Nothing contained in this subsection shall affect in any way the applicability or operation of other laws relating to officers and employees of the United States Government.

(j) No individual holding any of the positions described in subsection (a), (c), (d), and (e) of this section may also hold any other position in the executive branch during the same period.

FUNCTIONS AND PURPOSES OF THE FEDERAL ENERGY ADMINISTRATION

SEC. 5. (a) Subject to the provisions and procedures set forth in this Act, the Administrator shall be responsible for such actions as are taken to assure that adequate provision is made to meet the energy needs of the Nation. To that end, he shall make such plans and direct and conduct such programs related to the production, conservation, use, control, distribution, rationing, and allocation of all forms of energy as are appropriate in connection with only those authorities or functions—

(1) specifically transferred to or vested in him by or pursuant to this Act;

(2) delegated to him by the President pursuant to specific authority vested in the President by law; and

(3) otherwise specifically vested in the Administrator by the Congress.

(b) To the extent authorized by subsection (a) of this section, the Administrator shall—

(1) advise the President and the Congress with respect to the establishment of a comprehensive national energy policy in relation to the energy matters for which the Administration has responsibility, and, in coordination with, the Secretary of State, the integration of domestic and foreign policies relating to energy resource management;

(2) assess the adequacy of energy resources to meet demands in the immediate and longer range future for all sectors of the economy and for the general public;

(3) develop effective arrangements for the participation of State and local governments in the resolution of energy problems;

(4) develop plans and programs for dealing with energy production shortages;

(5) promote stability in energy prices to the consumer, promote free and open competition in all aspects of the energy field, prevent unreasonable profits within the various segments of the energy industry, and promote free enterprise;

(6) assure that energy programs are designed and implemented in a fair and efficient manner so as to minimize hardship and inequity while assuring that the priority needs of the Nation are met;

(7) develop and oversee the implementation of equitable voluntary and mandatory energy conservation programs and promote efficiencies in the use of energy resources;

(8) develop and recommend policies on the import and export of energy resources;

(9) collect, evaluate, assemble, and analyze energy information on reserves, production, demand, and related economic data;

(10) work with business, labor, consumer and other interests and obtain their cooperation;

(11) in administering any pricing authority, provide by rule, for equitable allocation of all component costs of producing propane gas. Such rules may require that (a) only those costs directly related to the production of propane may be allocated by any producer to such gas for purposes of establishing any price for propane, and (b) prices for propane shall be based on the prices for propane in effect on May 15, 1973. The Administrator shall not allow costs attributable to changes in ownership and movement of propane gas where, in the opinion of the Administrator, such changes in ownership and movement occur primarily for the purpose of establishing a higher price; and

(12) perform such other functions as may be prescribed by law.

TRANSFERS

SEC. 6. (a) There are hereby transferred to and vested in the Administrator all functions of the Secretary of the Interior, the Department of the Interior, and officers and components of that Department—

(1) as relate to or are utilized by the Office of Petroleum Allocation;

(2) as relate to or are utilized by the Office of Energy Conservation;

(3) as relate to or are utilized by the Office of Energy Data and Analysis; and

(4) as relate to or are utilized by the Office of Oil and Gas.

(b) There are hereby transferred to and rested in the Administrator all functions of the Chairman of the Cost of Living Council, the Executive Director of the Cost of Living Council, and the Cost of Living Council, and officers and components thereof, as relate to or are utilized by the Energy Division of the Cost of Living Council.

ADMINISTRATIVE PROVISIONS

SEC. 7.(a)(1) The Administrator may appoint, employ, and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions vested in him, and prescribe their authority and duties. In addition to the number of positions which may be placed in GS–16, 17, and 18 under existing law, not to exceed 91 positions may be placed in GS–16, 17, and 18 to carry out the functions under this Act: *Provided*, That the total number of positions within the Administration in GS–16, 17, 18 shall not exceed 105: *And provided further*, That, except as provided in paragraph (2) of this subsection, the authority under this subsection shall be subject to the standards and procedures prescribed under Chapter 51 of title 5, United States Code, and shall continue only for the duration of the exercise of functions under this Act.

(2) Twenty-five of the GS–16, 17, and 18 positions authorized by paragraph (1) of this subsection may be filled without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service.

(b) The Administrator may employ experts, expert witnesses, and consultants in accordance with section 3109 of title 5 of the United States Code, and compensate such persons at rates not in excess of the maximum daily rate prescribed for GS–18 under section 5332 of title 5 of the United States Code for persons in Government service employed intermittently.

(c) The Administrator may promulgate such rules, regulations, and procedures as may be necessary to carry out the functions vested in him: *Provided*, That:

(1) The Administrator shall, before promulgating proposed rules, regulations, or policies relating to the cost or price of energy, transmit notice of such proposed action to the Cost of Living Council and provide a period, which shall not be less than five days from the receipt of such notice, for the Cost of Living Council to approve or disapprove such proposed action. If during the period provided, the Cost of Living Council—

(A) approves such proposed action, it may take effect;

(B) disapproves such proposed action, it shall not take effect; or

(C) fails to either approve or disapprove such proposed action, it may take effect in the same manner as if the Cost of Living Council had given its approval.

(2) The Administrator shall, before promulgating proposed rules, regulations, or policies affecting the quality of the environment, provide a period of not less than five days from receipt of notice of the proposed action during which the Administrator of the Environmental Protection Agency may provide written comments concerning the impact of such rules, regulations, or policies on the quality of the environment. Such comments shall be published along with public notice of the proposed action.

The review required by paragraphs (1) and (2) of this subsection may be waived for a period of fourteen days if there is an emergency situation which, in the judgment of the Administrator, requires immediate action.

(d) The Administrator may utilize, with their consent, the services, personnel, equipment, and facilities of Federal, State, regional and local public agencies and instrumentalities, with or without reimbursement therefor, and may transfer funds made available pursuant to this Act, to Federal, State, regional, and local public agencies and instrumentalities, as reimbursement for utilization of such services, personnel, equipment, and facilities.

(e) The Administrator shall cause a seal of office to be made for the Administration of such design as he shall approve, and judicial notice shall be taken of such seal.

(f) The Administrator may accept unconditional gifts or donations of money or property, real, personal, or mixed, tangible or intangible.

(g) The Administrator may enter into and perform contracts, leases, cooperative agreements, or other similar transactions with any public agency or instrumentality or with any person, firm, association, corporation, or institution.

(h) The Administrator may perform such other activities as may be necessary for the effective fulfillment of his administrative duties and functions.

(i) (1) (A) Subject to paragraphs (B), (C), and (D) of this subsection, the provisions of subchapter II of chapter 5 of title 5, United States Code, shall apply to any rule or regulation, or any order having the applicability and effect of a rule as defined in section 551(4) of title 5, United States Code, issued pursuant to this Act, including any such rule, regulation, or order of a State or local government agency, or officer thereof, issued pursuant to authority delegated by the Administrator.

(B) Notice of any proposed rule, regulation, or order described in paragraph (A) shall be given by publication of such proposed rule, regulation, or order in the Federal Register. In each case, a minimum of ten days following such publication shall be provided for opportunity to comment; except that the requirements of this paragraph as to time of notice and opportunity to comment may be waived where strict compliance is found to cause serious harm or injury to the public health, safety, or welfare, and such finding is set out in detail in such rule, regulation, or order. In addition, public notice of all rules, regulations, or orders described in paragraph (A) which are promulgated by officers of a State or local government agency shall to the maximum extent practicable be achieved by publication of such rules, regulations, or orders in a sufficient number of newspapers of statewide circulation calculated to receive widest possible notice.

(C) In addition to the requirements of paragraph (B), if any rule, regulation, or order described in paragraph (A) is likely to have a substantial impact on the Nation's economy or large numbers of individuals or businesses, an opportunity for oral presentation of views, data, and arguments shall be afforded. To the maximum extent practicable, such opportunity shall be afforded prior to the issuance of such rule, regulation, or order, but in all cases such opportunity shall be afforded no later than forty-five days after the issuance of such rule, regulation, or order, A transcript shall be kept or any oral presentation.

(D) Any officer or agency authorized to issue the rules, regulations, or orders described in paragraph (A) shall provide for the making of such adjustments, consistent with the other purposes of this Act, as may be necessary to prevent special hardship, inequity, or unfair distribution of burdens and shall, by rule, establish procedures which are available to any person for the purpose of seeking an interpretation, modification, rescission of, exception to, or exemption from, such rules, regulations, and orders. If such person is aggrieved or adversely affected by the denial of a request for such action under the preceding sentence, he may request a review of such denial by the officer or agency and may obtain judicial review in accordance with paragraph (2) of this subsection when such denial becomes final. The officer or agency shall, by rule, establish appropriate procedures, including a hearing where deemed advisable by the officer or agency, for considering such requests for action under this paragraph.

(E) In addition to the requirements of section 552 of title 5, United States Code, any agency authorized to issue the rules, regulations, or orders described in paragraph (A) shall make available to the public all internal rules and guidelines which may form the basis, in whole or in part, for any such rule, regulation, or order with such modifications as are necessary to insure confidentiality protected under such section 552. Such agency shall, upon written request of a petitioner filed after any grant or denial of a request for exception or exemption from rules or orders, furnish the petitioner with a written opinion setting forth applicable facts and the legal basis in support of such grant or denial. Such opinions shall be made available to the petitioner and the public within thirty days of such request, with such modifications as are necessary to insure confidentiality of information protected under such section 552.

(2) (A) Judicial review of administrative rulemaking of general and national applicability done under this Act, except that done pursuant to the Emergency Petroleum Allocation Act of 1973, may be obtained only by filing a petition for review in the United States Court of Appeals for the District of Columbia within thirty days from the date of promulgation of any such rule, regulation, or order, and judicial review of administrative rulemaking of general, but less than national, applicability done under this Act, except that done pursuant to the Emergency Petroleum Allocation Act of 1973, may be obtained only by filing a petition for review in the United States Court of Appeals for the appropriate circuit within thirty days from the date of promulgation of any such rule, regulation, or order, the appropriate circuit being defined as the circuit which contains the area or the greater part of the area within which the rule, regulation, or order is to have effect.

(B) Notwithstanding the amount in controversy, the district courts of the United States shall have exclusive original jurisdiction of all other cases or controversies arising under this Act, or under rules, regulations, or orders issued thereunder, except any actions taken to implement or enforce any rule, regulation, or order by any officer of a State or local government agency under this Act: *Provided*, That nothing in this section affects the power of any court of competent jurisdiction to consider, hear, and determine in any proceeding before it any issue raised by way of defense (other than a defense based on the unconstitutionality of this Act or the validity of action taken by any agency under this Act). If in any such proceeding an issue by way of defense is raised based on the unconstitutionality of this Act or the validity of agency action under this Act, the case shall be subject to removal by either party to a district court of the United States in accordance with the applicable provisions of chapter 89 of title 28, United States Code. Cases or controversies arising under any rule, regulation, or order of any officer of a State or local government agency may be heard in either (1) any appropriate State court, or (2) without regard to the amount in controversy, the district courts of the United States.

(3) The Administrator may by rule prescribe procedures for State or local government agencies authorized by the Administrator to carry out functions under this Act. Such procedures shall apply to such agencies in lieu of paragraph (1) of this subsection, and shall require that prior to taking any action, such agencies shall take steps reasonably calculated to provide notice to persons who may be affected by the action, and shall afford an opportunity for presentation of views (including oral presentation of views where practicable) at least ten days before taking the action.

(j) The Administration, in connection with the exercise of the authority under this Act, shall be considered an independent Federal regulatory agency for the purposes of sections 3502 and 3512 of title 44 of the United States Code.

TRANSITIONAL AND SAVINGS PROVISIONS

SEC. 8(a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective by the President, by any Federal department or agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which are transferred under this Act, and

(2) which are in effect at the time this Acts takes effect,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked by the President, the Administrator, other authorized officials, a court of competent jurisdiction, or by operation of law.

(b) This Act shall not affect any proceeding pending, at the time this Act takes effect, before any department or agency (or component thereof) regarding functions which are transferred by this Act; but such proceedings, to the extent that they relate to functions so transferred, shall be continued. Orders shall be issued in such proceedings, appeals (except as provided in section 7(i)(2) of this Act) shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions, and to the same extent, that such proceeding could have been

discontinued if this Act had not been enacted.

(c) Except as provided in subsection (e)—

(1) the provisions of this Act shall not affect suits commenced prior to the date this Act takes effect, and

(2) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this Act had not been enacted.

(d) No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any department or agency, functions of which are transferred by this Act, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, actions, or other proceedings may be asserted by or against the United States or such official as may be appropriate and, in any litigation pending when this Act takes effect, the court may at any time, on its own motion or that of any party, enter any order which will give effect to the provisions of this section.

(e) If, before the date on which this Act takes effect, any department or agency, or officer thereof in his official capacity, is a party to a suit, and under this Act any function of such department, agency, or officer is transferred to the Administrator, or any other official, then such suit shall be continued as if this Act had not been enacted, with the Administrator, or other official as the case may be, substituted.

(f) Final orders and actions of any official or component in the performance of functions transferred by this Act shall be subject to judicial review to the same extent and in the same manner as if such orders or actions had been made or taken by the officer, department, agency, or instrumentality in the performance of such functions immediately preceding the effective date of this Act. Any statutory requirements relating to notices, hearings, action upon the record, or administrative review that apply to any function transferred or delegated by this Act shall apply to the performance of those functions by the Administrator, or any officer or component of the Administration. In the event of any inconsistency between the provisions of this subsection and section 7, the provisions of section 7 shall govern.

(g) With respect to any function transferred by this Act and performed after the effective date of this Act, reference in any other law to any department or agency, or any officer or office, the functions of which are so transferred, shall be deemed to refer to the Administration, Administrator, or other office or officers in which this Act vests such functions.

(h) Nothing contained in this Act shall be construed to limit, curtail, abolish, or terminate any function of the President which he had immediately before the effective date of this Act; or to limit, curtail, abolish, or terminate his authority to perform such function; or to limit, curtail, abolish, or terminate his authority to delegate, redelegate, or terminate any delegations of functions.

(i) Any reference in this Act to any provision of law shall be deemed to include, as appropriate, references thereto as now or hereafter amended or supplemented.

INCIDENTAL TRANSFER

SEC. 9. The Director of the Office of Management and Budget is authorized and directed to make such additional incidental dispositions of personnel, personnel positions, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with, functions which are transferred by or which revert under this Act, as the Director deems necessary and appropriate to accomplish the intent and purpose of this Act.

DEFINITIONS

SEC. 10. As used in this Act—

(1) any reference to "function" or "functions" shall be deemed to include references to duty, obligation, power, authority, responsibility, right, privilege, and activity, or the plural thereof, as the case may be; and

(2) any reference to "perform" or "performance", when used in relation to functions, shall be deemed to include the exercise of power, authority, rights, and privileges.

APPOINTMENTS

SEC. 11. (a) Funds available to any department or agency (or any official or component thereof), and lawfully authorized for any of the specific functions which are transferred to the Administrator by this Act, may, with the approval of the President, be used to pay the compensation and expenses of any officer appointed pursuant to this Act until such time as funds for that purpose are otherwise available.

(b) In the event that any officer required by this Act to be appointed by and with the advice and consent of the Senate shall not have entered upon office on the effective date of this Act, the President may designate any officer, whose appointment was required to be made by and with the advice and consent of the Senate and who was such an officer immediately prior to the effective date of this Act, or any officer who was performing essentially the same functions immediately prior to the effective date of this Act, to act in such office until the office is filled as provided in this Act: *Provided*, That any officer acting pursuant to the provisions of this subsection may act no longer than a period of thirty days unless during such period his appointment as such an officer is submitted to the Senate for its advice and consent.

(c) Transfer of nontemporary personnel pursuant to this Act shall not cause any such employee to be separated or reduced in grade or compensation, except for cause, for one year after such transfer.

(d) Any person who, on the effective date of this Act, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5 of the United States Code, and who, without a break in service, is appointed in the Administration to a position having duties comparable to those performed immediately preceding his appointment, shall continue to be compensated in his new position at not less than the rate provided for his previous position.

ACCESS TO INFORMATION BY THE COMPTROLLER GENERAL

SEC. 12. (a) For the duration of this Act, the Comptroller General of the United States shall monitor and evaluate the operations of the Administration including its reporting activities. The Comptroller General shall (1) conduct studies of existing statutes and regulations governing the Administration's programs; (2) review the policies and practices of the Administration; (3) review and evaluate the procedures followed by the Administrator in gathering, analyzing, and interpreting energy statistics, data, and information related to the management and conservation of energy, including but not limited to data related to energy costs, supply, demand, industry structure, and environmental impacts; and (4) evaluate particular projects or programs. The Comptroller General shall have access to such data within the possession or control of the Administration from any public or private source whatever, notwithstanding the provisions of any other law, as are necessary to carry out his responsibilities under this Act and shall report to the Congress at such times as he deems appropriate with respect to the Administration's programs, including his recommendations for modifications in existing laws, regulations, procedures, and practices.

(b) The Comptroller General or any of his authorized representatives in carrying out his responsibilities under this section may request access to any books, documents, papers, statistics, data, records, and information of any person owning or operating facilities or business premises who is engaged in any phase of energy supply or major energy consumption, where such material relates to the purposes of this Act, including but not limited to energy costs, demand, supply, industry structure, and environmental impacts. The Comptroller General may request such person to submit in writing such energy information as the Comptroller General may prescribe.

(c) The Comptroller General of the United States, or any of his duly authorized representatives, shall have access to and the right to examine any books, documents, papers, records, or other recorded information of any recipients of Federal funds or assistance under contracts, leases, cooperative agreements, or other transactions entered into pursuant to subsection (d) or (g) of section 7 of this Act which in the opinion of the Comptroller General may be related or pertinent to such contracts, leases, cooperative agreements, or similar transactions.

(d) To assist in carrying out his responsibilities under this section, the Comptroller General may, with the concurrence of a duly established committee of Congress having legislative or investigative jurisdiction over the subject matter and upon the adoption of a resolution by such a committee which sets forth specifically the scope and necessity therefor, and the specific identity of those persons from whom information is sought, sign and issue subpenas requiring the production of the books, documents, papers, statistics, data, records, and information referred to in subsection (b) of this section.

(e) In case of disobedience to a subpena issued under subsection (d) of this section, the Comptroller General may invoke the aid of any district court of the United States in requiring the production of the books, documents, papers, statistics, data, records, and information referred to in subsection (b) of this section. Any district court of the United States within the jurisdiction where such person is found or transacts business may, in case of contumacy or refusal to obey a subpena issued by the Comptroller General, issue an order requiring such person to produce the books, documents, papers, statistics, data, records, or information; and any failure to obey such order of the court shall be punished by the court as a contempt thereof.

(f) Reports submitted by the Comptroller General to the Congress pursuant to this section shall be available to the public at reasonable cost and upon identifiable request. The Comptroller General may not disclose to the public any information which concerns or relates to a trade secret or other matter referred to in section 1905 of title 18, United States Code, except that such information shall be disclosed by the Comptroller General or the Administrator, in a manner designed to preserve its confidentiality—

(1) to other Federal Government departments, agencies, and officials for official use upon request;

(2) to committees of Congress upon request; and

(3) to a court in any judicial proceeding under court order.

INFORMATION-GATHERING POWER

SEC. 13. (a) The Administrator shall collect, assemble, evaluate, and analyze energy information by categorical groupings, established by the Administrator, of sufficient comprehensiveness and particularity to permit fully informed monitoring and policy guidance with respect to the exercise of his functions under this Act.

(b) All persons owning or operating facili-

ties or business premises who are engaged in any phase of energy supply or major energy consumption shall make available to the Administrator such information and periodic reports, records, documents, and other data, relating to the purposes of this Act, including full identification of all data and projections as to source, time, and methodology of development, as the Administrator may prescribe by regulation or order as necessary or appropriate for the proper exercise of functions under this Act.

(c) The Administrator may require, by general or special orders, any person engaged in any phase of energy supply or major energy consumption to file with the Administrator in such form as he may prescribe, reports or answers in writing to such specific questions, surveys, or questionnaires as may be necessary to enable the Administrator to carry out his functions under this Act. Such reports and answers shall be made under oath, or otherwise, as the Administrator may prescribe, and shall be filed with the Administrator within such reasonable period as he may prescribe.

(d) The Administrator, to verify the accuracy of information he has received or otherwise to obtain information necessary to perform his functions under this Act, is authorized to conduct investigations, and in connection therewith, to conduct, at reasonable times and in a reasonable manner, physical inspections at energy facilities and business premises, to inventory and sample any stock of fuels or energy sources therein, to inspect and copy records, reports, and documents from which energy information has been or is being compiled, and to question such persons as he may deem necessary.

(e)(1) The Administrator, or any of his duly authorized agents, shall have the power to require by subpena the attendance and testimony of witnesses, and the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence which the Administrator is authorized to obtain pursuant to this section.

(2) Any appropriate United States district court may, in case of contumacy or refusal to obey a subpena issued pursuant to this section, issue an order requiring the party to whom such subpena is directed to appear before the Administration and to give testimony touching on the matter in question, or to produce any matter described in paragraph (1) of this subsection, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(f) The Administrator shall collect from departments, agencies and instrumentalities of the executive branch of the Government (including independent agencies), and each such department, agency, and instrumentality is authorized and directed to furnish, upon his request, information concerning energy resources on lands owned by the Government of the United States. Such information shall include, but not be limited to, quantities of reserves, current or proposed leasing agreements, environmental considerations, and economic impact analyses.

PUBLIC DISCLOSURE OF INFORMATION

SEC. 14. (a) The Administrator shall make public, on a continuing basis, any statistical and economic analyses, data, information, and whatever reports and summaries are necessary to keep the public fully and currently informed as to the nature, extent, and projected duration of shortages of energy supplies, the impact of such shortages, and the steps being taken to minimize such impacts.

(b) Subject to the provisions of this Act, section 552 of title 5, United States Code, shall apply to public disclosure of information by the Administrator: *Provided*, That notwithstanding said section, the provisions of section 1905 of title 18, United States Code, or any other provision of law, (1) all matters reported to, or otherwise obtained by, any person exercising authority under this Act containing trade secrets or other matter referred to in section 1905 of title 18, United States Code, may be disclosed to other persons authorized to perform functions under this Act solely to carry out the purposes of the Act, or when relevant in any proceeding under this Act; and (2) the Administrator shall disclose to the public, at a reasonable cost, and upon a request which reasonably describes the matter sought, any matter of the type which could not be excluded from public annual reports to the Securities and Exchange Commission pursuant to section 13 or 15(d) of the Securities Exchange Act of 1934 by a business enterprise exclusively engaged in the manufacture or sale of a single product, unless such matter concerns or relates to the trade secrets, processes, operations, style of work, or apparatus of a business enterprise.

(c) To protect and assure privacy of individuals and confidentiality of personal information, the Administrator is directed to establish guidelines and procedures for handling any information which the Administration obtains pertaining to individuals. He shall provide, to the extent practicable, in such guidelines and procedures a method for allowing any such individual to gain access to such information pertaining to himself.

REPORTS AND RECOMMENDATIONS

SEC. 15. (a) Six months before the expiration of this Act, the President shall transmit to Congress a full report together with his recommendations for—

(1) disposition of the functions of the Administration upon its termination;

(2) continuation of the Administration with its present functions; or

(3) reorganization of the Administration; and

(4) organization of the Federal Government for the management of energy and natural resources policies and programs.

(b) Not later than one year after the effective date of this Act, the Administrator shall submit a report to the President and Congress which will provide a complete and independent analysis of actual oil and gas reserves and resources in the United States and its Outer Continental Shelf, as well as of the existing productive capacity and the extent to which such capacity could be increased for crude oil and each major petroleum product each year for the next ten-years through full utilization of available technology and capacity. The report shall also contain the Administration's recommendations for improving the utilization and effectiveness of Federal energy data and its manner of collection. The data collection and analysis portion of this report shall be prepared by the Federal Trade Commission for the Administration. Unless specifically prohibited by law, all Federal agencies shall make available estimates, statistics, data and other information in their files which, in the judgment of the Commission or Administration, are necessary for the purposes of this subsection.

(c) The Administrator shall prepare and submit directly to the Congress and the President every year after the date of enactment of this Act a report which shall include—

(1) a review and analysis of the major actions taken by the Administrator;

(2) an analysis of the impact these actions have had on the Nation's civilian requirements for energy supplies for materials and commodities;

(3) a projection of the energy supply for the midterm and long term for each of the major types of fuel and the potential size and impact of any anticipated shortages, including recommendations for measures to—

(A) minimize deficiencies of energy supplies in relation to needs;

(B) maintain the health and safety of citizens;

(C) maintain production and employment at the highest feasible level;

(D) equitably share the burden of shortages among individuals and business firms; and

(E) minimize any distortion of voluntary choices of individuals and firms;

(4) a summary listing of all recipients of funds and the amount thereof within the preceding period; and

(5) a summary listing of information-gathering activities conducted under section 13 of this Act.

(d) Not later than thirty days after the effective date of this Act, the Administrator shall issue preliminary summer guidelines for citizen fuel use.

(e) The Administrator shall provide interim reports to the Congress from time to time and when requested by committees of Congress.

SEX DISCRIMINATION

SEC. 16. No individual shall on the grounds of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity carried on or receiving Federal assistance under this Act. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or remove any other legal remedies available to any individual alleging discrimination.

ADVISORY COMMITTEES

SEC. 17. (a) Whenever the Administrator shall establish or utilize any board, task force, commission, committee, or similar group, not composed entirely of full-time Government employees, to advise with respect to, or to formulate or carry out, any agreement or plan of action affecting any industry or segment thereof, the Administrator shall endeavor to insure that each such group is reasonably representative of the various points of view and functions of the industry and users affected, including those of residential, commercial, and industrial consumers, and shall include, where appropriate, representation from both State and local governments, and from representatives of State regulatory utility commissions, selected after consultation with the respective national associations.

(b) Each meeting of such board, task force, commission, committee, or similar group, shall be open to the public, and interested persons shall be permitted to attend, appear before, and file statements with, such group, except that the Administrator may determine that such meeting shall be closed in the interest of national security. Such determination shall be in writing, shall contain a detailed explanation of reasons in justification of the determination, and shall be made available to the public.

(c) All records, reports, transcripts, memoranda, and other documents, which were prepared for or by such group, shall be available for public inspection and copying at a single location in the offices of the Administration.

(d) Advisory committees established or utilized pursuant to this Act shall be governed in full by the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770), except as inconsistent with this section.

ECONOMIC ANALYSIS OF PROPOSED ACTIONS

SEC. 18. (a) In carrying out the provisions of this Act, the Administrator shall, to the greatest extent practicable, insure that the potential economic impacts of proposed regulatory and other actions are evaluated and considered, including but not limited to an analysis of the effect of such actions on—

(1) the fiscal integrity of State and local governments;

(2) vital industrial sectors of the economy;

(3) employment, by industrial and trade sectors, as well as on a national, regional, State, and local basis;

(4) the economic vitality of regional, State, and local areas;

(5) the availability and price of consumer goods and services;

(6) the gross national product;

(7) low and middle income families as defined by the Bureau of Labor Statistics;

(8) competition in all sectors of industry; and

(9) small business.

(b) The Administrator shall develop analyses of the economic impact of various conservation measures on States or significant sectors thereof, considering the impact on both energy for fuel and energy as feed stock for industry.

(c) Such analyses shall, wherever possible, be made explicit, and to the extent possible, other Federal agencies and agencies of State and local governments which have special knowledge and expertise relevant to the impact of proposed regulatory or other actions shall be consulted in making the analyses, and all Federal agencies are authorized and directed to cooperate with the Administrator in preparing such analyses: *Provided*, That the Administrator's actions pursuant to this section shall not create any right of review or cause of action except as would otherwise exist under other provisions of law.

(d) The Administrator, together with the Secretaries of Labor and Commerce, shall monitor the economic impact of any energy actions taken by the Administrator, and shall provide the Congress with a report every six months on the impact of the energy shortage and the Administrator's actions on employment and the economy. Such report shall contain recommendations as to whether additional Federal programs of employment and economic assistance should be put into effect to minimize the impact of the energy shortage and any actions taken.

(e) The Administrator shall formulate and implement regulatory and other actions in a manner (1) which does not unduly discriminate against any industry or any region of the United States; and (2) designed to insure that, to the greatest extent possible, the costs and burdens of meeting energy shortages shall be borne equally by every sector and segment of the country and of the economy.

MANAGEMENT OVERSIGHT REVIEW

SEC. 19. The Administrator may, for a period not to exceed thirty days in any one calendar year, provide for the exercise or performance of a management oversight review with respect to the conduct of any Federal or State (with consent of the Governor) energy program conducted pursuant to this Act. Such review may be conducted by contract or by any Federal department or agency. A written report shall be submitted to the Administrator concerning the findings of the review.

COORDINATION WITH, AND TECHNICAL ASSISTANCE TO, STATE GOVERNMENTS

SEC. 20. (a) The Administrator shall—

(1) coordinate Federal energy programs and policies with such programs and policies of State governments by providing—

(A) within sixty days of the effective date of this Act, the Congress and State governments with a report on the manner in which he has organized the Administration based upon the functions delegated by the President or assigned to the Administrator by this Act or under the authority of other Acts; and

(B) within one hundred and twenty days of the effective date of this Act, the public, State governments, and all Members of the Congress with a report in nontechnical language which—

(i) describes the functions performed by the Administration;

(ii) sets forth in detail the organization of the Administration, the location of its offices (including regional, State, and local offices), the names and phone numbers of Administration officials, and other appropriate information concerning the operation of the Administration;

(iii) delineates the role that State, and Federal governments will or may perform in achieving the purposes of this Act; and

(iv) provides the public with a clear understanding of their duties and obligations, rights, and responsibilities under any of the programs or functions of the Administration;

(2) before promulgating any rules, regulations, or policies, and before establishing any programs under the authority of this Act, provide, where practicable, a reasonable period in which State governments may provide written comments if such rules, regulations, policies, or programs substantially affect the authority or responsibility of such State governments;

(3) provide, in accordance with the provisions of this Act, upon request, to State governments all relevant information he possesses concerning the status and impact of energy shortages, the extent and location of available supplies and shortages of crude oil, petroleum products, natural gas, and coal, within the distribution area serving that particular State government; and

(4) provide for a central clearinghouse for Federal agencies and State governments seeking energy information and assistance from the Federal Government.

(b) Pursuant to his responsibility under this section, the Administrator shall—

(1) provide technical assistance—including advice and consultation relating to State programs, and, where necessary, the use of task forces of public officials and private persons assigned to work with State governments—to assist State governments in dealing with energy problems and shortages and their impact and in the development of plans, programs, and policies to meet the problems and shortages so identified;

(2) convene conferences of State and Federal officials, and such other persons as the Administrator designates, to promote the purposes of this Act, and the Administrator is authorized to pay reasonable expenses incurred in the participation of individuals in such conferences;

(3) draft and make available to State governments model legislation with respect to State energy programs and policies; and

(4) promote the promulgation of uniform criteria, procedures, and forms for grant or contract applications for energy proposals submitted by State governments.

OFFICE OF PRIVATE GRIEVANCES AND REDRESS

SEC. 21. (a) The Administrator shall establish and maintain an Office of Private Grievances and Redress, headed by a director, to receive and evaluate petitions filed in accordance with subsection (b) of this section, and to make recommendations to the Administrator for appropriate action.

(b) Any person, adversely affected by any order, rule, or regulation issued by the Administrator in carrying out the functions assigned to him under this Act, may petition the Administrator for special redress, relief, or other extraordinary assistance, apart from, or in addition to, any right or privilege to seek redress of grievances provided in section 7.

(c) The Administrator shall report quarterly to the Congress on the nature and number of the grievances which have been filed, and the action taken and relief provided, pursuant to this section; and he shall make recommendations to the Congress from time to time concerning legislative or administrative actions which may be taken to better assist persons adversely affected by the energy shortages and to distribute more equitably the burdens resulting from any measures adopted, or actions taken, by him.

COMPREHENSIVE ENERGY PLAN

SEC. 22. (a) Pursuant and subject to the provisions and procedures set forth in this Act, the Administrator shall, within six months from the date of the enactment of this Act, develop and report to the Congress and the President a comprehensive plan designed to alleviate the energy shortage, for the time period covered by this Act. Such plan shall be accompanied by full analytical justification for the actions proposed therein. Such analysis shall include, but not be limited to—

(1) estimates of the energy savings of each action and of the program as a whole;

(2) estimates of any windfall losses and gains to be experienced by corporations, industries, and citizens grouped by socio-economic class;

(3) estimates of the impact on supplies and consumption of energy forms consequent to such price changes as are or may be proposed; and

(4) a description of alternative actions which the Administrator has considered together with a rationale in explanation of the rejection of any such alternatives in preference to the measures actually proposed.

(b) The Administrator may, from time to time, modify or otherwise alter any such plan, except that, upon request of an appropriate committee of the Congress, the Administrator shall supply analytical justifications for any such alterations.

(c) The Administrator shall be responsible for monitoring any such plans as are implemented with respect to their effectiveness in achieving the anticipated benefits.

PETROCHEMICAL REPORT

SEC. 23. (a) Within ninety days after he has entered upon the office of Administrator or has been designated by the President to act in such office, the Administrator, or acting Administrator, as the case may be, with the assistance of the Department of Commerce, the Cost of Living Council, and the United States Tariff Commission shall, by written report, inform the Congress as to the—

(1) effect of current petrochemical prices upon the current level of petrochemical exports, and export levels expected for 1975;

(2) effect of current and expected 1975 petrochemical export levels upon domestic petrochemical raw materials and products available to petrochemical producers, converters, and fabricators currently and in 1975;

(3) current contribtuion of petrochemical imports to domestic supplies and the expected contribution in 1975;

(4) anticipated economic effects of current and expected 1975 levels of domestic supplies of petrochemicals upon domestic producers, converters, and fabricators of petrochemical raw materials and products; and

(5) exact nature, extent, and sources of data and other information available to the Federal Government regarding the matters set forth in paragraphs (1) through (4) of this subsection, including the exact nature, extent, and sources of such data and information utilized in connection with the report required by this subsection.

(b) As used in this section, the term "petrochemical" includes organic chemicals, cyclic intermediates, plastics and resins, synthetic fibers, elastomers, organic dyes, organic pigments, detergents, surface active agents, carbon black and ammonia.

HYDROELECTRIC GENERATING FACILITIES

SEC. 24. Within ninety days of the effective date of this Act, the Administrator of the

Federal Energy Administration, in consultation with the Secretary of the Interior and the Secretary of the Army, shall—

(1) transmit to the Congress—

(A) a list of hydroelectric generating facilities and electric power transmission facilities which have been authorized for construction by the Congress and which are not yet completed, and

(B) a list of opportunities to increase the capacity of existing hydroelectric generating facilities; and

(2) provide, for each such facility which is listed—

(A) a construction schedule and cost estimates for an expedited construction program which would make the facility available for services at the earliest practicable date, and

(B) a statement of the accomplishments which could be provided by the expedited completion of each facility and a statement of any funds which have been appropriated but not yet obligated.

INFORMATION CONCERNING TRANSACTION, SALE, EXCHANGE OR SHIPMENT INVOLVING THE EXPORT FROM THE UNITED STATES TO A FOREIGN NATION OF COAL AND ANY REFINED PETROLEUM PRODUCT

SEC. 25. (a) The Administrator is authorized and directed to establish and maintain a file which shall contain information concerning every transaction, sale, exchange or shipment involving the export from the United States to a foreign nation of coal, crude oil, residual oil or any refined petroleum product. Information to be included in the file shall be current and shall include, but shall not be limited to, the name of the exporter (including the name or names of the holders of any beneficial interests), the volume and type of product involved in the export transaction, the manner of shipment and identification of the vessel or carrier, the destination, the name of the purchaser if a sale, exchange or other transaction is involved, and a statement of reasons justifying the export.

(b) Upon request of any committee of Congress or the head of any Federal agency, the Administrator shall promptly provide any information maintained in the file and a report thereon to such committee, or agency head, except where the President finds such disclosure to be detrimental to national security.

(c) Notwithstanding any other provision of law, any Federal agency which collects or has information relevant to the functions required by this section shall make such information available to the Administrator.

FOREIGN OWNERSHIP

SEC. 26. The Administrator shall conduct a comprehensive review of foreign ownership of, influence on, and control of domestic energy sources and supplies. Such review shall draw upon existing information, where available, and any independent investigation necessary by the Administration. The Administrator shall, on or before the expiration of the one hundred and eighty day period following the effective date of this Act, report to the Congress in sufficient detail so as to apprise the Congress as to the extent and forms of such foreign ownership of, influence on, and control of domestic energy sources and supplies, and shall thereafter continue to monitor such ownership, influence and control.

SEPARABILITY

SEC. 27. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

REVERSION

SEC. 28. Upon the termination of this Act, any functions or personnel transferred by this Act shall revert to the department, agency, or office from which they were transferred. An officer or employee of the Federal Government who is appointed, without break in service of one or more workdays, to any position for carrying out functions under this Act is entitled, upon separation from such position other than for cause, to reemployment in the position occupied at the time of appointment, or in opposition of comparable grade and salary.

AUTHORIZATION OF APPROPRIATIONS

SEC. 29. There are hereby authorized to be appropriated to the Administrator, to remain available until expended, $75,000,000 for fiscal year 1974, and $200,000,000 annually for each of fiscal years 1975 and 1976 to carry out the purposes of this Act.

EFFECTIVE DATE; TERMINATION DATE

SEC. 30. This Act shall become effective sixty days after the date of enactment or sooner if the President publishes notice in the Federal Register. This Act shall terminate June 30, 1976.

And the Senate agree to the same.

CHET HOLIFIELD,
BENJAMIN S. ROSENTHAL,
FERNAND J. ST GERMAIN,
DON FUQUA,
FRANK HORTON,
JOHN S. ERLENBORN,
JOHN W. WYDLER,
Managers on the Part of the House.

ABRAHAM RIBICOFF,
SAM J. ERVIN, JR.,
HENRY M. JACKSON,
EDMUND S. MUSKIE,
LEE METCALF,
CHARLES H. PERCY,
JACOB K. JAVITS,
EDWARD J. GURNEY,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11793) to reorganize and consolidate certain functions of the Federal Government in a new Federal Energy Administration in order to promote more efficient management of such functions, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

Except for certain clarifying, clerical, conforming and other technical changes, the changes made to deal with the differences between the House bill and the Senate amendment are noted below.

SECTIONS 1–3—TITLE AND DECLARATION

The conferees agreed not to carry "emergency" in the title of the act and the Administration and made conforming changes in the text. The conference substitute adopts the House bill's sections 1 through 3 with an amendment retaining the wording in Senate section 102(b) emphasizing that the sole purpose of the act is to reorganize certain governmental functions on an interim basis to deal with the Nation's energy shortages.

SECTIONS 4 AND 7(a)—OFFICERS AND EMPLOYEES

The House bill provided for two Deputy Administrators (section 4(c)). The Senate amendment provided for one Deputy Administrator (section 103(a)) and other personnel requirements, not contained in the House bill, as follows: (1) Officers in charge of five specific programs—allocation, rationing, pricing, State and local coordination, and economic impact analysis—were to be not lower than executive level V officers, appointed by the President with the advice and consent of the Senate (section 107(b), (c)); and (2) one hundred new GS–16, 17, and 18 positions were authorized, of which twenty-five were to be filled without regard to the laws governing appointments in the competitive civil service (section 106(a)(1)).

The conference substitute incorporates (1) the House provision for two Deputy Administrators (section 4(c)); (2) a modified Senate provision for Presidential appointment of officers principally in charge of four specified programs: allocation, rationing, pricing, and Federal and State coordination (section 4(f)(2)); and (3) a modified Senate provision for additional supergrades reduced in number to ninety-one, with the total number of supergrades in the agency limited to one hundred and five (section 7(a)). Twenty-five of the ninety-one positions may be filled without regard to the laws governing appointment in the competitive civil service. This exemption applies to individual appointments, not to job classification and qualifications.

The conferees agreed that, in view of the extraordinary scope and complexity of the Administrator's responsibilities, two Deputy Administrators were justified. It is contemplated that one will be in charge of the Administration's program operations and the other will develop the Administration's policies and plans.

The conferees also agreed that the additional supergrades were warranted in view of the importance of the Administrator's responsibilities and need to pay salaries adequate to assure hiring the most qualified personnel possible. The Administrator would be expected to exercise judgment in filling these positions, so that they will be utilized only when necessary to administer the programs of the agency.

In concurring in the provision for Presidential appointment of executive level V officers with principal responsibility for specified programs, the conferees agreed that the four program areas of rationing, pricing, allocation, and Federal and State coordination were of such importance to the purposes of the act that they should be directed by officers subject to Senate confirmation. The conference substitute requires that officials having principal responsibility for these four programs be placed in positions not lower than executive level V. The Administrator is not precluded from distributing responsibility for these programs among the four officers in a manner which separates operations from planning. The provision applies to current and future pricing, allocation, and Federal-State coordination, but to rationing only if and when a Federal rationing program is actually implemented pursuant to authority granted under other legislation.

The provisions of the House bill governing the order in which other officers would serve in the absence of the Administrator (section 4(h)) mandated a more specific order of succession than the corresponding section of the Senate amendment (section 103(f)). The conferees adopted in subsection 4(h) the language of the Senate amendment.

SECTION 4(l)—CONFLICT OF INTEREST

Both the House bill and the Senate amendment contain similar provisions governing use of the waiver provisions under 18 U.S.C. 208. That law prohibits a Government officer or employee from acting in circumstances where he may have a conflict of interest unless he gets a waiver from his supervisor. The House bill (section 4(l)) provided that the Administrator alone could authorize such a waiver, and required 30 days' advance notice to Congress with a detailed description of the conflicting interest. The Senate amendment (section 106(b)) provided that a waiver must be personally authorized by the Administrator, Deputy Administrator, or General Counsel, and required public notice of each such waiver, along with a detailed statement justifying the waiver.

The conference substitute retains the wording in the House version with an

amendment requiring only 10 days' advance notice to Congress and with a further amendment requiring that the report sent to Congress also be published in the Federal Register (section 4(i)). The conferees recognized that waivers may be justified in special cases, but the provision adopted reflects the view of the conferees that extreme caution should be taken in waiving the applicability of section 208; and that such waivers should be granted only when absolutely necessary to obtain the services of persons with special competence.

SECTION 4(j)—PROHIBITION AGAINST DUAL EMPLOYMENT

The conference substitute incorporates a provision, found in the House bill (section 8(e)) but not in the Senate amendment, prohibiting the Administrator, Deputy and Assistant Administrator, and General Counsel from holding other positions in the executive branch.

The conferees wish to make clear that this prohibition applies only to full-time positions and does not preclude additional service as part-time advisers or as part-time members of committees in the executive branch performing coordinating or consulting functions.

SECTION 5—FUNCTIONS AND PURPOSES

The House bill (section 5) enumerated 14 functions of the Administrator. The Senate amendment (sections 104 and 108(i)) included a general statement of his responsibilities. Both bills contained specific provisions to make it clear that the statements of responsibilities and functions did not grant new program authority to the Administrator.

The conference substitute is a composite of the House and Senate versions. The Administrator will have only the authorities specifically transferred or vested in him by the act, delegated to him by the President pursuant to specific authority of law, or otherwise specifically vested in the Administrator by Congress (section 5(a)). The conferees included in section 5(a) of the substitute the substance of both Senate section 104, describing the Administrator's authority, and section 108(i), which prohibits the Administrator from exercising any authority except that specifically conferred upon him.

The conference substitute is not intended to preclude the Administrator, as the head of a Federal agency, from acting under delegations based on statutory provisions which expressly enable one agency head to delegate certain authority to any other agency head. For example, the Administrator of General Services may make delegations of this type, to the extent authorized by law, with respect to such matters as automatic data processing, property disposal, and public buildings.

The conference substitute modifies slightly the list of functions in the House bill (section 5) which the Administrator may perform, to the extent authorized by other provisions of the act. One of the 14 listed functions, requiring the Administrator to expedite development of energy resources, was eliminated to emphasize that the Administrator's primary concern should be to alleviate immediate energy shortages and administer conservation measures rather than to engage in long-range research and development. The conferees did not intend, however, that FEA be precluded from undertaking efforts to promote the increased utilization of known energy resources through application of currently available technologies. Another function, relating to summer guidelines for citizen fuel use, was changed to a requirement for a report by the Administrator (section 15(d)).

SECTION 7(c)—COORDINATION WITH COST OF LIVING COUNCIL AND WITH ENVIRONMENTAL PROTECTION AGENCY

The Senate amendment, but not the House bill, contained provisions requiring the Administrator to submit proposed rules, regulations, or policies relating to energy pricing to the Cost of Living Council, and proposed energy regulations affecting the environment to the Environmental Protection Agency (section 106(a)(3)). As set forth in the Senate amendment both COLC and EPA are to receive notice at least 5 days in advance. The COLC may disapprove the proposed regulation within the period provided. The EPA may offer comments for the consideration of the Administrator, and these must be published along with the Administrator's proposed action. In an emergency these requirements may be suspended for 14 days.

The conference substitute incorporates the substance of the Senate provision with technical and clarifying amendments which make it clear that the Administrator must inform EPA and COLC prior to providing the public with any notice that it is proposing to take certain actions. In the case of actions affecting the environment, EPA's comments must accompany the first public notice of the Administration's proposals.

SECTION 7(d)—VOLUNTARY AND UNCOMPENSATED SERVICES

The House bill included a provision allowing the Administrator to accept voluntary and uncompensated services (section 7(f)). Both the House bill and the Senate amendment permitted the Administrator to utilize the services of Federal and State agencies and instrumentalities with or without reimbursement, but the House version extended this provision to "private" agencies or instrumentalities (House bill, section 7(e); Senate amendment, section 106(a)(4)).

The conference substitute deletes the provision for acceptance of voluntary and uncompensated services and limits the provision for utilization of agency services, with or without reimbursement, to "public" agencies (section 7(d)). The conferees agreed that it is important to preclude any possibility or appearance that private interests exercise undue influence on the Administration by providing special uncompensated services.

SECTION 7(g)-(h)—ADMINISTRATIVE PROVISIONS

Both the House bill and Senate amendment authorized the Administrator to enter into contracts, leases and cooperative agreements, but the Senate amendment added "other transactions" (House bill, section 7(i); Senate amendment, section 106(a)(7)).

The conference substitute authorizes the Administrator to enter into contracts, leases, cooperative agreements and "similar" transactions. Though this language was adopted to give the Administrator needed flexibility, the conferees do not intend thereby to authorize the Administrator to make grants or grants-in-aid. The conferees deleted the requirement in the Senate provision that such transactions be entered into "subject to appropriation acts," since the Administrator, under other law, will be subject to this limitation in any event.

The conference substitute also incorporates an administrative provision found in the Senate amendment (section 106(a)(8)), but not in the House bill, authorizing the Administrator to perform such other activities as may be necessary for the fulfillment of his administrative duties and functions. The intent is to give him incidental powers of an administrative nature necessary for the efficient running of the Administration, and not to expand in any way his substantive authority beyond the limitations of section 5(a) of the conference substitute.

SECTION 7(i)—ADMINISTRATIVE PROCEDURE AND JUDICIAL REVIEW

Both the House bill and the Senate amendment include similar provisions establishing administrative and judicial review procedures for the Administration (House bill, section 7(j); Senate amendment, sections 121 and 122). However, the House bill and Senate amendment differed in such matters as the application of the procedures to State and local government actions, the functions covered, the number of provisions of the Administrative Procedure Act applicable, and the time allowed for public comment and hearing.

The conference substitute in section 7(i)(1) and (3) adopts substantially the House provisions as being somewhat more detailed and complete. The subsection applies, with modifications, Administrative Procedure Act provisions not only to rules and regulations, but also to orders similar to a rule or regulation. This reflects the conferees' intent that the Administrator should provide notice and opportunity for comment whenever his proposed action could have an impact on more than the few persons who, in the absence of such public notice, would be likely anyway to receive personal notice of the proposed action. It is expected that the exception to the notice provisions in paragraph (B) of section 7(i) of the conference substitute will be used very sparingly.

Paragraph (C) requires that opportunity for oral comments be provided if the rule, regulation, or order is likely to have a substantial impact on the Nation's economy or large numbers of individuals or businesses. The number of individuals or businesses need not necessarily be large relative to the entire population, but should be substantial in a given sector of the country or the economy. The conferees intend that if the Administrator is in doubt about the applicability of any of the standards provided in this section, he will resolve the doubt in favor of the fullest application of procedural safeguards.

The House bill and the Senate amendment differed with respect to appeals from general administrative rulemaking. The conference substitute, in section 1(i)(2), adopts the House language with technical amendments to make clear that with respect to judicial review of general rulemaking under the act, actions taken pursuant to the Emergency Petroleum Allocation Act of 1973 will continue to follow the special procedures provided in the Allocation Act for facilitating appeals through the use of the Temporary Emergency Court of Appeals. This clarification comports with the provisions in section 7(i)(2)(B), adopting language in both the House bill and the Senate amendment, which provides that the U.S. district courts shall have jurisdiction over all other cases or controversies arising under the Federal Energy Administration Act. Appeals from the district courts in cases involving Allocation Act matters presently go to the Temporary Emergency Court of Appeals, and nothing in either the House bill, Senate amendment, or conference substitute alters this procedure.

The conference substitute in section 8(b) and (f) makes it clear that in the event of any inconsistency between the administrative and judicial review procedures presently applicable to functions transferred by the act, and the procedures specifically established by section 7, the provisions in section 7 shall govern.

SECTION 12—ACCESS TO INFORMATION BY COMPTROLLER GENERAL

Both the House bill and the Senate amendment authorized the Comptroller General to monitor Administration operations, to make his reports available to the public, and to gain access to certain Administration and private records. The House bill limited such access to information in the possession of the Administration and to certain records of Government contractors and recipients of Federal funds (section 14(a)). The Senate amendment was considerably broader. It granted the Comptroller General the right of access to data from any public or private source or organization relating to the management and conservation of energy, permitted him to obtain information from persons under oath, and authorized the issuance of subpenas for the production of records (section 119(a)-(c)).

The conference substitute follows the Senate version but with significant limitations and controls. It authorizes the Comptroller General to request information or records only from owners or operators of business premises engaged in any phase of energy supply or major consumption of energy, and it authorizes the Comptroller General to issue subpenas for the production of such business records, provided he first obtains the concurrence by resolution of a duly established committee of the Congress having legislative or investigative jurisdiction over the subject matter. The resolution must set forth the necessity and scope of the subpenas and the identity of the persons to be served.

The conference substitute also incorporates a provision in the House bill (section 14(b)) reiterating the prohibition in 18 U.S.C. 1905 against disclosure to the public of trade secrets and other confidential data but making such information available by the Comptroller General or the Administrator to Congress, courts and Federal agencies for official use. The Senate amendment (section 119(e)) contained a comparable provision, but it did not specifically provide that confidential information could be disclosed to Congress, courts, or agencies.

The provisions for disclosure by the Administrator contained in section 12(f) refer only to information received from the Comptroller General under section 12. Disclosure of information obtained by the Administrator from other sources is subject to section 14 of the conference substitute.

SECTION 13—INFORMATION GATHERING BY THE ADMINISTRATOR

Both the House bill and the Senate amendment contained comparable provisions giving the Administrator extensive information-gathering powers; including the right to conduct investigations; to require that persons provide information, reports, or responses to specific questions or to general surveys or questionnaires; to make on-site investigations, including the examination of records; to subpena witnesses and documentary material; to administer oaths; and to seek the aid of a Federal court in the enforcement of subpena rights (House bill, section 15(a)–(c); Senate amendment, section 116(a)–(d)). The House bill differed primarily in requiring categorical groupings of information; in limiting the persons subject to the Administrator's information-gathering powers to owners or operators of business premises engaged in energy supply or major energy consumption rather than to persons subject to any rule, regulation or order of the Administrator; and in providing for an administrative warrant before inspecting premises. The warrant-provision was drawn from the Comprehensive Drug Abuse Prevention and Control Act (21 U.S.C. 880).

The conference substitute is a composite of the House and Senate versions. It incorporates the House provisions prescribing categorical groupings and limits the Administrator's information-gathering powers to owners or operators of business premises engaged in energy supply or major energy consumption. However, it omits the wording with regard to use of administrative warrants for inspection of premises so as to eliminate any possibility that the provision would be interpreted as permitting unjustified invasions of a person's rights of privacy. If the Administrator encounters any difficulty in obtaining access to premises to conduct inspections, he will be able to seek the aid of a court for appropriate enforcement of his right of inspection through judicial warrant or other legal process.

The conference substitute (section 13(f)) retains a provision found in the House bill (section 15(d)) giving the Administrator access to data in other agencies concerning energy resources on Government-owned lands.

SECTION 14(a)–(b)—PUBLIC DISCLOSURE OF INFORMATION

The conference substitute incorporates a provision of the Senate amendment (section 117(a)) imposing upon the Administrator an affirmative duty to keep the public fully informed by publicizing information concerning energy shortages and supplies, the impact of shortages on the economy, and steps being taken to minimize such impact (section 14(a)).

Both bills contained provisions relating to public access to information. The House bill reiterated the protection given trade secrets and other confidential information under 18 U.S.C. 1905 (section 16(a)). The Senate amendment directed the withholding of information protected from disclosure by the Freedom of Information Act (5 U.S.C. 552), but specifically required disclosure of certain corporate financial data.

The conference substitute incorporates a provision authorizing disclosure of confidential information under 18 U.S.C. 1905 to persons performing functions under this act, or in court proceedings. It also requires public disclosure, upon request, of information of the type which could not be excluded from public annual reports to the Securities and Exchange Commission.

In other respects, the Freedom of Information Act will govern. The Administrator may withhold matters within the exemptions provided by that act, but there is nothing in the conference substitute requiring him to do so. In determining whether to disclose information under the Freedom of Information Act, the conferees expect that the Administrator will give consideration, among other things, to his affirmative duty imposed by section 14(a) to keep the public informed.

SECTION 14(c)—HANDLING PERSONAL DATA

The House bill contained a provision directing the Administrator to establish guidelines for handling data pertaining to individuals, giving them notice, access, and opportunity to contest the accuracy, pertinency, and inclusion of such data. The Administrator also was directed to protect such data against "indiscriminate" transfers to other persons, organizations, or agencies (section 16(b)).

The Senate amendment contained no comparable provision.

The conference substitute incorporates the House provision, but modifies it to require the Administrator to provide guidelines for the handling of information pertaining to individuals which shall, to the extent practicable, afford each affected individual access to information pertaining to himself. It was the intent of the conferees that this provision apply only to information concerning individuals in their strictly personal capacity and not to information which relates in any way to an individual's business activities covered by this act.

SECTION 16—SEX DISCRIMINATION

The conference substitute incorporates a provision against sex discrimination. The House bill (section 21), but not the Senate amendment, included such a provision.

SECTION 17(a)—ADVISORY COMMITTEES

The House bill authorized the Administrator to appoint advisory boards in accordance with the provisions of the Federal Advisory Committee Act (U.S.C. App. I (1972 Supp.)) and directed him to establish a separate advisory board of State public utility commissioners (section 7(c)).

The Senate amendment (section 118) directed the Administrator to assure that each advisory group was reasonably representative of the different interests affected, including State and local governments and public utility commissions. It also required each meeting of an advisory group to be open to the public unless closed for national security reasons, and gave the public ready access to all records, reports, and transcripts of group meetings. In other respects it made the Federal Advisory Committee Act controlling.

The conference substitute incorporates, with minor amendments, the provisions in the Senate amendment.

SECTION 21—OFFICE OF PRIVATE GRIEVANCES AND REDRESS

The Senate amendment (section 124) had a provision not in the House bill creating an Office of Private Grievances and Redress. The conference substitute adopts the Senate provision with technical amendments to make it clear that the Director of the Office of Private Grievances and Redress will have no independent statutory authority, apart from the Administrator, to grant relief to petitioners, and that the procedures established by this section are in addition to those provided under section 7. The reporting requirements also were amended to make them the formal responsibility of the Administrator rather than the Director.

SECTION 29—AUTHORIZATIONS

In place of the House provision authorizing appropriations as necessary (section 13), the conference substitute incorporates the Senate provision (section 132(a)) authorizing appropriations of $75 million for fiscal year 1974, and $200 million each for fiscal years 1975 and 1976. The conference substitute omits provisions in the Senate amendment for additional appropriations if a rationing program is adopted, and for mandatory apportionment of appropriations during the fiscal year for which such sums were appropriated (section 132(b)–(c)).

SECTION 30—TERMINATION DATE

In place of the House provision for termination of the act in two years (section 19), and the Senate provision for termination on June 30, 1975 (section 131), the conference substitute provides for termination of the act on June 30, 1976.

REPORTS, ANALYSES, AND REVIEWS

The conference substitute includes provisions for the following:

Section 15(a)—A report by the President six months before expiration of the act, with recommendations concerning (1) the disposition or possible continuance of the Administration's functions, and (2) a Federal organization for energy and natural resources. This was a consolidation of language in the House bill (section 17(a)) and the Senate amendment (section 126).

Section 15(b)—A report within a year on oil and gas reserves. The conference substitute adopts with amendments the House provision (section 17(b)) in lieu of the Senate provision (section 127(a)(5)). The House provision requires that the data collection and analysis portion of the report be prepared by the Federal Trade Commission for the Administration.

Section 15(c)—A yearly report describing the Administration's actions and predicting the Nation's future energy supply. The conference substitute was adapted from the Senate amendment (section 127(a)(1)–(4), (b).

Section 18—Analysis of the impact of proposed actions by the Administrator, including a requirement for a single report every six months prepared by the Administrator and the Secretaries of Labor and Commerce, and a requirement for nondiscriminatory and equal apportionment of the burdens of energy shortages among all sectors of the country and the economy. This was adapted from the Senate amendment (section 113). The Administrator's actions under this section do not create any new right of review or cause of action.

Section 19—Management oversight reviews by the Administrator of Federal and State energy programs conducted under this act. This was adapted from a Senate provision (section 114).

Section 20—Coordination with, and tech-

nical assistance to, State governments. The conference substitute is identical to section 115 of the Senate amendment, except that the Administrator's responsibility for providing coordination and technical assistance need not go beyond State governments. Coordination and assistance to local governments was considered important by the conferees, but as a practical matter it was agreed that in most cases such coordination and assistance would be obtained more expeditiously if provided through State governments.

Section 22—A comprehensive plan for alleviating energy shortages during the period covered by the act, to be developed by the Administrator and submitted to Congress and the President. This was adapted from a Senate provision (section 125).

Section 23—A report on the effect of energy shortages and current prices on the petrochemical industry. This was adapted from a Senate provision (section 128).

Section 24—A report on opportunities for expediting the construction or enlargement of hydroelectric generating facilities, to be prepared by the Administrator in conjunction with the Secretaries of the Interior and Army. This was adapted from a Senate provision (section 129).

Section 25—Compilation and report of information on coal and petroleum product exports. This was adapted from a Senate provision (section 130), with an amendment giving primary responsibility for obtaining the information to the Administrator rather than the Department of Commerce. It is expected that the Department and other Federal agencies will cooperate fully with the Administrator and provide the assistance he needs in compiling data and reporting on coal and petroleum product exports. To enable other agencies to cooperate with the Administrator, subsection (c) exempts them from laws limiting the transfer of information to other agencies. To qualify under this exemption, however, the information must be directly relevant to the purposes of this section.

Section 26—A report on the extent of foreign ownership or control of domestic energy sources and supplies. The Administrator is further charged with continuing responsibility for monitoring such foreign ownership. This was adapted from a Senate provision (section 116(e)).

Changes were made in connection with a number of the above items to allow more time for preparing the reports and to reduce their frequency.

The other reporting requirements contained in the Senate amendment were deleted by the conferees.

MISCELLANEOUS

Other miscellaneous differences between the House bill and the Senate amendment were reconciled as follows:

The Senate amendment, but not the House bill, permitted the President to transfer additional agency functions to the Administrator if Congress specifically approved the transfer after considering it on an expedited basis (section 105(c)). The conference substitute omits the Senate provision.

The conference substitute omits, as unnecessary, a House bill provision (section 9(a)) stating that offices in the Department of the Interior and the Cost of Living Council shall lapse when all their functions are transferred to the Administration.

Section 9—The conference substitute follows the Senate language (section 109) governing incidental transfers by the Director of the Office of Management and Budget. The effect is to direct, as well as authorize, the Director of OMB to make such incidental transfers of personnel, property and funds, etc., as are necessary. The wording in section 10 of the House bill applying this section to the reversion of functions upon the expiration of the act was retained.

Section 11(a)-(b)—The conference substitute adopts with minor changes the Senate version governing interim appointments. As a result, the Administrator's use of funds of other agencies to pay agency officials is limited to those funds applicable to functions transferred to the Administration (Senate amendment, section 111(a); House bill, section 12(a)). Section 11(b) of the conference substitute also incorporates a provision in the Senate amendment (section 111(b)) that temporary transitional appointments by the President of Officers requiring Senate confirmation be effective for only 30 days, unless during that time the names of such officers are submitted to the Senate for confirmation. The 30-day limitation was changed from the 60 days originally provided in the Senate amendment to accord with existing law governing Presidential appointments.

Section 11(c)-(d)—The conference substitute incorporates Senate language (section 111(c)-(d) protecting the employment rights of employees upon transfer to the Administration.

Section 28—The conference substitute governing the reversion of functions or personnel upon the termination of the act makes clear that the section applies to functions or personnel transferred from any executive department, agency or office. It retains the House provision (section 20) protecting an employee's rights on reversion of functions to other parts of the executive branch. In addition to being assured a job of comparable grade and salary, the employee also will be given credit, upon transfer back to his former agency, of any seniority rights accumulated while working for the Administration. The employee protection rights provided by sections 11 and 28 do not apply to persons who are separated or reduced in grade for causes.

ELIMINATION OF TITLE II OF SENATE AMENDMENT

The Senate amendment (title II) created a three-member Council on Energy Policy to advise the President and Congress, coordinate Federal Government energy activities, collect and analyze energy data, prepare a comprehensive energy plan, and perform other functions.

The House bill had no provision for a council.

The conference substitute includes no provision for a council. The conferees agreed that establishment of the Council on Energy Policy as a permanent agency would be more appropriate for consideration in connection with permanent legislation than legislation establishing a temporary agency to deal with the current energy shortages.

The elimination of title II does not preclude the establishment by the President, within existing authority, of any council or other organization to coordinate Federal energy policies.

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JOHN W. WYDLER,
Managers on the Part of the House.

ABRAHAM RIBICOFF,
SAM J. ERVIN, JR.,
HENRY M. JACKSON,
EDMUND S. MUSKIE,
LEE METCALF,
CHARLES H. PERCY,
JACOB K. JAVITS,
EDWARD J. GURNEY,
Managers on the Part of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. RONCALLO of New York (at the request of Mr. RHODES), for today, on account of official business.

To Mr. BARRETT (at the request of Mr. O'NEILL), for this week, on account of death in the family.

To Mr. BLACKBURN (at the request of Mr. RHODES), on account of official business, from April 22 to April 30, 1974.

To Mr. PEPPER (at the request of Mr. O'NEILL), for Monday, April 22, 1974, on account of official business.

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

SPECIAL ORDERS GRANTED

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

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

Mr. KEMP, for 30 minutes, today.

Mrs. HECKLER of Massachusetts, for 30 minutes, today.

Mr. YOUNG of Illinois, for 5 minutes, today.

Mr. LENT, for 5 minutes, today.

Mr. GOLDWATER, for 5 minutes, today.

Mr. RAILSBACK, for 5 minutes, today.

Mr. SKUBITZ, for 5 minutes, today.

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

Mr. YATRON, for 5 minutes, today.

Mr. VANIK, for 10 minutes, today.

Mr. GONZALEZ, for 5 minutes today.

Mr. JONES of Tennessee, for 5 minutes, today.

Mr. METCALFE, for 10 minutes, today.

Mr. ALEXANDER, for 15 minutes, today.

Ms. ABZUG, for 15 minutes, today.

Mr. FULTON, for 10 minutes, today.

Mr. PODELL, for 10 minutes, today.

Mr. MATSUNAGA, for 15 minutes, today.

Mr. RANGEL, for 10 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, on April 24.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the Record, or to revise and extend remarks was granted to:

Mr. MADDEN.

Mr. GROSS to extend remarks and include an article and extraneous matter.

Mr. HOSMER, and to include extraneous material, during consideration of H.R. 13919 in the Committee of the Whole today.

Mr. RONCALIO of Wyoming and to include extraneous material, during consideration of H.R. 13919 in the Committee of the Whole today.

Mr. HOLIFIELD, and to include extraneous material, during consideration of H.R. 13919 in the Committee of the Whole today.

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

Mr. HANRAHAN in two instances.
Mr. KEMP in three instances.
Mr. FORSYTHE.
Mr. VEYSEY in three instances.
Mr. HUDNUT.
Mr. STEELMAN.
Mr. THOMSON of Wisconsin.
Mr. GROVER.
Mr. WYMAN in two instances.
Mr. WYLIE.
Mr. HUBER.
Mr. GILMAN.
Mr. FRENZEL in five instances.
Mr. HOSMER in three instances.
Mr. CLEVELAND in three instances.
Mr. BELL.
Mr. HOGAN in two instances.
Mr. RONCALLO of New York.
Mr. SMITH of New York.
Mr. SCHNEEBELI.
Mr. COLLINS of Texas in four instances.
Mr. COUGHLIN.
Mr. FISH.
Mr. SYMMS.
Mr. BRAY in three instances.
Mr. SKUBITZ in two instances.
Mr. DERWINSKI in two instances.
Mr. RHODES.
Mr. RAILSBACK in two instances.

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

Mr. VANIK in two instances.
Mr. BRINKLEY in two instances.
Mr. FRASER in five instances.
Mr. DRINAN.
Mrs. GRIFFITHS in two instances.
Mr. RODINO.
Mr. HARRINGTON in 10 instances.
Mrs. SCHROEDER in 10 instances.
Mr. CAREY of New York in three instances.
Mr. RARICK in three instances.
Mr. GONZALEZ in three instances.
Mr. CHARLES H. WILSON of California in two instances.
Mr. LEGGETT in six instances.
Mr. HUNGATE in two instances.
Mr. FAUNTROY in five instances.
Mr. KYROS in two instances.
Mr. BADILLO in three instances.
Mr. DULSKI in five instances.
Mr. MAHON.
Mr. JONES of Alabama.
Mr. MCCORMACK.
Mr. BOLLING.
Mr. ANDERSON of California in three instances.
Mr. DIGGS.
Mr. MILFORD.
Mr. DINGELL in two instances.
Mr. TIERNAN.
Mr. ADDABBO.
Mr. JONES of Oklahoma.
Mr. STOKES in three instances.
Mr. BIAGGI in five instances.

ADJOURNMENT

Mr. MURTHA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 24, 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:

2218. A letter from the President of the United States, transmitting amendments to the request for appropriations in the budget for fiscal year 1975 for the Department of Agriculture (H. Doc. No. 93-291); to the Committee on Appropriations and ordered to be printed.

2219. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms during July 1973, through January 1974, pursuant to 15 U.S.C. 639(d); to the Committee on Banking and Currency.

2220. A letter from the Director of ACTION, transmitting the annual report of the agency for fiscal year 1973; to the Committee on Education and Labor.

2221. A letter from the Acting Deputy Assistant Secretary of the Interior, transmitting notice of a proposed contract with FMC Corp., San Jose, Calif., for a research project entitled "Mine Shaft Fire and Smoke Protection System," pursuant to 42 U.S.C. 1900(d); to the Committee on Interior and Insular Affairs.

2222. A letter from the Secretary of Health, Education, and Welfare, transmitting the second interim report on the administration of title VIII of the Public Health Service Act (Nurse Training), pursuant to section 12 of Public Law 92-158 (42 U.S.C. 296nt); to the Committee on Interstate and Foreign Commerce.

2223. A letter from the Chief Justice of the United States, transmitting proposed amendments to the Federal Rules of Criminal Procedure, pursuant to title 18, United States Code, sections 3771 and 3772 (H. Doc. No. 93-292); to the Committee on the Judiciary and ordered to be printed.

2224. A letter from the Administrator of General Services, transmitting a draft of proposed legislation to amend section 5316 of title 5, United States Code, relating to level V of the Executive Schedule, to apply to the position of General Counsel of the General Services Administration; to the Committee on Post Office and Civil Service.

2225. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, to revise the method of providing for public remuneration in the event of a nuclear incident and for other purposes; to the Joint Committee on Atomic Energy.

RECEIVED FROM THE COMPTROLLER GENERAL

2226. A letter from the Comptroller General of the United States, transmitting a report on the implementation of the Emergency Loan Guarantee Act, pursuant to 15 U.S.C. 1846(b); to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BLATNIK: Committee on Public Works. S. 2509. An act to name structure S-5A of the Central and Southern Florida Flood Control District, located in Palm Beach County, Fla., as the W. Turner Wallis Pumping Station in memory of the late W. Turner Wallis, the first secretary-treasurer and chief engineer for the Central and Southern Florida Flood Control District (Rept. No. 93-996). Referred to the House Calendar.

Mr. ULLMAN: Committee on Ways and Means. H.R. 6191. A bill to amend the Tariff Schedules of the United States to provide that certain forms of zinc be admitted free of duty; with amendment (Rept. No. 93-997). Referred to the Committee of the Whole House on the State of the Union.

Mr. ULLMAN: Committee on Ways and Means. H.R. 11251. A bill to amend the Tariff Schedules of the United States to provide for the duty-free entry of methanol imported for use as fuel; with amendment (Rept. No. 93-998). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee of conference. Conference report on H.R. 11793 (Rept. No. 93-999). Ordered to be printed.

Mr. PEPPER: Committee on Rules. House Resolution 1056. Resolution providing for the consideration of H.R. 11321. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of certain public safety officers who die in the performance of duty (Rept. No. 93-1000). Referred to the House Calendar.

Mr. LONG of Louisiana: Committee on Rules. House Resolution 1057. Resolution for the consideration of H.R. 13998. 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 (Rept. No. 93-1001). Referred to the House Calendar.

Mr. LONG of Louisiana: Committee on Rules. House Resolution 1058. Resolution providing for the consideration of H.R. 13999. A bill to authorize appropriations for activities of the National Science Foundation, and for other purposes (Rept. No. 93-1002). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HAYS:

H.R. 14282. A bill relating to the sale and distribution of the CONGRESSIONAL RECORD; to the Committee on House Administration.

By Mr. ALEXANDER:

H.R. 14283. A bill to amend title 23, United States Code, the Federal-Aid Highway Act of 1973, and other related provisions of law, to increase safety on the Nation's highways; to the Committee on Public Works.

By Mr. BELL:

H.R. 14284. A bill to encourage States to establish motor vehicle disposal programs and to provide for federally guaranteed loans and tax incentives for the acquisition of automobile scrap processing equipment; to the Committee on Ways and Means.

By Mr. BINGHAM (for himself, Ms. ABZUG, Mrs. SCHROEDER, and Mr. SYMINGTON):

H.R. 14285. A bill to amend the Economic Stabilization Act, to establish objectives and standards governing imposition of controls after April 30, 1974, to create an Economic Stabilization Administration, to establish a mechanism for congressional action when the President fails to act, and for other purposes; to the Committee on Banking and Currency.

By Mr. BRADEMAS:

H.R. 14286. A bill to expand Federal programs for relief from the effects of unemployment, and to provide special assistance to alleviate the problems resultant from the energy crisis; to the Committee on Ways and Means.

By Mr. BURTON:

H.R. 14287. A bill to amend the Immigration and Nationality Act to facilitate the entry of foreign tourists into the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. COHEN:

H.R. 14288. A bill to establish a Marine Fisheries Conservation Fund; to the Committee on Merchant Marine and Fisheries.

By Mr. CORMAN (for himself, Mr. ADDABBO, Mr. BERGLAND, Mr. BROYHILL of North Carolina, Mr. CARNEY of Ohio, Mr. CONTE, Mr. DINGELL, Mr. EVINS of Tennessee, Mr. HUNGATE, Mr. KEMP, Mr. KLUCZYNSKI, Mr. MCCOLLISTER, Mr. MCDADE, Mr. MITCHELL of Maryland, Mr. ST GERMAIN, Mr. SMITH of Iowa, and Mr. J. WILLIAM STANTON):

H.R. 14289. A bill to amend chapter 137, title 10, United States Code, to limit, and to provide more effective control over, the use of Government production equipment by private contractors under contracts entered into with the Department of Defense and certain other agencies, and for other purposes; to the Committee on Armed Services.

By Mr. EDWARDS of Alabama:

H.R. 14290. A bill to amend the Clean Air Act to assure consideration of the total environmental, social, and economic impact while improving the quality of the Nation's air; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER:

H.R. 14291. A bill to amend the Northwest Atlantic Fisheries Act of 1950 to permit U.S. participation in international enforcement of fish conservation in additional geographic areas, pursuant to the International Convention for the Northwest Atlantic Fisheries 1949, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FRENZEL:

H.R. 14292. A bill to amend title XIV of the Housing and Urban Development Act of 1968 (the Interstate Land Sales Full Disclosure Act) to provide for the exemption of new communities from the requirements of that title; to the Committee on Banking and Currency.

By Mr. HANLEY:

H.R. 14293. A bill to amend title 5, United States Code, to provide retention preference in reductions in force for employees who are former members of the Armed Forces retired on disability incurred in line of duty in wartime but caused by other than an instrumentality of war or injury or disease resulting from armed conflict, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 14294. A bill to amend title 5, United States Code, to grant retention preference in reduction in force for employees who are retired members of the Armed Forces and are holders of the Medal of Honor or are former prisoners of war, or both, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JONES of Tennessee:

H.R. 14295. A bill to amend section 501(c)(12) of the Internal Revenue Code of 1954 (relating to the taxation of telephone cooperatives); to the Committee on Ways and Means.

By Mr. LENT:

H.R. 14296. A bill to incorporate the U.S. Submarine Veterans of World War II; to the Committee on the Judiciary.

By Mr. MILLER:

H.R. 14297. A bill to prohibit for a temporary period the exportation of ferrous scrap and for other purposes; to the Committee on Banking and Currency.

By Mr. MOAKLEY:

H.R. 14298. A bill to provide for the mobilization of community development assistance and volunteer services and to create an agency to administer such programs; to the Committee on Education and Labor.

By Mr. OBEY (for himself, Mr. VANDER JAGT, Mr. YATRON, and Mrs. HECKLER of Massachusetts):

H.R. 14299. A bill to protect the public health and welfare by providing for the inspection of imported dairy products and by requiring that such products comply with certain minimum standards for the quality and wholesomeness and that the dairy farms on which milk is produced and the plants in which such products are produced meet certain minimum standards of sanitation; to the Committee on Agriculture.

By Mr. PODELL:

H.R. 14300. A bill to prohibit the introduction into interstate commerce of nonreturnable beverage containers; to the Committee on Interstate and Foreign Commerce.

By Mr. RONCALIO of Wyoming:

H.R. 14301. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROUSSELOT (for himself and Mr. DENT.):

H.R. 14302. A bill to amend the Export-Import Bank Act of 1945 to strengthen the oversight role of Congress with respect to extension of credit by the Bank, and for other purposes; to the Committee on Banking and Currency.

By Mr. ROY (for himself, Ms. COLLINS of Illinois, Mr. HAMMERSCHMIDT, and Mr. SISK):

H.R. 14303. A bill to require the establishment of an Agricultural Service Center in each county of a State as part of the implementation of any plan for the establishment of such centers on a nationwide basis; to the Committee on Agriculture.

By Mr. SCHNEEBELI:

H.R. 14304. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. STAGGERS (for himself and Mr. DEVINE):

H.R. 14305. A bill to amend certain provisions of the Communications Satellite Act of 1962, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. JAMES V. STANTON:

H.R. 14306. A bill to terminate the Airlines Mutual Aid Agreement; to the Committee on Interstate and Foreign Commerce.

By Mr. THONE:

H.R. 14307. A bill to require the establishment of an Agricultural Service Center in each county of a State as a part of the implementation of any plan for establishment of such centers on a nationwide basis; to the Committee on Agriculture.

H.R. 14308. A bill to amend the Export Administration Act of 1969, as amended, to control the export of iron and steel scrap during periods of shortage; to the Committee on Banking and Currency.

H.R. 14309. A bill to authorize the Secretary of Commerce to conduct a study of foreign direct and portfolio investment in the United States, and for other purposes; to the Committee on Foreign Affairs.

H.R. 14310. A bill to amend the Internal Security Act of 1950 to control and penalize terrorists, and for other purposes; to the Committee on Internal Security.

By Mr. ULLMAN (for himself and Mr. YATRON):

H.R. 14311. A bill to amend the provisions of the Social Security Act to consolidate the reporting of wages by employers for income tax withholding and old-age, survivors, and disability insurance purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. WHITEHURST:

H.R. 14312. A bill to amend title 5, section 5704(a)(2), United States Code; to the Committee on Government Operations.

By Mr. CHARLES WILSON of Texas:

H.R. 14313. A bill to amend the Consolidated Farmers Home Administration Act of 1961, to amend the definition of "rural area" to permit towns of 25,000 or less inhabitants to be considered rural areas for purposes of the act; to the Committee on Agriculture.

By Mr. WOLFF (for himself, Mrs. HECKLER of Massachusetts, Mr. CARNEY of Ohio, Mr. HELSTOSKI, Mr. WALSH, and Mr. LUKEN):

H.R. 14314. A bill to amend title 38 of the United States Code in order to increase the rates of educational assistance allowances; to provide for the payment of tuition, the extension of educational assistance entitlement, acceleration of payment of educational assistance allowances, and expansion of the work-study program; to establish a Vietnam-Era Veterans Communication Center and a Vietnam-Era Advisory Committee; and to otherwise improve the educational and training assistance program for veterans; to the Committee on Veterans' Affairs.

By Mr. WOLFF (for himself, Mr. WALSH, Mrs. HECKLER of Massachusetts, Mr. HELSTOSKI, Mr. CARNEY of Ohio, and Mr. BIESTER):

H.R. 14315. A bill to amend chapter 34 of title 38, United States Code, to authorize additional payments to eligible veterans to partially defray the cost of tuition; to the Committee on Veterans' Affairs.

By Mr. WOLFF (for himself and Mr. PODELL):

H.R. 14316. A bill to repeal section 411 of the Social Security Amendments of 1972 and certain related provisions of law in order to restore to aged, blind, and disabled individuals receiving supplemental security income benefits (under title XVI of the Social Security Act) their right to participate in the food stamp and surplus commodities programs; to the Committee on Ways and Means.

By Mr. YOUNGS of Florida:

H.R. 14317. A bill to amend title 38 of the United States Code in order to apply to veterans and other persons pursuing certain vocational and technical educational programs the same certification requirements with respect to enrollment, pursuit, and attendance as apply to veterans and persons pursuing programs leading to standard college degrees; to the Committee on Veterans' Affairs.

By Mr. BRAY:

H.R. 14318. A bill to incorporate the United States Submarine Veterans of World War II; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 14319. 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 a court martial, and for other purposes; to the Committee on Armed Forces.

By Mr. FISH:

H.R. 14320. A bill to amend title 18 of the United States Code to permit the transportation, mailing, and broadcasting of advertising, information, and materials concerning lotteries authorized by law and conducted by a State or by nonprofit organizations in accordance with State law, and for other purposes; to the Committee on the Judiciary.

By Mr. FROEHLICH:

H.R. 14321. 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 Mr. KEMP:

H.R. 14322. A bill to prescribe a standard for increasing the money supply; to the Committee on Banking and Currency.

H.R. 14323. A bill to protect the constitutional right of privacy of individuals concerning whom identifiable information is recorded by enacting principles of information practices in furtherance of articles I, III, IV, V. IX, X, and XIV of amendment to the U.S. Constitution; to the Committee on the Judiciary.

H.R. 14324. A bill to amend the Internal Revenue Code of 1954 to provide that an individual shall be entitled to a tax credit equal to the amount by which the purchasing power of his adjusted gross income for the taxable year is reduced by inflation, and for other purposes; to the Committee on Ways and Means.

By Mr. MOAKLEY:

H.R. 14325. A bill to provide for a program of assistance to State governments in reforming their real property tax laws and providing relief from real property taxes for low-income individuals, and for other purposes; to the Committee on Ways and Means.

By Mr. MOSHER:

H.R. 14326. A bill to amend Federal programs so as to encourage and assist in the provision of safe and sanitary housing, with comprehensive provisions for essential services for Older Americans and those individuals with enduring handicaps; to the Committee on Banking and Currency.

By Mr. SKUBITZ:

H.R. 14327. A bill to amend section 103(a) of the National Traffic and Motor Vehicle Safety Act of 1966; to the Committee on Interstate and Foreign Commerce.

H.R. 14328. A bill to amend the Federal Aviation Act of 1958 to permit the continuation of youth fares, to authorize reduced-rate transportation for the elderly, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of Ohio:

H.J. Res. 982. 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. HANLEY:

H.J. Res. 983. Joint resolution calling for the President to transmit a report to Congress within 60 days which contains recommendations for the solution of the economic problems identified in this resolution; to the Committee on Banking and Currency.

By Mr. WHITEHURST (for himself and Mr. RHODES):

H.J. Res. 984. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WINN:

H.J. Res. 985. Joint resolution proposing an amendment to the Constitution of the United States relating to the busing or involuntary assignment of students; to the Committee on the Judiciary.

By Mr. LONG of Maryland (for himself and Mr. FULTON):

H. Con. Res. 480. Concurrent resolution urging the telephone and hearing-aid industries to provide full access to telephone communications for hearing aid users; to the Committee on Interstate and Foreign Commerce.

By Mr. GOLDWATER:

H. Res. 1055. Resolution in support of continued undiluted U.S. sovereignty and jurisdiction over the U.S.-owned Canal Zone on the Isthmus of Panama; to the Committee on Foreign Affairs.

MEMORIALS

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

437. The SPEAKER presented a memorial of the Legislature of the State of Minnesota, relative to negotiations between the Department of State and the Government of Mexico for the reestablishment of the bracero program; to the Comimttee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BERGLAND:

H.R. 14329. A bill for the relief of Rosa C. Vargas; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 14330. A bill for the relief of Morgan-McCool, Inc.; to the Committee on the Judiciary.

By Mr. CHARLES WILSON of Texas:

H.R. 14331. A bill for the relief of Luisa Marillac Hughes, Marco Antonio Hughes, Maria del Cisne Hughes, Maria Augusta Hughes, Miguel Vicente Hughes, Veronica del Rocio Hughes, and Ivan Hughes; to the Committee on the Judiciary.

PETITIONS, ETC.

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

429. By the SPEAKER: Petition of the board of supervisors, Buffalo County, Wis., relative to community action programs; to the Committee on Education and Labor.

430. Also, petition of Allan G. Kaplan, Paterson, N.J., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

1975 BUDGET SCOREKEEPING REPORT NO. 1—AS OF APRIL 11, 1974

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 1974

Mr. MAHON. Mr. Speaker, I am inserting for the information of Members, their staffs, and others, excerpts from the "Budget Scorekeeping Report No. 1, as of April 11, 1974." This is the first report in the 1975 budget scorekeeping series for the current session of Congress, as prepared by the staff of the Joint Committee on Reduction of Federal Expenditures. The report itself has been sent to all Members.

The purpose of this scorekeeping report is to show the impact of congressional actions in the current session on the President's budget estimates for new budget authority, outlays, and receipts, and on the estimated deficit position. This is the seventh year in which this series of reports has been published.

This first report in the 1975 series includes the scorekeeping highlights of action to the beginning of the recent Easter recess, together with text and special informational tables designed to supply ready reference to budgetary data significant to the analysis of the Federal fiscal position.

Of course, very little congressional action had been completed to April 11; however, a number of notable actions are pending. The Scorekeeping Highlights from the report which I will include here point up the completed action and the major pending legislative actions taken to date. These excerpts from the 1975 Scorekeeping Report No. 1 follow:

SCOREKEEPING HIGHLIGHTS

FISCAL YEAR 1975

Outlays

Completed congressional actions taken this session to date, April 11, 1974, on the President's budgeted 1975 outlay requests, are shown in this report for 3 legislative measures carrying mandatory spending provisions. The outlay impact of these completed actions in as follows:

[In millions]

Civil Service minimum retirement	+$172.0
Civil Service survivor benefits	+4.6
Rejection of executive pay raise	−34.0

Incomplete legislative actions, which would have further impact on the budgeted 1975 outlay requests, are also reflected. These actions pertain to 2 pending appropriation bills, and 10 legislative measures involving backdoor or mandatory spending. The major incomplete actions include:

Appropriation bills passed by the House:

1974 Second Supplemental bill reductions would have the effect of reducing 1975 outlays by about $300 million; and

1975 Legislative bill changes would reduce 1975 outlays by $5.4 million.

Urban mass transit operating subsidies as reported by the conference committee would increase outlays by about $400 million;

Civil Service survivor annuity modifications pending in the House would cost an additional $362 million;

Veterans educational benefit increases passed by the House would increase outlays by about $361 million over Administration requests;

Veterans disability benefit increases reported on the House would increase outlays by about $104 million over the Administration request;

The outlay impact of increased backdoor authority for housing programs as passed by the Senate are as yet undetermined.

Budget authority

Completed congressional action to date having impact on the President's 1975 budget authority requests pertain to the same 3 mandatory legislative measures shown above for outlays: Civil Service retirement and survivor benefit increases amounting to $176.6 million and a reduction of $34 million resulting from the rejection of proposed executive pay raises.

Incomplete congressional actions affecting budget authority shown in this report pertain to one regular 1975 appropriation bill and 12 legislative measures increasing backdoor or mandatory budget authority. Major items are:

Legislative appropriations: the House passed bill reduced budget authority by $5.9 million.

Housing and community development: additional borrowing authority of about $1.6 billion was passed by the Senate;

Urban mass transit operating subsidies: new contract authority of $400 million has been reported by the conference committee;