

bility determined by the President to be commensurate with the grade of admiral within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of admiral while so serving.

Adm. Ralph W. Cousins, U.S. Navy, for appointment to the grade of admiral, when retired, pursuant to the provisions of title 10, United States Code, section 5233.

IN THE MARINE CORPS

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

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

The following-named officer of the Marine Corps Reserve for permanent appointment to the grade of brigadier general:

Hugh W. Hardy

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

Jack M. Frisbie
Dorsey J. Bartlett

IN THE AIR FORCE

Air Force nominations beginning Thomas M. Daye, to be colonel, and ending Jack Edwards, to be lieutenant colonel, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 1975.

Air Force nominations beginning Donald L. Abbott, to be lieutenant colonel, and ending David J. O'Mara, to be lieutenant colonel, which nominations were received by the Senate and appeared in the Congressional Record on March 26, 1975.

IN THE ARMY

Army nominations beginning Craig D. Butler, to be captain, and ending Rudy L. York, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on March 12, 1975.

IN THE NAVY

Navy nominations beginning Donald K. Ackerman, Jr., to be ensign, and ending "R" "J" Jones, to be commander, which nominations were received by the Senate and

appeared in the Congressional Record on March 17, 1975.

Navy nominations beginning James G. Abert, to be captain, and ending Henrietta R. Lanier, to be commander, which nominations were received by the Senate and appeared in the Congressional Record on March 17, 1975.

FEDERAL ELECTION COMMISSION

In accordance with the provisions of Public Law 93-443, the following persons to be members of the Federal Election Commission:

Thomas E. Harris, of Arkansas, for a term of 3 years.

Joan D. Aikens, of Pennsylvania, for a term of 1 year.

Robert O. Tiernan, of Rhode Island, for the term ending Apr. 30, 1977.

Vernon W. Thomson, of Wisconsin, for the term ending Apr. 30, 1980.

Neil Staebler, of Michigan, for a term of 2 years.

Thomas B. Curtis, of Missouri, for a term of 5 years.

HOUSE OF REPRESENTATIVES—Thursday, April 10, 1975

The House met at 12 o'clock noon.

The Most Reverend Felixberto C. Flores, bishop of Agana, Guam, offered the following prayer:

Eternal God, as Lord of Time You have chosen to dwell with humanity and establish Yourself among its nations

You have fashioned for Yourself peoples and nations of every race.

Abundantly You have blessed this Nation, the United States of America, as a people of hope and a people of responsibility.

From our small beginnings You have already led us to conquer a vast wilderness of ignorance, injustice, slavery, and servitude.

Much labor still rests before us.

Where unconquered frontiers remain, may we dispel from them the darkness which would diminish dignity and inhibit free growth.

Through our institutions under law You have nurtured the principles of hope for all people through liberty and justice.

Through introspection and reflection You have kept alive the spirit of self-sacrifice and self-discipline necessary to sustain these freedoms and privileges in order that the Nation might grow solid in wisdom, courageous in spirit.

Inspire, we beseech You, this Congress so that as a nation under Your guidance and benediction we shall continue to shine with a glorious light.

We shall rejoice in our children because You have gathered this mighty American Nation into one people destined to share with the world its wisdom in freedom, its spirit in compassion, its liberty, and its justice for generations to come.

This we ask in the name of Your Son. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

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

MESSAGE FROM THE SENATE

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

H. Con. Res. 203. Concurrent resolution providing for a joint session of the two Houses of Congress on Thursday, April 10, 1975.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 25) entitled "An act to provide for the cooperation between the Secretary of the Interior and the States with respect to the regulation of surface coal mining operations, and the acquisition and reclamation of abandoned mines, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. METCALF, Mr. JOHNSTON, Mr. HASKELL, Mr. FANNIN, and Mr. HANSEN to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4296) entitled "An act to adjust target prices, loan and purchase levels on the 1975 crops of upland cotton, corn, wheat, and soybeans, to provide price support for milk at 80 per centum of parity with quarterly adjustments for the period ending March 31, 1976, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints

Mr. TALMADGE, Mr. EASTLAND, Mr. McGOVERN, Mr. ALLEN, Mr. HUMPHREY, Mr. DOLE, Mr. YOUNG, and Mr. BELLMON to be the conferees on the part of the Senate.

BISHOP FELIXBERTO C. FLORES

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

Mr. WON PAT. Mr. Speaker and distinguished colleagues, it has been our pleasure to have the opening prayer delivered today by the Most Reverend Felixberto C. Flores, bishop of Agana. To have a native-born spiritual leader as our bishop is a distinct tribute to our people.

Bishop Flores was born in Agana, Guam, in 1921. After completing his early education at the Guam Institute, he entered San Jose Seminary in the Philippines in 1940 to begin his studies for the priesthood. He was ordained a priest in 1949 at St. John's Seminary in Brighton, Mass.

Since that time he has served with distinction the church of Guam in varied and responsible capacities, among them as chancellor of the diocese, diocesan consultant, rector of the cathedral, and the superintendent of schools. For many years Bishop Flores served as chaplain of the Guam Legislature and is presently the U.S. military delegate for Guam, Wake, and the Mariannas. He was raised to the rank of papal chamberlain in 1959 by Pope John XXIII and to the rank of domestic prelate in 1963 by Pope Paul VI. In 1970 he was raised to the episcopacy.

An alumnus of the Fordham Graduate School, Bishop Flores is a member of the Canon Law Society of America, the National Catholic Education Association, the American Association of School Administrators, and Phi Delta Kappa. His leadership is truly a composite of professional acumen and deep love and con-

cern for the people of Guam and the trust territory. In recent years his direction and zeal have been the impetus in the establishment of the Catholic Medical Center on Guam.

I am delighted that Bishop Flores can be with us today.

Mr. BIAGGI. Mr. Speaker, we are fortunate to have with us, today, to deliver the opening prayer His Excellency, Most Reverend Felixberto C. Flores, titular bishop of Stonj and apostolic administrator for the Diocese of Agana, the religious leader of Guam.

Bishop Flores is the first native Chamorro to become bishop of Guam. Born on that island, Bishop Flores pursued his higher education in the Philippines and the mainland United States. He received a master's degree in education from New York's own Fordham University which is in the district I am privileged to serve. Bishop Flores serves his apostolic flock in myriad capacities. Among the bishop's other duties, for instance, he is directing the completion of the Medical Center of the Mariannas.

It is with open arms and in the spirit of Christian fellowship that I take this opportunity to welcome Bishop Flores to Washington and to the House of Representatives.

PERMISSION FOR FILING OF COMMITTEE REPORTS BY FRIDAY, APRIL 11, 1975, ON H.R. 3787 AND H.R. 3130

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may file committee reports on H.R. 3787 and H.R. 3130 by Friday, April 11, 1975.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on a bill making appropriations for the education division and related agencies for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes.

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

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

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on a bill making supplemental appropriations for the fiscal year ending June 30, 1975, and for other purposes.

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

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

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a report on a joint resolution making an additional appropriation for the fiscal year ending June 30, 1975, for the Veterans' Administration, and for other purposes.

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

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

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON MANPOWER AND CIVIL SERVICE TO SIT DURING 5-MINUTE RULE TODAY

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent that the Subcommittee on Manpower and Civil Service of the Committee on Post Office and Civil Service be permitted to meet today while the House is proceeding under the 5-minute rule.

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

There was no objection.

PERMISSION FOR SUBCOMMITTEES ON MANPOWER AND CIVIL SERVICE AND POSTAL SERVICE TO SIT DURING 5-MINUTE RULE TODAY

Mr. CHARLES H. WILSON of California. Mr. Speaker, I ask unanimous consent that the Subcommittees on Manpower and Civil Service and Postal Service of the Post Office and Civil Service Committee be authorized to meet this afternoon during the 5-minute rule.

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

There was no objection.

BASKETBALL GAME BETWEEN DEMOCRATS AND REPUBLICANS WILL NOT BE PLAYED

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

Mr. DAVIS. Mr. Speaker, I take this time to announce today with great regret that a basketball game scheduled next week between the Democrats of this House and the Republicans of this House will not be played. Coach CONTE has forfeited.

After 12 years of handling the Democrats on the baseball field, Coach CONTE, unable to handle cotton uniforms, has decided that he will not be able to come to the court next week. I wish Coach

CONTE good luck in trying to establish a north-south game or east-west game, but we on our side were planning to win this game just as we did the big game last November.

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

Mr. DAVIS. I yield to the gentleman from Alabama.

Mr. FLOWERS. Mr. Speaker, is the problem that the other side could find only five players and no substitutes? Or that they were fearful we might apply the 2 to 1 rule here, also?

Mr. DAVIS. They had five players, and we told them we were not going to play them 2 to 1, and that it would be even, I understand the regular substitutes, ERLBORN and MICHEL, were ready as usual.

Mr. FLOWERS. I thank the gentleman.

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

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

Mr. HUNGATE. Mr. Speaker, I must have misunderstood, because I know the other side can always find a substitute.

Mr. DAVIS. I thank the gentleman. I know they can find a substitute. My only regret is that undoubtedly Coach CONTE also forfeited the right to come and rebut me here today, but they can always find outstanding pitchers such as the gentleman from Illinois (Mr. MICHEL) and the gentleman from Maine (Mr. COHEN). We will see those gentlemen in June on the diamond.

RESTORE ARMISTICE DAY WITHOUT REPEALING THE MONDAY HOLIDAY ACT

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

Mr. McCLORY. Mr. Speaker, I know that there are going to be hearings next week on the subject of the repeal of Veterans Day and reassignment of this Monday holiday to November 11 in lieu of it being observed on the fourth Monday of October, as it is at present. I am hopeful that the House Committee on Post Office and Civil Service will not take this action. The great benefits which have come from Veterans Day being a Monday holiday will be amply demonstrated before the committee. I hope we can give thoughtful consideration to this.

Mr. Speaker, I might say that I am introducing today a measure to reinstate Armistice Day as November 11, and to have appropriate observances on Armistice Day as we did traditionally have before we changed Armistice Day to Veterans Day. I hope we can get support for that legislation in lieu of repealing Veterans Day. I am attaching a copy of the bill:

H.R. 5880

A bill to designate November 11 of each year as Armistice Day

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the eleventh day of November of each year is designated as "Armistice Day" in memory of the contributions and sacrifices of the men who fought and died in the First World War.

Sec. 2. The President of the United States is authorized and directed to issue annually a proclamation calling upon the people of the United States to commemorate and recognize Admistic Day with appropriate celebrations and observances.

CALL OF THE HOUSE

Mr. MATHIS. 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. 114]

Ambro	Fraser	Patman
Barrett	Gialmo	Pressler
Beard, Tenn.	Goldwater	Rees
Burke, Calif.	Harsha	Rose
Chisholm	Jacobs	Rosenthal
Conyers	Jones, Okla.	Rostenkowski
Corman	Kemp	Scheuer
Danielson	Landrum	Sisk
Dodd	Leggett	Steiger, Ariz.
Esch	Lent	Stokes
Eshleman	McEwen	Teague
Fascell	McKinney	Thompson
Findley	Meeds	Tsongas
Flowers	Mills	Udall
Flynt	Mink	Ullman
Ford, Mich.	Mosher	Wilson
Ford, Tenn.	Murphy, N.Y.	Charles, Tex.

The SPEAKER. On this rollcall 382 Members have recorded their presence by electronic device, a quorum.

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

NINETEENTH ANNUAL REPORT OF HEALTH RESEARCH FACILITIES CONSTRUCTION PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-100)

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

To the Congress of the United States:

I transmit herewith the 19th annual report of the health research facilities construction program for activities during fiscal year 1974.

GERALD R. FORD.

THE WHITE HOUSE, April 9, 1975.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement.

This announcement is meant for all of the Members.

After consultation with the majority and minority leaders, and with their consent and approval, the Chair announces that this evening, when the Houses meet in joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those on his left and right will be open.

No one will be allowed on the floor

of the House who does not have the privilege of the floor of the House.

Due to the large attendance which is anticipated, the Chair feels that the rule—and it is a rule of the House—regarding the privilege of the floor must be strictly adhered to.

Children of Members will not be permitted on the floor, and the cooperation of all the Members is earnestly requested.

PROVIDING FOR CONSIDERATION OF H.R. 3786, INCREASING FEDERAL SHARE OF HIGHWAY PROJECTS

Mr. MURPHY of Illinois. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 366 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 366

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. 3786) to authorize the increase of the Federal share of certain projects under title 23, United States Code. 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 Public Works and Transportation, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Public Works and Transportation now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, at the conclusion of such consideration, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. 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 with or without instructions.

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 gentleman from Tennessee (Mr. QUILLEN), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 366 provides for an open rule with 1 hour of general debate on H.R. 3786, a bill to authorize the increase of the Federal share of certain projects under title 23, United States Code.

House Resolution 366 provides that it shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Public Works and Transportation now printed in the bill as an original bill for the purpose of amendment under the 5-minute rule.

H.R. 3786 is a temporary measure which permits an increase in the Federal matching share for Federal-aid highways and certain public mass transportation projects approved under title 23, United States Code, during the period

from February 12, 1975, to the end of the current fiscal year. During this period, the Federal share of the cost of the qualifying projects can be increased up to a total of 100 percent. In return the State must agree to repay such advanced amount prior to January 1, 1977. The repayment must be made with non-Federal funds. The failure on the part of any State to honor this commitment would result in the withholding of approval of future Federal-aid highway projects in the State. H.R. 3786 does not provide for a funding authorization.

Mr. Speaker, I urge the adoption of House Resolution 366 in order that we may discuss, debate and pass H.R. 3786.

Mr. Speaker, I yield to the gentleman from Tennessee.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the able gentleman from Illinois (Mr. MURPHY) has explained the provisions of the resolution. I see no objection at all to this House debating the bill increasing temporarily the Federal matching share for Federal-aid roads and off-system roads.

Mr. Speaker, concerning the \$2 billion of impounded highway funds which have been released, the Department of Transportation has just issued their guidelines stating that some of this money, under the option of the various States, can be used on our off-system roads. Of the \$200 million under the 1974 Federal Highway Act, some of these funds under the option of the States can be used up to 100 percent also on the off-system roads.

Mr. Speaker, the Department of Transportation under date of April 3 has issued their guidelines, and I would like to insert in the RECORD at this point the news release from the Department in regard to their guidelines.

The Department of Transportation's Federal Highway Administration today announced the issuance of guidelines for administering the Off-System Roads program authorized by Federal-aid highway legislation enacted in late 1974.

The new guidelines apply to grants to States for the construction, reconstruction and improvements to roads not on any Federal-aid highway system. The 1974 act authorized the appropriation of \$200 million for the off-system roads for fiscal year 1976. This sum was apportioned to the States from the Highway Trust Fund on January 10, 1975.

The regulations were made effective April 3, 1974, the day of publication, so that the program could begin promptly, thereby assisting in the reduction of unemployment, stimulation of the economy, and providing needed rural road improvements.

Because the new guidelines are for a Federal grant program, the normal notice of proposed rulemaking and the holding of public hearings were not required. However, because of public interest in this program, individuals and organizations are invited to submit comments on these regulations within 30 days of the effective date to the Federal Highway Administration, Department of Transportation, Room 4226, Docket No. 75-5, Washington, D.C. 20590. Communications submitted by this date will be evaluated and considered in determining any changes to these regulations.

I should like to say to the membership that this measure temporarily increasing the Federal participation is an excellent thing. It gives the States the chance to go forward to provide jobs and to in-

crease the value of the road systems while we need help in creating employment. This is a great thing that we are doing here today. It does not authorize any additional funds, but it does give the States an opportunity to spend 100 percent of Federal dollars on the systems which the Department of Transportation has approved.

Mr. Speaker, I have no requests for time.

I urge the adoption of the rule and the passage of the bill when it comes up for debate.

Mr. MURPHY of Illinois. 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. 4005, DEVELOPMENTAL DISABILITIES AMENDMENTS OF 1975

Mr. YOUNG of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 342 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES 342

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. 4005) to amend the Developmental Disabilities Services and Facilities Construction Act to revise and extend the programs authorized by that Act. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. YOUNG of Georgia. Mr. Speaker, I yield the usual 30 minutes to the distinguished gentleman from Mississippi (Mr. LOTT), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 342 provides for an open rule with 1 hour of general debate on H.R. 4005, a bill to amend the Developmental Disabilities Services and Facilities Construction Act.

H.R. 4005 provides for a 1-year extension, through fiscal year 1975, of authority for programs for the developmentally disabled which expired June 30, 1974, and are presently being carried on the continuing resolution for 1975. The bill also provides a 2-year substantive revision of the existing authority for fiscal years 1976 and 1977 with a total authorization of \$147 million—\$67 million for fiscal year 1976 and \$80 million for fiscal year 1977.

Developmental disabilities are handicaps, such as mental retardation, cere-

bral palsy, epilepsy, autism, dyslexia, and other neurological conditions, which originate in childhood—prior to the age of 18—and which may continue indefinitely, and which constitute a substantial disability to the affected individual. Over 6 million people in the United States suffer from mental retardation, and several million suffer from other developmental disabilities. Citizens with developmental disabilities need support and assistance with learning and living so that they may function in our society as the citizens they are with maximum effectiveness. Of particular significance in this bill is the emphasis on deinstitutionalization which would discontinue institutional maintenance and develop adequate community programs to serve this population. The right to meaningful health care should be a standard which applies to all of our citizens and I feel that this legislation supports this approach.

Mr. Speaker, I urge the adoption of House Resolution 342 in order that we may discuss, debate, and pass H.R. 4005.

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

Mr. Speaker, as previously explained, the rule presently before us provides for 1 hour of general debate for consideration of H.R. 4005, Developmental Disabilities Amendments of 1975. Under the terms of the rule the bill will be open to all germane amendments.

H.R. 4005 would allow for a 1-year simple extension through fiscal 1975 of authority for programs for the developmentally disabled. This authority expired June 30, 1974, and is presently on the continuing resolution for 1975. The bill additionally provides for a 2-year substantive revision of the existing authority for 1976 and 1977.

Specifically, H.R. 4005: First, continues existing authority for grants for operating university-affiliated facilities for the developmentally disabled; second, creates a new special project authority and substitutes for existing 10-percent earmark of State allotments for projects of special national significance a new 30-percent earmark of the new special project authority for such projects; third, requires that States spend a specified percentage of their allotments for programs for deinstitutionalization of persons with developmental disabilities inappropriately placed in institutions; fourth, eliminates requirements for Federal approval of individual construction projects funded with State grant funds; fifth, adds autism and dyslexia specifically to the list of diseases for which the special project and State allotment programs are to provide services; and sixth, requires studies by the Secretary of HEW to determine the neurological diseases which should and should not be considered as developmental disabilities, and the adequacy of services for persons with diseases not included.

This legislation is estimated to cost \$147 million for fiscal years 1976 and 1977. I know of some opposition to the price tag of this bill, as it inflates the amount the administration has put into this program over the past 2 years by some \$18 million per fiscal year. That is a 36-percent increase.

When we continue to increase the cost of each program, however worthy, and at the same time refuse to accept judgments of the executive branch as to expenditures which can be either deferred or rescinded, we are endangering the very efforts we are seeking to promote.

Therefore, Mr. Speaker, I urge the adoption of this rule which opens the bill to germane amendments so that we may further proceed to consider H.R. 4005.

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

Mr. YOUNG of Georgia. Mr. Speaker, I urge adoption of House Resolution 366 in order that we may proceed with debate and consideration of the bill H.R. 3786.

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

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

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 4224, AUTHORIZING SUPPLEMENTAL APPROPRIATIONS TO THE NUCLEAR REGULATORY COMMISSION FOR FISCAL YEAR 1975

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 367 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 367

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. 4224) to authorize supplemental appropriations to the Nuclear Regulatory Commission for fiscal year 1975. 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. After the passage of H.R. 4224, it shall be in order to take from the Speaker's table the bill S. 994 and to consider the said Senate bill in the House.

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

Mr. Speaker, House Resolution 367 provides for an open rule with 1 hour of general debate on H.R. 4224, a bill to authorize supplemental appropriations to the Nuclear Regulatory Commission for the fiscal year 1975.

House Resolution 367 provides that after the passage of H.R. 4224, it shall be in order to take from the Speaker's

table the bill S. 994 and to consider S. 994 in the House.

H.R. 4224 authorizes supplemental appropriations of \$50,200,000 to the Nuclear Regulatory Commission for the fiscal year 1975. Of this total, \$32,800,000 is needed because receipts used by the old Atomic Energy Commission have been assigned to the Nuclear Regulatory Commission. This total involves only a change in accounting and thus the cost of the bill is \$17,400,000.

Mr. Speaker, I urge the adoption of House Resolution 367 in order that we may discuss, debate, and pass H.R. 4224.

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

Mr. Speaker, like the gentleman from Texas, I am a member of the authorizing committee and would, therefore, certainly join in urging the House to support House Resolution 367.

This supplemental authorization, as I believe the gentleman indicated, was necessitated by the fact that with the emergence of ERDA, the Energy Research Development Administration, the old Atomic Energy Commission was dissolved and in its place arose the new Nuclear Regulatory Commission. Most of the supplemental authorization is, therefore, due to the fact that the old AEC used to apply certain funds that it received and certain fees that it received as an offset to their budget authority; but under the new Nuclear Regulatory Commission those funds will be directly deposited in the Treasury under the miscellaneous proceeds of the Treasury. Therefore, most of the authorization is to accommodate that change in procedure, plus a modest amount, \$7,900,000, to support the new agency, and \$9,500,000 is a refund of fees that were collected.

The Supreme Court has ruled that the procedures did not meet certain constitutional criteria. I think that explains the authorization, the reason for this supplemental request.

I would hope that the House would adopt the rule.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INCREASING THE FEDERAL SHARE OF HIGHWAY PROJECTS

Mr. JONES of Alabama. 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. 3786) to authorize the increase of the Federal share of certain projects under title 23, United States Code.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama (Mr. JONES).

The motion was agreed to.

The SPEAKER. The Chair designates the gentleman from Washington (Mr. ADAMS) as chairman of the Committee of the Whole and requests the gentleman

from Hawaii (Mr. MATSUNAGA) to assume the Chair temporarily.

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. 3786) with Mr. MATSUNAGA (Chairman pro tempore) 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 pro tempore (Mr. MATSUNAGA). Under the rule, the gentleman from Alabama (Mr. JONES) will be recognized for 30 minutes, and the gentleman from Ohio (Mr. HARSHA) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, we bring this proposal under very extraordinary circumstances. It was caused by the fact that some of the States were not able to match the Federal funds that would consequentially be available to them.

Since the President has released the \$2 billion, we found ourselves in the situation where some of the States could not benefit from the benefits that would be derived, so consequently we have brought this proposal to the House to permit those States to participate and complete their ongoing programs.

The amounts of money that are made available under the bill will be repaid from their own subsequent appropriations and authorizations. So, Mr. Chairman, I think that this measure has met with the approbation of the Committee on Public Works. The subcommittee headed by the gentleman from New Jersey (Mr. HOWARD) and the gentleman from Pennsylvania (Mr. SHUSTER) has been most diligent in its efforts. The Members have examined the proposition most thoroughly, and I cannot imagine that they could have measured up so consequentially to respond to the great needs and great requirements of our ongoing program on highway construction and reconstruction.

Mr. Chairman, the Members of this body should know that the highway legislation they have approved today is largely the product of two of the most able and conscientious young legislators that I have encountered in all my years in the Congress. They have richly earned the gratitude of the House and of the many construction workers throughout America who will soon be returning to their jobs because of this legislation.

I am referring to Mr. JAMES J. HOWARD, of New Jersey, chairman of the Subcommittee on Surface Transportation of the Public Works and Transportation Committee, and Mr. BUD SHUSTER, of Pennsylvania, who is the ranking minority member of that subcommittee.

JIM HOWARD assumed his chairmanship at the beginning of this session and in these first few months of his tenure he has demonstrated qualities of leadership and legislative understanding that, to me, are nothing short of remarkable. In his conduct of the hearings that developed this critically important legislation, and in his presentation of the completed

bill, he impressed every member of our committee, Republican and Democrat alike, with his grasp of the issues and the absolute fairness and incisiveness of his decisions.

The spirit of nonpartisan cooperation that Mr. HOWARD engendered in the development of this bill was supported and enhanced by the tireless efforts of Congressman SHUSTER who worked in the closest concert with the subcommittee chairman in resolving the differences and difficulties that are inevitable to the legislative process.

To me, after more than a quarter of a century of congressional service, it is a refreshing and rewarding experience to find leadership of this caliber in two young men who have proved themselves capable of laying aside partisan interest in the interest of their country.

Together, JIM HOWARD and BUD SHUSTER are building a broad bridgehead of legislative cooperation that holds rich promise for their future and ours. I commend them, as I know the men and women whose livelihoods they have restored will commend them.

Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey (Mr. HOWARD), chairman of the subcommittee.

Mr. HOWARD. Mr. Chairman, the Subcommittee on Surface Transportation of the House Committee on Public Works and Transportation is today, for the first time in over 10 years, presenting to the House legislation involving the surface mobility of this Nation without the leadership which we enjoyed for so many, many years by our former subcommittee chairman, the gentleman from Illinois, the Honorable John C. Kluczynski. Under the leadership of John Kluczynski, the mobility of this Nation has been improved, lives have been saved on our highways, and the more deeply our subcommittee gets involved in legislation during this 94th Congress, the more we realize, along with the Nation, the great contributions that were made by our former colleague, Johnny "Klu."

Very briefly, Mr. Chairman, on February 12 the President announced the release of \$2 billion of the impounded Federal highway funds. The President stated—and we commend him for this—that he was releasing this money for the remainder of this fiscal year in order that the States may be able to utilize it not only to provide for additional safety and transportation of people in their States, but also to help meet the tremendous unemployment that we find throughout this Nation. We applaud the President for this action.

However, in checking, we did find that unfortunately many of the States in the Nation are unable to make use of this money in the time allocated.

Of course, the provision the President made is that any project approved under this release of \$2 billion must be under contract by June 30 and work begun within 45 days, thereby putting people to work within 45 days at most after contract. Of course, many of the States depend upon their matching funds—10 percent on the Interstate System and 30 percent on all other roads. Some of

them raise matching funds by a tax on gasoline.

As we know, during the first 6 months of 1974 there was a slowdown in the selling of gasoline and, therefore, the States did not acquire the money that they would need to match this Federal outlay.

Additionally, States, in preparing their budgets for this fiscal year had no idea there would be another \$2 billion available, and so they did not budget matching money. To assist the States, the Subcommittee on Surface Transportation held several days of hearings in order to find ways we could help the States use the money and put people to work.

One of the many provisions of this legislation, Mr. Chairman, is that for the remainder of this fiscal year the Secretary of Transportation may allocate to the States up to 100 percent of the cost of the construction for these approved projects. This is with the stipulation, of course, that the States before January 1, 1977, return with non-Federal funds these moneys to the Highway Trust Fund so that we may have our balanced system as soon as possible.

Another problem we found the States had had to do with the categories in the 30-percent range, where the Federal Government provided 70 percent and the States produced 30 percent. This had to do so that we may have our balanced system and rural highway programs they have. We found that some States are all ready to go on a certain section of a highway but they do not have funds in this particular category, but they do have funds available to them in a different category. Under the terms of this legislation, for the life of this legislation, which is emergency legislation applicable only for the remainder of this fiscal year, the States may transfer funds within these categories, so that they may get more contracts, so that they may be able to put more people to work.

This money transferred from one category to another must be returned to the categories from which they were transferred. In this way when the Committee on Public Works takes up the major highway bill for this year we will have the assurance that the money in the trust fund will be moved back into the proper category, so that we may move forward with balanced programs.

In the committee report, on page 4, there is comment on major and non-major Federal action; there are many projects that the States may move forward without an environmental impact statement; these are in what is known as nonmajor Federal projects. These generally, have to do with projects on existing right-of-way, where the States may refurbish roads where they may widen roads, add additional lanes, perhaps dualize, or add safety features. These may be considered as nonmajor Federal actions by the Department of Transportation and work could begin immediately.

In conclusion, we feel that the adoption of this legislation will make a substantial move toward reduction of unemployment by spurring the hiring of people in the construction industry. As an example of the distress in the construc-

tion industry I cite my own State of New Jersey where the unemployment is a full 60 percent.

Mr. Chairman, I wish to thank the members of the subcommittee for their deliberations and cooperation in conducting these hearings, for the time they have spent and the efforts they have spent. We wish also to thank our chairman, the gentleman from Alabama (Mr. Jones) for giving a full rein to go ahead with these hearings so that we may have before this House a bill and, hopefully, we will take action, so that the President may sign this bill and people may be put to work throughout the Nation.

Mr. Chairman, over the past few months, the Nation has been experiencing unemployment to a degree reminiscent of the 1930's. There are now 8 million Americans out of work, and there is every indication that situation will get worse before it gets better; 781,000 construction workers were unable to find work during the month of March.

The Federal-aid highway program contributes greatly to the economic well-being of this country and is an excellent means of putting people to work. In recognition of this fact, the President on February 12, ordered the release of \$2 billion in impounded Federal-aid highway funds, thereby raising the overall program level to \$6.6 billion for fiscal year 1975. States are now being permitted to obligate Federal-aid highway funds on a first come, first served basis, within existing apportionment limitations, for projects on which work can begin within 45 days after project approval. The President's strategy is intended to have maximum possible impact on the unemployment situation.

As of last Friday, April 4, the States had obligated a total of \$3.971 billion for Federal-aid highway projects since the beginning of the fiscal year. Of this total, \$1.143 billion was obligated during the 7-week period after the President's release of the additional \$2 billion. Although this latest activity represents a significant increase over the previous obligation rate, still the \$6.6 billion goal will not be reached unless the States step up the current rate of obligations by at least 30 percent. Without appropriate legislation, there is no assurance that the States will be able to sustain the current pace, much less increase it.

Obviously, there is a limit to what the President can do under present law. Wholesale release of impounded funds is not an exclusive remedy for unemployment in the highway construction industry. The release of the impounded funds came about unexpectedly, and many States are unable at this time to meet the requirements for additional State matching. Passage of the bill before this body will facilitate the obligation of the additional funds and put thousands of unemployed back to work. All of these facts were borne out in testimony before the committee in recent hearings on the bill.

Our bill, H.R. 3786, relaxes the requirement for State matching for any project approved between February 12 and the end of this fiscal year. States would have the option to increase the Federal share on these projects up to

100 percent, provided that they pay back any such increases to the Federal Government before January 1, 1977, with non-Federal funds. Repayments would be deposited in the Highway Trust Fund, thereby restoring the funds to the Highway program from which originally drawn. No new highway projects would be approved after January 1, 1977, in a State which fails to make the repayments as required.

The hearings also showed that greater flexibility in the use of funds could enhance a State's capability to deal with its own unique unemployment problems. Consequently, the bill was amended in committee to permit a transfer of funds among and within categories within a State—except for the interstate system—including a transfer of funds between urban and rural areas within a State, until the end of this fiscal year. A mandatory annual adjustment in future apportioned funds would be required to replenish the categories from which the funds were originally drawn.

Mr. Chairman, H.R. 3786 is emergency legislation to expedite the highway construction program and to put people back to work. We cannot afford to gamble with the jobs of thousands of unemployed construction workers across the country. An additional \$2 billion has been made available by the President and now it is up to this body to make it possible for the various States to make optimum use of these additional funds.

I urge my colleagues to vote for this important piece of legislation.

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

Mr. Chairman, I rise in support of H.R. 3786, a practical and workable measure to stimulate the economy and get Americans back to work by accelerating construction of highway projects.

The need is there beyond question, in terms of the high unemployment rate among workers in the construction trades and the backlog of useful work to be done. And the funds are available. It only remains for the Congress to ease the restrictions on the use of those funds so that they can be put to work on quick-start projects.

This bill would do so by lifting, temporarily, the requirements for 30 percent non-Federal match in the case of non-Interstate projects and the 10-percent match in the case of Interstate projects. It also would allow, again temporarily, for the transfer of funds with the exception of Interstate among and within categories of Federal assistance and between urban and rural areas.

It would allow the States to concentrate on those projects for which funds can be obligated on an accelerated basis through the remainder of this fiscal year.

In supporting this legislation, I should like to remind Members that no one has been a stronger supporter of the integrity of the highway trust fund than I have. Nor has anyone taken a more active role in fighting to assure that both urban and rural needs be given adequate attention under Federal-aid highway legislation.

Therefore, I believe I speak with some authority in assuring you that the re-

moval of restrictions is to be temporary, that we are creating no precedent in permitting a Federal match of up to 100 percent. States exercising the option to use 100 percent Federal funds for a given project would be obliged to repay what would amount to an interest-free advance to the highway trust fund. And any amounts advanced from one category to another would have to be restored over a reasonable time in order to preserve balance.

I believe that this balance, reflecting needs, vehicle miles traveled and relative contribution to the trust fund, remains valid as a concept over the years. But I also happen to believe that in the higher interests of getting people to work a temporary infusion of greater flexibility is in order.

And they can be put to work on a number of projects that need not be delayed for environmental impact statements and extended administrative procedures. Either such requirements have already been met or the projects are not individually of sufficient magnitude to become subject to the requirements. Many projects in this category would involve upgrading, widening, resurfacing, elimination of hazards or other measures to improve efficiency and safety.

There is no question but that the bulk of projects will represent improvements to existing highways, rather than new, major undertakings which involve increasingly long leadtime to get under construction.

Introduction of this bill was triggered by the President's release of \$2 billion in previously impounded highway funds. This brought to \$6.6 billion the funding level for fiscal year 1975. Of this sum, \$3.1 billion has been obligated through the end of February, \$3.5 billion remains to be obligated by June 30. States which have exhausted their apportionment for fiscal year 1975 in any one category can begin obligating their 1976 apportionments.

Thus it cannot be said precisely what amount of funding will be directly affected by the provision of new flexibility in this bill. This will depend upon decisions properly to be made by the States in their role in the Federal-State partnership. One element of decision will be the requirement to pay back the amount of the increase in the Federal share before January 1, 1977.

But one measure of the impact is the estimate by the Department of Transportation that the \$2 billion release alone would create approximately 107,000 jobs onsite and in related industry. This could conceivably generate another 150,000 jobs outside the industry.

Under this bill, the benefits of such stimulation would be available to States without requiring them to disrupt their regular programs of 100 percent State-funded projects. They also would be relieved of pressure to defer maintenance in efforts to come up with their non-Federal matching share during the period through June 30 of this year.

In conclusion, I should like to remind Members that the committee has taken note of testimony that further layoffs in the construction industry are reason-

ably in prospect. So our task is not merely one of moving ahead. We may be in for a worsening situation, and this bill is one way—one vital sector of the economy—to head it off. I urge enactment of the bill.

Mr. BAUMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. HARSHA. Yes, I will be happy to yield to the gentleman from Maryland.

Mr. BAUMAN. The committee report indicates that there was a precedent for this waiver of the matching State funding, at least during the 1957 recession period. At that time was there full repayment by the States, or was there any repayment requirement provision existing in the law?

Mr. Chairman, I wonder if anyone can respond to that.

Mr. HARSHA. Mr. Chairman, I wonder whether I could yield to the gentleman from Pennsylvania (Mr. SHUSTER), who is the ranking minority member of the subcommittee, to respond to that question.

Mr. SHUSTER. Mr. Chairman, to answer the gentleman, it was repaid from future apportionments, not from existing funds. There was a waiver at that time, and we object very strongly to any such waiver. It is for that reason that we have teeth in this bill that require repayment by the end of this Congress; and if there is no repayment, all funds are cut off for the State until repayment is made, so there are teeth in this to provide exactly for that particular point.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman from Ohio (Mr. HARSHA) yield?

Mr. HARSHA. Yes; I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, the gentleman from Maryland (Mr. BAUMAN), I think, is referring to the Gore amendment which was passed in 1958. Those repayments were made under the Gore amendment, and would be almost comparable.

Mr. BAUMAN. If the gentleman will yield further, I am somewhat confused, not being a member of the committee. The gentleman from Pennsylvania (Mr. SHUSTER) said there was a waiver of 1957-58 payments. The distinguished chairman says the funds were repaid. Which is it?

Mr. HARSHA. I yield to the chairman, the gentleman from Alabama (Mr. JONES).

Mr. JONES of Alabama. There was a waiver of time, but the ultimate payments were extracted from the apportionment made to the various States, so there were not any inequities that came about as a result of the Gore amendment.

Mr. HARSHA. If I may respond to the gentleman from Maryland (Mr. BAUMAN), there is a difference between the so-called Gore amendment and this amendment. Under the Gore amendment there was not a specified time limit for repayment out of non-Federal funds. In this bill we have a specified time for repayment by the States out of State funds and non-Federal funds. We have further implemented that provision by saying that no future highway project will be

approved by the Secretary of Transportation unless and until that advance money is repaid by the State to the highway trust fund.

Mr. BAUMAN. If the gentleman will yield further, I notice that there is a requirement of repayments by the States before January 1, 1977.

Mr. HARSHA. That is correct.

Mr. BAUMAN. The gentleman's report indicates that there is no additional cost to the Federal Government based on the theoretical eventual repayment of these sums by the States?

Mr. HARSHA. That is correct.

Mr. BAUMAN. But what will it cost the Federal Government in money it would not otherwise have had to spend between now and January of 1977? There must be some additional amount that will be spent.

Mr. HARSHA. No, it will not cost the Federal Government over the \$2 billions released.

It is a rather tricky situation, but I will try to explain it to my good friend, the gentleman from Maryland.

The \$2 billion is all that is going to be released, that, together with the unobligated already released apportionment, which total about \$3.5 billion, which is available to be spent between now and June 30.

What happens is that State, instead of putting up its 10 percent on the Interstate System, or on the primary system, the Federal Government advances that, but it advances that out of the total apportionment, and it is going to spend the \$2 billion anyway, or the \$3.5 billion. You do not add on 30 percent on top of that. You ultimately will have a little smaller highway construction program because the State did not put up its money because it is Federal money. So you do not have any more money coming out of the Federal Treasury; however, there will be a diminution during this short period of time, but you will have a highway program that otherwise would falter because some of the States lack the matching money.

Mr. BAUMAN. Mr. Chairman, will the gentleman yield further?

Mr. HARSHA. I yield further to the gentleman from Maryland.

Mr. BAUMAN. Mr. Chairman, I notice the lack of any departmental comment in the report as to the position of the administration. It is my understanding that the administration is opposed to this legislation because of this formula change we have been discussing.

I see no minority views. Could anyone explain the opposition of the administration to this?

Mr. HARSHA. If the gentleman from Maryland will permit me, I will endeavor to explain the position of the administration, but frankly it is very difficult to explain it.

I was called as of 10 o'clock this morning, and informed that the administration was opposed to this legislation. The Highway Administrator has advised me that the administration was certainly opposed to 100 percent Federal contribution, particularly if there was no pay-back.

While he appeared before the committee and testified officially, his testimony

did not reveal, in my judgment, and I believe in the judgment of my good friend, the gentleman from Pennsylvania (Mr. SHUSTER) the ranking minority member on the subcommittee—an absolute position at that time against the bill. And nowhere can we recall, in reflecting upon his testimony, that he came out and said forthwith or forthrightly that the administration opposed the bill.

He did indicate the administration had some reservations.

Frankly, I did not receive any communication until I saw the report or the digest where the administration was pointing out that they were opposed to it. I know of no other communication other than the one I received this morning from the White House itself, and the usual communication that the OMB sends up to the minority leader. Unfortunately, they did not provide us with a copy of the communication from OMB.

So it is difficult to explain the position of the administration in view of the lack of activity or inactivity that transpired.

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

Mr. HARSHA. I am happy to yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I would also point out to the distinguished gentleman from Maryland that we solicited from the Department of Transportation their views on this bill. On March 18 we received a letter from acting Secretary Barnum in which he expressed no objection whatsoever to the 100 percent provision. He did state that the administration would be opposed to the use of interstate funding in being able to cross categorize. And, of course, that is eliminated in this bill. But in that communication no objection to the 100 percent provision was expressed.

So as of this morning, or late last night, we have suddenly been faced with a communication from the administration. I intend to give it just about as much weight as I think a midnight communication of this type deserves.

Mr. BAUMAN. I thank the gentleman.

Mr. HARSHA. Mr. Chairman, in further response to that issue, I think it is fair to say at this time that the administration has expressed opposition to the bill, but they have told me they were opposed to the 100-percent Federal contribution; that they were also opposed to the payback. If the gentleman is rationalizing that for me, I will be happy to undertake to understand it.

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

Mr. HARSHA. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. I appreciate the gentleman's yielding.

I followed the discussion with great interest. What has made it possible for the States at this point not to have sufficient funds to match, No. 1?

Mr. HARSHA. There are a number of problems. Of course, the recession was one of them. The diminution of the gasoline tax was another. Some States have already obligated all of their money for either the Interstate or for the ABCD Systems. Therefore, they have no money

available to further obligate or to match this \$2 billion that was released.

Mr. STEIGER of Wisconsin. If the gentleman will yield further, what assurance do we have that before January 1977 the States will suddenly find themselves in a position where they will have all of the extra money needed to pay this back. Or are we going to be back again playing the Ken Gray role of having the assurance that we are going to get our money back, only to find that the Federal Government has been short-changed again?

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. I thank the gentleman for yielding.

I would say to the gentleman that many States did not anticipate the release of the \$2 billion and are not in a position at this time to meet the requirements for additional State matching. That is why we are considering this bill to lay. However, they will not be relieved of the responsibility to pay back these funds by January 1, 1977.

Mr. HARSHA. Let me respond to the gentleman by saying this. In the first place, this is discretionary with the States. If they want to take advantage of it, they can. Second, they have been forewarned, not only with the report but with the legislative history that we are making here now, that this is not precedent setting, that we do not intend, under any circumstances, to waive the requirement to pay back. It is specifically within the legislation that they shall get no further Federal-aid highway project approved by the Department of Transportation unless and until they do pay it back.

We use the date of January 1, 1977, to assure that control is still held by the Congress, not subsequent Congresses. So we at least think we have endeavored to make this legislation tight so that the States understand fully that if they take advantage of this provision, they must repay, and unless and until they repay, they can expect no future approval of Federal-aid highway projects.

Mr. STEIGER of Wisconsin. I thank the gentleman for his explanation.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

I join with him in support of this legislation, but I do have a question that I would like to ask.

Mr. HARSHA. I will try to answer the gentleman.

Mr. YOUNG of Florida. In the precedent discussed by the gentleman from Maryland, the payback was a suspension of additional Federal allocations that would be coming to that State. It is my understanding that this bill provides that the payback will be paid from non-Federal funding; is that correct?

Mr. HARSHA. The gentleman is absolutely correct.

Mr. YOUNG of Florida. So that the precedent that was established where the

payback could be made from next year's Federal payment would not be the case under this bill?

Mr. HARSHA. That is correct.

Mr. YOUNG of Florida. I thank the gentleman.

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

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

Mr. RUPPE. I thank the gentleman for yielding.

I should like to ask the gentleman if there is any danger that the States who are presently qualified to receive money because they have the matching funds set aside will in any way find their monies reduced or cut back because of this legislation. In other words, will they lose money because of the possibility that other States who would not otherwise be qualified to receive assistance will now, because of this legislation be able to stand in line equally with those States that have the money in reserve and ready to go as a matching share of any highway action.

Mr. HARSHA. In my judgment, no State would benefit by this legislation at the expense of another State. Those States that have the matching money are permitted to go ahead on the basis of the release of obligational authority. The purpose of this legislation is to provide those States who do not have the matching money to raise the money by this method, to put people to work.

It was extremely difficult to find out the number of States that were unable to provide the matching money. We have statements from the Governors that anywhere up to 33 States were unable to provide the matching money and therefore could not take advantage not only of the released \$2 billion but also of the 1976 apportionments which have already been made.

What we are trying to do is to make aid available to those States who are suffering high unemployment particularly in the construction industry so they will be able to proceed on an immediate basis to try to relieve that unemployment and construct needed improvements in the highway system which are quick-start projects, which are not major improvements but which are quick-start projects, and the contracts have to be let in 45 days and people have to be on the job working.

But in my judgment there is nothing in this legislation that would permit one State to reap an advantage over the other State by virtue of the fact that a State did or did not have its matching share.

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

Mr. HARSHA. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I would point out that in a document from the Federal Highway Administration, which is partial in nature, it lists at least some of those States which will be able to benefit as a result of this temporary measure and Michigan is one of those States, so Michigan stands to benefit.

Mr. RUPPE. Mr. Chairman, if the gentleman will yield further, I understand that Michigan has funds set aside,

so that funds would be available and Michigan would be ready to move on their share of the \$2 billion funding with or without the legislation.

Mr. SHUSTER. Mr. Chairman, if the gentleman will yield further, this document shows while Michigan has some funds and would be able to move ahead with their own matching funds on a major part of it, Michigan would be able to take advantage of the temporary matching funds and build an additional \$5 million worth of highways within the State of Michigan. The total figure for Michigan is \$245 million in highway construction, which certainly would be quite a shot in the arm to the economy of this State.

Mr. RUPPE. I thank the gentleman.

Mr. HARSHA. Mr. Chairman, I yield my remaining 8 minutes to the distinguished gentleman from Pennsylvania the ranking minority member of the subcommittee who has made a great contribution to this legislation.

Mr. SHUSTER. Mr. Chairman, I rise in support of H.R. 3786, the first bill with which I have been involved in my new capacity as ranking minority member of the Surface Transportation Subcommittee.

This legislation is the product of extensive hearings under the chairmanship of my friend and colleague on the subcommittee, JIM HOWARD, in which ample opportunity was offered all interested parties to comment. It was amended in subcommittee and in full committee and comes before this body as a measure fully meriting passage as reported.

The bill has been developed to avoid controversy or complexity in the interests of getting it enacted swiftly and at work out in the States.

Therefore, I should like to devote my time to emphasis of a few key points:

First, This bill offers us an opportunity to pursue not one but two worthwhile objectives: putting people back to work and providing this Nation the benefit of construction projects undertaken. There are vitally needed projects involving improvement in the safety and efficiency of our transportation system, rather than make-work in any conceivable sense.

Second, There are additional multiple economic benefits as well. We can target the flow of funds into a sector of the economy in which the rate of unemployment is almost double that of the nation as a whole. Thus, the stimulus will be in a depressed sector rather than one in which demand aggravates inflationary pressure. And we can obtain more benefit from the dollars expended rather than await future increases in construction costs.

Consider the magnitude of the problems which prompted consideration of this bill. As our report points out, the overall rate of unemployment rose from 5.4 percent in August of last year to 8.2 percent this past January and February—it has risen still further since. In the construction trades, however, the rate rose from 11.3 percent to 15.9 percent. And those are national figures which fail to reflect the fact that in individual States or areas of individual States, the rate among construction

workers can well be double that of the construction trades nationally.

According to testimony before our committee, the Nation faces the prospect of even further increases in unemployment in the construction field, with all the attendant spillover effects on related segments of the industry and the economy at large.

Consider also the fiscal plight of the States: the general economic downturn, erosion of highway revenues due to decreased fuel consumption, and overall reduction of general revenues.

In my own State of Pennsylvania, our 9 cent motor fuel tax must maintain 44,400 miles of State roads plus an indeterminable amount of local roads, pay the interest and principal on some \$2 billion in outstanding highway bonds, and support the State police. The motor license fund, as our State highway trust fund is called, is now so overtaxed that a proposed 12-year highway plan for Pennsylvania has been slashed from \$3.6 billion to \$1.4 billion due to a sharp reduction in revenues. The situation is so acute that serious consideration is being given to taking up some of the slack with all-too-scarce general revenues, which would place a severe burden on other vital States programs.

Consider, finally the needs. According to the 1974 needs report, there now exists in this country an accumulated backlog of \$226 billion dollars—measured in 1971 dollars. Costs have increased by more than 60 percent since 1971. These are urban needs and rural needs; needs for more safe and efficient transportation both of goods and people.

So the work is there to be done, the people are there to do it and the money is available. It is up to the Congress to loosen the strings and tell the States to seize the opportunity, to take the projects that are ready to move and go with them.

In conclusion, this is a modest bill, tightly drawn to accomplish the objectives of accelerating completion of needed projects, putting people back to work and stimulating the economy. I do not argue for a moment that it comes near to meeting all our most urgent highway needs. The Committee on Public Works and Transportation will be bringing out major, comprehensive highway legislation this year. Nor would I argue that this bill alone is a cure for all our economic ills. My own committee and doubtless others will be bringing to the floor other measures in that respect.

But this legislation, H.R. 3786, does have one unique virtue. We know it will work—and get people back to work. It will provide the stimulus to reverse precisely those trends which got us where we are today. I urge its enactment.

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

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

Mr. BAUMAN. Mr. Chairman, following on the heels of the discussion in which the gentleman just participated, is it not reasonable to anticipate all States will ask 100-percent Federal funding whether they have State funds available or not?

Mr. SHUSTER. It would be to their slight economic benefit to do so, yes. However, this brings up a very significant point. This bill is a mechanism which permits those States which under State law must have money in the bank before they can obligate highway construction or a commitment from the Federal Government—which is what this is—it permits those States to move today to obligate. However the money itself does not come out of the Federal Treasury and flow to the State until at least part of the construction is accomplished, which means this becomes a mechanism to permit States to move immediately, but no money flows out of the Federal Treasury until in most cases next year, in 1976.

So this is a paltry sum we are talking about in terms of Federal moneys and indeed it is money which comes out of the trust fund, which has the money and therefore imposes no deficit spending on the general funds.

Mr. BAUMAN. If the gentleman will yield further, that brings me to the question to which I have been trying to get an answer. With this waiver of State matching requirements, at some point in the next 18 months before repayment is due, is the Federal Government going to have to lay out dollars it would not otherwise spend? If so, that is going to add to the Federal deficit. My question is: How much money are we adding to the Federal deficit by this measure?

Mr. SHUSTER. Almost all of the money, comes out of the highway trust fund and the dollars are there.

Secondly, the amount which would come out of the trust fund, and again I point out it would not come out today, while it would permit work to begin today, the money would not come out of the trust fund until some time next year. That money must be repaid by the end of next year. So we are talking about a matter of months.

As to the specific number, the best estimate we have from the Federal Highway Administration, and I believe it is an incomplete estimate, is that it will bring about \$317 million in additional highway construction.

The 30-percent temporary loan is about \$100 million out of the Federal Treasury. My estimate is that the number will be something higher than that number, because some States are putting together their projects to send in; but the specific answer to the gentleman's question is \$317 million and roughly one-third of that would be in Federal matching funds; so that is \$100 million which gets paid back by the end of this coming year.

So if we want to say it is a 12-month average loan at 8 percent interest rates, we are talking about a cost to the Federal Treasury of \$8 million or \$10 million which is peanuts when we think about it, to provide the mechanism to bring about accelerated public works to create real jobs, not make-work, but real jobs which are, indeed, going to be accomplished in the private sector by private enterprises and for which we will have real assets in this Nation, to show for our expenditure.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. SHUSTER. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I want to clear up a misunderstanding that I had. The gentleman states that all the States we are talking about will have money coming from the highway trust fund. Is the gentleman telling us there will be no funds advanced from the general revenue funds?

Mr. SHUSTER. That is essentially correct.

Mr. YOUNG of Florida. From the trust funds only?

Mr. SHUSTER. That is generally true.

Mr. YOUNG of Florida. Can the gentleman say that the funds in the trust fund are available, so that we are not talking about adding to the deficit?

Mr. SHUSTER. That is correct.

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

Mr. SHUSTER. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I am sure our government in the State of Wisconsin is delighted with what we are doing on this one.

Can I ask a question on a related subject? As I recall the Highway Act, there is a requirement that as of the 1st of July each State has to have a vehicle inspection program. I wonder whether the subcommittee and the Committee on Public Works are going to take a look at that issue, because I know in the case of Wisconsin we are not going to have it by the 1st of July; so what is given is 10 percent if this bill would pass, by waiving the requirement, but it is taken away by cutting everything off as a result of the State legislature not making an inspection program.

Mr. SHUSTER. Mr. Chairman, I would think the State legislature would be motivated for such a program. On our side I know of no such plans to reconsider this.

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

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

Mr. WRIGHT. Mr. Chairman, in response to the question raised by the gentleman from Wisconsin, the committee contemplates a careful and thorough review of the highway program this year and enacting legislation will come to the House for the highway program, including highway safety features of that program later this year. That will be appropriately the time the gentleman might want to address himself to that subject.

This present bill could not have a bearing on it one way or another to the actions permitted to be taken under this bill.

As the gentleman from Pennsylvania explained, it must be taken by the 30th day of June this year; so it would have no bearing on this bill and the bill would not affect the gentleman's situation one way or another.

Mr. STEIGER of Wisconsin. Mr. Chairman, I appreciate that and I hope the gentleman will review this matter.

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

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

Mr. ASHBROOK. Mr. Chairman, I recognize the problem the gentleman has in trying to make his statement when questions like this arise.

It does seem a little bit like robbing Peter to pay Paul. If it is based on the fact that States are short of money right now, and yet they have to repay, what is going to happen if they do not have the money to repay? Second, like in the State of Ohio, I would assume they just take money out of the secondary highways.

Mr. SHUSTER. It is a very good point, and indeed Ohio happens to be one of the States which has already come forward and will benefit by this provision. The point I would make, however, is that in many instances, in almost all instances, the States did not know and could not anticipate the \$2 billion being released by the President last February. Consequently, in many instances the States had not even gone to the legislature for funding, so they were not able to go forward and provide the match.

They can do this if they so choose to, since we are giving them the time to do it now. We are giving them the time. They can go to their State legislatures between now and the end of 1976, so they have the time in which to do it. If they choose not to use this, then of course that is their decision, but they understand very clearly not only from the language of the legislation, but from our comments to the Governors' conference for example, which was testified to before our subcommittee, as well as the legislative history that is being made here today, that money has got to be repaid.

Indeed, I am sure it will be repaid because the States are so highly motivated. No State is going to permit itself to lose millions, if not hundreds of millions of dollars, in Federal highway money in 1977 and beyond. Therefore, they are highly motivated to repay.

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

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

Mr. RUPPE. Mr. Chairman, when I first reviewed H.R. 3786 to increase the Federal share of highway projects, I seriously considered offering an amendment to strike section 3 which provides that funds may be transferred among and within categories of Federal-aid highway systems within a State including between urban and rural areas. Having been assured that such transferred funds must be repaid to the categories from which they are taken, I have decided against taking this course of action, but I would like to stress my very real concern about the direction in which we have moved in the past and in which it appears we are continuing to move.

If this legislation is passed, as I expect it will, and enacted into law, and the funds can be transferred between urban and rural systems, I do not think I have to tell anyone which way it will go—straight out of the rural areas and straight to the cities. This is not expressly mandated in the bill, but if my

over 8 years of membership in this House teaches me anything, I can assure you that will happen.

This will be just another example of the Congress saying that the cooperation problems of the urban areas are paramount, or perhaps more severe, than those of rural areas. We hear that the expressways around and through our Nation's cities need work, that mass transportation systems must be improved, that subways must be built. We hear these remarks all the time. But, I would remind my colleagues that good, reliable highways are needed in rural locales as well. They perhaps do not serve as many people, but they are needed, and needed badly.

But more and more, this Congress has looked at the problems of the cities and ignored, or overlooked, the problems of rural America. We have opened up the highway trust fund for mass transportation, thereby providing yet another avenue for taking money away from needed road construction and improvement for non-urban areas. The Federal Highway Act of 1973 provided for a boost of from \$200 million to \$800 million for urban systems. The rural funds did not even begin to approximate such a sum.

Now, again today, the House will pass a measure, albeit a temporary one, which could lead to further transfer of funds from rural to urban areas. This cannot continue. The people residing in low density regions should not stand for it. They demand equal treatment, and they have every right to it. I challenge the collective membership of this body to travel to my congressional district in northern Michigan and ride over those roads, and then come back to tell me that they do not need upgrading and repair, that those existing roads are adequate to serve the people's needs. I assure you that no such response will be forthcoming.

I do not begrudge the cities one cent for their expressways and for their mass transportation systems, but the rural areas deserve and demand their fair share.

I would like to comment further. As I understand the situation as it now stands, in order for a State to qualify for a portion of the \$2 billion in Federal-aid highway funds which the President has released, it must first raise 10 percent in matching funds for interstate projects and 30 percent in matching funds for other Federal-aid highway projects. Once these funds were raised, the States would then apply for the Federal money on a first come, first serve basis.

Now, Michigan and a number of other States, I am told, have raised their portion by dipping into their general revenues or by floating bonds. As a result, they should be on fairly solid ground for having their applications approved. Other States, however, have not taken such affirmative action, for one reason or another. I would not be surprised if some of them, knowing of the prospects of this bill being passed, have just sat back and waited for us to bail them out by handing them the money they rightly should have raised. These States then will be put in a position to compete with Michigan and others who have raised

their portions, and this creates a great disservice.

Also, I foresee the States which will benefit from this legislation coming back to the Congress in a year or so and tell us that they cannot raise the money to repay the advance, or loan. There will then, no doubt, be a big push to pass a forgiveness provision. This would penalize Michigan and the others who took the initiative with their 10 percent or 30 percent, and allow the others to get off scot free. If you will, this is highway robbery.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. The time of the gentleman from Ohio has expired.

Mr. JONES of Alabama. Mr. Chairman, I yield 2 additional minutes to the gentleman from Ohio.

Mr. HARSHA. Mr. Chairman, I yield 2 additional minutes to the gentleman from Pennsylvania.

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

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

Mr. LAGOMARSINO. Mr. Chairman, will the gentleman advise me how this would affect the State of California?

Mr. SHUSTER. Yes. The State of California has not come forward, to the best of my knowledge, to the Federal Highway Administration yet to specify how many additional millions of dollars can be invested in its State highway program as a result of this bill. However, I can report that California has said that it can use \$201 million more than its initial 1975 obligation. The initial obligation was \$314 million.

California has stated that it can use another \$201 million, and that is money which would come, presumably, from the additional \$2 billion released by the President. California has not said whether it needs to take advantage of this temporary match in order to do so.

Mr. LAGOMARSINO. I thank the gentleman.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from South Carolina (Mr. HOLLAND).

Mr. HOLLAND. Mr. Chairman, prior to my election to this body, it was my privilege to serve South Carolina as a member of its State Highway Commission. From that experience, perhaps I can give some information to the Members today who, for budgetary concerns, question the necessity or wisdom of this particular bill.

In the course of the administration's impoundment as it has affected States—and I speak about South Carolina, not that it is unique, but because I think it is representative of what is occurring in the other 49 States of this union as victims of impoundment since the previous administration imposed this practice upon the highway trust funds. The cost of road building has increased by between 22 and 25 percent, depending on what part of the Nation one happens to be in. Today, the highway trust fund is re-

duced in value, reduced in what it can accomplish in the way of highway construction, by a figure of between 22 and 25 percent of the money it contains.

Each State in this Nation has suffered a loss of effectiveness of its money to that extent. This bill seeks simply to alleviate the condition that is very real, a condition where most States, faced with \$2 billion, cannot participate because of the reluctance of the State legislatures to increase tax on gasoline at this time, because most legislatures do not believe the public can bear or will tolerate that increased cost, and because of the reluctance of State legislatures to raise the amount by which a State can increase its bonded indebtedness.

And so the \$2 billion released by President Ford to a group of States, which cannot match under Federal statute those funds, is meaningless.

There are those who say we cannot afford to pass this legislation. There are those who fear it will cost the Treasury of this country some money.

To the first, I would say we cannot afford not to do this. And again, speaking about my district, which is not unique, the unemployment in one of my counties is 49.8 percent. In 4 counties, it exceeds 30 percent. The two best economic counties I have are above 10 percent in unemployment. The completion of State highways and primary and secondary roads is something without which we cannot develop in economic diversity. It is something that is necessary today, because the Office of Management and Budget points up that we are going to have more inflation in the future. That means the money each State owns by right and other State highway funds will be losing value and will fall victim to inflation.

If we do not use this money this year, it will buy less next year. It is that simple.

I was, as a member of the highway commission, instrumental in starting litigation against the United States of America to cause the release of these impounded funds. I think for too long we have delayed. I think the President should release all \$11.8 billion so that the people of this country, who seek nothing better than an opportunity for employment, both in the construction industry and those industries that will follow the sensible development of highway systems, will have the opportunity to work. The people have waited too long. The cost of delay is too high.

I am privileged to support this legislation. As I say, we cannot afford not to do it. Many times I have heard it asked in this Congress, "What does it cost to create a job?" I would say a more meaningful question is, "What does it cost not to create a job, in the indignity of citizens to have to go to the food stamp office or the unemployment office, the indignity of not being able to educate their children, the indignity of not having a job without having to move to another region?"

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

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

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

The gentleman mentioned that he has been personally involved in the management of highway trust funds in his own State. He has stated that in his judgment, if we fail to act on this legislation today there will be additional, unwarranted increases in the cost of completing this interstate system if we do not accelerate it. Obviously, this legislation will free the effort to do that. How does the gentleman come to that conclusion? On what does the gentleman base that?

Mr. HOLLAND. As I pointed out the amount that is being impounded, \$11.8 billion, by reason of inflation we have experienced a 22-percent to 25-percent increase in the cost of asphalt, concrete, labor, and everything else that goes into it.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. HOLLAND. I yield to the gentleman.

Mr. JONES of Alabama. Mr. Chairman, the question that the gentleman from California raises is one of great importance to us. Now we have completed over 85 percent of the interstate system. We have under construction an additional 6 percent of the Interstate System mileage.

If the remaining contracts for the Interstate System are to be delayed, as the gentleman from South Carolina (Mr. HOLLAND) has explained, we might face, as we have in the last 5 years, a doubling of prices over the next 5 years. The whole fiscal situation will deteriorate and this will cost the Federal Government more, as the gentleman from South Carolina just explained.

Mr. ROUSSELOT. Mr. Chairman, I appreciate the gentleman's yielding to me.

Mr. JONES of Alabama. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I thank the gentleman. I rise for a point of clarification. I made the statement in my remarks that the monies came out of the highway trust fund. That is true in almost every case.

We note in reviewing the categories of funds released by the administration in the \$2 billion impoundment release that there are a few categories that would come out of the general fund, off-system roads being one and probably assistance for the State of Alaska being another. These are exceptions to the general statement.

Mr. Chairman, I did want to clarify that point, and I thank the gentleman for yielding this time to me for that purpose.

Mr. CLEVELAND. Mr. Chairman, I rise in support of H.R. 3786 as a modest measure—too modest in my judgment—to stimulate our economy and combat unemployment by accelerating highway construction.

I support the bill with no great enthusiasm, which is a commentary less on the bill itself than on the Congress.

This bill is fine as far as it goes. By providing greater flexibility in the use of Federal funds, it should enable States

to make best use of the funds released from impoundment.

But in impact, it falls far short of what can and should be done to meet the needs of this country for a tremendous volume of public works to address a host of problems.

The same Committee on Public Works and Transportation which produced this bill has also held hearings on other measures to accelerate construction, both of highways and other vitally needed facilities such as municipal wastewater treatment plants.

We have found an incredible array of obstacles stemming from bureaucratic mismanagement and environmental assessment carried to ridiculous extremes far beyond what the Congress ever intended.

In hearings on H.R. 3067, I was disturbed by the disposition of some who claim to speak for the environment to discern a malign purpose in any streamlining of bureaucratic procedures even in the interest of clean water.

The record reflects an uptight hypersensitivity to even the appearance, much less the fact, of any procedural, as distinguished from substantive, changes with respect to environmental safeguards.

Even more disturbing is the reaction of some Members of this body. "Let's not raise the hackles of the environmentalists," we are told. That was the line at a hearing on H.R. 3787, designed to deal with problems created by an absurd court decision involving environmental impact statements.

We have held hearings on both and reported out the latter, only to have it referred to the Merchant Marine Committee because of its implications involving the National Environmental Policy Act.

Now I say sure, let us go ahead and pass this bill. Sometimes I feel there must be a particular virtue in a project in this day and age that is indeed ready to go and not hung up in the bureaucracy. Somebody must be doing something right. They deserve some sort of bonus, at least in terms of Government getting out of the way and letting them get on with the job.

But let us not indulge in any self-congratulation over it. The real test will come when indeed we take up measures to get public works for a whole host of programs going. I am talking about really cutting out redtape and prodding the agencies downtown into motion.

What we do then will be the measure of whether we have the courage and commitment across the board, Government-wide, to insist that the environmental and other programs enacted by the Congress get carried out.

If we do not, this limited measure will make a mockery of congressional ability to respond effectively to economic problems.

Mr. JOHNSON of California. Mr. Chairman, the purpose of this bill is to put people back to work in this country. The latest figures show that 781,000 construction workers—18.1 percent of the construction force—were unable to find work during the month of March;

and the situation is likely to get worse before it gets better.

This bill deals with this problem by waiving the requirements for State matching for all highway projects approved up until the end of this fiscal year. Any additional sums advanced to the States under this authority would have to be paid back to the Federal Government prior to January 1, 1977.

I should point out, however, that there is no intention in this bill to forgive the additional sums advanced to the States. Basically we feel that it is in the public interest and necessary for the protection of Federal funds to require that the States continue to participate financially in the construction of Federal-aid highway projects. Over the years the Federal Government and the various State governments have shared in this responsibility; and the committee does not intend to permanently alter this partnership arrangement which has produced the best highway system in the world.

Another important feature of this bill permits greater flexibility in the use of funds to enhance a State's capability to deal effectively with its own unique funding situation. The bill permits a transfer of funds between categories—except the Interstate system—and between urban and rural areas within a State. However, any funds transferred under this provision ultimately must be paid back to the category from which originally transferred.

Mr. Chairman, I hope that Members of this body will recognize the urgency of the situation and cast a favorable vote for this important bill.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise today in support of H.R. 3786, increasing the Federal share of highway projects.

As I think most of my colleagues are aware, this legislation temporarily increases the Federal matching share for Federal-aid highway projects between February 12, 1975, through the end of the fiscal year. The Federal share may be increased to as high as 100 percent if requested by a State, with the funding advances coming from the State's existing apportionments of Federal-aid highway funds. However, the bill requires States to repay these advances with non-Federal funds to the Highway Trust Fund by January 1, 1977, with failure to repay resulting in withholding of approval for future Federal-aid highway projects in that State.

In developing this approach, we on the Public Works and Transportation Committee felt this would be a logical follow-on to the administration's earlier release of \$2 billion in Federal-aid highway funds. While these funds have the potential for creating literally thousands of new jobs and accelerating high-priority highway projects throughout the Nation, we learned through our hearings and other contacts with State transportation officials that due to the current economic "crunch," many States simply will not be in a position to utilize this funding without further positive action.

As a result of current economic conditions, rising maintenance costs and

declining gasoline tax and other revenues, many States are experiencing serious difficulty in meeting the Federal-aid matching-formula requirements.

With this in mind, I strongly believe that this bill, which has received broad, bipartisan support, will provide the necessary financial flexibility to the States through this temporary change in the matching requirements. In so doing, we will be making a meaningful contribution to the overall economic recovery effort through new job-creating opportunities, while minimizing "red tape" and delay to accelerate the construction timetable on urgently-needed highway improvement projects.

As I see it, this approach is a good example of the role that the Federal Government can and should play—serving as the catalyst to bring about economic revitalization and recovery while allowing the States to determine funding priorities and allowing the private sector to "get the job done."

For these reasons, I have strongly supported H.R. 3786 and urge its passage.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time of the gentleman from Alabama (Mr. JONES), and the time of the gentleman from Ohio (Mr. HARSHA) having expired, pursuant to the rule, the Clerk will now report the committee amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Federal share of any project approved by the Secretary of Transportation under section 106(a), and of any project for which the United States becomes obligated to pay under section 117, of title 23, United States Code, during the period beginning February 12, 1975, and ending June 30, 1975 (both dates inclusive), shall be such percentage of the construction cost as the State highway department requests, up to and including 100 per centum.

Sec. 2. The total amount of such increases in the Federal share as are made pursuant to the first section of this Act for any State shall be repaid to the United States by such State before January 1, 1977. Such repayments shall be deposited in the Highway Trust Fund. No project shall be approved under section 106 or section 117 of title 23, United States Code, for any project in any State which has failed to make its repayment in accordance with this section until such repayment has been made.

Sec. 3. Notwithstanding any other provision of law, any money apportioned under section 104(b) of title 23, United States Code, for any one Federal-aid highway system in a State (other than the Interstate System) may be used during the period beginning February 12, 1975, and ending June 30, 1975 (both dates inclusive), for any project in that State on any Federal-aid highway system (other than the Interstate System). The Secretary shall deduct from moneys apportioned to a State under section 104(b) of title 23, United States Code, after the date of enactment of this section for a Federal-aid highway system on which money has been used under authority of the preceding sentence, an amount equal to the money so

used, and the deducted amount shall be repaid and credited to the last apportionment made for the system for which the money so used was originally apportioned. Each deduction made under the preceding sentence shall be at least 50 per centum of the annual apportionment to which the deduction applies until full repayment has been made.

Mr. JONES of Alabama (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute 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 Alabama?

There was no objection.

AMENDMENT OFFERED BY MR. WEAVER

Mr. WEAVER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WEAVER: On page 3, line 8, after the word "State", strike out "(other than the Interstate System)".

On page 3, line 11 and line 12, after the word "system", strike out "(other than the Interstate System)".

On page 3, line 21, after the word "least", strike out "50 per centum" and insert in lieu thereof the following: "20 per centum".

Mr. WEAVER. Mr. Chairman, I wish to commend the chairman of the committee and the members of the committee for bringing us a very fine bill, a bill that I heartily endorse and support. This speedy work in bringing this bill to the floor is much to be appreciated. This is a desperately needed bill, and the chairman of the committee has my full support in an effort such as this.

However, speaking for my congressional district, the Fourth Congressional District of Oregon, I have discussed one aspect of the bill with my Governor and with the head of our Department of Transportation. This aspect of the bill is found in section 3, which allows transfer of funds between various highway systems within a State but does not include transfer of funds from interstate to primary or secondary roadbuilding. It also requires payback from one road system or road budget to another at no less than 50 per centum per annum.

My highway department, which has \$115 million worth of jobs ready to go out to bid if this bill passes, tells me that they will not be able to fund future highway projects which are badly needed in my State if they have to pay back funds within 2 years. They tell me that they have already suffered loss of revenues of \$7 million from decreased travel, and if the gas tax proposed now in the newspapers passes, they will lose further revenues, with less ability to pay back.

I show the Members a picture of Route 42 published in the Coos Bay World newspaper in my congressional district. Route 42 is one of the most heavily used highways and one of our most important commercial highways. The picture shows two trucks that cannot even pass each other on this primary road.

Mr. Chairman, my amendment is a simple amendment. It makes no fundamental change whatsoever in this bill.

It stretches it only. Not one penny of extra authorization is granted here. It simply allows transfer of funds from interstate to primary and secondary funding. It allows the States to pay back from their primary and secondary funding into the interstate funding moneys in 5 years, not in a year and a half.

My director of transportation says that if he cannot have a 5-year payback, he cannot use this section of the law, because they will not have the money in the next year and a half.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. WEAVER. Yes, I gladly yield to the chairman, the gentleman from Alabama (Mr. JONES).

Mr. JONES of Alabama. Mr. Chairman, may I say to the gentleman that I sat with his highway director for an hour and a half yesterday morning. He never raised that proposition; he never raised that question, so if it was a matter of great importance, I would have thought that he would have brought it to our attention.

We have several Members here who were in attendance there, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Ohio (Mr. HARSHA), and nobody from the State of Oregon raised that proposition.

The question the gentleman poses might be a legitimate proposition for us to consider when we get to the Highway Act and its continuance, but in considering a stopgap proposition, to bring in such a proposition of this extreme seems untimely.

I am not saying that we are not going to entertain the consideration of what the gentleman offers in his amendment when we get to a general bill, but why bring it up here during a time when we are trying to get distress relief to these States and create a situation out of it, because the gentleman senses something is wrong with this highway program? I could bring in all different kinds of requirements for my local community.

The CHAIRMAN. The time of the gentleman from Oregon (Mr. WEAVER) has expired.

(On request of Mr. JONES of Alabama and by unanimous consent, Mr. WEAVER was allowed to proceed for 2 additional minutes.)

Mr. WEAVER. Mr. Chairman, I thank the distinguished chairman of the committee. The statement he has made about my Department of Transportation head is absolutely correct. The Director did not know that there might be a chance to transfer interstate funds and, therefore, did not make the point to the Committee on Public Works.

Mr. Chairman, let me just in 1 minute say why this is needed. My State has \$50 million now going to primary and secondary roads, under the bill, Mr. Chairman, which is of great help. However, if they use that \$50 million now, they are not going to have the moneys in the next 2 years to go on and do much-needed work on the other primary and secondary roads which will be badly needed for the next few years, including the one I have referred to here, Route 42, in my congressional district.

I thank the chairman.

Mr. HOWARD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the situation that the gentleman from Oregon described concerning the highway in his State and the difficulties that they are having in having this highway made wide enough, as we all know, is really a decision of the State of Oregon through their use, in the proper categories, of Federal moneys that have been and are and will be made available to them.

I believe the solution to that would lie not necessarily in a change of this legislation, but with the State of Oregon itself.

In the latest figures we have, as to the situation in the State of Oregon, as to how much money they may have for interstate and noninterstate, as of February 28 of this year, Mr. Chairman, the State of Oregon has obligated only 2 percent—this is interstate money—only 2 percent of its 1975 funds, and none of its 1976 fiscal year funds which are available to them at this time.

In the other categories, the categories of apparent need for funds from the Interstate System, the State of Oregon in the ABCD program has used only 78 percent of its 1974 funds, has used none of the fiscal year 1975 funds, and none of the 1976 funds.

So I believe the situation is not desperate in the State of Oregon.

Mr. Chairman, there is one thing we cannot overlook and we should not overlook when we attempt to use Interstate Funds for noninterstate programs, and it has to do with the payback provision. In the amendment before us at this time the States would have to pay back into the Interstate Fund from the categories of either urban or rural on the noninterstate roads, only 20 percent of what would be normally obligated for that category. It would be very, very possible that so much money would be used from the interstate programs in perhaps categories D and C roads, where to pay back on the basis of 20 percent of the annual allocation in that category might take 25 to 35 to 50 years to get the money back where it belongs, so that we can continue with a financially stable program of funding for all the categories under the Highway Act.

So, Mr. Chairman, for that reason alone I would urge the defeat of this amendment. It could cause untold disaster to the attempts of the committee later this year in trying to formulate a large, major, far-reaching highway program.

Mr. Chairman, I hope the amendment will be defeated.

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

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

Mr. WEAVER. Mr. Chairman, I would like to respond to the statement made by the gentleman from New Jersey (Mr. HOWARD) about my proposal for the State of Oregon.

We have suffered by impoundment, along with the rest of the Nation, and we are now ready to spend \$114 million under the terms of the very fine bill that the chairman of the committee has helped bring forth.

As to the payback, I believe it should be paid back, but how can we pay it back? What good does it do to repay almost the entire amount in a year and a half, because the State will need those funds for the next year. So it may take 10 years to repay it at 20 percent, but we need the time.

Mr. HOWARD. Would the gentleman agree that it might take 50 years?

Mr. WEAVER. It could, if we were to repay the entire sum.

Mr. HOWARD. I thank the gentleman from Oregon.

Mr. Chairman, that is the point I wish to make.

The CHAIRMAN. The time of the gentleman has expired.

Ms. ABZUG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this bill comes to us at a very important period of time, as has been pointed out in the debate today, and is for the purpose of releasing impounded funds, which is long overdue. The rest of the impounded funds should also be released.

The object here in this bill is to make sure we can use these funds to provide not only needed work on these roads, but also to make sure we can provide jobs that are so desperately needed.

This bill recognizes the seriousness of our economic condition as it affects localities. It provides for a 100-percent contribution by the Federal Government. It allows localities to repay their share later on.

In the subcommittee, we recognized that the way we could get the most use of these funds was to make their use as flexible as possible. We sought to provide an opportunity to the locality to utilize funds from any highway category, and then to pay back the funds taken from any category within a time certain.

The States need that flexibility to be able to use this \$2 billion in the short emergency period that we have. In the subcommittee, this concept was fully accepted by passage of my amendment which allowed this flexibility. In the full committee, the provision was amended to permit transfer between categories except the Interstate System. As of January 31, impounded funds totaled \$92 billion. Of this, \$5 billion was in Interstate apportionments. Therefore, it would have made sense to be able to tap these funds as well.

The part of the gentleman's amendment which makes sense is the part which says we need the flexibility to be able to use funds in all categories—in primary categories, in the urban categories, and in the interstate category as well.

We want to make sure that the stated objectives of releasing these funds and making them available immediately is achieved. We want to make sure that we can create the maximum number of projects. We want to make sure that we can create the maximum number of jobs. There is no technical reason whatsoever, in my opinion, why the transferability that we extended to other programs should be denied to the use of the interstate funds with an appropriate payback provision.

The borrowing of Interstate funds to accelerate other construction programs is technically no different from borrowing future Federal funds to pay the State's share of a project.

I think it is regrettable that we exclude the use of the Interstate funds to advance and accelerate our construction program. I think we should accelerate our capacity to do that. I appreciate the fact that the bill has a certain amount of flexibility. I look forward to maximizing this flexibility as this bill advances in the legislative process in the other body, and in conference, as well as in the new highway program that we will be undertaking in the next months.

So, insofar as this gentleman has addressed himself to the need for greater flexibility and greater transferability so that we can use these funds immediately for a maximum number of construction projects to create a maximum number of jobs, I think his amendment is very well taken. I think that it is regrettable that he put the amendment together in the way that he has, but I want to be on record as supporting that part of his amendment.

Also I want to be on record, Mr. Chairman, in urging the committee, as this goes through the process of legislation in the House and in the other body, and in the conference, to consider this portion of the amendment as increasing the viability of the bill itself.

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

Mr. Chairman, I shall not take the full 5 minutes. I rise to oppose this amendment. At first blush, many of us thought this might be a good idea to permit the cross-utilization of Interstate money. However, upon investigation, we realized, and this is extremely important, that the ABCD funds are not authorized beyond 1976.

That means that we could be taking money out of the interstate category, spending it, and never being assured that we would have the ABCD funds authorized in future years to pay it back.

So this becomes totally unacceptable, and it is for that reason that I vigorously oppose it.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. SHUSTER. I will be glad to yield to the gentleman from Alabama.

Mr. JONES of Alabama. I support the gentleman's observations and his expressions in opposition to the amendment. There are now 38 categories in the highway program. The administration, I am told, will make a proposal that we reduce those categories to some reasonable and sensible scheme. There will be opportunity for total expression on our issue before further consideration is given to study overall question of categories and transfer of funds between categories.

So I do not see that this is the proper season to consider this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. WEAVER).

The amendment was rejected.
The CHAIRMAN. The question is on

the Committee amendment in the nature of a substitute.

The Committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ADAMS, 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. 3786 to authorize the increase of the Federal share of certain projects under title 23, United States Code, pursuant to House Resolution 366, 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.

GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 3786) just passed.

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. CHARLES H. WILSON of California. 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. 115]		
Ambro	Harsha	Patman
Ashley	Hébert	Presser
Barrett	herner	Rees
Blaggi	Holland	Rosenthal
Blester	Ichord	Rostenkowski
Boiling	Jarman	Rousselot
Breaux	Karth	St Germain
Broomfield	Kemp	Satterfield
Brown, Calif.	Koch	Scheuer
Coyers	Landrum	Skubitz
Corman	McCollister	Stanton,
DeLums	McEwen	James V.
Derwinski	McKinney	Steed
Diggs	Madden	Tengue
Drinan	Mathis	Thornton
Esch	Meeds	Udall
Flynt	Mills	Ullman
Fountain	Mitchell, Md.	Van Deerin
Glaimo	Moorhead, Pa.	
Goldwater	Murphy, N.Y.	

The SPEAKER. On this rollcall 375 Members have recorded their presence by electronic device, a quorum.

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

DEVELOPMENTAL DISABILITIES AMENDMENTS OF 1975

Mr. ROGERS. 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. 4005) to amend the Developmental Disabilities Services and Facilities Construction Act to revise and extend the programs authorized by that act.

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

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. 4005, with Mr. HUNGATE 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 Florida (Mr. ROGERS) will be recognized for 30 minutes, and the gentleman from Kentucky (Mr. CARTER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. ROGERS).

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

Mr. Chairman, in calling up the Developmental Disabilities Amendments Act of 1975, I would like to remind the House that this is basically the bill that we passed last year for the extension of this program. It did not go to conference, and for that reason, it is brought up again this year.

Before I make further remarks, I would like to yield to the chairman of the full committee, the gentleman from West Virginia (Mr. STAGGERS), who has taken special interest, as always, in the legislation that comes out particularly in the health field.

Mr. Chairman, I yield such time as he may consume to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I thank the gentleman from Florida (Mr. ROGERS) for yielding.

I want to compliment the subcommittee on bringing this bill to the floor. It is a bill which I think is of great importance to all Americans. Some 6,000,000 persons in our land are affected by these disabilities. It certainly is needed.

It was passed last year without really any opposition because the whole House recognized the importance of the legislation. The Senate did, too. However, it was passed so late that we did not have a chance for a conference.

Mr. Chairman, I would certainly urge the House to vote for it. I do not believe that any person can vote against a bill of this kind, which is to help those born with disabilities. Certainly it is needed now. Therefore, I would urge its acceptance by the House.

Mr. Chairman, I thank the gentleman for yielding.

Mr. ROGERS. Mr. Chairman, I thank the gentleman from West Virginia (Mr. STAGGERS).

Mr. Chairman, I call up today H.R. 4005, the Developmental Disabilities Amendments of 1975.

This legislation provides a simple 1-year extension through 1975 of the authority for programs for the developmentally disabled which expired June 30, 1974, and are presently being carried on the continuing resolution for 1975. It also provides a 2-year substantive revision of the existing authority for 1976 and 1977 with a total authorization of appropriations of \$147 million. The bill is identical to one which passed the House late in the last Congress, H.R. 14215, but on which a conference was never completed. Because a year had been lost, the effective date of the substantive revisions has been changed to 1976-77.

Generally the legislation continues existing programs, since our hearings and oversight suggest that they have been in fact quite successful. However, it does make the following changes in the existing law:

First. Continues with minor modifications existing authority for grants for operating university-affiliated facilities for the developmentally disabled;

Second. Creates a new special project authority and substitutes for the existing 10-percent earmark of State allotments for projects of special national significance a new 30-percent earmark of the new special project authority for such projects;

Third. Requires that States spend a specified percentage of their allotments for programs for deinstitutionalization of persons with developmental disabilities inappropriately placed in institutions;

Fourth. Eliminates requirements for Federal approval of individual construction projects funded with State grant funds;

Fifth. Adds autism and dyslexia specifically to the list of diseases for which the special project and State allotment programs are to provide services; and

Sixth. Requires studies by the Secretary of Health, Education, and Welfare to determine the neurological diseases which should and should not be considered as developmental disabilities, and the adequacy of services for persons with diseases not included.

Developmental disabilities include such dread diseases as mental retardation, cerebral palsy, epilepsy, and similar permanent neurological problems. This legislation has provided a variety of forms of valuable assistance to the over 6 million people in this country with developmental disabilities since 1963. Hearings were held on the program in the last Congress and in February, and it received support from every witness, including those of the administration. The legislation was subsequently reported from both our subcommittee and full committee by voice votes.

This is good legislation which is unanimously supported by all who know of it, and I urge your support for it.

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

Mr. Chairman, I rise in support of H.R. 4005, the Developmental Disabilities Amendments of 1975.

As my colleague from Florida, the distinguished chairman of the subcommittee, has pointed out, this proposal is similar to that which was approved by the House last season. It extends present authority through fiscal year 1975, and proposes a new revised program for the developmentally disabled through fiscal years 1976 and 1977.

I would remind my colleagues assembled here today of the tremendous success and cost-effectiveness of the developmental disabilities legislation now in effect. This program of service has aided countless Americans who suffer developmental disabilities. It has encouraged States to plan constructive programs for these people. It should be noted here that the overwhelming majority of funds spent on this program—nearly three-fourths of the total—went for services as opposed to adding to what could be a burdensome bureaucracy.

Even with as effective a program as this, there are revisions which should be made in order to make it more so. This bill encourages the States to adopt programs of deinstitutionalization. We, as a committee, are well aware that treatment of the developmentally disabled should be conducted in that person's community without unnecessarily institutionalizing him. Funds have been earmarked for this purpose.

This legislation also directs that States should devote attention to improving the facilities and surroundings of institutions where people have been appropriately institutionalized.

Another important revision in the bill pertains to approval of construction grants. In the past, the Federal Government has had the responsibility for approving each and every individual application for State projects. This has been eliminated. The Federal Government does retain the right to review the general outlines of construction programs.

There are, as in last year's bill, special studies authorized to more accurately determine the neurological conditions which should or should not be included as developmental disabilities, to determine the appropriateness of the present definition in the law and to what extent a more appropriate definition can be developed. These studies have a definite deadline. The Office of the Secretary has failed to give guidance to the States in the development and implementation of programs for the developmentally disabled, and the definite deadline is meant to encourage that Office to fulfill its responsibility.

An effort was made in the subcommittee to reduce the authorization levels in the bill. A total of \$45 million was cut from the authorization, and the final figure for the 2-year program is \$147 million. The figures for fiscal year 1975 reflect continuation of spending at the present level by the continuing resolution. If you would read the inflationary impact statement on pages 23 and 24 of

the committee report, you will note that the expenditures in question in both 1975 and 1976 and 1977 represent less than 0.015 percent of all Federal expenditures.

This measure is responsible, both fiscally and socially. It is a wise investment of the Federal dollar. I urge the passage of H.R. 4005.

The program we know today as developmental disabilities is over 10 years old and began in 1963 when Congress first considered the concept of treating mental diseases on a community basis. Mental retardation was handled in the same legislation and in very much the same manner. As time went on, it was recognized that the two programs had more dissimilarities than similarities, and they were separated. The things that need to be done to recognize mental disease and take early steps to keep it within control and treatable within the community does have very little to do with the kinds of programs necessary to assist victims of disabilities which occur and show up early in life. Those with developmental disabilities will need more care in many instances and care that may even extend to a lifetime. It is basically a matter of fitting the treatment and the care to the kind and extent of the handicap which would result but for that treatment.

As time went on and more experience with the program gave more and better insight, it was expanded and made more flexible. States were given a great amount of leeway in handling the details of the program to fit the peculiar needs of their individual areas. A wide range of services are necessary. Among these are diagnosis, evaluation, treatment, day care, domiciliary care, special living arrangements, sheltered employment, education, counseling, and transportation. Some individuals need several of these services at one time or another. State councils on developmental disabilities have been instrumental in sorting out the needs and the relative priorities.

In addition to day-to-day ongoing programs created and implemented by the States, the Federal Government has tried to provide experimental and demonstration projects to discover new and better ways to assist those afflicted with developmental disabilities.

Federal funds were used also to create university facilities which have trained many people for service in this area of need.

The bill before the House today envisions the continuation of the programs which have proved effective in the past. In addition, it recognizes two developmental disabilities which henceforth have not been included in its authorities—autism and dyslexia.

The main thrust of the community mental health centers bill was to minimize the necessity for institutionalization. It has come to the attention of the committee that there needs to be particular attention paid to the same basic problem as it applies to the developmentally disabled. There seems to be a tendency in some areas to resort to inpatient treatment when other means of accomplishing the treatment might be possible. Having recognized that this misuse

of facilities has taken place, it is now necessary that we take steps to review and correct the mistakes already made. The bill requires that States spend a specified percentage of allotments to tackle the problem and see that those who have been inappropriately institutionalized be handled in some other manner.

The authorizations included in this bill are modest in comparison with the effort needed. We must recognize, however, that the competition for the health dollar is tremendous. The funds authorized for fiscal year 1976 are slightly less than \$18 million more than the administration proposes to spend for this purpose. This is a modest amount and enough to give the Appropriations Committee some leeway in evaluating this program in comparison with others as it determines to what purpose each tax dollar will be put.

H.R. 4005 is a good bill extending a necessary and rewarding program for assistance of the members of our society afflicted by developmental disabilities. By helping those, it helps society in general. I recommend the bill to the Members of the House and urge its acceptance and passage.

Mr. ROGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri. (Mr. SYMINGTON).

Mr. SYMINGTON. I thank the gentleman for yielding.

Mr. Chairman, I am grateful for this chance to say a word on behalf of this bill, which I think is one of the finer pieces of legislation that has come out of the subcommittee chaired by the gentleman from Florida (Mr. ROGERS). I think he is to be congratulated for the work he has done on this bill which is going to affect the lives of some 6 million people.

In my district we have a center to assist children effected by autism. It is called the Judevine Center for Autistic Children. It is quite close to my home.

For many years autism was considered to be a condition for which nothing could be done. A child was not considered to be retarded in the normal sense, but to be intelligent and yet unable to communicate. For years such children have merely grown old in that isolated condition.

I have seen in this center how, in a period of months, devoted volunteers working day in and day out can bring out the children. They can get them to say one or two words, and then the first thing we know, whole sentences. Within a period of another couple of months many of these children have returned to their own age groups in school. It is a real miracle. It is made possible by a lot of good volunteer work, but I think people engaged in that kind of work should be strengthened with the knowledge that the country cares, the Federal Government cares, and Congress cares—and I know it does.

I think that care is reflected in this bill.

Mr. Chairman, I wholeheartedly urge that the House support this legislation.

Mr. CARTER. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from New York

(Mr. HASTINGS), a member of the committee.

Mr. HASTINGS. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of H.R. 4005. The gentleman from Florida has well articulated the circumstances under which this legislation was brought up, and the gentleman from Kentucky has also explained it as well.

The only opposition, Mr. Chairman, I have heard to this measure relating to Federal Government assistance to help retarded children is that it perhaps spends too much money. The amount of money in difference between the budget request and the authorized figure here is only \$18 million. This House just 3 weeks ago approved a tax reduction measure of over \$24 billion, and the President of the United States saw fit to sign it. I cannot understand why there can be any opposition to such a minor increase in such a sensitive area as important as this to the 6 million retarded children in the United States of America—to oppose this measure because it only includes an increase of \$18 million in the authorized figure.

Mr. Chairman, I think this measure should receive unanimous support from the House, and I strongly recommend an affirmative vote.

Mr. CARTER. I yield 3 minutes to the distinguished gentleman from California (Mr. BURGNER).

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

I too commend the committee for its work, but I would like to issue a word of warning on this program, which I strongly support and which I certainly intend to vote for. This program started out about 12 years ago with its principal focus on mental retardation, which is the largest single developmental disability in the country. When we hear there are 6 million, this is correct, and we are referring to the mentally retarded in our country with an IQ of 70 or under.

Then we added, quite properly, to the bill cerebral palsied and epileptic children and these are certainly developmental disabilities and they need our attention. Then we added autism and dyslexia and the amount of Federal funds to serve all these categories is \$147 million, if I read it correctly.

As I go out into the communities and listen to the parents of the handicapped children and to the medical profession and to the teachers and the various disciplines who contribute so much, I find their fear is this, that if we continue to add so many specific categories without also greatly increasing the money, we are going to water down the program so that really we will not be helping any category to the extent they so desperately need.

In this case I would strongly support adding autism. If lay persons such as we are were to see an autistic child, we would relate it to serious mental illness. The child is totally withdrawn, noncommunicative, and with serious neurological disabilities.

When we move to dyslexia, however, which is very important, in its broadest interpretation we could be helping al-

most every child in this country with a reading problem—almost, if it were interpreted in its broadest form.

So I would certainly again say that I intend to support the bill I would warn my colleagues and myself against future broadening and listing of categories without also greatly broadening the money involved. But in its present form I support the bill and I would hope those who interpret and diagnose dyslexia will do it in a rather narrow form so that the many millions of mentally retarded and those afflicted with epilepsy and cerebral palsy and autism will continue to receive help. This is in no way to be interpreted as a failure to recognize the child with dyslexia.

With those comments, Mr. Chairman, I ask the Members to support this measure.

Mr. BIAGGI. Mr. Chairman, I rise in support of H.R. 4005 the Developmental Disabilities Act Amendments of 1975. I feel passage of this legislation is imperative if we are to continue to provide the finest quality of service to the millions of Americans who suffer from developmental disabilities and mental retardation.

The bill provides for a simple 1-year extension through fiscal year 1975 of those programs which have been funded under continuing resolutions. In addition it will provide for a 2-year substantive revision of the existing authority through fiscal year 1977 with an authorization of \$147 million.

The bill continues a number of widely successful and innovative programs to serve the developmentally disabled. Included among these are funds to set up projects of national significance, vehicles which experiment with new and improved methods of serving the developmentally disabled and improve the quality of service and care. The types of projects funded under this section in the past have developed several noteworthy programs acclaimed by professionals in the field.

The bill also recognizes the trend toward deinstitutionalization and proposed increased appropriations to carry out demonstration programs which will affect this goal. The House earlier this week passed the Older Americans Act which contained a similar provision and at that time I noted that the cost of home health care can be as much as three times less expensive than hospital care and up to five times less expensive than care in a specialized facility. Recent exposes about conditions in mental hospitals and nursing homes in many ways precipitated the need for increased funds to encourage deinstitutionalization and I warmly endorse this provision.

I am also pleased to note that the committee has recommended that autism be included among the definition of developmental disabilities. This will allow these individuals suffering from this disease to receive the same benefits as other developmental disabilities covered by the act.

Finally, I am pleased to note that funding will be continued to allow university-affiliated facilities to serve the developmentally disabled. There are currently some 41 of these schools in existence and

have provided 50,000 students with specialized training working with some 20,000 developmentally disabled people. Last year during the consideration of this legislation I proposed an amendment which would allow those students in college majoring in sociology, psychology, or social work to work with the developmentally disabled as part of their study. I was advised by the chairman that section 122 as well as section 130 (a) (3) of existing law already provided for this. I hope that schools will be encouraged to participate in this type of demonstration which will provide these students with an invaluable learning experience and will help to alleviate the continuing critical shortage of personnel to serve the mentally retarded and developmentally disabled. I will be looking for full implementation of this provision by the Department of Health, Education, and Welfare.

Mr. Chairman, this legislation is vitally important to millions in this Nation. It was unfortunate that despite the fact that the House overwhelmingly passed similar legislation last year final action was never completed by the Senate. The needs of the mentally retarded and developmentally disabled are more critical today than ever. I am pleased to see that the funds requested represent a prudent figure, one which considers both the needs of the developmentally disabled and the need for fiscal restraint. I salute the distinguished chairman, Mr. ROGERS, and I urge prompt approval of this legislation today.

Mr. BADILLO. Mr. Chairman, I rise in support of H.R. 4005. The Interstate and Foreign Commerce Committee has acted wisely in extending the authority for programs for the developmentally disabled. I believe that it is the responsibility of all Members to demonstrate their concern for people who are eligible to receive services under the Developmental Disabilities Services and Facilities Construction Act, people who have suffered severe handicaps as a result of diseases or conditions such as cerebral palsy and epilepsy that originate in childhood and continue for an indefinite length of time. The provision of training, education and particularly this legislation's new emphasis on deinstitutionalization of care, along with all the other services provided under the act, can do much to aid the disabled while helping them fulfill their full potential as effective citizens and preserve their sense of self-worth.

Some members of the committee maintain that fiscal restraint is necessary and that spending should be maintained at 1975 levels in this legislation. I believe that the committee has demonstrated a great deal of restraint in authorizing only such increases in funding as would offset the effects of inflation. Maintenance of the program at 1975 funding levels would represent an actual reduction in the amount of services available under the program, given the current high rate of inflation. I believe it would be shortsighted to maintain funding at this year's level, thus effectively cutting back on certain very effective

and worthwhile services desperately needed by many disabled persons.

I am particularly pleased to note the committee's inclusion of autism in the definition of developmental disabilities which can be treated under the Developmental Disabilities Services and Facilities Construction Act. It is truly a shame that the administration chose to interpret the term "developmental disabilities" so narrowly in the past. The failure of the Secretary of Health, Education, and Welfare to use the authority vested in him in 1970 to identify and treat neurological conditions closely related to mental retardation has resulted in the exclusion of individuals from treatment who had severe disabilities but who did not fit the categories of mental retardation, cerebral palsy, or epilepsy which were specifically set forth in the Developmental Disabilities Services and Facilities Construction Act. H.R. 4005 remedies this situation by its addition of autism to the definition of developmental disabilities. The new authority provided in this bill for the Secretary to contract for an independent survey to determine those disorders which should be classified as developmental disabilities will, I hope, be used by HEW to prevent the exclusion of severely disabled and deserving persons from the very worthwhile services provided under this legislation. During the 93d Congress, I cosponsored H.R. 9363, introduced by Congresswoman YVONNE BRAITHWAITE BURKE, the purpose of which was to include autism among the developmental disabilities eligible for services under the act. I am, accordingly, very pleased that the merit of my position in this matter is recognized by the legislation before us, and I urge my colleagues to support H.R. 4005.

Mrs. SCHROEDER. Mr. Chairman, I cannot exaggerate the value of developing the resources that our Nation holds in its children and youth. Neither can I ignore this Nation's failure to give children with learning disabilities the tools they need to become members of their own society of nonhandicapped peers.

The support and additional funding proposed in the Developmental Disabilities Amendments of 1975 is essential to the strength of our efforts to deal with the problems of the developmentally disabled. Our support of these amendments is another step toward breaking down the persisting myths and stereotypes—the barriers that have isolated too many individuals with learning disabilities for too long.

H.R. 4005 should be noted for its attention to autism and dyslexia. Autistic children have fallen through every crack. The overwhelming mystery and complexity of their problem has left these children and their parents without help or professional attention. There are no organized programs for autistic children; moreover, none will develop unless research and development of systems of treatment are promoted.

The problem of dyslexia, although it has received a great deal more attention, is a disease that must be carefully diagnosed at the start in order to provide an effective plan of treatment. As such, there is a critical demand for skilled profes-

sionals to face and treat the problems of dyslexic children. Facing the problems of mental retardation and perceptual disabilities, H.R. 4005 advocates the extension of research and training resources in the field of special education, particularly early childhood education. It is of utmost importance that we continue to encourage the development of this kind of technology. For if, under the illusion that we are saving money, we fail to thoroughly support the system that is responsible for the care of the handicapped, we take the tragic risk of creating a new "dumping ground" for this problem.

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

Mr. CARTER. 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,

SHORT TITLE

SECTION 1. This Act may be cited as the "Developmental Disabilities Amendments of 1975".

EXTENSION OF EXISTING AUTHORITIES THROUGH FISCAL YEAR 1975

SEC. 2. (a) Sections 122(b) and 131 of the Developmental Disabilities Services and Facilities Construction Act (hereinafter in this Act referred to as the "Act") are each amended by striking out "for fiscal year ending June 30, 1974" and inserting in lieu thereof "each for the fiscal years ending June 30, 1974, and June 30, 1975".

(b) Section 137(b)(1) of the Act is amended by striking out "and June 30, 1974" and inserting in lieu thereof "June 30, 1974, and June 30, 1975".

EXTENSION OF DEMONSTRATION AND TRAINING GRANTS

SEC. 3. (a) Section 122(b) of the Act (as amended by section 2) is amended by striking out "and" after "1973;" and by inserting after "1975" the following: "; \$12,000,000 for fiscal year 1976; and \$15,000,000 for fiscal year 1977".

(b) Section 124 of the Act is amended to read as follows:

"PAYMENTS

"SEC. 124. Payments of grants under section 122 shall be made in advance or by way of reimbursement, and on such conditions, as the Secretary may determine."

SPECIAL PROJECT GRANTS

SEC. 4. Section 130 of the Act is amended to read as follows:

"SPECIAL PROJECT GRANTS

"SEC. 130. (a) The Secretary may make grants to public or nonprofit entities for—

"(1) demonstration projects for the provision of services to persons with developmental disabilities who are also disadvantaged because of their economic status or the location of their residences,

"(2) technical assistance relating to services and facilities for persons with developmental disabilities, including assistance in State and local planning or administration respecting such services and facilities,

"(3) training of specialized personnel needed for the provision of services for persons with developmental disabilities or for research directly related to such training,

"(4) developing or demonstrating new or improved techniques for the provision of services to persons with developmental disabilities,

"(5) gathering and disseminating information relating to developmental disabilities,

"(6) coordinating, integrating, and using all available community resources for services to persons with developmental disabilities, and

"(7) improving the administration of, and the quality of services provided in, programs for such persons.

"(b) No grant may be made under subsection (a) unless an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe. The Secretary may not approve such an application unless the State in which the applicant's project will be conducted has a State plan approved under section 134.

"(c) The amount of any grant under subsection (a) shall be determined by the Secretary; and payments under such grants may be made in advance or by way of reimbursement, and at such intervals and on such conditions, as the Secretary finds necessary. In determining the amount of any grant under subsection (a) for the costs of any project there shall be excluded from such costs an amount equal to the sum of (1) the amount of any other Federal grant which the applicant has obtained, or is assured of obtaining, with respect to such project, and (2) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

"(d) For the purpose of making payments under grants under subsection (a), there are authorized to be appropriated \$15,000,000 for fiscal year 1976 and \$15,000,000 for fiscal year 1977. Of the funds appropriated under this subsection for any such fiscal year, not less than 30 per centum of such funds shall be used for projects of national significance, as determined by the Secretary.

"(e) No funds appropriated under the Public Health Service Act or under this Act (other than under subsection (d) of this section) may be used to make grants under subsection (a)."

STATE ALLOTMENTS

SEC. 5. (a) Section 131 of the Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS FOR ALLOCATIONS

"SEC. 131. For allotments under section 132, there are authorized to be appropriated \$40,000,000 for fiscal year 1976 and \$50,000,000 for fiscal year 1977."

(b) Subsection (a) of section 132 of the Act is amended to read as follows:

"(a) (1) (A) In each fiscal year, the Secretary shall, in accordance with regulations and subparagraph (B) of this paragraph, allot the sums appropriated for such year under section 131 among the States on the basis of—

"(i) the population,

"(ii) the extent of need for services and facilities for persons with developmental disabilities, and

"(iii) the financial need,

of the respective States. Sums allotted to the States under this section shall be used in accordance with approved State plans under section 134 for the provision under such plans of services and facilities for persons with developmental disabilities.

"(B) The allotment of the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands under subparagraph (A) of this paragraph in any fiscal year shall not be less than \$50,000. The allotment of each other State in any fiscal year shall not be less than \$100,000.

"(2) In determining, for purposes of paragraph (1) (A) (ii), the extent of need in any State for services and facilities for persons with developmental disabilities, the Secretary shall take into account the scope and extent of the services specified, pursuant to section

134(b) (5), in the State plan of such State approved under section 134.

"(3) Sums allotted to a State in a fiscal year and designated by it for construction and remaining unobligated at the end of such year shall remain available to such State for such purpose in the next fiscal year (and in such year only), in addition to the sums allotted to such State in such next fiscal year; except that if the maximum amount which may be specified for construction (pursuant to section 134(b)(15)) for a year plus any part of the amount so specified pursuant to such section for the preceding fiscal year and remaining unobligated at the end of such fiscal year is not sufficient to pay the Federal share of the cost of construction of a specific facility included in the construction program of the State developed pursuant to section 134(b) (13), the amount specified pursuant to section 134(b) (15) for such preceding year shall remain available for a second additional year for the purpose of paying the Federal share of the cost of construction of such facility.

"(4) Of the amount allotted to any State under paragraph (1) for fiscal year 1976, not less than 10 per centum of that allotment shall be used by such State, in accordance with the plan submitted pursuant to section 134(b) (20), for the purpose of assisting it in developing and implementing plans designed to eliminate inappropriate placement in institutions of persons with developmental disabilities; and of the amount allotted to any State under paragraph (1) for each succeeding fiscal year, not less than 30 per centum of that allotment shall be used by such State for such purpose."

(c) Section 132(e) of the Act is repealed.

(d) (1) Subsection (b) of section 132 of the Act is amended by striking out "this part" each place it occurs and inserting in lieu thereof "the State plan".

(2) Section 134(b)(4) of the Act is amended by striking out "under this part" and inserting in lieu thereof "under section 132".

(3) Section 138 of the Act is amended by striking out "under this part" each place it occurs and inserting in lieu thereof "under section 132".

CONSTRUCTION PROJECTS

SEC. 6. (a) Sections 135 and 136 of the Act are repealed.

(b) Section 134(b) of the Act is amended by striking out "and" after the semicolon at the end of paragraph (17), by redesignating paragraph (18) as paragraph (21), and by inserting the following new paragraphs after paragraph (17):

"(18) provide reasonable assurance that adequate financial support will be available to complete the construction of, and to maintain and operate when such construction is completed, any facility, the construction of which is assisted with sums allotted under section 132;

"(19) provide reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on any construction project assisted with sums allotted under section 132 will be paid at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Act of March 3, 1931 (40 U.S.C. 276a—276a-5, known as the Davis-Bacon Act); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. Appendix) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c);

"(20) contain a plan designed to eliminate inappropriate placement in institutions of persons with developmental disabilities, and to improve the quality of care and the state of surroundings of persons for whom institutional care is appropriate; and".

(c) The headings of sections 137 and 138 of the Act are each amended by inserting "CONSTRUCTION," after "PLANNING."

(d) (1) Section 137 of the Act is amended (A) by striking out in subsection (a) (1) "other than expenditures for construction,"; and (B) by amending subsection (b) to read as follows:

"(b) For purposes of subsection (a), the Federal share with respect to any State for fiscal year 1976 and for the next fiscal year shall be 75 per centum of the expenditures incurred by the State during such year under its State plan approved under section 134."

(2) Section 401(h) of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 is amended—

(A) by striking out "part C of title I or" in paragraph (1);

(B) by striking out "(A) for any project under part C of title I may not exceed 66 2/3 per centum of the costs of construction of such project; and (B)" in paragraph (2); and

(C) by striking out "part C of title I or" in paragraph (3).

(e) Section 140 of the Act is amended to read as follows:

"NONDUPLICATION"

"SEC. 140. In determining the amount of any State's Federal share of the expenditures incurred by it under a State plan approved under section 134, there shall be disregarded (1) any portion of such expenditures which are financed by Federal funds provided under any provision of law other than section 132, and (2) the amount of any non-Federal funds required to be expended as a condition of receipt of such Federal funds."

GENERAL PROVISIONS AND CONFORMING AMENDMENTS

SEC. 7. (a) Section 134 of the Act is amended by adding at the end the following new subsection:

"(d) For purposes of any determination by the Secretary for purposes of subsection (b) (1) as to whether any urban or rural area is a poverty area, the Secretary may not determine that an area is an urban or rural poverty area unless—

"(1) such area contains one or more subareas which are characterized as subareas of poverty;

"(2) the population of such subarea or subareas constitutes a substantial portion of the population of such rural or urban area; and

"(3) the project, facility, or activity, in connection with which such determination is made, does, or (when completed or put into operation) will, serve the needs of the residents of such subarea or subareas."

(b) Part C of the Act is amended by adding after section 140 the following new section:

"RECOVERY"

"SEC. 141. If any facility with respect to which funds have been paid under section 132 shall, at any time within twenty years after the completion of construction—

"(1) be sold or transferred to any person, agency, or organization (A) which is not a public or nonprofit private entity, or (B) which is not approved as a transferee by the State agency designated pursuant to section 134 or its successor; or

"(2) cease to be a public or other nonprofit facility for the mentally retarded or persons with other developmental disabilities, unless the Secretary determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to continue such facility as a public or other nonprofit facility for the mentally retarded or persons with other developmental disabilities, the United States shall be entitled to recover from either the transferor or the transferee (or, in the case of a facility which has

ceased to be a public or other nonprofit facility for the mentally retarded or persons with other developmental disabilities, from the owners thereof) an amount bearing the same ratio to the then value (as determined by the agreement of the parties or by action brought in the district court of the United States for the district in which the facility is situated) of so much of such facility as constituted an approved project or projects, as the amount of the Federal participation bore to the cost of the construction of such project or projects. Such right of recovery shall not constitute a lien upon such facility prior to judgment."

(c) (1) Part A of the Act is amended to read as follows:

"PART A—GENERAL PROVISIONS"

"DEFINITIONS"

"SEC. 101. For purposes of this title:

"(1) The term 'State' includes Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the District of Columbia.

"(2) The term 'facility for persons with developmental disabilities' means a facility, or a specified portion of a facility, designed primarily for the delivery of one or more services to persons with one or more developmental disabilities.

"(3) The terms 'nonprofit facility for persons with developmental disabilities' and 'nonprofit private institution of higher learning' mean, respectively, a facility for persons with developmental disabilities and an institution of higher learning which are owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and the term 'nonprofit private agency or organization' means an agency or organization which is such a corporation or association or which is owned and operated by one or more of such corporations or associations.

"(4) The term 'construction' includes construction of new buildings, acquisition, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings (including medical transportation facilities); including architect's fees, but excluding the cost of offsite improvements and the cost of the acquisition of land.

"(5) The term 'cost of construction' means the amount found by the Secretary to be necessary for the construction of a project.

"(6) The term 'title,' when used with reference to a site for a project, means a fee simple, or such other estate or interest (including a leasehold on which the rental does not exceed 4 per centum of the value of the land) as the Secretary finds sufficient to assure for a period of not less than fifty years undisturbed use and possession for the purposes of construction and operation of the project.

"(7) The term 'developmental disability' means a disability attributable to mental retardation, cerebral palsy, epilepsy, autism, dyslexia, or a neurological condition of an individual found by the Secretary to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual.

"(8) The term 'services for persons with developmental disabilities' means specialized services or special adaptations of generic services directed toward the alleviation of a developmental disability or toward the social, personal, physical, or economic habilitation or rehabilitation of an individual with such a disability; and such term includes diagnosis, evaluation, treatment, per-

sonal care, day care domiciliary care, special living arrangements, training, education, sheltered employment, recreation, counseling of the individual with such disability and of his family, protective and other social and socio-legal services, information and referral services, follow-along services, and transportation services necessary to assure delivery of services to persons with developmental disabilities.

"STATE CONTROL OF OPERATIONS"

"SEC. 102. Except as otherwise specifically provided, nothing in this title shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any facility for persons with developmental disabilities with respect to which any funds have been or may be expended under this title.

"RECORDS AND AUDIT"

"SEC. 103. (a) Each recipient of assistance under this title shall keep such records as the Secretary shall prescribe, including (1) records which fully disclose (A) the amount and disposition by such recipient of the proceeds of such assistance, (B) the total cost of the project or undertaking in connection with which such assistance is given or used, and (C) the amount of that portion of the cost of the project or undertaking supplied by other sources, and (2) such other records as will facilitate an effective audit.

"(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients of assistance under this title that are pertinent to such assistance.

"SHORT TITLE"

"SEC. 104. This title may be cited as the Developmental Disabilities Services and Facilities Construction Act."

(2) Section 100 and part D of the Act and paragraphs (b), (1), and (m) of section 401 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 are repealed.

(d) Sections 137, 138, 139, 140, and 141 of part C of the Act are redesignated as sections 135, 136, 137, 138, and 139, respectively.

EFFECTIVE DATE

SEC. 8. The amendments made by sections 3, 4, 5, 6, and 7 shall take effect with respect to appropriations under the Act for fiscal years beginning after June 30, 1975.

REPORT AND STUDY

SEC. 9. (a) The Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the "Secretary") shall, in accordance with section 101(7) of the Act (defining the term "developmental disability") (as amended by section 7 of this Act), determine the neurological conditions of individuals which should be included as developmental disabilities for purposes of the programs authorized by parts B and C of the Act. Within six months of the date of enactment of this Act the Secretary shall make such determination and shall make a report thereon to the Congress specifying the neurological conditions which he determined should be so included, the neurological conditions which he determined should not be so included, and the reasons for each such determination. After making such report, the Secretary shall periodically, but not less often than annually, review the neurological conditions not so included as developmental disabilities to determine if they should be so included. The Secretary shall report to the Congress the results of each such review.

(b) (1) The Secretary shall contract for the conduct of an independent objective study to determine (A) if the basis of the definition of the developmental disabilities (as

amended by section 7 of this Act) with respect to which assistance is authorized under such parts B and C of the Act is appropriate and, to the extent that it is not, to determine an appropriate basis for determining which disabilities should be included and which disabilities should be excluded from the definition, and (B) the nature and adequacy of services provided under other Federal programs for persons with disabilities not included in such definition.

(2) A final report giving the results of the study required by paragraph (1) and providing specifications for the definition of developmental disabilities for purposes of parts B and C of the Act shall be submitted by the organization conducting the study to the Committee on Interstate and Foreign Commerce of the House of Representatives and the Committee on Labor and Public Welfare of the Senate not later than eighteen months after the date of enactment of the first Act making an appropriation for such study.

Mr. ROGERS (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 Florida?

There was no objection.

AMENDMENT OFFERED BY MRS. FENWICK

Mrs. FENWICK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. FENWICK: On page 2, strike out lines 12 through 14 and insert in lieu thereof the following: "and by inserting after '1975' the following: 'and \$5,000,000 each for the fiscal years ending June 30, 1976, and September 30, 1977.'"

On page 5, strike out lines 8 through 10 and insert in lieu thereof the following:

"Sec. 131. For allotments under section 132, there are authorized to be appropriated \$38,000,000 each for the fiscal years ending June 30, 1976, and September 30, 1977."

Mrs. FENWICK. Mr. Chairman, I rise in support of this measure. Some may wonder why I have introduced an amendment such as this. I am deeply concerned about our handicapped children. My work in the legislature at home emphasized the sheltered workshops for the handicapped. My own son has had dyslexia. I know what it means in the life of a child.

The only reason I bring this up, Mr. Chairman—and I address myself to the chairman—is something that is a matter of principle. In this House, time after time, we offer legislation with automatic escalator clauses. I wish so much that we could structure these bills for 3 years, certainly, to show a continuing support for important measures as this. What could be more important? But we should not build in an escalator clause that simply tells everybody to go ahead and spend, "you will not have to justify your programs, the money is going to be there; spend it."

Of all programs, this is one of the best and I am going to vote for it no matter what happens; but somewhere somebody has to speak out.

I do wish that we would remember that the people of this country are carrying a terrible debt. We must somehow keep hold of our future spending. We should be considering next year, perhaps, that the dyslexia program may have insufficient funds. Then we can pass a supplemental

authorization, as we have on so many other things. Why not have a continuing practice of doing this?

My amendment would raise from \$4,250,000 to \$5 million the university grants, and would raise from \$32,500,000 to \$38 million the grants to States. It would continue special projects at \$12 million. If we need other special projects, we ought to vote them next year. That is the point of this amendment. It is not to frustrate a wonderful program.

Mr. HASTINGS. Mr. Chairman, I rise in opposition to the amendment.

I do so, Mr. Chairman, with a great amount of concern for what the gentlewoman from New Jersey (Mrs. FENWICK) is trying to accomplish.

I might say to the gentlewoman that if on other legislation relating to highways, to military and many other matters, I will join with the gentlewoman to try to establish a principle of holding the line on spending; but I find to try to inject that principle into this most sensitive area; that is, aid to handicapped children. The House should not impose that principle upon a measure as important as this one. This principle should be in relation to our entire budgetary problems in this country.

With that, Mr. Chairman, I rise in opposition to this amendment and ask it be defeated.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. HASTINGS. I yield to the gentlewoman.

Mrs. FENWICK. Mr. Chairman, with that I ask unanimous consent to withdraw my amendment. I have made the point.

Mr. Chairman, I do not want to delay the business of this House. I ask unanimous consent to withdraw this amendment. I just would hope so much that the point could be made.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

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

Accordingly the Committee rose; and the Speaker pro tempore (Mr. O'NEILL) having assumed the chair. Mr. HUNGATE, 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. 4005) to amend the Developmental Disabilities Services and Facilities Construction Act to revise and extend the programs authorized by that act, pursuant to House Resolution 342, he reported the bill back to the House.

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

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

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

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

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

Mr. HASTINGS. Mr. Speaker, I ob-

ject to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. 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 398, nays 5, answered "present" 1, not voting 28, as follows:

[Roll No. 116]

YEAS—398

Abdnor	Daniels,	Hinshaw
Adams	Dominick V.	Holland
Addabbo	Danielson	Holt
Alexander	Davis	Holtzman
Anderson,	de la Garza	Horton
Calif.	Delaney	Howard
Anderson, Ill.	Dellums	Howe
Andrews, N.C.	Dent	Hubbard
Andrews,	Derrick	Hughes
N. Dak.	Derwinski	Hungate
Annunzio	Devine	Hutchinson
Archer	Dickinson	Ichord
Armstrong	Dingell	Jacobs
Ashbrook	Dodd	Jarman
Ashley	Downey	Jeffords
Aspin	Downing	Jenrette
AuCoin	Drinan	Johnson, Calif.
Badillo	Duncan, Oreg.	Johnson, Colo.
Bafalis	Duncan, Tenn.	Johnson, Pa.
Baldus	du Pont	Jones, Ala.
Baucus	Early	Jones, N.C.
Bauman	Eckhardt	Jones, Okla.
Beard, R.I.	Edgar	Jones, Tenn.
Beard, Tenn.	Edwards, Ala.	Jordan
Bedell	Edwards, Calif.	Karth
Bell	Ellberg	Kasten
Bennett	Emery	Kastenmeier
Bergland	English	Kazen
Bevill	Erlenborn	Kelly
Blaggi	Eshleman	Kemp
Blester	Evans, Colo.	Ketchum
Bingham	Evans, Ind.	Keys
Blanchard	Fascell	Kindness
Blouin	Fenwick	Koch
Boggs	Findley	Krebs
Boiland	Fish	Krueger
Bolling	Fisher	LaFalce
Bonker	Fithian	Lagomarsino
Bowen	Flood	Latta
Brademas	Florio	Leggett
Breckinridge	Flowers	Lehman
Brinkley	Foley	Lent
Brodhead	Ford, Mich.	Levitass
Brooks	Forsythe	Litton
Broomfield	Fountain	Lloyd, Calif.
Brown, Calif.	Fraser	Lloyd, Tenn.
Brown, Mich.	Frenzel	Long, La.
Brown, Ohio	Frey	Long, Md.
Broyhill	Fulton	Lott
Buchanan	Fuqua	Lujan
Burgener	Gaydos	McClory
Burke, Calif.	Gibbons	McCloskey
Burke, Fla.	Gilman	McCollister
Burke, Mass.	Ginn	McCormack
Burleson, Tex.	Gonzalez	McDade
Burton, John	Goodling	McFall
Burton, Phillip	Gradison	McHugh
Butler	Grassley	McKay
Byron	Green	Macdonald
Carney	Gude	Madden
Carr	Guyer	Madigan
Carter	Hagedorn	Maguire
Casey	Haley	Mahon
Cederberg	Hall	Mann
Chappell	Hamilton	Martin
Chisholm	Hammer-	Matsunaga
Clancy	schmidt	Mazzoli
Clausen,	Hanley	Meeds
Don H.	Hannaford	Melcher
Clawson, Del	Hansen	Metcalfe
Clay	Harkin	Meyner
Cleveland	Harrington	Mezvinsky
Cochran	Harris	Michell
Cohen	Harsha	Mikva
Collins, Ill.	Hastings	Milford
Collins, Tex.	Hayes, Ind.	Miller, Calif.
Conable	Hays, Ohio	Miller, Ohio
Conlan	Hébert	Mineta
Conte	Hechler, W. Va.	Minish
Cornell	Heckler, Mass.	Mink
Cotter	Hefner	Mitchell, Md.
Coughlin	Heinz	Mitchell, N.Y.
D'Amours	Helstoski	Moakley
Daniel, Dan	Hicks	Moffett
Daniel, Robert	Hightower	Mollohan
W., Jr.	Hillis	Montgomery

Moore	Robinson	Stratton
Moorhead,	Rodino	Stuckey
Calif.	Roe	Studds
Moorhead, Pa.	Rogers	Sullivan
Morgan	Roncalio	Symington
Mosher	Rooney	Talcott
Moss	Rose	Taylor, Mo.
Mottl	Rosenthal	Taylor, N.C.
Murphy, Ill.	Roush	Teague
Murtha	Rousselot	Thompson
Myers, Ind.	Roybal	Thone
Myers, Pa.	Runnels	Thornton
Natcher	Ruppe	Traxler
Neal	Russo	Treen
Nedzi	Ryan	Tsongas
Nichols	St Germain	Udall
Nix	Santini	Ullman
Nolan	Sarasin	Van Deerlin
Nowak	Sarbanes	Vander Veen
Oberstar	Satterfield	Vanik
Obey	Scheuer	Vigorito
O'Brien	Schneebell	Waggonner
O'Hara	Schroeder	Walsh
O'Neill	Schulze	Wampler
Ottinger	Sebelius	Waxman
Passman	Sharp	Whalen
Patten	Shipley	White
Patterson, Calif	Shriver	Whitehurst
Pattison, N.Y.	Shuster	Whitten
Pepper	Sikes	Wiggins
Perkins	Simon	Wilson, Bob
Peyster	Skubitz	Wilson,
Pickle	Slack	Charles H.,
Pike	Smith, Iowa	Calif.
Poage	Smith, Nebr.	Wilson,
Preyer	Snyder	Charles, Tex.
Price	Solarz	Winn
Pritchard	Spellman	Wirth
Quile	Spence	Wolf
Quillen	Staggers	Wright
Rallsback	Stanton,	Wylder
Randall	J. William	Wyllie
Rangel	Stanton,	Yates
Rees	James V.	Yatron
Regula	Stark	Young, Alaska
Reuss	Steed	Young, Fla.
Rhodes	Steelman	Young, Ga.
Richmond	Steiger, Ariz.	Young, Tex.
Riegle	Steiger, Wis.	Zablocki
Rinaldo	Stephens	Zefiretti
Roberts	Stokes	

NAYS—5

Burlison, Mo.	McDonald	Symms
Crane	Seiberling	

ANSWERED "PRESENT"—1

Vander Jagt

NOT VOTING—28

Abzug	Ford, Tenn.	Mills
Ambro	Glaimo	Murphy, N.Y.
Barrett	Goldwater	Patman
Breaux	Hawkins	Pressler
Conyers	Henderson	Risenhoover
Corman	Hyde	Rostenkowski
Diggs	Landrum	Sisk
Esch	McEwen	Weaver
Evins, Tenn.	McKinney	
Flynt	Mathis	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Murphy of New York with Mr. Breaux.
 Mr. Rostenkowski with Mr. Corman.
 Mr. Henderson with Mr. Landrum.
 Ms. Abzug with Mr. Weaver.
 Mr. Ambro with Mr. Conyers.
 Mr. Ford of Tennessee with Mr. McKinney.
 Mr. Evins of Tennessee with Mr. Goldwater.
 Mr. Glaimo with Mr. Diggs.
 Mr. Sisk with Mr. McEwen.
 Mr. Barrett with Mr. Mathis.
 Mr. Flynt with Mr. Hyde.
 Mr. Hawkins with Mr. Risenhoover.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

The SPEAKER pro tempore (Mr. O'NEILL). Is there objection to the request of the gentleman from Florida? There was no objection.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO FILE REPORT ON H.R. 4115, THE NURSE TRAINING ACT EXTENSION

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce have until midnight tonight to file a report on H.R. 4115, the Nurse Training Act Extension.

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

There was no objection.

AUTHORIZING SUPPLEMENTAL APPROPRIATIONS TO THE NUCLEAR REGULATORY COMMISSION FOR FISCAL YEAR 1975

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the bill (H.R. 4224) to authorize supplemental appropriations to the Nuclear Regulatory Commission for fiscal year 1975 be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to the Nuclear Regulatory Commission to carry out the provisions of section 261 of the Atomic Energy Act of 1954, as amended, and section 305 of the Energy Reorganization Act of 1974, \$50,200,000 for fiscal year 1975.

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

Mr. Speaker, this bill provides for authorization of supplemental appropriations of \$50,200,000 for the Nuclear Regulatory Commission for fiscal year 1975. The Nuclear Regulatory Commission came into being on January 19 of this year as a result of the division of the Atomic Energy Commission pursuant to the Energy Reorganization Act of 1974. These additional funds are required for three reasons: First, for carrying out the provisions of that act; second, for license fee refunds required because of two recent U.S. Supreme Court decisions; and third, to replace funds which would otherwise have been available in the NRC budget from revenues.

Specifically, \$9.5 million will be used for partial refunds of license fees collected over the past 7 years which were in excess of amounts which would be acceptable under the new Supreme Court standards. An additional \$32.8 million is to replace anticipated revenues which under the budget system followed by the Atomic Energy Commission were available for budgetary purposes. The Nuclear Regulatory Commission's budget will consist entirely of appropriated funds,

and thus will not be dependent on revenues. NRC revenues will be deposited to the U.S. Treasury as miscellaneous receipts, in the same manner as the revenues received by other Federal regulatory agencies.

The remaining \$7.9 million is for establishing certain new functions required for NRC to function as a separate agency, such as a budget group and nonregulatory legal services, and for conducting several special studies required by the Energy Reorganization Act. These studies are primarily in the areas of safety and safeguards.

In summary, this request does not represent an expansion of the operations of the Nuclear Regulatory Commission. It merely allows this new agency to comply with the law which created it. I urge this body to approve the additional authorization so that the Commission can continue unabated the careful and effective regulation of civil atomic energy applications.

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

Mr. Speaker, I join with the gentleman from Illinois in support of this authorization. The committee has carefully reviewed this request. We conducted open hearings at which NRC testified and were questioned on the need for these funds. We are satisfied that NRC must have these funds if they are to proceed as directed by the Energy Reorganization Act. The committee voted without dissent to report favorably on this bill.

The requested funds will permit NRC to carry out studies related to nuclear safety and safeguards which were mandated by the Reorganization Act, and also to maintain its careful regulation of the nuclear industry, while establishing the new functions that are required because of its separation from the much larger research and development organization of the Atomic Energy Commission. Furthermore, the objectivity of that regulation will be enhanced by the decision not to retain revenues received for use by the agency.

I believe this authorization is clearly required in the public interest. I hope that it can be handled expeditiously by the Congress so that these needed supplemental funds will be available at an early date to the Nuclear Regulatory Commission.

Mr. PRICE. Mr. Speaker, I move the previous question.

The previous question was ordered.

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

Mr. PRICE. Mr. Speaker, pursuant to House Resolution 367 I call up from the Speaker's table the bill (S. 994) to authorize supplemental appropriations to the Nuclear Regulatory Commission for fiscal year 1975, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

S. 994

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to the Nu-

clear Regulatory Commission to carry out the provisions of section 261 of the Atomic Energy Act of 1954, as amended, and section 305 of the Energy Reorganization Act of 1974, \$50,200,000 for fiscal year 1975.

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.

A similar House bill (H.R. 4224) was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. RHODES. Mr. Speaker, I take this time to request of the distinguished acting majority leader, the gentleman from California (Mr. McFALL) if the gentleman is in position to do so, to inform the Members of the House as to the program for the balance of the week, if any, and the program for next week.

Mr. McFALL. Mr. Speaker, if the distinguished minority leader will yield to me for that purpose, I will be happy to respond to the request of the gentleman from Arizona.

Mr. RHODES. Mr. Speaker, I yield to the gentleman from California.

Mr. McFALL. Mr. Speaker, there is no further legislation for today, and upon the announcement of the program for next week I will ask that the House go over until Monday.

The program for next week is as follows:

Monday is District day, and there are no bills scheduled on the District Day Calendar. The other bill scheduled on Monday is H.R. 5398, Emergency Home Owners Relief Act, with an open rule and 1 hour of debate.

On Tuesday we will consider the Private Calendar, following which we will take up the second supplemental appropriations bill for fiscal year 1975, which is as yet unnumbered. We will then take up House Joint Resolution 375, additional appropriations for Veterans' Administration, fiscal year 1975.

Then for Wednesday and the balance of the week we will take up the education appropriations bill for fiscal year 1976, which is as yet unnumbered;

H.R. 46, Youth Camp Safety Act, with an open rule and 1 hour of debate;

House Joint Resolution 46, amendments to the Code of Official Conduct;

H.R. 4975, Amtrak Improvement Act, subject to a rule being granted; and

H.R. 4111, Securities Exchange Act amendments, subject to a rule being granted.

Of course, conference reports may be brought up at any time, and any further program, as the gentleman from Arizona knows, will be announced later.

Mr. RHODES. I thank the distinguished acting majority leader.

Mr. Speaker, I would further ask the distinguished acting majority leader, the gentleman from California (Mr. McFALL), if he will permit me to ask another question: I presume there will be a joint session this evening of the Congress, to meet at 9 p.m., for the purpose of receiving a message from the President of the United States?

Mr. McFALL. If the gentleman will yield, as I understand it, the President will speak at 9 o'clock, and we would be in recess as soon as the routine business is finished on the floor, until probably 8:30.

The SPEAKER pro tempore. The Chair will state that when the recess is declared the House will be in recess until the hour of 8:40 p.m. this evening.

Mr. McFALL. Mr. Speaker, I thank the gentleman from Arizona for raising his inquiry.

ADJOURNMENT TO MONDAY, APRIL 14, 1975

Mr. McFALL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNES- DAY NEXT

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday Rule may be dispensed with on Wednesday next.

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

There was no objection.

SPRING MEETING OF THE INTER- PARLIAMENTARY UNION

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

Mr. JARMAN. Mr. Speaker, Colombo, Sri Lanka, was the scene last week of the annual spring meeting of the Interparliamentary Union. It presented parliamentarians from some 60 countries an opportunity once again to reflect upon several pressing problems before the international community. International economic relations, nuclear nonproliferation, decolonization, women's rights, and education illustrated the diversity and breadth of the parliamentarians' concerns.

Eleven Members of the Congress—two from the Senate and nine from the House of Representatives—participated on the U.S. delegation to these meetings. It was my honor and privilege to lead our delegation and to help coordinate its activities.

Sri Lanka, with its aspirations for economic and social development, but possessing real obstacles to progress, was an appropriate location for the parliamentarians to consider development and international economic cooperation. The Economic and Social Committee sought to develop, in a cooperative atmosphere, balanced and realistic guidelines for improved international economic relations, reflecting the interdependence of our times. Representatives LEE HAMILTON and GOODE BYRON represented the United States on this committee.

In its conclusions, the committee:

Reiterated the importance of increased aid from the industrial countries but also stressed the need for the developing countries to provide realistic opportunities for investment;

Called for steps to increase the production of food and fertilizers in the developing countries;

Emphasized that the developing countries also have an obligation to utilize their own resources and bring about necessary internal structural reforms;

Urged greater stability in the prices of raw materials, and establishment of a more equitable relationship between the prices of raw materials and manufactured goods.

The Political Committee, on which Senator ROBERT STAFFORD and Congressman EDWARD DERWINSKI represented the United States, called on all States to endorse the nonproliferation treaty, a prime goal of the United States. To this end, the committee urged nuclear powers to negotiate further reductions in nuclear arms in order to stimulate the confidence of both nuclear and near-nuclear countries in the concept of nonproliferation. The committee endorsed the wider sharing of nuclear technology for peaceful purposes but warned that strict international safeguards must be maintained against diversion to nuclear weapons production.

The committee also urged further steps to bring about a ban on the use of chemical weapons and to explore ways to overcome the use of environmental modification techniques which could have harmful effects on human welfare.

Representatives J. HERBERT BURKE and BOB CASEY represented the United States on the Committee on Non-Self Governing Territories and Ethnic Questions. The committee reaffirmed its dedication to ending colonialism in Africa and to bringing about improvements in the situation in Southern Rhodesia and South Africa.

Under the chairmanship of Congressman ROBERT McCLORY, the Union's Educational, Scientific, and Cultural Committee considered the use of audiovisual aids in strengthening educational systems throughout the world. Films, exhibits, and discussions arranged by Chairman McCLORY illustrated the potentialities of the media for enhancing the reach of teaching programs. Congressman DAVID SATTERFIELD also represented the United States on this Committee.

In the Parliamentary, Juridical and Human Rights Committee, Senator THOMAS McINTYRE and Congressman CLAUDE PEPPER represented the United States in discussions on the prohibition of torture, forms and methods of voters' participation in the legislative process, and women's rights. The Committee's recommendations reflected CLAUDE PEPPER's request for a strong declaration calling for the fullest measure of equality and justice for women. The Committee made several suggestions for additional legislation designed to achieve this goal.

The Interparliamentary Council met April 5 to consider these recommendations and other proposals for the agenda

of the 62d Interparliamentary Conference to be held in London September 4 to 12, 1975. Congressman DERWINSKI and Senator STAFFORD serve as U.S. representatives. The Council accepted the recommendations of the study committees, described above, and agreed to add the Middle East question at London. It rejected a North Korean request to use the conference agenda as a sounding board for anti-American propaganda.

En route to the United States, our delegation spent 2 days in Israel under the auspices of the Israel Knesset and its Interparliamentary Union Group. We met with Prime Minister Yitzhak Rabin, Foreign Minister Yigal Allon, and Defense Minister Shimon Peres. Members of our delegation were guests at a dinner hosted by the Prime Minister and at a luncheon at the Knesset hosted by the speaker of the Knesset, Israel Yeshayahu. These meetings in Jerusalem, coupled with a tour of the Golan Heights and a kibbutz in northern Israel, provided the U.S. delegation an excellent insight into the situation in Israel and its outlook on current peace efforts.

The Israeli leaders emphasized that territory was of great strategic significance to Israel's security and could not be given up for verbal assurances from neighboring Arab countries which did not constitute a firm commitment to peace. They expressed regret that the Egyptian Government had refused to consider constructive Israeli suggestions conveyed through Secretary Kissinger just before the termination of his latest peace mission. Israel, they said, fully supports early resumption of peace efforts. It is confident about its participation in a resumed Geneva Conference, but believes no concrete results will emerge without careful preparation. It is important, they stressed, that the Arab leaders do not succeed in driving a wedge between Israel and the United States. A settlement of the Palestinian problem can take place only in the context of a settlement with Jordan over the eastern borders of Israel.

Israeli leaders welcome American military and financial support and hope the United States will continue its unique role in the Arab-Israel negotiating process. However, they underlined that Israel is fully prepared to rely on its own wits and resources to defend its interests, particularly in view of recent events in Southeast Asia.

Members of the U.S. delegation expressed understanding of Israel's views and noted that the American Government and people fully support Israel's security. Speaking candidly, we reminded the Israeli leaders that Israel's position in the aftermath of the latest peace efforts appeared unduly inflexible to many American observers. Some wondered whether America's or Israel's longer term interests were adequately served by present trends and attitudes in the Middle East. However, both sides agreed on the imperative of continuing efforts for an early and lasting peace settlement.

INTRODUCES BILL TO MAKE CIA ACCOUNTABLE TO CONGRESS

The SPEAKER pro tempore. (Mr. McFALL). Under a previous order of the

House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

Mr. FINDLEY. Mr. Speaker, in past weeks, investigations have indicated extensive activity by the Central Intelligence Agency inside the United States, much of it in express violation of its charter under the law. Indeed, the current Director of the CIA, in a report to the President, has confirmed that over the years the Agency has infiltrated a number of domestic protest and antiwar groups, read the mail of private citizens, and amassed intelligence files on at least 10,000 Americans. These investigations have led to a number of surprise resignations from within the CIA hierarchy.

While all of this was going on, apparently no one in the legislative branch of Government was kept informed. In fact, one of the great weaknesses in our intelligence network is the generally held conviction that the CIA works only for the President, that the Agency has no responsibility whatsoever to the Congress. In fact, prominent CIA officials have recently stated that they would lie to Members of Congress and other Government officials if they felt it necessary.

Several congressional committees are now making their own examinations and further revelations may yet lead to criminal prosecution.

The CIA was formed to serve the foreign policy and national security interests of the United States and not to engage in covert domestic surveillance operations. The restrictions of the 1947 National Security Act barred the CIA from domestic "police, subpoena, and law enforcement powers or internal security functions." And yet, we are informed by former Director Richard Helms that the CIA is "involved in irreconcilable conflicts of priority and interest."

Although most domestic surveillance has been triggered by CIA operations overseas, all too often these operations have been in clear violation of domestic laws.

Such abuses are by no means a recent development, but merely a recent discovery. There is evidence to suggest that the CIA has been operating on the domestic front in apparent violation of its charter for at least the last 15 years.

The problem facing our country is twofold: First, to define the proper role of a secret agency in our free society; and second, to make that agency properly responsible to the Government and the people it serves.

While the CIA was originally created to provide the Government as a whole with precise intelligence information, it has functioned as the private agency of the executive branch, virtually ignoring, and ignored by, the Congress. It has been free to function since its inception with few directives and virtually no oversight from Congress. Cloaked in unprecedented secrecy, the CIA has easily withstood scrutiny, insulated from harsh criticism and controversy for the better part of three decades.

Even after the recent disclosures and massive publicity, I feel I am still safe in saying that only a dozen or so Members of Congress have any idea how much the CIA spends each year. Public guesswork indicates that the sum is somewhere in the neighborhood of \$2

billion per year. I would hope that no Member of Congress was aware that these funds were financing plainly illegal domestic spy activities. Even those members of the congressional committees under whose jurisdiction oversight of the CIA falls admit they had no idea such activities were taking place.

In the 3 years since former Senator John Sherman Cooper and I introduced a bill to provide Congress with more intelligence information supplied by the CIA, a number of unfortunate incidents have transpired and the resultant controversy has pointed out the need for some changes in the basic law. In addition to making the CIA responsive to the needs of both the Congress and the Executive, it is clear that sanctions must be provided when the Agency oversteps the bounds of legality.

The bill I am introducing today would help to meet the two problems I have set forth. First, the bill would require the CIA to report regularly to the House International Relations and Senate Foreign Relations Committees and the Armed Services Committees of both Houses. The reports would deal with all "intelligence information collected by the Agency concerning relations of the United States to foreign countries and matters of national security."

The bill also requires the CIA to respond fully and completely to any of these four committees and to provide them with any and all information requested, as well as an analysis of such information.

Second, the bill provides stiff criminal penalties for violation by members of the CIA or any other person of the statutory prohibition against engaging in domestic police, law enforcement, or internal security functions. Any person willfully committing such an act can be fined and imprisoned up to 3 years. The bill also reiterates Congress' prerogative to hold in contempt any CIA employee who misleads or fails to respond fully to any one of the four congressional committees charged with oversight responsibilities.

I believe this bill will strengthen and protect those functions essential to our national security and foreign interests and, at the same time, fortify the freedoms and liberties guaranteed to the American people by the Constitution of the United States.

The bill follows:

H.R. 5873

A bill to amend the National Security Act of 1947, as amended, to keep the Congress better informed on matters relating to foreign policy and national security by providing it with intelligence information obtained by the Central Intelligence Agency and with analysis of such information by such Agency

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102 of the National Security Act of 1947, as amended (50 U.S.C. 403), is amended by adding at the end thereof the following new subsections:

"(g) It shall also be the duty of the Agency to inform fully and currently, by means of regular and special reports to, and by means of special reports in response to requests made by, the Committees on Armed Services and Foreign Affairs of the House of Representatives and the Committees on Armed Services and Foreign Relations of the Senate

regarding intelligence information collected by the Agency concerning the relations of the United States to foreign countries and matters of national security, including full and current analysis by the Agency of such information.

"(h) Any intelligence information and any analysis thereof made available to any committee of the Congress pursuant to subsection (g) of this section shall be made available by such committee, in accordance with such rules as such committee may establish, to any Member of the Congress who requests such information and analysis. Such information and analysis shall also be made available by any such committee, in accordance with such rules as such committee may establish, to any officer or employee of the House of Representatives or the Senate who has been (1) designated by a Member of Congress to have access to such information and analysis, and (2) determined by the committee concerned to have the necessary security clearance for such access."

"(i) Any person who willfully violates or disregards the first proviso of subsection (d) (3) of this section shall be deemed guilty of a misdemeanor, and shall be fined not more than \$5000, and imprisoned in the penitentiary not more than three years. Violations of this section shall be cognizable before any court, civil or military, competent to try the same.

"(j) Any employee of the Agency who willfully misleads the Congress or a Committee or subcommittee thereof, or who willfully fails to respond fully and completely to a request of the Congress or a duly authorized committee acting under subsection (g) shall be punishable under 2 U.S.C. 192-194 and 18 U.S.C. 1621.

LEGISLATION TO AMEND THE INTERNAL REVENUE CODE OF 1954

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

Mr. YOUNG of Alaska. Mr. Speaker, today I wish to introduce an identical bill introduced by my Alaskan colleague, Senator STEVENS. This bill is to amend the Internal Revenue Code of 1954 to permit a deduction for expenses incurred by a taxpayer in making repairs and improvements on his personal residence.

This bill, if it became public law, could help to alleviate many existing problems by facilitating home improvements and repairs, by stimulating new economic activity and the creation of additional jobs, and by the conserving of badly needed energy.

Specifically, my bill would permit the deduction of ordinary and necessary expenses paid during the taxable year for the repair or improvement of property used by the taxpayer as his principal residence. Qualified repairs and improvements would include painting and papering, carpentry work, plumbing, electrical insulation work, roofing and glazing, and similar activities. The deduction allowed a taxpayer under this legislation would be limited to \$1,000 in any taxable year. As a further limitation, a deduction would not be permitted for capital expenditures incurred in connection with the taxpayer's personal residence. Also, the deduction would apply only to taxable years ending after the date of enactment of this act.

Mr. Speaker, my bill is designed to accomplish several important purposes. First, it would help to alleviate the tre-

mendous financial burden imposed on residential homeowners, who are subject to ever increasing property taxes, special assessments, and other levies. This tax relief would be somewhat analogous to that already provided to the owners of rental and business property under existing law. As you know, such owners are permitted to deduct specified amounts for the depreciation of their property. In addition, section 167(k) of the Internal Revenue Code permits a 5-year depreciation of rehabilitation expenditures incurred in connection with rental property occupied by low- and moderate-income homeowners.

Second, this bill would make homeownership more attractive by helping to alleviate prohibitive repair costs. As a result, more people would have the opportunity to experience the pride of homeownership and the sense of community associated with owning and being responsible for one's own dwelling.

Moreover, the quality of life in many areas would be significantly improved since more homeowners would have the economic wherewithal to make improvements and repairs which they postponed for lack of sufficient funds.

This legislation should also have a beneficial impact on carpenters, plumbers, roofers, painters, electricians, and similar workers, all of who have been adversely affected by the slump in home construction. The beneficial economic consequences to be derived from increased activity in these trades will extend far beyond the workers involved, to many manufacturing and service-related industries which are heavily dependent upon the consumer dollar. Thus, the "ripple" effect should stimulate new activity in many sectors of the economy.

In my State of Alaska, where residential repair costs are from 25- to 50-percent higher than in the lower 48 States, this bill would have a very salutary effect. All of the factors which I have referred to are present but are magnified by our very high cost, often deplorable housing conditions, rigorous natural environment, and high unemployment. As an example, the unemployment rate in my State is usually more than twice the national average, and is even greater in rural Alaska, where it is not uncommon to find villages with from 30- to 100-percent unemployment during certain seasons of the year. In addition, we have more substandard housing than virtually anywhere else under the American flag. In rural Alaska, almost all of the residential dwellings fall far below acceptable standards. It is my hope that this bill will help alleviate these conditions in my own State.

Objection may be raised in some quarters that there will be a significant cost to the Government because of this bill. That is not true. Any cost in tax revenue loss will be more than compensated by the additional income in the construction industry this bill will generate. Of course, such additional income will be taxable. It will directly benefit segments of the American economy who are among the hardest working and most deserving. These are the small laborer, the small contractor, the carpenter, the plumber, the electrician, and the roofer. They are the very people affected by the current

economic conditions. This bill will put needed money back into circulation.

Such a program has already been attempted in Alaska. After the 1960 Fairbanks flood, Alaska faced the problem of how to get our people to commence rebuilding their homes. The State government devised a similar incentive. This provided that the State would make a contribution to those people who would agree to commence rebuilding in the winter.

President Ford, himself, has advocated tax relief for those people wishing to make certain energy conserving home improvements. Needless to say, once these home improvements are begun, many people will desire to make other improvements. This bill, if enacted, provides a means whereby individuals can insulate their homes, thus saving badly needed energy as well as providing financial relief for the homeowners who make these important improvements.

These expenses are no more personal than many other expenses now deductible under Federal tax law. These include interest payments and real property taxes. Homeowners have traditionally been able to transfer their basis when they immediately purchase a new principal residence. Such a bill will specifically assist low-income families to own their own homes. This will put the dream of homeownership closer to many families who could otherwise not afford it. This, itself, is a worthy objective. It will also encourage the repair of rental dwellings used by the owners as their principal place of residence, thereby benefiting both owner and tenant.

In a time when millions of Americans live in substandard housing, this bill will permit thousands of homes to be repaired. Although the only repairs authorized under this bill are those that are truly necessary, many poor Americans are unable to afford even the most necessary repairs to their homes. This legislation will upgrade the health, safety, and comfort of all these people.

This bill will equalize the treatment accorded different taxpayers. Landlords renting property may now deduct the cost of repairs to the rental portion of the property as business expenses. This will permit them to do the same for the entire dwelling if they live in it themselves.

Mr. Speaker, for all of the reasons that I have outlined today, I urge favorable consideration of this legislation in the 94th Congress.

I include my bill at this point in the RECORD:

H.R. —

A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part VII of subchapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by redesignating section 219 as section 220 and by inserting after section 218 the following new section:

"SEC. 219. REPAIR OR IMPROVEMENT OF TAXPAYER'S RESIDENCE.

"(a) ALLOWANCE OF DEDUCTION.—There shall be allowed as a deduction the ordinary

and necessary expenses paid during the taxable year for the repair or improvement (including painting, papering, carpentry work, plumbing, electrical work, roofing and glazing, and any similar items) of property used by the taxpayer as his principal residence.

"(b) LIMITATIONS.—The deduction allowed a taxpayer under this section shall not exceed \$1,000 for any taxable year. No deduction may be allowed under this section with respect to any capital expenditure."

(b) The table of sections for such part VII is amended by striking out

"Sec. 219. Cross references."

and inserting in lieu thereof

"Sec. 219. Repair or improvement of taxpayer's residence."

"Sec. 220. Cross references."

(c) Section 62 of such Code (relating to definition of adjusted gross income) is amended by inserting after paragraph (8) the following new paragraph:

"(9) REPAIR OR IMPROVEMENT OF TAXPAYER'S RESIDENCE.—The deduction allowed by section 219."

SEC. 2. The amendments made by this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

H.R. 5062, MAGNETOHYDRODYNAMICS RESEARCH, DEVELOPMENT, AND DEMONSTRATION ACT

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

Mr. BAUCUS. Mr. Speaker, today I reintroduced H.R. 5062, the Magneto-hydrodynamics Research, Development, and Demonstration Act. I want to thank those many colleagues who have expressed their concern over the electrical energy crisis facing this Nation by joining in sponsorship of this bill. I am confident their number will continue to grow.

Our endeavors of several weeks ago in connection with the surface mining bill were more than adequate to focus attention on the importance of coal. There can be no question that coal will play an important role in meeting America's future energy needs. One of the most critical of these needs is in the field of electrical power generation. If we are to burn coal to generate electricity, we should do it with maximum efficiency and minimum damage to the environment. We should get every possible watt of electricity from that coal while employing every practical means of preventing the ruination of our air, our water, and our land.

The word "magneto-hydrodynamics" may be hard to spit out for many of us, but it offers the potential of increasing electrical output from burning coal by 50 percent. The process promises a drastic reduction of sulphur and nitrogen dioxides emissions, and allows recovery of these substances for beneficial uses. It promises to reduce dramatically the need for water in cooling electrical generators. If ever there has been a time when such a process was needed, that time is now.

Many of us, I know, are aware that magneto-hydrodynamics, or MHD, is being tried in other countries. The most substantial advances are those of the Soviet Union. The Russians are preparing a large MHD plant for integration

into the Moscow power system. Today we Americans discuss the need for accelerating development of MHD engineering test facilities and commercial demonstration plants. About 3 weeks ago, the Russians ran an actual test of their MHD pilot plant and generated enough electricity to serve the needs of 100,000 Moscow residents for half an hour. Unless Congress rises to the challenge, Mr. Speaker, it will be a long time before such an advanced test can be conducted in America.

I want to emphasize that this bill actively promotes development of all phases of MHD, wherever they occur. The bill does not preempt or diminish development of other energy resources or technologies. The bill's supporters recognize the urgent need for rapid development of every alternative source of energy, and the need for maximum participation by the private sector.

Congress has supported MHD in the past, but time has intensified the demand for the benefits MHD can provide. The demand is nationwide. Hence the need for a national program, the kind this bill provides. This is not a mere effort to grease the technological machinery with Federal money. In addition to reasonable authorizations, the bill contains carefully constructed provisions for how the money is to be spent, how information and data gained through the program are to be disseminated, and how the Energy Research and Development Administration is to carry out its mission with respect to MHD. For fiscal year 1976, the bill would authorize an amount not to exceed \$50 million. For each fiscal year thereafter through 1980, the bill authorizes an amount not to exceed \$100 million. These authorizations, together with provisions for the direction of MHD research and development, are aimed at achieving an operational commercial demonstration project by the mid-1980's.

Next year this Nation will celebrate its 200th birthday. I think it would be very fitting, Mr. Speaker, to enter our third century of national life with a sane and viable plan for meeting the energy needs of our people. While our national achievements have been staggering, too often our tendency has been to put off pressing problems until they become actual crises. There are many who argue persuasively that already the energy crisis has become an uncontrollable monster, that massive realignments of policy and practice are needed if it is to be solved. I believe that one of the most sane, sensible things this Congress could do would be to provide a workable means of utilizing an abundant resource with wisdom and effectiveness. Coal is that resource. It is available now. It can provide more time for effecting needed changes for eventual conversion to new energy sources. Let us begin our third century with responsible action, the kind embodied in this bill.

IMMIGRATION ACT AMENDMENTS

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

Mr. WHITE. Mr. Speaker, since the 16th District of Texas, which I have the honor of representing, enjoys a lengthy international boundary with the Republic of Mexico, it is natural that I entertain an exceptional interest in, and concern for, the burgeoning illegal alien problem this country is suffering. My concern extends beyond the problem itself to focus on the people involved—not only the illegal aliens, but the legal resident aliens and the hundreds of thousands of citizens of Latin American descent who are concentrated in the southwestern and western border States. The illegal alien problem must be solved, and I am as determined to bring solutions about as any Member of the Congress. However, since I believe strongly that proposed solutions must take into account that special conditions exist in border areas that do not necessarily affect the rest of the country, my position on this question has tended to become misunderstood at times.

Therefore, I want to enter in the CONGRESSIONAL RECORD testimony which I presented at recent hearings on H.R. 982 before the House Judiciary Committee on Immigration, Citizenship and International Law:

TESTIMONY OFFERED BY CONGRESSMAN
RICHARD C. WHITE

Mr. Chairman and Distinguished Members of the Committee:

First, may I commend this Committee for recognizing through your actions that the illegal alien problem is very significantly contributing to the economic troubles this country is presently attempting to overcome. It is needless to take the Committee's time by describing the gravity and the national dimensions of the problem. This has already been clearly spelled out and validated in a continuing series of reports from the Immigration and Naturalization Service and through research and hearings by this Committee. I would only briefly reiterate the increasingly recognizable consequences of the very telling financial strain this problem is causing to this country—unemployment due to illegal aliens holding jobs, education costs, welfare and public health costs, and even an effect on our international balance of payments posture. My purpose, rather, is to offer sincere and what I feel are well-predicated suggestions for meaningful and workable solutions.

First, I should like to mention to the Committee that I represent the 16th District of Texas, a district which enjoys a 352.2-mile common boundary with the Republic of Mexico. Further, I am a native-born resident of the City of El Paso, the principal city in my District, and a city which joins with Juarez, Mexico, to form the largest metropolitan complex on the U.S.-Mexico border. Prior to coming to Congress I practiced law in El Paso, including some immigration law. I, therefore, have a long-standing familiarity with the problem of illegal aliens, a problem which only in recent years has achieved nationwide recognition.

I want to stress to the Committee that I am not here to oppose any attempt for solution to this growing problem, nor to condemn any particular bill; rather, I want to suggest refinements to HR-982 and possible inclusion of additional features which I feel would strengthen the bill and make it more effective toward rectifying and ultimately solving the illegal alien problem. I address myself to HR-982, since this is the vehicle the Committee has chosen to help solve the present dilemma. I am not going to dwell on the obvious discrimination that will result against any prospective employee who might be suspected to be an alien because

of appearance or spoken accent. This is a very real objection voiced by several who know the border.

As an alternative, the Commissioner of the Immigration and Naturalization Service and the Under Secretary of Labor suggested in previous testimony before your Committee that an improved social security card system could be considered. Designation of citizenship or alien status on a social security card was part of a plan I had devised—which I now only briefly mention—to provide that employers check all social security cards, report alien designees to the INS, who could in turn utilize computers to sift through such designees for illegal aliens. Failure to notify the Immigration Service of employees whose social security card designates them as aliens would be a penalty.

As I read HR-982, and as I have discussed it with Federal prosecutors, the penalty provisions as now constructed are unenforceable against a calculating employer. Further, these provisions directly violate some of the basic principles of civil and criminal law and the American jurisprudence system. First, why is the bill as now proposed unenforceable against a willful violator? Because, as the Commissioner of the Immigration and Naturalization Service and the Acting Attorney General inferred in previous testimony before this Committee, a clear loophole is provided by the following language:

"An employer . . . shall not be deemed to have violated this subsection if he has made a *bona fide inquiry* . . . a signed statement in writing in conformity with regulations which shall be prescribed by the Attorney General . . . shall be deemed *prima facie* proof that such employer . . . has made a *bona fide inquiry*." (Emphasis provided)

You can be sure that under this language anyone who desires to hire illegal aliens knowingly and with impunity will secure the proper forms and have the alien sign one. This in effect shifts the burden of proof to the United States, and under the realities of evidence, it would be an impossible and highly expensive burden to meet.

Regarding the violation of the basic American principles of fair hearing, confrontation of witnesses, and the opportunity to present new evidence, I point to the provisions commencing on Page 4 of the bill. Subsection (b) (2) states:

"If, on evidence or information he deems persuasive, the Attorney General concludes that an employer, agent or referrer has violated the provisions of paragraph (1), the Attorney General shall serve a citation on the employer, agent or referrer informing him of such *apparent violation*." (Emphasis provided)

The idea of establishing guilt on information for an apparent violation smacks of star chamber proceedings and, if challenged in court, the act could be vulnerable to a Constitutional question. Equally important is the fact that there is no provision here for input on the part of the accused individual. You can say that no fine flows immediately from the citation, but I call your attention to the structure of the sanctions which make the citation a predicate for the civil fine on a second charge and a criminal fine and/or imprisonment on a third charge.

Pyramid structuring of the sanctions demands that the accused be afforded a clear opportunity to present his evidence from the onset, or first step. If you wish to have an administrative step that will allow the accused an opportunity to present his evidence, I suggest that the bill be rewritten to allow the alleged violator the chance of refuting the allegations of the citation by presenting a sworn statement, which would negate the citation. If he submits a false sworn statement, then he is subject to the legal proceedings applicable to such an offense—false swearing is a criminal offense. It is this sworn statement which should be regarded in terms of *prima facie* evidence.

Subparagraphs (b) (3) and (4) in reference to the second phase of the sanctions provide:

"If, in a proceeding initiated within two years after the service of such citation, the Attorney General finds that any employer . . . thereafter violated the provisions of paragraph (1), the Attorney General shall assess a penalty of not more than \$500 for each alien . . . A civil penalty shall be assessed . . . only after the person charged . . . has been given an opportunity for a hearing and the Attorney General has determined that a violation did occur . . . The hearing shall be of record and conducted before an immigration officer . . . in accordance with the requirements of title 5, section 554 of the United States Code."

The bill does not specifically state that a full hearing based on evidence take place for the \$500 fine by the Attorney General. In subjecting the employer to a civil penalty, an opportunity for hearing is provided, but it is before an immigration officer and not a court of law. If an accused person is assessed a penalty by the Attorney General and for some reason fails to respond, the finding stands.

Furthermore, the conspicuous absence of an opportunity for the accused to present his evidence before a court of law, under the rules of evidence is extremely material, particularly because these first and second phases are the predicate for a prison sentence in the event there is a third charge. I also point out that "opportunity" for hearing could mean a fine could be levied without an actual hearing. What other fines are levied without the actual presence of the accused?

Subparagraph (b) (5) states:

"In any such suit or in any other suit seeking to review the Attorney General's determination, the suit shall be determined solely upon the administrative record upon which the civil penalty was assessed and the Attorney General's findings of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive."

This means the findings by an immigration officer who may or may not be trained in law. In addition, there is no opportunity to present new evidence. Suppose the person was given the opportunity for hearing and for some reason failed to appear. The immigration officer could levy the assessment and develop the administrative record from the information—which could be hearsay—on hand. According to the bill, this administrative record is conclusive and again would be a basis for the fine and criminal sanctions provided for a third violation charge. Assume that a person in fact was not guilty of the first violation nor the second charge, but failed to respond. On the third charge of a violation, though it may have actually been his first, he could be sent to the penitentiary and fined up to \$1,000.

The right of appeal to a Federal Court should definitely be given to one upon whom an assessment has been made, with an opportunity to present his evidence *de novo*.

Subparagraph (c) states:

Any employer or person who has been assessed a civil penalty under subsection (b) (3) which has become final and thereafter violates subsection (b) (1) shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$1,000, or by imprisonment not exceeding one year, or both, for each alien . . .

But there is no time limitation. Suppose a man has been cited and fined on two violations, and after twenty years is accused of another violation. Can the previous two findings be used as a basis for a third charge twenty years later and therefore make him subject to a criminal proceeding? Or should there be a time limit written into the bill between the first two violations and the third charge of a violation?

Can we say we have done justice to the American public when in our haste and

need to find a solution to a serious problem, we violate some basic precepts of jurisprudence which have taken centuries and the refinements of several civilizations to develop?

Having been raised on the border, I have lived with the realities of border culture and coexistence and I know that Federal laws do not always fit the local situation. That is why we have a federated system of government and we theoretically leave to the States those matters which should not be legislated by a federal government.

My district relies heavily upon farming and ranching. Farming is one of the mainstays of our balance of payments and has helped to sustain a high standard of living for the people of this country. In my area farming is done by irrigation, which requires an additional number of man hours to develop a productive crop. Cotton, alfalfa, livestock and other produce are grown in my district. In order to produce a crop of minimal profit and to help furnish this country with the food and fiber it needs, it is necessary to have a labor source available for what is often referred to as stoop labor.

The realities of the present indicate there is very little unskilled labor available in this country. A higher minimum wage for agricultural workers has been enacted, but other programs such as welfare and food stamps—as important and useful as they are—have helped to create a group of indolent persons who are able, but not willing, to accept certain types of employment. I am not saying there are not people in our communities who could not do this needed unskilled labor, but in developing programs which we in Congress found necessary to help sustain those who are unable to earn a decent living, we are seeing that many of those who were previously employed on ranches and farms can receive as much compensation to sustain themselves by doing no work and drawing food stamps and welfare payments. In certain parts of the country—where the costs of living is lower—we can find even fewer people who will accept agricultural labor. Such is the situation all along the U.S.-Mexico border.

The farmers and ranchers must consequently look elsewhere for the unskilled work force necessary for such a livelihood. The available labor source has been from Mexico from workers who are eager to accept such employment. HR-982 has been stalled in the Senate for several sessions and the reasons, as you well know, were partly because no provision was contained to furnish a source of agricultural and unskilled labor—alien or otherwise—which is absolutely imperative to the southern and southwest regions. I do not propose a reinstatement of the *bracero* program, although it succeeded in slowing down the number of illegal aliens. I understand and realize that there were abuses of that program. But what I have proposed in the past, and propose to you now—with revisions to meet the objections raised at the times I have tried to amend the Rodino bills—will help solve this very real dilemma.

I suggest an amendment to HR-982 which will merely expand and define an existing program of admission of aliens under the temporary category. I propose to spell out the procedures by which an individual employer can contract with an individual alien for specific terms of employment. I propose that an employer can hire an alien for up to one year at a time, renewable for up to three aggregate years, for a particular job under terms stipulated by the Secretary of Labor, and carefully controlled by the Secretary, particularly to ascertain that there is no domestic labor source of able and willing workers. The terms would also insure no exploitation of the alien. Unlike my previous bill, I propose to allow lateral transfer of employment.

To obviate any charge of involuntary ser-

virtue, by amendment would allow the alien to obtain other jobs with other employers in the U.S. without having to return to his native country, as long as the alien goes through the same process of certification by the Labor Department, and still be subject to the ceiling of three aggregate years of contracted employment in the U.S. Unskilled labor is not domestically available and if no such provision of law is made to provide timely access to such labor, there is no way that you are going to succeed, I don't believe, in preventing or dissuading employers from hiring illegal aliens who want to work in jobs that must be done.

U.S. employers do not want to hire illegal aliens. If they could find legal labor in the U.S. labor market—citizens or legal aliens—they would hire them. Employers are under the fiat of the minimum wage law and they are not desirous of violating it. It becomes, then, incumbent upon us to provide that labor because I cannot see how in the near future that we can force unemployed U.S. workers to take jobs they don't want. I ask you as Americans to give the farmers and ranchers the relief they need, to live and let live, because what you do in this bill will also affect your area of the country—in the food and fiber that your constituents enjoy and in our continued high standard of living.

In closing, Mr. Chairman and Honorable Members of the Committee, I would like to stress that I, as much as any legislator in the Congress, would like to see the accomplishment of operative and effective amendments to the Immigration and Nationality laws—probably more than many of the Members of Congress considering the geographical location of my District. In this context, I want to inform you that I have had a series of very productive meetings with the Commissioner of the Immigration and Naturalization Service, General Chapman has stressed to me that he needs the realization of three considerations in order to cope effectively with this monumental problem—namely, a penalty title to discourage the open hiring of illegal aliens, a sizable increase in his manning tables, and the institution of a new, secure alien identification card system.

You are in the process of providing a penalty title, and I strongly urge your attention to and consideration of the suggestions I have made in this area. In addition, I would suggest the advisability of this Committee to statutorily provide for the increase in the INS manning tables and for funding of the proposed new alien identification card system, rather than leaving these integral parts of the overall program to the discretion of the budget and appropriation procedures.

Thank you very much for this opportunity to present this testimony which, I assure you, has been offered constructively and hopefully will receive favorable consideration from this Committee.

NEWSMAN HONORED AS OUTSTANDING "YOUNG LEADER"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. MOAKLEY) is recognized for 15 minutes.

Mr. MOAKLEY. Mr. Speaker, it is with great pleasure that I speak in recognition of the personal and professional accomplishments of Mr. Maurice Lewis. Mr. Lewis was recently named by the Boston Jaycees as one of the city's 10 outstanding young leaders of 1975.

Mr. Lewis is a newsman for WNAC-TV, located in Boston, Mass. He currently serves as anchorman for the station's Saturday news broadcasts as well as for WNAC's weekly "Black News" program.

Maurice Lewis is a fine journalist. His reporting background includes investigative stories, urban affairs, and political coverage.

I have known Maurice Lewis for many years and have been greatly impressed by the accuracy and high standards consistently displayed in his work.

I have been equally impressed with the concern which Mr. Lewis has shown for the Boston community. In the years that he has lived in Boston, he has made outstanding contributions on behalf of the people of the city. Mr. Lewis has devoted numerous hours of his time in appearing before youth groups, lecturing on image projection and positive roles for young people.

Mr. Lewis has also been named to the board of directors of both the Boston Urban League and the Boston 200 Bicentennial Committee. His record of community involvement has been an inspiration to Bostonians in every walk of life.

Maurice Lewis' commitment to the city of Boston is reflected by the awards that he has received for community action. He has been honored by the Roxbury action program and has received the Jan Matzlinger Award for outstanding community service. He was selected as one of the Boston Jaycee's outstanding young leaders from among thousands of young men and women, all highly respected for their service contributions to our city.

In these often disheartening times, Mr. Speaker, it gives me immense satisfaction that the achievements of so fine an individual as Maurice Lewis have been duly noted and honored.

PENNSYLVANIA ASSOCIATION OF BROADCASTERS HONORS GOV. MILTON SHAPP

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

Mr. FLOOD. Mr. Speaker, at the recent annual congressional dinner of the Pennsylvania Association of Broadcasters, The Honorable Milton Shapp, Governor of the Commonwealth of Pennsylvania was presented the organization's highest award, in recognition of his service to the State and the citizens of Pennsylvania. Mr. Shapp, I might add, was one of the pioneer organizers of cable television systems in the State, and because of his enterprising efforts, hundreds of thousands of persons were able to receive a television signal in the days when the medium was but an infant.

The award was most deserved, and I commend the Pennsylvania broadcasters for their choice.

At the same dinner, an inspiring, original prayer was offered by Roy Morgan, chief of WILK Radio, Wilkes-Barre, a long time member of both the National and Pennsylvania Association of Broadcasters, and one of the original organizers of radio in Northeastern Pennsylvania. Mr. Morgan, who is a member of the national board of directors of the Associated Press Broadcasters, is regarded as one of the leading citizens of Northeastern Pennsylvania. He is a well know patron

of the arts and manages to find time to serve as a critic of theatrical and cultural affairs for the Wilkes-Barre Times Leader. He has given generously of his time and capabilities to serve on the board of directors of several key regional hospitals and medical programs. Roy Morgan's inspirational concern for his medium and his fellow broadcasters is evident in the following invocation which he offered at the Broadcasters' dinner at the Washington Hilton Hotel:

SPEECH BY ROY MORGAN

Good evening, Lord . . . here we are once again on Your threshold—Your selected leaders in the Halls of Congress and the State offices of Pennsylvania and Your willing servants in the modern world of electronic communications. . . .

Gathered here tonight not in the so-often referred to "adversary" situation, but rather as dedicated workers in Your vineyards of Government and information to do our own thing in the way that You have called upon us to do it. As we bow our heads in prayer, we recognize our dependence on You—in all ways, at all times—in literally everything we do.

We realize that too often as we have tried to help solve the problems of this world, we have in essence only further contributed to them.

Our communication has been something less than perfect both with You and with our fellow man and woman.

We acknowledge that it is You who are both legislator and communicator—all things in one for all times and for all eternity. We are but an extension of Your law and spirit in this so temporal world.

Help us as legislators and Government administrators as we seek to translate Your wishes into law and services for our people. . . .

As broadcasters as we attempt to phrase Your manifest hopes for Your people into desirable ends and goals. May this friendship and fellowship be translated into joint acts of accomplishment that shall reflect honor on us all.

Inspire and support us in the days and weeks that lie ahead. . . .

Grant us the strength to do what is right in Thy name. Amen.

HEW'S WITCHHUNT

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

Mr. AuCOIN. Mr. Speaker, Oregon State Senator Walter F. Brown, a distinguished attorney from my home State and a member of the faculty of Northwestern School of Law, has sent me a very distressing article alleging that McCarthyism still lives in the Public Health Service.

At the request of State Senator Brown, I am submitting the article "HEW'S Witchhunt," for entry into the CONGRESSIONAL RECORD. The article, written by Marjorie Heins, was first published in the December 1974 issue of the Progressive. The article follows:

Hew's WITCHHUNT (By Marjorie Heins)

Dr. James Kahn has a large world map over the desk in his study with pins stuck in all the places he has traveled. Many of the pins are in the tropics, a region for which Kahn has a special fondness, perhaps because of the five years he lived in Cuernavaca, Mexico, as a child. While still at Harvard Medical School in 1967, he applied

to the U.S. Public Health Service for admission to the Center for Disease Control, which sends doctors overseas to battle with tropical illness. Impressed with Kahn's travel and language experience (he is fluent in Spanish and Portuguese), the Public Health Service accepted him with a commission as major, to begin in July 1969, after completion of his residency. He was promised overseas assignments and advanced training in tropical medicine.

The Public Health Service is part of the Department of Health, Education, and Welfare, a government agency not ostensibly concerned with high-security matters. Yet HEW has its own security system, a relic of the 1950s, which has persisted relatively unchanged to this day. In 1969, *Science* magazine published an article about blacklisting within HEW; it was quickly picked up by other publications, including *Newsweek*, which reported that many scientists thought HEW "more zealous about security clearances than the Department of Defense." HEW Security Director Frederick Schmidt responded by denying the existence of a blacklist, but an attorney who had studied the situation wrote, "Officially, blacklists are condemned but the operation of the system itself encourages bureaucrats in the bowels of the appointing agencies to make them up and use them anyway."

James Kahn was taken by surprise in February 1969, when he received an urgent call from an HEW personnel officer asking him to fly to Washington immediately. On arrival, he was interviewed by two HEW security officers, John Gulka and William Sterbinsky. "What impressed me most at the time was the voluminous security file in front of them on one James B. Kahn," he recalls. He had not been active politically.

The interrogators asked Kahn if he had ever been arrested. He strained his memory and came up with a few passport and visa hassles during his travels, and participation in a Harvard band prank which led to a few minutes frivolously spent in a New Haven jail. Having exhausted this route, the security officers turned to the major business of the interview. "It began with a question from Mr. Gulka," Kahn remembers.

"Your father is dead now, isn't he?"

"I answered, 'Yes, he has been dead for six years.'

"We have information that your father was a member of the Communist Party."

Kahn's father Gordon was, in fact, a prominent blacklisted Hollywood screenwriter and a vocal opponent of the House Un-American Activities Committee during its vintage years. In 1947 he had been subpoenaed by HUAC along with the men who eventually became known as the Hollywood Ten, and he had been scheduled to testify next when the uproarious hearings were called off. He participated in the campaign to defend the Ten, and wrote a book, *Hollywood on Trial*, which chronicled this opening battle between heretics and inquisitors—a battle which was decisively won by the inquisitors and which resulted in blacklisting throughout the entertainment industry.

When Gordon Kahn was threatened with another HUAC subpoena in 1950, he joined the expatriate community in Cuernavaca rather than face the likelihood of a jail sentence for contempt of the Committee. His family—James was eight at the time—joined him after nine months. In 1955, the Kahns returned home and settled in New Hampshire, where Gordon successfully defied the state attorney general's loyalty investigations and wrote under a pseudonym until his death in 1962. James Kahn responded to the family dislocations and to the harassment they suffered in the late McCarthy era in New Hampshire by becoming cautious about politics. "I assiduously avoided political engagements," he says of his high school years. "Probably because of some unconscious fear

that I would be victimized like my father, I didn't participate in any political groups and certainly didn't sign any petitions."

Such caution did not impress the HEW security officers, Gulka and Sterbinsky, whose purpose in interviewing Dr. Kahn was apparently to augment their records of left-wing activities years ago. Kahn proved no help. He said he didn't know if his father had been a Communist and asked what relevance this had to himself. Gulka replied that Kahn might have been influenced by his father; children often are. At this point Kahn said he did not want to continue the interview without the aid of legal counsel. He saw Gulka write, "Interview terminated at approximately 10:30 a.m. when Dr. Kahn refused to answer questions about the Communist Party."

Kahn was frightened and upset by the interview. "The things that hurt most," he says, "were the digging into my father's grave and the aura of intimidation about the entire proceeding." He wrote at the time, "If I should retain my commission but be denied the privileges that normally accrue to officers in the Center for Disease Control, I will regard this as I would regard my having been refused a commission in the first place. My reason is that we are living in a country where failure to pass this security clearance is tantamount to some kind of leprosy. It is a stigma which stays with a human being like my father all his life. Being a physician, it means loss of potential advancement in academic medicine and virtually no funding from the Government for research."

A few days after his interview, Kahn called HEW to inquire about his status. Gulka would not tell him. Kahn said Gulka did ask "if I had any more information for his office and further suggested that if I did he might be able to get me an answer on when he would be in communication with the Public Health Service. I regarded this as not-too-cleverly disguised blackmail. He wanted some information about my father in return for which he seemed to suggest I might get security clearance."

Dr. Howard Hiatt, Chief of Medicine at Beth Israel Hospital in Boston, where Kahn was then a resident, called Gulka, offering himself and others in the Harvard medical community as character references for Kahn. Gulka told Hiatt no further information was being solicited, but effectively repeated his offer of security clearance in exchange for information about Gordon Kahn. Dr. Hiatt then called the Surgeon General, Dr. William Stewart, who arranged for Kahn's admission to the PHS, but warned him that he had better get used to the idea of security interviews and be prepared to answer questions in the future.

In July 1969, Kahn set off for the Center for Disease Control in Atlanta. He was given charge of the parasitic disease drug service and awaited the overseas assignments which had been promised. As the months went by, he saw other doctors, often less qualified, given these assignments while he was passed over. When he asked questions, he was told not to make waves. When he was overheard discussing the problem with friends, his superiors took him to task for indiscretion.

Eventually, a sympathetic officer told Kahn that his security clearance had been held up. Kahn found himself in a limbo in which there were not formal charges against him, yet he knew he was being discriminated against. His superiors resented it when he sought the help of Atlanta civil liberties lawyer Charles Morgan. Inquiries from the CDC to HEW Security Chief Schmidt were handled by a bureaucrat; Kahn could not communicate with HEW personally.

In February 1970, HEW finally confirmed that Dr. Kahn's security status was clouded because he had refused to answer questions at his interrogation. He was invited to Wash-

ington for another interview. He insisted on bringing his lawyer, although HEW forbade it.

By this time, Kahn was as much concerned with his future in public medicine as with his shoddy treatment at the CDC. He was both intrigued and shaken by the existence of a large security file in his name; he wanted to know what was in it so that he could clear himself. Attorney Morgan explained that this would almost certainly be forbidden; according to President Eisenhower's original security order (an expansion of the Truman loyalty program for Federal employees), as well as a later executive order and the 1966 Freedom of Information Act, material in individual security files need not be revealed, presumably because such revelation would destroy the "confidentiality" of sources.

Security Chief Frederick Schmidt conducted the second interview. Kahn recalls, "Schmidt explained that the matter was simple enough—I had allegedly walked out on the interview. Morgan reminded him that there were merely some specific questions I had chosen not to answer, to wit, those re Gordon. Schmidt said he would be glad to resume the interview, as they had wanted to see the last time if I would take advantage of any opportunity to testify, in effect, that Gordon was a Communist. He put it this way: 'Give Dr. Kahn a chance to comment on some information we have concerning certain subjects.' What was more, Mr. Morgan could wait outside while the questioning went on. Mr. Morgan said he was going to remain present. Schmidt said that it was not a tribunal and therefore no lawyer could be present." Kahn interjected that he thought a CDC officer had gotten the opinion of HEW General Counsel Manny Hiller that a lawyer could be there. Finally Schmidt consulted Hiller and relented; both Hiller and Morgan observed the second interview.

"In the first part of the interview," Kahn recalls, "the questions were formal statements of alleged facts by Schmidt, to wit, 'Dr. Kahn, are you aware that in a public hearing before the House Committee on Un-American Activities in the year 1949 such and such a person testified that Gordon Kahn was a member of the Communist Party of the United States from 1930-something to 1940-something?' I answered in virtually every instance that (a) I had never heard the allegation before; (b) I was but seven or so years old when it was made; and (c) I had never heard of the person making the accusation.

"The second part of the questioning centered on Albert Maltz [one of the Hollywood Ten] and his family, none of whom I have seen for umpteen years. Schmidt wanted to know if I had ever carried messages to Albert Maltz or gone to meetings with him. I was able to get across, I trust, that at the time my society was with his kids, he being thirty or more years older than I."

The interview ended ambiguously. Schmidt implied that Kahn was in the clear but added that no security clearance could be granted until the CDC requested that Kahn be given an overseas assignment. Back in Atlanta, the CDC wouldn't request an overseas assignment until Kahn had clearance. Further correspondence created more confusion; Kahn now learned that few of his colleagues had security clearance, nor was it required for trips less than ninety days long. All that was needed was "approval," which Kahn was told he now had. Yet no offers were forthcoming.

When one officer suggested Kahn's name for a Biafra relief assignment, the CDC security chief rejected it because, he said, Kahn had not yet received "clearance." Trips to Peru and Brazil—for which Kahn was ideally qualified—went to other doctors while phone calls went back and forth between Atlanta and Washington in an attempt to get Schmidt to clear up the confusion. When

someone was needed to teach epidemiology in El Salvador, Kahn's name was submitted, but withdrawn before the list was sent to Washington. (The doctor who got the assignment had to go to Berlitz first to learn Spanish.)

The career officers at the CDC apparently sensed that assigning Kahn overseas would antagonize their superiors in Washington, even after he had technically obtained "approval." Since there was no rule that everyone went overseas, Kahn could not conclusively prove he was being punished, although he later did conduct a survey which showed that almost every other doctor had been asked to go abroad at least once, including many who had definitely said at the outset they were not interested in overseas assignments. Not sending Kahn, in deference to HEW security, was a form of not-so-subtle pressure on him to volunteer information about his father and, perhaps more important, about his father's friends still alive.

So James Kahn completed his two years of service without an overseas assignment and returned to Cambridge in July 1971. From there he has continued to try to get access to his security file. But with a new Washington lawyer, Hal Witt, who volunteers only some of his time to the American Civil Liberties Union, and with the inevitable bureaucratic delays, Kahn has been frustrated. First Witt had to apply for access to the file; when this was routinely denied, he appealed. The appeal was lost in the HEW labyrinth for several months before it was denied. Witt plans a class action suit in which Kahn would be one of several plaintiffs asking to examine and expunge their security records. Dr. Kahn is now medical director of a unit for the treatment of alcoholism in Cambridge and a fellow in infectious diseases at Massachusetts General Hospital.

But James Kahn's Federal employment is over. He is seeking access to his file as a matter of individual right, because he claims that the existence of such a file retards his professional advancement and that he has a right to know its contents. This contention strikes at the violation of civil liberties which is central to the whole security system: If information in the files were made available to their subjects, the testimony of informers could be refuted, as it usually is in the courts. The files would in many cases be threats to the careers of their subjects, or enticements to extract testimony, to name names.

The fact that a massive security system still exists is not surprising, and Dr. Kahn is hardly unique for having been hurt by it. During the period of intense U.S. involvement in the Vietnam war, radical or liberal doctors applying to the Public Health Service were sometimes harassed because the security chiefs wanted to punish them for their antiwar views by forcing them into the military. (The PHS was an alternative to the draft.) Kahn's cousin Henry was blacklisted from the PHS because he had committed the dual sins of appearing at an antiwar rally and signing a petition for a memorial to W.E.B. DuBois.

James Kahn is unusual among recent blacklist victims because the entire source of his trouble was his father's activity, a fact which indicates that instead of rejecting the witchhunt's old guilt-by-association doctrine, HEW has extended it to Biblical proportions. The security agents, in their zeal, probably violated the constitutional provision that "no attainder of treason shall work corruption of the blood or forfeiture except during the life of the person attained." This might be relevant if Kahn ever gets to the point of trying to expunge his security file of information about his father.

The tenacity with which the security apparatus continues to refine its ancient files is both remarkable and perverse. Perhaps, in this post-Watergate era, the time is ripe for litigation, backed by vocal protest, to open the whole security program to public scrutiny, or even to dismantle it.

CITIZENS WILDERNESS BILL FOR NATIONAL FORESTS AND WILDLIFE REFUGES

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

Mr. UDALL. Mr. Speaker, I am introducing today an omnibus bill containing the wilderness proposals formulated by citizen conservationists throughout the Nation for 52 units of the national wildlife refuge system and 15 areas in the national forest system.

The administration's wilderness proposals for these areas were previously introduced in H.R. 3507 and H.R. 3508 by my colleague from Arizona (Mr. STEIGER).

I am introducing today's omnibus bill by request as a means of placing these 67 proposals before the House. The Public Lands Subcommittee, on which I serve, will undoubtedly be considering many of these proposals during the 94th Congress. It has been my experience that the subcommittee's deliberations are materially assisted by early introduction of the contrasting proposals that will be at issue. Therefore, while I support most of the proposals I reserve judgment on some specific items of this bill. I believe it is important to bring these proposals before the subcommittee.

These wilderness proposals are the result of field studies by citizen groups in the affected States, and they are supported by such national groups as the Wilderness Society, Sierra Club, Friends of the Earth, and Federation of Western Outdoor Clubs. Some of my constituents have carried out such studies on areas in my district, and I can tell my colleagues that the individuals and groups involved have done an excellent job of identifying the wilderness potential and making a well-conceived, factual case for their wilderness proposals. This is an outstanding example of public participation in Federal decisionmaking.

Without this work by citizen conservationists, the only information available to the Congress on wilderness proposals would be that provided by the administration. In my experience, we have a much better basis for enacting sound wilderness legislation as a result of the field studies and wilderness proposals by these citizens.

INTRODUCTION OF LEGISLATION TO AUTHORIZE USRA LOANS TO A RAILROAD IN REORGANIZATION

(Mr. SMITH of Iowa asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SMITH of Iowa. Mr. Speaker, today I have introduced a bill on behalf of myself and Mr. McFALL, Mr. MURPHY of Illinois, Mr. STEED, Mr. RAILSBACK, Mr. PRICE, Mr. METCALFE, Mr. SHRIVER, Mr. ROSTENKOWSKI, Mr. ANNUNZIO, Mr. ALEXANDER, Mr. BEDELL, Mr. BLOUIN, Mrs. COLLINS of Illinois, Mr. ENGLISH, Mr. GRASSLEY, Mr. HARKIN, Mr. HIGHTOWER, Mr. JONES of Oklahoma, Mrs. KEYS, Mr. HALL, Mr. MEZVINSKY, Mr. O'BRIEN, Mr. RISENHOVER, Mr. RUSSO, Mr. SIMON, Mr. THORNTON, Mr. PICKLE,

and Mr. YATES, to amend the Regional Rail Reorganization Act of 1973 in order to authorize the U.S. Railway Association to make loans to a railroad undergoing reorganization under section 77 of the Bankruptcy Act.

A copy of this bill appears at the end of my remarks.

When Congress was considering the Regional Rail Reorganization Act to assist the bankrupt railroads in the Northeast, it was recognized that the bankruptcy or failure of a railroad which connected with one of these northeast lines would also have severe impact upon the northeast railroads. In order to prevent the insolvency or bankruptcy of such a connecting railroad, Congress amended the legislation to authorize loans to a carrier which connected with a carrier in reorganization and this was done in order to provide a source of financial aid to troubled carriers in the Midwest, such as the Rock Island.

Since the passage of that act, the Rock Island, although it has assets in excess of indebtedness, developed a severe cash flow problem and did not receive sufficient income to continue operations and was forced to file bankruptcy under section 77 which allows a railroad to seek the protection of the Federal court while a plan is being developed so that it can again become a viable carrier. Since it has now filed for court protection under existing law, the Rock Island cannot be granted any loans by the U.S. Railway Association.

My bill will eliminate this statutory bar to assistance being provided. Under sections 1 and 2 a carrier would not be prevented from qualifying merely because it had filed bankruptcy provided it can meet the other requirements set out in the act including that there be an assurance that it can repay the loan. In fact, the Government will have more protection and assurance of repayment if the railroad loan applicant is in reorganization because the Government could be given a first priority or lien upon the railroad's assets as any such loan could be considered an expense of administration in the bankruptcy proceedings.

The present law also requires that the loan applicant show sufficient income to demonstrate an ability to repay the loan. Under section 3 of my bill the USRA would be authorized to consider the total assets of the loan applicant as compared to the indebtedness in order to determine whether there is ample security for the Government to make the loan. For example, in the case of the Rock Island there is ample security as the total assets of this railroad amount to more than \$400 million with indebtedness of less than \$100 million.

Finally, section 4 of my bill will assure that the granting of any loan will not delay formulation of a final system plan for the Northeast as the bill expressly provides that such a loan applicant cannot participate in the development of such a plan.

BACKGROUND

The importance of this railroad to the Midwest and to the entire Nation cannot be overstated. The Rock Island's system consists of some 7,500 miles of track in some 13 States and is particularly unique

in that it is the only railroad which provides shipping for four major cash grains and also serves an export point of Chicago on the Great Lakes and Houston and Galveston on the gulf.

Also, I should point out that this granger railroad earns 25 percent of its income from the shipment of grain and grain products and not only would its demise severely affect the flow of agricultural products but it would also disrupt the entire economy by eliminating employment for 11,000 workers; leave almost 800 communities and 1,600 grain elevators without rail service and also would leave thousands of shippers without competitive service; and would result in some \$2.5 billion in payrolls being threatened or stopped. The current situation confronting the Rock Island is not new. It merely is another chapter on its problems which might have been avoided if Government agencies had properly performed their functions in timely fashion.

For example, over a decade ago the Union Pacific Railroad and the Rock Island Railroad believed that a solution to the Rock Island's financial woes would be a merger of these two carriers. It was in 1964 that authority to merge was first sought from the Interstate Commerce Commission which must give its blessing to any such proposal. Unfortunately, the ICC did not handle the merger application in an expeditious manner and it was not until late last year, over a decade since relief was requested, that the ICC even entered a provisional order approving it. Had merger authority been granted in timely fashion it might well have been that the book on the Rock Island's problems could have been closed.

We are now confronted, with the stark reality of the situation that unless some type of Federal loan assistance is made available to the Rock Island, there will be no more Rock Island and we will then have to find assistance for all those workers and businesses who will suffer.

It would be misleading to say that this bill can be passed in a few days or even passed at all. However, after discussion with key Members of Congress and with the parties involved, it appears that this bill, which would authorize the USRA to make a loan to the Rock Island if it can meet the other requirements of the law, appears to be the best and perhaps the only opportunity to keep this railroad together as an operating entity.

I met yesterday with the bankruptcy trustee and officials of the Rock Island and I have been assured that with a \$100 million Federal loan, which would be used for repairs to facilities and rolling stock, and with certain changes in administration of the railroad, the Rock Island can be made a viable operation and can repay this loan. No one can be 100 percent sure that the granting of this loan will work but the railroad's assets are considerable and assure more security than the Federal Government receives for most loans.

The company serves an area which is rich in business opportunities and which is terribly dependent upon the Rock Island for transportation. I am convinced that it is in the national interest that this railroad be given the opportunity to re-

organize and attempt to become a viable business performing a very important function which is in our national interest.

H.R. 5891

A bill to amend the Regional Rail Reorganization Act of 1973 to authorize financial assistance under section 211 to a railroad which is in reorganization under section 77 of the Bankruptcy Act, and for other purposes

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

SECTION 1. Section 211(a) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 721(a)), as amended, is further amended by inserting into such subsection after the words "financial assistance" the following: "(1) as part of a reorganization plan being formulated for a railroad in reorganization under section 77 of the Bankruptcy Act (11 U.S.C. 205), or (2)".

SEC. 2. Section 211(e) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 721(e)), as amended, is further amended by striking paragraph (1) and inserting in lieu thereof the following: "(1) the loan is necessary to achieve the goals of this Act, to prevent insolvency, or to facilitate a plan of reorganization adopted pursuant to section 77 of the Bankruptcy Act (11 U.S.C. 205);".

SEC. 3. Section 211(f) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 721(f)), as amended, is further amended by inserting after the word "achieved" the following: ", or in the case of a railroad undergoing reorganization under section 77 of the Bankruptcy Act, that there is reasonable assurance that the assets of the railroad are sufficient to repay such loan in the event of insolvency and liquidation".

SEC. 4. Section 211 of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 721) as amended, is further amended by adding thereto the following: "(g) Eligibility for or the granting of financial assistance to a railroad under this section as amended herein shall not qualify such railroad nor require that such railroad be included in a preliminary or final system plan adopted pursuant to this Act."

SECRETARY HENRY KISSINGER: TIME FOR REAPPRAISAL

(Mr. CHARLES H. WILSON of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHARLES H. WILSON of California. Mr. Speaker, Secretary of State Henry Kissinger has long held the imperial view that he and U.S. foreign policy were inseparable—a conceit which served him well amidst stable world conditions. But now, coming on the heels of his failure in the Middle East, the collapse of South Vietnam has jarred Mr. Kissinger so much that he would blame the Congress—and, by inference, the American people—for "destroying" this government through withholding military aid. He compounds this allegation by irresponsibly claiming that our policy vis-a-vis Vietnam has undercut our position in the world by causing our allies to doubt our reliability.

On the contrary. Our country has sacrificed over 56,000 lives and \$150 billion in Southeast Asia, and we need feel no shame. We have not witnessed the destruction of an independent nationalist South Vietnam with a will to fight for its sovereignty. Since we cannot have "abandoned" allies who fled their enemies without a fight, it is arrogant of

Kissinger to question our morality when we refuse to channel more money into a hopeless situation.

By Kissinger's statement that he would not have negotiated the Paris settlement if he had known that Congress would place limits on military aid to Saigon, he has shown an inability to face the consequences of his own failures. These failures began when he and President Nixon compounded Johnson's folly in propping up the shaky Thieu government through large-scale bombing and an extension of the war into Cambodia.

After the Paris agreement, Kissinger made no effort to press President Thieu for a political accommodation although he must have known that Hanoi would surely resume its plans for taking over the South. Now, by blaming Congress for the fall of South Vietnam, he is acting with the petulance of a little boy who cannot get what he wants. In this case, as in others, he wants to continue policies that have obviously failed.

But Indochina is just one of the thorns in Secretary Kissinger's side these days. He has obviously been demoralized by the collapse of the Middle East mediation effort which he hoped would "crown" his diplomatic career. His European policies have made enemies of both Greece and Turkey while Portugal has lost faith in the United States after our refusal to support the democratic moderates when its dictatorship fell last year.

The much-touted détente with the Soviet Union and China is also in jeopardy—if, in fact, it ever really existed. Nuclear war was not imminent when Henry Kissinger came to the White House, and the SALT agreements have neither arrested nor controlled the Soviet/American arms race.

Increasingly, our Secretary of State has placed himself on a collision course with the Congress. Last year, in Austria, he publicly threatened to resign unless the Senate cleared him of wiretapping charges. And, when the Russians pulled out of the new trade agreement because of a dispute over Soviet emigration, Kissinger again blamed the Congress for his problems.

Now, in favoring more military aid for Saigon with "no terminal date," Secretary Kissinger has clearly shown an unwillingness to answer to the will of the people. Americans have—rightly—no stomach for a renewal of our abortive efforts in Southeast Asia, especially when we recognize that military considerations are, at this point, moot indeed. Yet Kissinger would have it differently. Obviously frustrated by the limitations of power in a democracy, no doubt he would prefer a monarchy where the Prime Minister need not be accountable to the people.

Were President Ford more sophisticated and secure in the area of foreign affairs, Mr. Kissinger's "reign" as Secretary of State might be over. Certainly his continued dominance of our foreign policy raises some serious questions. For example, is this man who orchestrated last minute efforts to salvage dying regimes qualified to deal directly with Communist-controlled Vietnam? And, how effective will he prove in the next round of Middle Eastern peace talks?

HOME HEALTH CARE—PART VI

(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, together with 78 House cosponsors I have introduced H.R. 4772 and H.R. 4774, the National Home Health Care Act of 1975. The bill has been given equally strong support in the Senate where it has been introduced as S. 1163 by Senators FRANK MOSS and FRANK CHURCH, respective chairmen of the Senate Subcommittee on Long Term Care and Committee on Aging, HUGH SCOTT, Senate minority leader, and Senators WILLIAMS, DOMENICI, and TUNNEY.

To discuss the need for home health care and the public support this proposal is receiving, it is my intention to place statements in the RECORD several times a week by experts and lay persons commenting on the legislation.

This is the seventh in the series:

[From the Washington Post, Apr. 1, 1975]

EDITORIAL—"HUMAN WAREHOUSE"

Unlike some primitive tribes, we do not kill off our aged and infirm. We bury them alive in institutions. To save our faces, we call the institutions homes—a travesty on the word.—Edith M. Stern, "Buried Alive."

Some months ago, two ailing elderly people, a churchman and his wife, signed a suicide note and then took an overdose of sleeping pills. They said the reason they did it was that they did not wish to end their days in a nursing home. For nearly a million Americans the nursing home is the sad reality of their last days. More and more, we are beginning to realize that the nursing home industry is a big business, grossing some \$7.5 billion annually. And it will grow because the elderly are the fastest growing age group in the United States today. As that industry grows, the abuses of the elderly are coming to light in grim reports from study commissions, such as the one investigating Bernard Bergman's \$24 million New York operations, or a recent report by the General Accounting Office, showing that many nursing homes fail to meet federal fire safety regulations. A Maryland study reported not long ago by this newspaper turned up instances of filthy and unhealthy homes all over the state.

The picture is not all bleak. There are good nursing homes in the United States. The problem is that as more and more Americans reach old age, the demand for some sort of care increases at a greater rate than the supply of adequate care. That would be reason enough in itself for unconscionable operators to enter such a vacuum, but there is an even greater incentive. Since 1965, when the Social Security Act was amended, the federal government and the states began paying commercial nursing home operators for their costs, plus a fixed percentage of their costs as profit. The result has been that used car dealers, scrap metal salvagers and an assortment of operators with no health home "business" with dollar signs dancing before their eyes. As more and more such operations come into existence, more and more horror stories are heard.

Let this problem get completely out of hand, it is time for a review of the alternatives to the accretion of nursing homes for the ever-growing elderly population. To be sure, there should be no profiteering from the misfortune of those who have reached an age when they cannot entirely care for themselves. Since all of us are headed toward the point where we too will be frail, it makes sense to think of the problem as one the

whole nation shares, and not an isolated misfortune befalling only those so unlucky as to be aged and infirm—and without resources of their own. With that in mind, several medical care professionals have evolved the notion of the "galaxy," a place with many functions, all of them related to the needs of the elderly. They are not hospitals in the sense that they only provide bed care, because many old people need some care, but not all the elderly need total care. What they often need is a place to live that accommodates easily to those of uncertain gait or occasional lapses of memory. The galaxies would provide apartments for those who can take care of themselves most of the time. The ill would have periodic visits from health care professionals, when they needed a specific kind of care. They could choose to cook for themselves or they could eat in a common dining room. Always the emphasis would be on flexibility.

As described by Dr. Robert N. Butler in his book, "Why Survive?: Being Old In America," there would be three parts to each galaxy: "Service, training and research. Research is now almost totally neglected in nursing homes, yet the enormity of the present and future problem of old age and chronic illness demands basic and applied clinical research." The "galaxy" approach is but one of several ideas that focus on the basic principle of multi-service centers that could be operated for a fraction of the present cost of keeping large numbers of the elderly in commercially operated nursing homes. The cost for that approach is going to go ever higher as more and more profiteers enter the field. It already costs billions in federal, state and local money, to say nothing of the cost to the families of the elderly. But the human cost in terms of suffering and neglect is incalculable, and that cost, too, should be on our minds for it is a cost any of us could be called upon to pay.

PRESIDENT FORD, WHAT ABOUT SOUTH KOREA?

(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, tonight President Ford will address the Congress and that address will relate to our foreign policy, we are told. We must all assume that the major thrust of the address will discuss the deteriorating situation in Cambodia and South Vietnam. My purpose in rising at this moment is not to engage in a discussion of those issues because I have discussed them on many occasions, and succinctly stated I believe we must end all military and economic assistance to South Vietnam and Cambodia and provide only humanitarian assistance. That humanitarian assistance would consist of food, medicine, and provision for refugees who must leave South Vietnam and Cambodia because they participated in the South Vietnamese regime or worked with the United States and their lives are endangered. I believe that the neighboring countries as well as the United States itself should agree to accept a fair proportion of such refugees. While I support those efforts which are now ongoing, to assist Vietnamese orphans, I believe that there is an even greater humanitarian effort to be made which is to assist those who are in physical danger because of their active opposition to the North Vietnamese Communist Government and the Provisional

Revolutionary Government. With our misguided foreign policy in that particular situation over the last 15 years, we got those people into this catastrophic situation and we must help to alleviate their plight, not militarily but with humanitarian measures.

However, the principal reason I rise at this moment is to discuss our support of South Korea, another oppressive government. I do not take the position that every government that we support must have as its governmental structure that of a democracy. If we did that, we would be supporting perhaps 25 governments throughout the world since most governments are either single-party regimes or military governments. However, when we do provide economic or military support to a regime, because it is in our national interest to do so, we must evaluate the degree of repression of the government against its own people and there are limits which simply cannot be tolerated.

On March 20 I wrote to President Ford and brought to his attention an article which appeared that day in the New York Times concerning such oppression. I have not yet received a response to that letter; I am inserting it in the CONGRESSIONAL RECORD with the hope that it will be answered and when it is, I will print that response unless it is simply, as is the case so often these days with the White House, an acknowledgement without a substantive reply.

I am concerned that the President has not taken any action, not with respect to my letter, but with respect to the substance of the matter, because of a new report which appears in today's New York Times, which I am also appending. That report states that eight men who had been convicted by a military tribunal and who were tried in secret by military courts under the emergency decrees enacted last year by President Park, were hanged. According to the New York Times, nine other defendants were sentenced to life imprisonment. These men were part of a group of 21 South Koreans who were arrested last year on charges of plotting to overthrow the Government by force. Mrs. Yun Po Sun, the wife of the former South Korean President, upon hearing the news, said, "I have nothing to say." The Times reports that Mrs. Yun heads a "committee of families of persons imprisoned under the 1974 emergency decrees" and that her husband who was one of those convicted last year was "released from house arrest last month."

Repression occurs throughout the world in Communist countries, in North and South Vietnam, in North and South Korea, to cite just a few. And while in so many of these cases, there is nothing we can do other than to denounce it, when as is the case with South Korea, we provide economic support to a repressive government, then we have an obligation to end that funding as long as that repression continues. I am sending a second letter to President Ford with the article which appeared in today's New York Times with the hope that he will respond to that letter and the earlier one as well.

The article and letters follow:

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 20, 1975.

HON. GERALD R. FORD,
President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: In today's New York Times there is a report that on March 19, the Assembly of the Republic of Korea adopted an amendment to the present criminal code which would forbid South Koreans to speak to foreigners about domestic political suppression. According to the Times, "the measure could be applicable to remarks made by opposition politicians to foreign journalists or to dispatches filed by South Korean newsmen working for foreign publications." The article also reported that "the well-known dissident poet Kim Chi Ha was turned over to the prosecution office today, for possible indictment on charges of having violated the South Korean stern anti-Communist law. If convicted, he could be sentenced to seven years in prison." Apparently, Mr. Kim, who last week was again arrested by the Korean Central Intelligence Agency, had described to a Seoul newspaper, his life in prison. According to Mr. Kim, the "government had tortured persons accused of belonging to the outlawed People's Revolutionary party into making false confessions."

The reason I write to you, Mr. President, is that the United States currently supports the Republic of Korea, in the form of \$145 million in military assistance for fiscal year 1975. While I am not one of those who believe that we can only support countries operating in our image, and indeed, there are few countries in the world that could be considered democratic, I do believe that we must not give financial support to countries which are engaged in actions so repressive as to shock the conscience of the world. Mr. President, at this point can we really distinguish between the totalitarian government of the People's Democratic Republic of Korea and the totalitarian government of the Republic of Korea? If we cannot, should we be assisting South Korea?

In my judgment, the actions of South Korea can only be characterized as repressive. I ask you, whom I know to be a decent human being, whether you don't recoil in horror as I do, and therefore would oppose our continued funding of such a regime. Please do give me your thoughts on this matter.

Sincerely,

EDWARD I. KOCH.

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 10, 1975.

HON. GERALD R. FORD,
The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I wrote to you on March 20th concerning repression in the Republic of Korea and enclosed a New York Times article of the same date. I write today with respect to the continuing repression in that country and enclose a new article which appeared in today's New York Times.

I urge your attention to these serious matters for which we continue to have some responsibility because of our economic assistance to the Republic of Korea.

Sincerely,

EDWARD I. KOCH.

POLICE RING JAIL AS SEOUL REGIME HANGS EIGHT CONVICTED OF PLOTTING AGAINST PARK

SEOUL, SOUTH KOREA, April 9.—About 150 policemen surrounded the Seoul Penitentiary this morning as eight men convicted by a military tribunal of having been members of an outlawed party were hanged.

The executions took place early this morning at Seoul Penitentiary, barely 24 hours after the Supreme Court rejected the men's appeals in a turbulent session.

The condemned men were among a group of 21 South Koreans who were arrested in April last year on charges of having plotted to overthrow the Government of President Park Chung Hee by force. All were accused of being members of a Communist spy group called the People's Revolutionary party. The Government said that the group, acting under orders from the Communist government in North Korea, had organized student demonstrations against Mr. Park.

The 21 were tried in secret by military courts under the emergency decrees issued by President Park last year. During the trials the defendants insisted they had been tortured into making false confessions. Nine other defendants were sentenced to life imprisonment.

Meanwhile, about 300 students here defied the government's emergency decree closing Korea University and staged a street demonstration demanding the release of jailed students and lifting of the decree. The Police released 18 of the 36 students detained during clashes Monday at Seoul National University and referred the rest to summary court for legal proceedings.

About 3,000 students at three other universities here held rallies on their campuses to protest the closing of Korea University. The students demanded revision of the Constitution, the release of jailed students and the lifting of the emergency decree.

The Korean University for Foreign Studies also suspended classes today. It was the fourth university to close in the wake of week-long anti-government protests on campus.

In another development, the Government announced that seven South Korean soldiers were suffocated Monday while searching tunnel system dug by North Korean troops under the demilitarized zone.

A Defense Ministry spokesman said the soldiers were searching a tunnel system dug two weeks ago that extends about 1,200 yards into South Korean territory from the North. The South Korean government maintains that this and other underground complexes were dug by North Korea to move large numbers of men and weapons into the South for a guerrilla war.

The men who were executed this morning included Toh Ye Jong, who, the Government said, had been the leader of the allegedly subversive group, and Yo Jong Nam, an unemployed university graduate who was charged with having been responsible for party cells on campuses.

The condemned men's wives were waiting outside the prison when news of the execution was read over the radio. The women sprawled on the ground, breaking into wailing. One woman, sobbing, said she had never been permitted to visit her husband during his year of imprisonment.

"I have nothing to say," said Mrs. Yun Po Sun, the wife of the former South Korean President, upon hearing the news. She heads a committee of families of persons imprisoned under the 1974 emergency decrees. Mr. Yun, who was one of those convicted, was released from house arrest last month.

Along with many of the nation's Christian leaders, Mrs. Yun had campaigned for new, open trials in a civilian court for those accused of People's Revolutionary party membership.

The "People's Revolutionary party affair," as it is called here, has been one of the most controversial court cases arising from last year's mass trials of the nation's political dissidents. During the trial the defendants said that they had confessed only because of torture. They strongly denied charges of sedition and of links to the anti-Government student movement.

The Supreme Court session yesterday confirmed the death sentences was marred by shouts of "injustice" and "unfair trial" by members of the defendants' families.

OLDER AMERICANS AMENDMENTS OF 1975

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

MR. PEPPER. Mr. Speaker, I join my colleagues in support of H.R. 3922, Older Americans Amendments of 1975, providing for an extension and expansion of services and programs to meet the needs of the rapidly growing number of older citizens. In the 89th Congress, a decade ago, I cosponsored the first Older Americans Act. Since that time, I have actively supported amendments to these Federal initiatives and I was honored to author title VII of the Act, signed into law March 22, 1972, which provides for the nutrition program for the elderly.

This bill is the first in our Nation's history to provide for a comprehensive and coordinated system of services to help meet some of the most pressing social and economic needs of 21 million Americans over 65 and millions more between the ages of 55 and 65. The bill extends the Older Americans Act of 1965 for 4 years, until 1979, to provide the program of grants to States for community services, the nutrition program for the elderly, the Older American Community Service Employment Act, and the National Older American Service programs.

The bill also creates a new special service program for the elderly for which 20 percent of the funds provided to States is earmarked. This program emphasizes home services, counseling assistance, residential repairs and renovations, and transportation for the elderly—all designed to provide alternatives to institutionalization. This is one bill that prohibits discrimination on the basis of age in any program or activity funded, whole or in part, by revenue sharing funds.

H.R. 3922 is an excellent restatement of Federal policy which recognizes that categorical grants are the most effective means to provide the assistance that senior citizens richly deserve. For example, a report of the Comptroller General of the United States dated February 13, 1974, shows that of 218 governments authorized to expand \$1.374 billion of general revenue sharing funds, only 28 authorized expenditures specifically and exclusively for the benefit of the elderly. These authorizations totaled about \$2.9 million, or about two-tenths of 1 percent of the total funds authorized. There is not one scintilla of evidence to indicate that general revenue sharing will ever be an effective vehicle for the support of programs for older Americans.

The 4-year authorizations are also a great step forward and are essential to any meaningful implementation of those programs to provide real benefits to elderly Americans. The authorization period makes clear in the intent of the Congress that the highly successful nutrition program, the grants for State and community programs, and the others provided for in the amendments, are to be continued and expanded beyond the accomplishments of the past decade. One of the gravest impediments to the initial implementation of the nutrition program

revealed to my office by the State directors on aging was the fact that it was only a 2-year program. Since the program might have been abandoned by the Federal Government, State, and local officials had been reluctant to raise the hopes and expectations of the elderly beneficiaries.

Further, the 4-year authorizations are essential to the viability of 20 or more agreements which Commissioner Arthur S. Flemming, Administration on Aging, recently has negotiated with the Department of Transportation, the Department of Housing and Urban Development, the Federal Energy Administration, and other Federal departments and agencies. These agreements are designed to help governmental units respond to the special needs of the elderly and to coordinate their efforts and functions.

Mr. Speaker, critics of the bill express concern regarding the inflationary impact of the \$2.5 billion authorization of new moneys over and above current levels for programs authorized under the Older Americans Act and related laws. I concur with the Committee on Education and Labor judgment "that the inflationary impact of this legislation as a component of the total Federal budget is substantially outweighed by its positive impact upon economic recovery and employment."

Furthermore there is general agreement since the Great Depression of the 1930's, that we have been saved from a recurrence by social security benefits, income safeguards, and unemployment compensation built into our economy. These amendments are designed not only to maintain older American dignity, independence, mental and physical health, but are necessary adjuncts to the other bulwarks against depression. Certainly they are justified by the contributions made by older Americans to our Nation's wealth.

The full appropriations as authorized under these amendments should be enacted and the programs implemented at the earliest possible time to the full extent of the appropriations.

FUNERAL SERVICES OF MILDRED K. WALLER

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, all of us appreciate what it means to us and to our contribution to the public interest to have competent staff assistance. I feel that too often we do not publicly acknowledge for ourselves and the people we serve the debt we owe to competent, dedicated, loyal staff members who serve us, often sacrificially, in the performance of our duties. We all recognize that the quality of our contribution is often measured by the competence and the diligence of those who work with us.

Recently I had the sad experience of attending the funeral of a great, dedicated, and gracious lady who served me in the Senate, in private life, and in the House for 24 years, Mrs. Mildred Waller. At her funeral service I was permitted to express publicly the debt I

owed to this competent and noble lady for all that she had done to help me in the discharge of my public and private responsibilities. I feel that what I said is what every Member of this House would also say under similar circumstances in recognition of his or her gratitude to those who have so valiantly and so selflessly worked with him or her to serve his or her constituents and country. I beg leave, therefore, Mr. Speaker, to insert in the RECORD following my remarks what I said at Lafayette, Ind., in brief but more than deserved tribute to a long-time friend, a cherished colleague in public service, a dedicated and diligent aide, Mrs. Mildred Waller.

FUNERAL SERVICES OF MILDRED K. WALLER, HIPPENSTEELE CHAPEL, LAFAYETTE, IND., MARCH 5, 1975

Rev. Charles V. Bugg: Jesus said, I am the Resurrection and the life. He who believes in me, though he die, yet shall he live and whoever lives and believes in me, shall never die. Let us pray:

Oh, God, Thou who art the Lord of Life, and the Conqueror of death, our help in every time of trouble, who does not willingly grieve or afflict us, comfort us who mourn and give us grace even in the presence of death to worship Thee, that we may have the sure hope of eternal life and be enabled to put our whole trust in Thy goodness and mercy, through Jesus Christ our Lord, Amen.

Now my friends we are here to worship God in this hour and to pay a tribute of respect to the one who has gone from us and prayerfully and hopefully to offer some words of comfort to the family and to the friends, more than ever to honor our God.

I would like to read just a few passages of Scripture, that are age old Scriptures that bring us comfort in times like this—some of the ones that have been suggested to me:

I lift up my eyes to the hills from whence does my help come. My help comes from the Lord who made Heaven and earth. He will not let your foot be moved; He who keeps you will not slumber. Behold, He who keeps Israel will neither slumber nor sleep. The Lord is your keeper; the Lord is your shade on your right hand. The sun shall not smite you by day, nor the moon by night. The Lord will keep you from all evil; He will keep your life; the Lord will keep your going out and your coming in from this time forward and forever more.

Then a passage of Scripture from Paul's letter to the church at Corinth, several select verses:

Christ has been raised from the dead; the first fruits of those who have fallen asleep; for as by a man came death, by a man has come also the resurrection of the dead, or as in Adam all die, so also in Christ shall all be made alive. But someone will ask, how are the dead raised? With what kind of body do they come? You foolish one, what you sow does not come to life unless it dies, but God gives it a body as he has chosen. So is it with the resurrection of the dead. If what is sown is perishable, what is raised is imperishable. Well, this perishable nature must put on the imperishable and this mortal nature must put on immortality. When the perishable puts on the imperishable and the mortal puts on immortality, then shall come to pass the saying that is written, death is swallowed up in victory. Oh, death, where is thy victory? Oh, death, where is thy sting? The sting of death is sin and the power of sin is the law, but thanks be to God who gives us the victory through our Lord Jesus Christ.

And then in the words of Jesus Himself, in the beautiful Fourteenth Chapter of St. John:

Let not your hearts be troubled, believe in God, believe also in me. In my Father's house are many rooms; if it were not so, would I have told you that I go to prepare a place

for you; and when I go to prepare a place for you, I will come again and will take you to myself, that where I am you may be also; and you know the way where I am going. Peace I leave with you; my peace I give to you, not as the world gives do I give to you. Let not your hearts be troubled, neither let them be afraid.

Will you bow your heads again in prayer.

Most gracious and loving Heavenly Father. I ask you to direct your attention at this moment particularly to those who are in sorrow that they may walk through it with a consciousness of your presence with them in such a way their lives will be filled with the hope of life eternally in their minds and hearts; that this experience in their lives may be the means of a greater faith in your goodness and in your love for them and that they may walk in this way day by day. May they be assured that all things do work together for good in the Lord. So bless the friends and the relatives of Mildred Waller, so that they, as they look back on her life in memory, they will be drawn into the love of Christ whom to know a right is life at its best and eternally we ask these blessings in Christ's name, Amen.

Mildred Waller was not known by me, but she must have been known and loved by many people and the way that we can have any claim to know each other is through Christ our Lord. But one who held her in high regard and respect was one with whom she worked for many years and that was in Washington, D.C. with Congressman Claude Pepper. I heard of Senator Pepper back when I lived in Mississippi, and I understand that he was fourteen years a Senator and is in his thirteenth year, I believe, as a Congressman in the House, and they were very, very close to each other. And I am going to give him the privilege of having a word of comment and eulogy at this time.

Senator PEPPER. Thank you very much, Reverend Bugg, On Memorial Day in 1949, a lovely lady named Mildred, whom we fondly called, "Millee" Waller, came to work in my Senate Office. She came highly recommended. She soon exhibited the excellent qualifications which I came to appreciate so much in the ensuing years. Soon she became my personal Assistant and Secretary, and for 24 years she was almost a member of my and my wife's family. We loved her; we cherished her friendship; we treasured our association with her.

After I left the Senate, she became the Office Manager of my Law Office. It was in our State Capitol in Tallahassee in 1949 that she was married and my wife had the privilege of participating, as I did, in that happy event. After I came to the House of Representatives in 1963, she of course was at my side and became my personal assistant and the Manager of my office. She remained in that responsible capacity until she voluntarily retired after so many years of arduous labor and sacrificial toil at the 1st of February 1973. It was like tearing twins apart, separating a family, for my wife and me to see Millee go away from our association. But we wanted her to have some years which she could enjoy; the things that she had not been privileged to do in the busy years of her professional life. It is a source of sadness to us that she only had two of those happy years with her lovely sister, Mrs. Helen Westfall, with whom she lived in Florida and in North Carolina.

I have had a feeling that too often we fail to attribute the proper credit to those who contribute to what men may be able to accomplish in business or public life or some other professional activity, for whatever good of meaningful value I may have been able to do in a quarter of a century, I owe a large part of the obligation to Millee Waller. None was ever more faithful in service; her character was as beautiful as her person; compassion reigned always in her warm heart and it truly could be said of Millee Waller, as Robert Ingersoll said about his brother, "She

added to the sum total of human joy, and if every person to whom she did a loving service could bring a blossom to her grave, she would sleep tonight beneath a wilderness of flowers."

Millee Waller made the world brighter and better where she walked and where she worked. My wife and I count it a great privilege to be permitted to come here to join the family and you friends in paying our heartfelt tribute and our honorable adulation to this great and gracious lady, our beloved friend, Millee Waller.

Reverend Bueges. Thank you very much for that. That is a beautiful tribute and I am sure that the family will appreciate it for years and years; and it makes me wish more and more that I had had more time with her.

In keeping with my full philosophy of life, what it means and how God takes hold of it and uses it, and when I was called concerning this Memorial Service, I was thinking along the line of my general and specific philosophy and then when I came up here, Mrs. Westfall gave me a little devotional book and said if I could do it, please read some from it because it was hers, too, and as I read it, I said, Well, this is what I believe and I believe very much in it. And so I am going to read most of my remarks from this passage that she has given me to read. It has to do with life and death as a part of life, not as a finality. And this little part is called, "Another Dawn" and it is written by James Dilette Freeman.

"Faced with the passing of someone we love, our heart cries out in the passion of his loneliness, and is not comforted with easy answers. Our heart tells us that we are meant to live, not to die; we are meant to express life ever more consummately. When someone fails to do this, we wonder why. To understand the meaning of death, we must understand the meaning of life. Looking at life, we see that all things change, but although all things change, nothing perishes, things only change. If this is true in the world of things, how much more true it is in the world of mind. Soul has a substance of its own; no less permanent for being immaterial; no less real for being invisible. We cannot measure it with calipers or weight it in a balance. We cannot feel it with our fingers or see it with our eyes, but it is there, substantial, real. It changes, but it will not perish. Life does not begin with birth, it does not end with death; life is an eternal process and eternal progress. The visible form, this audible voice, this aggregation of organs, this network of ideas, we are more than these. We are the trappings of visibility, we are an expression of the spirit life.

This is a good illustration here.

Stand on the shore at night, you can hear the sound of the waves; you can see them break and whiten on the rocks, but the sea itself, vast and imponderable and strange and deep, you cannot see. The wave breaks on the rocks and then is gone, and all that is left behind is a fading line of foam. Yet the sea is more than the foam that fades on the rock; the sea is more than the wave into which it shaped itself for a moment. When wave and foam are gone, the sea abides, to shape itself into another wave and fling itself and foam on rocks again. You are like a sea that shapes itself into a wave. The wave will expend itself, but you will not expend yourself; you will shape yourself into an infinity of waves; you are the ever renewing, ever unfolding expression of infinite life; you are the spirit of the infinite, moving across infinity. Eternity is not an alteration of life and non-life; there is only life. Truth is that we cannot die; we are life; life is energy; life is expression; it cannot cease because it is ceaselessness; we may change form and vanish from view, but we cannot cease to be; we never cease to be, not for a moment, we cannot be separated from life; we cannot be less than life; life is a road that winds among

the hills of time. With every turn in the road the old view vanishes, the new view appears. Life is a pilgrimage, a passage through eternity; a journey into the unknown. People are as travelers on a journey; some pass quickly beyond the bend in the road that hides them from view, some walk beside us all the way; some seem to creep along and some pass swiftly as a runner. But life cannot be measured in terms of time, only in terms of living. When people die, they do not cease to be, they only pass beyond human sight. Why are we afraid of death? Is it because we are afraid of the unknown? Yet is not each day an adventure into the unknown? Exactly what is on the other side of death we do not know, but we may be sure that it is life. Life is on the other side of death as it is on this side; death is not evil, neither is it good. Is the turning of a page good or evil? Is a rest between two notes of music good or evil? Is the opening of a door good or evil? Death is an incident, it is a part of life, as sleep is a part of night as night fall is a part of life. Sleep gives way to waking, night turns into day. So death is the passage from life to life; death is a door through which we pass into another room; it is a page we turn to a new chapter in the book of life. It is not the end, it is a new beginning. It is not the fall of night; it is another dawn.

I have a very good friend that lives out from Lafayette a little ways; and several years ago this friend of mine was sick and went to the hospital and everyone thought it was his time to die. I had been visiting him and one day he was in very bad shape, but as he roused up a little bit when the preacher came in, he said, don't look so sad, preacher; he said, everything is fine; everything is good. They tell me I might not get through this one, I might die. And then he looked at me with a smile and he said, death holds no dread for me, I look forward to it as a new experience in life. It is more of a challenge than a dread. I wrote that down, what he said before I had forgotten it and it has just been embedded in my heart. Death has no dread for me, it is more like a challenge, a new experience in life.

Nancy Burke Turner wrote a poem that I like very much, too, and it has something to do about life going on and on.

Death is only an old door, set in a garden wall;
On gentle hinges it gives at dusk when the thrushes call;
There is nothing to trouble any heart, no thrushes call;
Death is only a quiet door in an old wall.

And I have always thought of it as a door to a room through which you would go to a room to put off all of the old clothes of this world, the trouble, the pain and sorrow and imperfections and put on the robe of the righteousness of God where you would go and rest for a while and then God would put you to work again in a perfect setting, and in a perfect way.

John tells us about Jesus. Now in the place where he was crucified there was a garden, and in the garden a new sepulcher there they laid Jesus. And the women came to the sepulcher the first day of the week, but did not find Jesus. Then the angel said to them, why do you seek the living among the dead? He is not here, He has arisen.

Auchenham wrote a beautiful thought concerning vegetation and vegetable matter, but then he had in mind the soul of a person as he wrote:

"We drop a seed into the ground, a tiny shapeless thing, shriveled and dry. And in the fullness of its time is seen a form of purest beauty, robed and crowned beyond the pride of any earthy queen instinct with loveliness, and sweet and rare, the perfect emblem of a Master's care."

This from a shriveled seed then may man hope, indeed. And I am sure that this family has that kind of hope. They are going

to be sorrowful for a while. There are many adjustments that they will have to make as they adjust their lives with the absence of their loved one. But memories will grow sweeter, they will not be forgotten. Maybe some of the roughness of life that they have had to endure from time to time will be forgotten, also, when the joy and the sweetness of memory comes to them. And in this memory with the hope that Jesus Christ gives of life eternal, I am sure that your lives will be enriched with this experience. And may God so bless you.

Lord we pray again that Thou shall bless this hour. Bless these words and may our lives be enriched in the love of Christ, Life Eternal.

THE UNITED STATES AND ISRAEL— TILT IN THE MIDDLE EAST

(Mr. YATES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. YATES. Mr. Speaker, I would like to call the attention of the Members to a most perceptive article in the April 1975 issue of Commentary magazine by the distinguished author, Theodore Draper.

I believe that this article, entitled "The United States and Israel—Tilt in the Middle East?" is particularly important following the recent announcement by the administration to reassess the U.S. role in the Mideast.

The article follows:

THE UNITED STATES AND ISRAEL: TILT IN THE MIDDLE EAST?

(By Theodore Draper)

(NOTE.—Theodore Draper is the author of many books on international affairs, including *Israel and World Politics*, *Abuse of Power*, and *The Dominican Revolt*. Among his recent contributions to COMMENTARY are "Détente" (June 1974), "The Road to Geneva" (February 1974), and "From 1967 to 1973: The Arab-Israeli Wars" (December 1973).)

The United States has become the main front in the Arab-Israeli conflict. This is not to say that the United States has for the past three decades been far from the center of the struggle in the Middle East. What has happened, however, is that the United States itself has become the center of the struggle. The climactic change took place during the October war.

Until October 1973, the Arabs and particularly the Egyptians had counted on the Soviet Union to rescue them if an attack on Israel misfired and landed them in serious trouble. That also seemed to be the case between October 20 and 27. But we now know more about the events of those days about which, it is clear, we were initially misinformed, if not misled. They have a direct bearing on the new American role, assumed without official announcement and little public awareness.

A bare outline of the main events is necessary to understand what we were led to believe and what actually happened.

On October 15, after ten days of desperate resistance, a small Israeli force crossed the Suez Canal and turned the tide of battle. Soviet Prime Minister Alexei Kosygin arrived in Cairo the next day. Kosygin returned to Moscow on October 19 convinced that the Egyptian forces faced disaster and urgently required a cease-fire. The men in the Kremlin quickly decided to summon Secretary of State Henry Kissinger to Moscow. Kissinger, then preparing to go to Peking, consulted only with former President Richard Nixon, who had other things on his mind—Watergate Special Prosecutor Archibald Cox was

dismissed and the resignation of Attorney General Elliot Richardson followed on October 20. The Soviet messages had as yet contained no threats and had merely expressed concern that events might get out of hand. Nevertheless, Kissinger abruptly postponed his trip to China and rushed off with unseemly, if not unnecessary, haste to Moscow at 1 a.m. on the 20th.

The biography of Henry Kissinger by Marvin and Bernard Kalb—for which Dr. Kissinger gave generously of "his time and his knowledge"—states that President Nixon gave Kissinger "power of attorney" during this mission to Moscow.¹ If this was the case, Kissinger alone was responsible for the hasty submission to the Soviet demand for an immediate cease-fire. In return, Kissinger obtained a Soviet concession to get negotiations "between the parties concerned" started immediately after the cease-fire, in line with Security Council Resolution 242 of November 1967. Kissinger then flew to Israel where he extracted an agreement in principle to his deal with General Secretary Leonid Brezhnev.

Meanwhile, Israeli forces were completing the encirclement of the Egyptian Army's III Corps estimated at 20-40,000 men. A cease-fire resolution was rammed through the U.N.'s Security Council on October 22. On the night of October 24-25, however, a worldwide alert of U.S. forces was called, ostensibly to warn off the Soviets from carrying out a unilateral operation to rescue the encircled Egyptian III Corps. The alert was called off on October 26 and the Israeli government agreed to permit a relief convoy to get through to the trapped Egyptians the following day.

At the time, we were led to believe that Soviet threats had saved the Egyptian III Corps and that the American alert had saved the Israeli forces from Soviet intervention. Disconcerting hints that there might be more to the story soon came out of Israel, but they were at first hard to interpret. Former Israeli Chief of Staff General David Elazar said that Israel had been "forced" to let a supply convoy through to the encircled Egyptian troops.² But who had done the forcing? Former Defense Minister Moshe Dayan explained that "the provision of food to the Third Army (I have not changed references here and in quotations below to the Egyptian force as an Army rather than a Corps) was not done by us as a humanitarian gesture but because we had no choice in the matter. Or, to be more precise, the alternatives to allowing the food convoy through were, in our judgment, still worse."³ But what were the alternatives? Former Prime Minister Golda Meir was reported as saying that Israel allowed the food convoy to go through in order to avoid a crisis with the United States.⁴ What crisis?

Bit by bit, the fully story began to emerge. In the spring of 1974, just before his appointment, Prime Minister Yitzhak Rabin told an American interviewer that "on the one hand the U.S. put its forces on the alert, and on the other warned Israel it might be alone if the war did not end." He was asked: "Which was a threat?" Rabin replied: "You can say threat or you can say a reality, it doesn't matter."⁵ The Kalbs' biography of Kissinger claimed to know what was in the latter's mind on October 23, 1973, the day he returned to Washington: "Kissinger resolved that he would stop the Israelis and save the III Corps and thus guarantee a military stalemate."⁶ Other Americans were also let in on the secret. Professor William E. Griffith of the Massachusetts Institute of Technology and *Reader's Digest* made known that Washington, not Moscow, had "forced Israel to allow relief convoys to pass through its lines to the surrounded Egyptian III Corps."⁷ *Foreign Affairs* of October 1974 pub-

lished an article by Professor Nadav Safran which casually referred to "the United States' forcing of Israel to open a supply line to the beleaguered Egyptian III Corps."⁸

Finally, Dayan decided to clear up the mystery on December 19, 1974. In a lecture at Bar-Ilan University at Ramat Gan, Israel, he disclosed:

"The Americans, in order to smooth the way with the Arabs, confronted us with an ultimatum to the effect that, if we would not enable the [Egyptian] Third Army to receive food and water, we would find ourselves in a political conflict with them [the Americans]."⁹

The State Department decided that it was best not to comment on Dayan's remarks. Whereupon Dayan repeated the story in greater detail in an interview with Terence Smith in the *New York Times* of January 26, 1975. Two of the questions and answers are worth giving in full:

Smith: In a recent lecture, you charged that the United States threatened in October 1973, to fly supplies in to relieve the encircled Egyptian Third Army if Israel refused to allow food and water through the lines. What actually happened there?

Dayan: The U.S. moved in and denied us the fruits of the victory. It was an ultimatum—nothing short of it. Had the United States not pressed us, the Third Army and Suez City would have had to surrender. We would have captured 30,000 to 40,000 soldiers and Sadat would have had to admit it to his people. We might only have held them for a day and let them walk out without their arms, but it would have changed the whole Egyptian attitude about whether they won or lost the war. It would have given us more cards in the practical negotiations.

Smith: Would the Soviets really have intervened as the Americans said they would at the time?

Dayan: I don't think so. Not over the Third Army. If we had tried to take Cairo or Aswan, yes. Do you remember the U.S. alert on October 24? They thought the Soviets were going to land an airborne division near Cairo and link up with the Egyptians to try to drive us from the west bank of the canal. The Soviets were worried about Cairo and Aswan, not saving the Third Army. It could have made a big difference if we had been permitted to force them to surrender. The American move didn't help anything.

Again, no effort was made in Washington to deny Dayan's story.

It was, then, an American "ultimatum" to use American forces to resupply the Egyptians and to face the Israelis with the prospect of fighting Americans, not a Russian ultimatum to use Russian forces and face the Israelis with the prospect of fighting Russians, that compelled the Israeli government to submit. It is entirely credible, as a recent study of the war asserts, that the American alert of October 25 was one of the signals "aimed against Israel as much as they were aimed against the Soviet Union" in order to convince Israel that further developments "would have grave implications for American interests far beyond the confines of immediate hostilities."¹⁰ The trail of events was so carefully concealed that a reconstruction of the October 1973 events in the *New York Times* a month later never so much as hinted at such American pressure on Israel.¹¹

The American threat might conceivably have been justified by a Russian threat. But it is no longer clear what the Russian threat was or, whatever it was, how it should have been met. The Russian message on October 24 urged joint U.S.-USSR enforcement of the cease-fire and, if the U.S. refused, raised the possibility of Soviet forces acting alone. Secretary Kissinger's reflex was evidently far more drastic than the reaction in the Pentagon or in Israel. The demand for the worldwide, phase-three American alert

came from him. In the Pentagon, the Soviet messages were considered an initial test of American nerves and policy, to be taken seriously but not precipitantly. The Israelis, who had most at stake, were least unnerved. They held out until the 27th and then capitulated to an American, not a Russian, threat. Former Assistant Secretary of State for Near Eastern and South Asian Affairs, Lucius D. Battle, has offered the opinion that "the Brezhnev note of October 21 did not strike me as threatening as earlier flares signaled it to be. Compared to Russian notes I have read in past years, it was relatively mild—at least as reported in the press."¹² We might be able to judge for ourselves how threatening the situation was if Secretary Kissinger had kept his word to "make the record available." Unfortunately, he changed his mind, and only our children or grandchildren may know how embarrassing the record may be.

In effect, the October war made it possible for Secretary Kissinger to pose as the savior of both sides. When the Israelis were in trouble, the American resupply effort made it possible for them to continue the battle on a scale commensurate with their needs. When the Egyptians were in trouble, American pressure on Israel enabled them to avert a defeat which would have fractured the Egyptian army and shaken the Sadat regime. Throughout the Nixon years, the administration had been straining to achieve "even-handedness." By force of circumstances, that blessed state was reached in practice in October 1973.

The change in the American position during and after the 1973 war can be gauged only by looking back at what American policy had been. Some historical perspective is needed before we can go on to the present.

II

The ostensible reason for the 1973 war was bound up with the Arab territories occupied by Israel. Before we consider what should be done with these territories, we need to remember why and how they were occupied in the 1967 war.

It was a war which, as I have shown in a previous article, originated in proposals made ten months earlier by the highest Egyptian military officials with the deliberate intention of violating the status quo—which they knew could not be carried out without another war.¹³ It was a war for which the Soviet Union had supplied the ostensible provocation by spreading a phony story in May 1967 to the effect that Israeli forces had massed for attack on the Syrian frontier—which the Egyptians knew to be false.¹⁴ It was a war which the Egyptian leader, President Gamal Abdel Nasser, said was being waged because "Israel's existence in itself is an aggression."¹⁵ It was a war touched off by an Egyptian blockade of the Israeli port of Eilat at the tip of the Gulf of Aqaba—a traditional act of war. It was a war which demonstrated that Israel could not rely on an American "commitment" given by President Eisenhower in 1957 dealing precisely with the eventuality of such a blockade.¹⁶

If ever a war was deliberately provoked, it was provoked by Egypt in 1967. Even Arab commentators have harshly criticized Nasser for having been too vainglorious and overconfident in his challenge to Israel. Yet Arab and Soviet propaganda has unremittably characterized this war as a pure and simple Israeli "aggression." This charge was so clearly threadbare and self-serving that it was never accepted by, nor even put to a vote at, the United Nations as a basis of its determination on the war. Yet so successful has this Arab-Soviet propaganda been, as memories have dimmed, that James Reston could write in the *New York Times* of January 31, 1975, of friends of Israel who have urged her "to give up territory occupied by aggression"—an expression for which the ex-

Footnotes at end of article.

pressed regret a week later. Mr. Reston, however, was not the first American who should have known better than to charge Israel with "aggression" in 1967. In his first pronouncement on the Middle East in 1970, Senator J. William Fulbright used exactly the same term on the floor of the Senate.¹⁷ If it was to Mr. Reston's credit that he soon recognized his mistake, one cannot ignore it as a symptom of how much has been forgotten since 1967.

Let us consider the question of the occupied territories in a general way.

The history of the world could be written in terms of the history of territories occupied—and annexed—as a result of wars. The Arab world would never have reached from the Euphrates to the Atlantic if it were not for vast invasions, conquests, occupations, and absorptions. But that was a long time ago. No self-respecting American historian has failed to wince at the way in which a huge chunk of Mexico was occupied and annexed in 1846 and the Philippines in 1898–99. But that was in the 19th century. In the lifetime of the present generation, Soviet Russia has occupied and annexed 272,500 square miles of territory—an area as large as Jordan, Lebanon, Syria, and Iran combined—as a result of World War II, much of which had not even belonged to Czarist Russia. But that was three or four decades ago. At this very moment, as a result of a Greek provocation—which, however, was considerably less than that of Nasser in 1967, inasmuch as Turkey itself was not threatened—Turkey has occupied and taken over almost half of Cyprus, with barely more than a tired groan from the rest of the world.

My point here is not that occupation of foreign territory is something to be encouraged and approved. My point is that the Israeli occupation is being singled out for moralistic abuse as if it were unheard of and did not have more justification than almost any other. Power, not morality, obviously determines whether or not occupation can be gotten away with.

Let us consider another vexing problem—the Palestinian refugees.

A recent study, *The UN and the Palestinian Refugees*, starts with this sentence: "Political refugees, of whom there have been many millions since the end of the Second World War, are the tragic product of an incompatible juxtaposition, whether of faction, class, religion, ideology, or nationality."¹⁸ Here at least we are immediately confronted by a critical fact—the Palestine refugee problem is part of a much larger refugee problem and should be seen in terms of that larger problem. An official U.S. estimate put those who fled or were evicted since 1945 from the Communist countries alone at over 25 million.¹⁹ A British source has estimated that as many as 35 million refugees have been successfully resettled since 1945.²⁰ The Arab refugees constitute a small fraction of this huge shift in population. The number of Arab refugees was put by the Special Political Committee of the General Assembly in 1956 as somewhere between 705,000 and 725,000. The highest figure, based on registrants for UN relief and obviously inflated by false registrations and other factors, was 1,344,567 in 1967.²¹ Terence Prittle, the British writer, has concluded from a survey of the available statistics that the figure should be about 700,000.²² Inasmuch as about 600,000 Jewish refugees fled from Arab countries, the two tend to offset each other. Even if Arab refugees should be estimated at one million, they would represent a relatively small portion of all post-1945 refugees.

These hordes of refugees should have outraged the conscience of the postwar world. That is not the point here. I want to stress something else—that only one kind of refugee

has been made a political weapon to destroy the state from which he fled. The point has been well made by the Rev. Dr. Douglas Young, President of the American Institute of Holy Land Studies in Jerusalem. He recently drew attention to the fact that the propaganda to get Israel to allow Palestinian refugees to return is "contrary to all treatment of all refugees throughout the whole world in the last 10 or more years. Never are refugees moved. Always are they assimilated in their host countries."²³

There is something suspicious and ominous about a world which permits one rule for refugees from a Jewish state and another rule for refugees from all other kinds of states.

In his 1970 speech, Senator Fulbright admitted that Israel was being asked to do something no other state had ever done. This is how he put it: "It is natural enough for Israel to resist the honor of being the first modern military victor to be obliged to abide by the principles and specifications of the United Nations Charter, especially when the greater powers who dominate the Security Council have set such a wretched example. Be that as it may, the principle is too important to be cast away because of the hypocrisy or self-interest of its proponents."²⁴

In short, all the self-interested hypocrites have a right to ask of Israel what they would not dream of doing themselves.

Let us now consider the problem of the occupied territories more concretely. Again, the starting point must be the 1967 war.

The war was fought because, among other things, Egypt tried to close off the Gulf of Aqaba at Sharm el-Sheikh; Syria used the Golan Heights to shell the Israeli settlements below; and Jordan divided Jerusalem so ruthlessly that Jews could not visit their holy sites and cemeteries, which were in any case demolished or defiled. Nasser was overconfident precisely because the existing borders seemed to make Israel so vulnerable in a three-front war. The waist of Israel just north of Tel Aviv was less than a dozen miles wide—the distance it would take at this point to throw the Israelis into the sea.

Six days later, the Israelis had a defensive frontier on the Suez Canal, all along the Jordan, and atop the Golan Heights. At first, the Israelis expected to cash in their victory for a firm peace. As Dayan put it, in a much derided phrase, he was waiting for a telephone call from Cairo. The meaning was plain: Egypt had always refused to negotiate with what it considered to be a weak Israel; now it might decide to negotiate with a strong Israel. Dayan was disappointed. The Arab answer was given at Khartoum in August 1967: "No peace, no recognition, no negotiations."

Nevertheless, in November 1967, both the Arabs and Israelis accepted Security Council Resolution 242. For our present purposes, it is merely necessary to recall its main provisions. Essentially, it provided for the withdrawal of Israeli armed forces from "territories"—not "all the territories"—occupied during the war in return for giving Israel an end to belligerency and "secure and recognized boundaries." It was a "package deal," as Lord Caradon, the British member who sponsored it, has recently reminded us.²⁵ In effect, the parts of 242 were linked together to make "a balanced whole," to be enforced together or not at all. When the Arabs now demand total Israeli withdrawal and the Israelis demand a state of peace or at least non-belligerency, we are still within the bounds of 242, which has never been revoked or renounced.

Resolution 242 never achieved its purpose mainly because the Arab states and their Soviet patron insisted on breaking up the "package deal." Inasmuch as they were interested solely in Israeli withdrawal from the

occupied territories, they cut down the whole problem to a simple case of Israeli "aggression" which made the Arabs the only aggrieved party to the dispute. This line totally ignored the fact that it had been the understanding of the British and Americans that at least "insubstantial" or "minor" modifications should be made in the pre-war boundaries in order to give Israel a greater degree of security.²⁶

But 242 was not yet finished. The Brezhnev-Kissinger deal of October 21, 1973, which was adopted in the UN the following day as Resolution 338, resurrected 242 by calling for its implementation "in all its parts." In addition, 338 went somewhat further than 242 by also calling for "negotiations"—that dread term—"between the parties concerned."

Several other things which happened between the 1967 and 1973 wars deserve to be better known and need to be taken into consideration for an understanding of the problem of the occupied territories.

Immediately after the 1967 war, according to Professor Nadav Safran, Egypt was prepared to go along with a formula worked out by Secretary of State Dean Rusk and Foreign Minister Andrei Gromyko to exchange Israeli withdrawal for a termination of belligerency. Algeria, however, sharply protested and the other Arab states rallied behind it. Nasser backed away from the proposal. Professor Safran believes that the same "outbidding" resulted in the "Three No's" at Khartoum. If he is right, Dayan was not so far wrong in thinking that there might have been a telephone call from Cairo.²⁷

In February 1968, British Prime Minister Harold Wilson told Israeli Deputy Prime Minister Yigal Allon that Britain was suffering most from the blockage of the Suez Canal. Allon conferred with Prime Minister Levi Eshkol—who had from the first considered the occupied territories a dubious blessing—and they agreed that Britain would secretly approach the Egyptians in Cairo to see whether they would be willing to reach a partial settlement with Israel for the purpose of reopening the Canal. The Egyptian reply was negative. Other efforts were made in the same direction by Pietro Nenni of Italy and Secretary of State William Rogers—all with the same negative result.²⁸

In September and October 1968, the United States assured Egypt that, if it would negotiate with Israel, the United States would support the phased but total return to Egypt of the Sinai territory on condition that a peace settlement should be reached and the area demilitarized. This proposal was accepted by Israel and rejected by Egypt.²⁹

In February 1971, a disengagement agreement to enable Egypt to reopen the Suez Canal came up once more. According to then Assistant Secretary of State Joseph J. Sisco, Israel informed the United States that it was willing to engage in talks for an interim Suez Canal agreement to be held without any preconditions under the aegis of the United States. The plan fell through, Sisco said, because the Egyptians insisted "on prior commitment to total evacuation from Egyptian territory."³⁰ In effect, Egypt could have had some form of disengagement along the Suez Canal in 1971—which is all that Egypt has now—without a war.

A dovish plan worked out before the 1973 war by the present Israeli Foreign Minister, Yigal Allon, was designed to grant Israel the greatest possible increment of additional security commensurate with the least possible transfer of Arab territory. There is no need here to go into the details of Allon's plan, which gave away too much for some Israelis and too little for others; it would probably get more support today.

The point is that there has never been, even remotely, an Arab effort to present an analogous plan for even a minimal territorial compromise. Israeli doves have had such a hard time because they have had no one but

Footnotes at end of article.

themselves to be dovish with. Recently a well-known Israeli writer, Amos Elon, and a young Egyptian scholar, Sana Hassan, collaborated on a book, *Between Enemies* (Random House, 1974). They also agreed that he would pay his first visit to Egypt and she to Israel, and that the book would be brought out in Hebrew in Israel and in Arabic in Egypt. Sana Hassan went to Israel, where she traveled wherever and spoke to whomever she pleased; Amos Elon was not permitted into Egypt. The book appeared in Hebrew in Israel; it was refused permission to appear in Arabic in Egypt by the highest authorities, despite Sana Hassan's best efforts.

A "compromise" would obviously mean that Israel could not keep all of the occupied territories and that the Arabs could not get all of them back. It is possible to oppose Israel's keeping any of the territories or the Arabs' giving any of them, but then it is impossible to speak of a "compromise." The sponsors of Resolution 242 actually thought of a minimal compromise according to which only "insubstantial" or "minor" territorial changes would be made. No matter how these relative terms might be interpreted, something had to change or the idea of a compromise was meaningless.

Some idea of change was also built into Resolution 242's requirement of "secure and recognized boundaries" for every state in the area. This provision could only mean that Israel did not have such boundaries before the June 1967 war. Whatever "secure" boundaries may mean, they could not mean exactly the same boundaries as had prevailed previously.

A great deal of casuistry has been expended on the subject of secure boundaries. It is frequently and solemnly said that there is no such thing as absolute security, as if anyone would ever do anything at all if life were a matter of absolutes. One advanced thinker has gone so far as to assure Israel that "it would be equally indefensible if it stretched from Tripoli to Beirut."²¹ The distance from Tripoli to Beirut is about 1,500 miles; the distance from Qalqilyah in the West Bank across the narrow waist of Israel to the sea is about 10 miles; the distance from the Golan Heights to the valley below in Israel is virtually nonexistent. Would anyone dare to tell the Russians that their vast expanse of territory gives them no more security than if they were compressed into Israel's narrow space? Boundaries can surely give Israel—and any other country—more or less security, though they certainly cannot provide absolute security by themselves. In Israel's case, there is the added factor that an increase of relative security may have an absolute value in the event of a life-or-death battle.

If "insubstantial" or "minor" territorial changes were all there were to the problem, they would not be beyond the wit of man. A compromise could entail a very small portion of the occupied territories.

After June 1967, Israel occupied about 47,000 square miles of former Arab territory, of which the Sinai represented approximately 95 per cent. The West Bank, the Gaza Strip, and the Golan Heights accounts for about 3,000 square miles, of which the West Bank alone makes up about 75 per cent. Israel has always made known that it was not interested in retaining the Sinai indefinitely. The West Bank is a much more difficult problem, about which I will have more to say later. If we omit the West Bank provisionally and concentrate on the neuralgic points which gave rise to the 1967 war, such as Sharm el-Sheikh, the Golan Heights, and Jerusalem, the changes would actually be "insubstantial" or "minor" by any definition.

A few territorial changes amounting to a tiny fraction of the 47,000 square miles of occupied territory would make a great deal of

difference to Israel and vastly less difference to the Arabs, so long as every inch of ground is not considered sacred.

What really stands in the way is something far deeper and more intractable. Israel insists on holding on to the occupied territories unless it gets something for them. The Arab states insist on getting back the occupied territories without giving anything for them. This is the basic dilemma, not relatively small pieces of land.

One can understand a hard-boiled, cynical approach to the effect that Israel should give up the occupied territories in return for little or nothing because it does not have the power to do otherwise. But the unctuous, sanctimonious attitude that pervades so much of the commentary on this issue smacks—as former Senator Fulbright intimated—of hypocrisy or self-interest.

In his column of January 21, 1975, James Reston asked this question: "And who are the friends of Israel anyway—those who urge her to give up territory occupied by aggression [later changed to "force"] or those who urge her to hold on to everything she has?" It was in every sense the wrong question. For all but an extremist fringe, the real question, as matters stand today, is whether the friends of Israel should urge her to hold on to anything. It is the friends of the Arabs who should be asked whether to urge them to hold out for everything.

IV

Until October 1973, American policy seemed to be clear and firm in important respects. It was not, as Arab propaganda liked to pretend, unequivocally and unconditionally pro-Israel. On the contrary, the Nixon administration from the first sought to move over to so-called evenhandedness in its policy. The Rogers Plan of December 1969 was explicitly intended to be "a balanced" policy (emphasis in original). By that it was meant that there should be an exchange between Israel and Egypt—Israel to withdraw its forces from Egyptian territory and Egypt to make a "binding commitment" with all "the specific obligations of peace spelled out" and "worked out between the parties."²²

Assistant Secretary Sisco, the main American spokesman, held fast for the next three years to three principles—Israeli withdrawal with insubstantial territorial changes; direct Arab-Israeli negotiations; a binding peace agreement. In November 1972, for example, he spoke of Resolution 242 in the following terms: "It did not call, as you know, for total Israeli withdrawal to the pre-June 5 [1967] lines. The whole assumption of Security Council Resolution 242 was that the final lines would be negotiated between the two sides." In February 1973, he said: "The United States has never seen itself as either a substitute for an agreement between the parties or a substitute for the actual process of negotiation itself." In May 1973, he still maintained: "Finally, there is the myth that peace can be made by proxy; that powers not party to the conflict, acting independently or through the United Nations, can somehow substitute for negotiations between the parties themselves."²³

One thing seemed clear: from January 1969 to October 1973, the United States stood steadfastly for Arab-Israeli negotiations and some form of *quid pro quo* as the only way to arrive at a lasting peace agreement. Anything else, such as a U.S., Big Four, or UN "guarantee," was considered supplementary to such an agreement and even capable of doing more harm than good if it was intended to act as a substitute for it. An outside guarantee, Mr. Sisco said, could add "as a minimum, an important psychological and political support for the agreement between the parties," but no more.²⁴

Now we are in the midst of an influential, persistent campaign to change this policy

in favor of some form of "imposed peace" based on some kind of "guarantee." This idea is not a new one, but it was not taken seriously until after October 1973.

A UN-Big Four trial balloon was sent up in 1969 by Charles Yost, former U.S. ambassador to Syria and Morocco and deputy representative at the UN. If the contending parties could not themselves very soon come to a settlement, he proposed that the UN, with the backing of the U.S., USSR, Britain, and France, should take the initiative "to break the logjam." Where guarantees belonged in Mr. Yost's scheme was not clear because he also wrote: "Whatever guarantees can be obtained from the United Nations and/or the Great Powers would no doubt be welcome, but after the impotence of both in May-June last year [1967] either to maintain the United Nations forces in place or to reopen the Straits of Tiran, there is considerable skepticism as to the efficacy and durability of such guarantees." Nevertheless, Mr. Yost clearly wanted the UN and/or the Great Powers to be the *deus ex machina* of the Arab-Israeli conflict.²⁵

Senator Fulbright in August 1970 was the first one to make "guarantees" the key to an imposed settlement. In return for Israeli withdrawal from occupied territories, Mr. Fulbright envisaged two kinds of guarantees—a multilateral one by the UN and a bilateral one between the United States and Israel. The relationship of these two guarantees was not altogether clear. At one point, Mr. Fulbright seemed to throw in the U.S. guarantee because Israel did not trust another UN guarantee. Under questioning, however, he agreed that the United States might have to act alone on its guarantee "in accordance with the constitutional process." He put considerable trust in the Soviet Union to back a guarantee and to join in a Middle East "international police force." He gave as one reason for his optimism about such a UN force—Cyprus.²⁶

These trial balloons failed to rise. One thing, however, was striking—those who were least sympathetic to Israel were most eager for guarantees. The United States officially rejected them. Israel was most unenthusiastic. The Arabs also refused to take them very seriously, for one reason because they wanted something else from the United States.

Nasser died in September 1970. His successor, Anwar el-Sadat, soon showed that he was going to play a different kind of game. Nasser had been relatively rigid and straightforward in his tactics. Sadat adopted a far more shifty and slippery course. Coming to power after Nasser's two great failures, the 1967 war and the 1970 "war of attrition," Sadat realized that a direct attack was no longer feasible. In 1967, Nasser had worried mainly about U.S. intervention and had counted on Soviet Russia to neutralize the United States. In different circumstances, Sadat arrived at a different tactical answer to the problem. The key to victory for him was the isolation of Israel, especially its isolation from the United States. Nasser had wanted to neutralize the United States; Sadat set out to make the United States neutral.

The new Egyptian line did not take long to make its appearance. In February 1971, in an interview with Arnaud de Borchgrave of *Newsweek*, Sadat made two related statements. One was: "I ask only one thing: can the U.S. be neutral and objective?" The other was: "The U.S. administration is the key to peace."²⁷ In another interview, with C. L. Sulzberger of the *New York Times* in December 1971, Sadat said that he wanted the United States to be "just neutral."²⁸

Until October 1973, however, the circumstances were not right for a drastic shift in American policy. The October war, the Arab oil embargo, and the supposed exigen-

Footnotes at end of article.

cies of the U.S.-USSR détente conspired to bring about a far-reaching change.

Previously, the Arabs had counted on the Soviets to neutralize the United States, and Israel had relied on the United States to neutralize the Soviet Union. To neutralize meant, in this context, to prevent direct intervention by either power. But on October 21, the Kissinger-Brezhnev deal implied joint Soviet-American direct intervention. The cease-fire agreement was, in effect, an imposed arrangement—imposed by the Soviets on the Americans, imposed by the Americans on the Israelis. The imposed settlement of October set a precedent which some Americans would now like to make a permanent condition.

The implications of his narrow escape from disaster thanks to American intervention were not lost on Sadat. Cold Egyptian calculation dictated making the United States the new center of gravity of Egyptian policy. The shift was based on the simple pro-Israelian alliance with Dr. Kissinger in the form Israel what no one else could get. The United States became the center of the struggle in the Middle East when Egypt decided to get what it wanted from Israel through the United States.

Again, the Egyptians made no secret of their new tactics. In December 1974, Foreign Minister Ismail Fahmy defended the Egyptian alliance with Dr. Kissinger in the form of a rhetorical question: "What other country can force Israel to withdraw?"²⁸ In an interview in *Le Monde* of January 22, 1975, Sadat outdid himself in his flattery of Secretary Kissinger, and then explained: "However, supposing Henry should not be the man I have just described, do you think that we have any other alternative than American mediation? I do not say that the USSR has no role to play, but it must be admitted that the United States holds most of the trump cards, since Israel entirely depends on it."

In the same interview, Sadat also made clear how he intended to play the American card. For the return of the occupied territories, he said, "I have nothing to offer." In any event, he declared peace was not possible "as long as the Palestinian problem is not resolved." On one important point, the report of *Le Monde's* interview in the *New York Times* may have been too brief to be fully intelligible. The *Times* chose to emphasize what Sadat said about Soviet Russia, which need not be repeated here, but it neglected to mention what he said about the United States, such as his reference to the "trump cards" which he expected it to play in Egypt's favor. As for what Sadat was willing to give in return, the *Times* report merely stated that he was "ready to conclude a peace agreement with Israel." Sadat's full statement, however, is necessary to understand what he meant by this:

"I am ready to conclude a peace agreement with Israel and to respect the obligations flowing from such an agreement. However, I think that it is still too soon to speak of diplomatic relations or open frontiers. It would be necessary to reduce the hate accumulated in the course of twenty-six years of bloody conflicts. I leave to the next generation the trouble of deciding if it is possible not only to coexist with the Jewish state but also to cooperate with it. Everything depends, moreover, on the behavior of Israel after the establishment of peace."

Much of this Sadat had said many times before; it thus represents a well thought-out plan of how far the Egyptians are prepared to go. In practice, it means that, if Israel is willing to capitulate on all substantive issues—from the total, unconditional withdrawal from all the occupied territories to recognition of a PLO-ruled Palestinian state—Egypt might sign a piece of paper to

be called a "peace agreement." I say "a piece of paper" because it would have none of the concrete attributes of a real peace. Anything of importance to Israel, such as open frontiers, would be ruled out and passed on to the next generation. The interview in *Le Monde* also had a bearing on a point raised by I. F. Stone in the *New York Review of Books* of February 6, 1975. In the interview, Sadat threatened war twice—if Israel was determined to keep the Golan Heights and if Israel refused to negotiate a general settlement on the Egyptian terms. Stone sought to give the impression that "a new war is the line of least resistance in Israel." One might imagine that Rabin, not Sadat, uses interviews to make threats of war. When Otto Nathan protested Stone's defamation of Israel in the March 6 *Review*, Stone disingenuously evaded the issue and tried to hide behind Albert Einstein. One wonders whether I. F. Stone knows better—or does not know better.

In his interview with Philip L. Geyelin in the *Washington Post* of February 17, 1975, Sadat gave a much clearer answer to the question of what he expected to give in exchange for an Israeli pullback. On this occasion he demanded an Israeli withdrawal from the Sinai, Golan Heights, and the West Bank. And in return? "I am not ready to make a settlement agreement with Israel," he said. "I am ready to agree to a gesture of peace from the side of Israel to pull back so that we can create a new atmosphere toward permanent peace." And after the Israeli gesture? "So they must give this gesture," Sadat said, "and then after that we shall be going to discuss the whole problem in Geneva." The interviewer persisted and wanted to know what, meanwhile, was going to be done about "Israel's long-term security—a removal of any further challenge to the territorial integrity and the sovereignty and the right of Israel to exist. What about this?" To which Sadat replied: "The only place to discuss this is Geneva. You must keep this for Geneva, for the whole solution."

In effect, little or nothing had changed. Sadat still demanded that Israel should give up its bargaining power, obtained at great cost from the two Arab-provoked wars, and then . . . and then . . . the Arabs would see. . . . Perhaps a "peace agreement" without substance; more likely endless logorrhea at Geneva over such intractable issues as Jerusalem and a PLO-ruled state, culminating in sheer exhaustion or exasperation, leaving both sides exactly where they had been before Geneva—except that the Israelis would no longer have much to bargain with.

Whatever it may be called, Sadat's offer resembled a cease-fire far more than a peace. In classical Islamic doctrine, the *jihād* signifies "a permanent state of war, not a continuous fighting."²⁹ In modern terms, a cease-fire is permissible, a peace is not. A cease-fire has ended every Arab-Israeli war, and it is again being offered, if the price is right, slightly masked as a peace. Whatever the name, however, it is essential for the Arabs to appear to have imposed their demands on Israel. It is also essential for any temporary cessation of hostilities to leave the way open for their resumption, through the Palestinians or some other unsatisfied element. The refusal to negotiate with Israel, the setting forth of terms on which Israel's survival would depend, and the oft-made distinction between good Jews and bad Israelis serve a fundamental purpose: to make those Jews who may be permitted to remain in the area a small, at best tolerated religious minority—or, as Sadat put it in April 1972, not so long ago, "whom our Book says that lowliness and submissiveness is their lot."³⁰ When the PLO leader, Yasir Arafat, says that Jews and Arabs will have equal rights in his mythical "secular, democratic Palestinian state," he also stipulates that the state would be an integral part of the larger Arab nation,

every other part of which—except for the special case of Lebanon—is as non-secular and non-democratic as it is possible to get in the modern world.

All of which does not mean that Sadat is invulnerable to attack by Arab extremists. They are not satisfied with anything less than an all-out war to the death with Israel and scorn the "moderation" a la Sadat which believes in using diplomacy as well as force and wavers between Egyptian self-interest and Egyptian leadership of the Arab world.

Two other points in *Le Monde's* interview, which did not appear in the *New York Times* report, are noteworthy. Sadat was strangely confident about where American policy was going. On the PLO, he said: "I can assure you that Washington will not delay recognizing the PLO as being the sole legitimate representative of the Palestinian people." The other point had to do with guarantees: "The U.S. and the USSR are ready to furnish us jointly with such guarantees which would be approved by the other members of the Security Council and, if desired, by the entire United Nations."

Sadat talked as if he knew more about American policy than almost all Americans were permitted to know. In fact, if Sadat should prove to be right, readers of *Le Monde* knew more than readers of the *New York Times*.

v

Why have "guarantees" suddenly become so popular in some American and Arab circles?

It was not so long ago, as we have seen, that official American policy clearly deemphasized guarantees. Almost the only voice that had been raised in their favor was that of Senator Fulbright, and his loneliness was not abated by his advocacy. The Israelis did not want them, the Arabs were not impressed.

Soon after the October war, however, Secretary Kissinger began to talk about guarantees. In November 1973, he discussed them publicly on two occasions, and in December of that year, once again. No one else at that time was paying so much attention to them.

The subject was brought up for the first time on November 12 by an interviewer who apparently thought that guarantees were still officially unwelcome. Dr. Kissinger's answer revealed more than he may have intended:

"We have not yet given any particular guarantees. However, I would assume that if the peace negotiations succeed there will be a very serious problem, especially for Israel, of how its security can be assured under conditions when the final borders will certainly be different from the cease-fire lines and when withdrawals are involved as Security Council Resolution 242 provides.

"At this point the question of guarantees will arise and we have to then ask the question what sort of guarantees—unilateral, several countries, and so forth. Second, moreover, the great powers are already involved to some extent in the Middle East. What we have to do is to try to prevent every crisis from turning into a clash of the superpowers."³¹

The best authority, then, on why guarantees were now to be regarded more favorably was Secretary Kissinger himself. He recognized at this time that anything the Israelis could get from the Arabs in return for withdrawals from the occupied territories would constitute "a very serious problem" of security for Israel. "Guarantees" from outside powers were supposed to compensate Israel for what it could not get from the Arabs. This, in essence, was the rationale which he unguardedly expressed in his first discourse on the subject.

In his second reference to guarantees on November 21, Secretary Kissinger talked about the number of elements necessary in a peace settlement:

"It will have to have an element of withdrawals. It will have to have an element of

Footnotes at end of article.

security arrangements between the parties concerned. And it may have to have an element of outside guarantees. In addition, there are such issues as the Palestinians and the future of Jerusalem."⁴³

And on December 6, he mentioned guarantees as having reached the stage of active consideration: "We are prepared to consider the question of guarantees in its broadest sense," and "we are prepared to consider—I said to 'consider,' not necessarily to agree—either individual or joint guarantees. As to permanent stationing of United States or Soviet forces in the Middle East, we are somewhat dubious. We do not rule it out totally, but we are reluctant to get it into this."⁴⁴

After planting the seed of guarantees in the public consciousness for the first time since Senator Fulbright's abortive effort, Dr. Kissinger stopped just short of committing himself, as if time were needed for the seed to sprout.

Meanwhile, the Israelis were still protesting that guarantees were not in their interest nor, for that matter, in the American interest. In November 1973, then Defense Minister Dayan stated the Israeli point of view: "We don't need a formal guarantee, and we don't want any other soldiers, American or otherwise, to fight for us."⁴⁵

This protest did not discourage the incipient American campaign for guarantees. Among the first to take up the cause was Professor Zbigniew Brzezinski of Columbia University, who included a U.S. guarantee in his personal peace plan. In making his case, Professor Brzezinski somehow tried to have it both ways. On the one hand, he argued: "In effect, Israel enjoys such a [U.S.] guarantee." On the other hand, he maintained that formalizing it would "enhance the existing U.S.-Israeli relationship and have the added advantage of making the consequences of any aggression against Israel much more serious." He carefully refrained from spelling out the nature of his guarantee and from explaining why an admitted formality should make so much difference.⁴⁶

Another recruit in the burgeoning campaign was Professor William E. Griffith, whose first effort appeared in the Winter 1974 issue of *Orbis*. He went Professor Brzezinski one better by calling for two guarantees in the manner of the old Fulbright plan—a multilateral international and a unilateral U.S. guarantee. Although Professor Griffith took note that a guarantee "might involve the United States in military action," he studiously avoided the hard questions of how, when, and where. Revealingly he recognized that "Israel would no longer be able to rely on its own resources and military forces to guarantee its security. Rather, it would have to depend in part on international and U.S. guarantees" (emphasis added).⁴⁷ I have emphasized the words "in part" because they betray how easy it is to misuse the term "guarantee." A guarantee "in part" is a contradiction; a guarantee is totally effective or it is no guarantee.

In a repeat performance in his role as a Roving Editor of the *Reader's Digest*, Professor Griffith hit the reader on the head with this opening sentence: "If you think the Arab oil squeeze a year ago was bad, you haven't seen anything yet." He warned of gas rationing, chilly homes and offices, factories shut down, the financial system disrupted, and the first major depression since the 1930's. Next came the real message: "All this will probably happen unless Washington takes prompt and decisive action to settle the long-standing conflict between Israel and the Arabs"—along the lines proposed by the author. No one would ever know from this crude tie-up that the Arab oil threat did not originate with, and could go on for many other reasons than, the Arab-Israeli conflict,

or that working up mass hysteria is the worst possible political climate for working out an American policy.

Like Professor Brzezinski, Professor Griffith also admitted that a U.S. guarantee "would only formalize a long-standing commitment—and constitute a clear sign to the Arabs that we mean business, and therefore that they can never destroy or dismantle Israel." Presumably this means that our previous long-standing commitment was not clear and did not convince the Arabs that we meant business. Why a new formality should be trumped-up to be so much more compelling than the old commitment again remained a mystery.⁴⁸

By the end of 1974, the campaign for guarantees had gained real momentum. Senator Fulbright was heard from once more—nothing new, but the title given to his speech in the *Washington Monthly* was revealing: "Getting Tough with Israel."⁴⁹

Former Under Secretary of State George W. Ball came out for a Soviet-American imposed guarantee on terms to be set forth in detail by the Security Council. Just how much of a guarantee it would be, on the American side, appeared to be questionable, since Mr. Ball himself seriously doubted "that President Ford, or any American President, would launch a military venture in the area."⁵⁰ Professor Richard H. Ullman of Princeton University urged that the present American "commitment" to Israel was too ambiguous and that "an absolutely unambiguous American commitment—one perhaps including the stationing of contingents of American forces in Israel," was now needed.⁵¹ How difficult it might be for a unilateral American commitment of this kind to get the necessary congressional support was soon indicted by two influential Senators. When Senator Charles H. Percy came back from the Middle East in late January of this year, he foresaw the necessity of Americans troops, if Israel should need them in a new war started by the Arabs, but "I would ask Soviet Russia to join us, together with other countries, to provide an international force," he explained.⁵² Senator John Sparkman, the new Chairman of the Foreign Relations Committee, also spoke in favor of "assurances" to Israel by "major powers."⁵³

These variations on the theme of guarantees were accompanied by various demands on Israel. Professor Brzezinski's plan called for Israeli surrender of political control of the occupied territories in return for Arab surrender of military control. Professor Griffith, in his 1974 article in *Orbis*, excepted the "Latrun salient" in the West Bank and parts of the Golan Heights, but his 1975 article in the *Reader's Digest* mentioned only the Walling Wall of East Jerusalem. Senator Fulbright would hear of nothing but total withdrawal on all fronts. Mr. Ball preferred to leave the reader in the dark on this score, but expressed remarkable confidence that it should not be "too difficult" for the United States and the Soviet Union to agree on "secure and recognized boundaries" for Israel, providing only that the Soviet Union jointly guaranteed the settlement. Professor Ullman touched on Israeli "territorial concessions which will be so vitally necessary if a genuine end to hostilities in the Middle East is ever to come," but prudently abstained from mentioning what they might be. Senator Percy came out for "pulling back essentially to the 1967 lines," and Senator Sparkman spoke of Israel as "surrendering some of the land, if not all."

Most of these proposals, for good reason, linked a guarantee with an imposed settlement. Guarantors must, in the last analysis, decide what they are willing to guarantee, even if the parties concerned can agree among themselves and especially if they cannot. If a guarantee becomes critical to a settlement, the next step is to impose those terms which are agreeable to the guarantor.

As a result, it become more important for the contending parties to negotiate with the guarantor than among themselves.

Strangely, no one had yet told the President of the United States that the line might be changing. On January 23 of this year, Mr. Ford still held faithfully to the old line: "But I think the Israelis with adequate equipment and their determination and sufficient economic aid won't have to have guarantees of any kind."⁵⁴ On February 16, however, his Secretary of State spoke of a "possible guarantee of the Soviet Union," presumably not alone.⁵⁵ On February 21, James Reston, who seems to have developed the uncanny knack of knowing what Dr. Kissinger has in mind, confided to his readers that "the idea of an American 'guarantee' of Israel's security now seems the most relevant, if difficult, compromise." On February 23, however, the old line was dutifully restated by Under Secretary of State Sisco, who said that any guarantee was being studied only as "a supplement and a complement to the actual agreement between the parties," based on Resolution 242. Israeli Ambassador Simcha Dinitz, it was reported, had asked Dr. Kissinger for an explanation and had been told the same thing.⁵⁶

Meanwhile, the Israelis were still resisting. "An American military presence here would be a grave mistake," a high Israeli official insisted. "We are proud that no American soldier has lost his life in the defense of Israel, and it would be a terrible tragedy if it happened."⁵⁷ Foreign Minister Allon declared that Israel would not accept any formal guarantees of Israel's existence by the United States or any other third country unless "Israel is capable of defending itself."⁵⁸ Prime Minister Rabin said that "those who proposed" an American-Israeli defense treaty are seeking it as "a substitute for defensible borders." He maintained: "The moment that Israel's destiny in anything relating to the defense of its very existence is taken out of its hands, then this becomes a different Israel—at the mercy of others." Referring to an American-Soviet guarantee, he held that it would have no practical value and that no arrangement exists "that goes by the term 'guarantees' by the two powers for any kind of settlement between states, or a regional settlement."⁵⁹

Something odd has clearly been going on. What is there about guarantees that is so attractive to some American publicists and politicians? What effect would guarantees have on Resolutions 242 and 338 on which American policy is still supposedly based? Why should the Israelis be so allergic to them?

VI

A clue to the sudden attractiveness of guarantees may be found in some of the things that have been said in favor of them.

When he first broached the subject on November 12, 1973, it may be recalled, Secretary Kissinger indicated why some sort of guarantee might be necessary. It was conceived, he implied, as a means of making up for the "very serious problem" for Israeli security which would arise when final borders were arranged. The guarantee, then, was compensation for what would otherwise be a state of serious Israeli insecurity.

Sadat also alluded to something important when he said in one interview that there "is nothing as good as international guarantees" and in another interview that he had nothing to give the Israeli for a pull-back in the Sinai, the Golan Heights, and the West Bank or, for that matter, anywhere else.⁶⁰ In his view, then, guarantees are good because they are something that someone else gives to the Israelis.

James Reston in the *New York Times* of February 21, 1975, saw an American guarantee as part of a "compromise." A guarantee, then, is from this point of view essentially a

Footnotes at end of article.

"compromise" arranged between Israel and the guarantors, not between Israel and the Arabs.

It should now be sufficiently clear why a guarantee has, in some minds, been promoted from a supplement to a substitute. It has emerged as the most seductive way of getting around the conditions set forth in Resolution 242 and 338. The first held out the expectation of some change in boundaries, and the second promised negotiations between the parties concerned. While everyone continues to pay lip-service to both resolutions, they are in danger of being eviscerated. Neither resolution said anything about guarantees. If the resolutions were lived up to, guarantees would not be so urgent or would at most be regarded as useful reinforcements. The new prominence of guarantees is a sure sign that the balance in the resolutions has in practice tipped drastically against Israel and that something had to be improvised that would appear to right the balance.

Let us be clear about one thing: the issue here is not whether Resolutions 242 and 338 are good or bad. The issue is whether they are being gutted.

Despite all the recent publicity about a guarantee, it is remarkable how little thought has been given to it in present circumstances. Those who have been using the term so glibly of late have not made the slightest effort to spell out how it would work or what its effect would be.

The past record is not encouraging. Apparently only one study, by Professor Alan Dowty, has been made of how international guarantees might apply to the Arab-Israeli conflict. It came to this conclusion: "Generally it must be stressed that the prognosis for international guarantees as part of an Egyptian-Israeli settlement is poor."⁶¹

A serious guarantee is not a diplomatic bandaid; it is a solemn undertaking to go to war if the guaranteed nation is endangered. Thus arises the first hard problem—who would decide whether or not the guarantee is operative? The obvious answer is: the guarantor or guarantors. After Vietnam and Cambodia such a decision would not be easy for the United States. If the guarantee were embodied in a formal treaty, as Mr. Fulbright and others have urged, the commitment would be most uncertain and ill-defined unless it specifically detailed "what steps would be taken under what circumstances," as Professor Dowty put it.⁶² It would not be easy for such a detailed treaty to be negotiated or to get through Congress in the present circumstances; it would be even more difficult to get Congress to declare war for the sole purpose of making good a guarantee, unless we are going to get into another Presidential war which, if only for constitutional reasons, might tear the country apart again. One need only think of one nagging question that would inevitably arise and hold up an American decision—who was the aggressor? In 1967, Israel was deliberately provoked but was denounced by the Soviet bloc, the Arab bloc, and Senator Fulbright as the "aggressor." On October 6, 1973, the Arab armies admittedly moved first and caught the Israeli forces by surprise, but the Soviet and Arab blocs in the UN launched a concerted campaign against Israeli "aggression" that lasted for some days.

Still, let us make the most favorable assumptions about the treaty in time of crisis. Guarantees, as Professor Hans Morgenthau pointed out almost three decades ago, "must be effective in their execution, and the execution must be automatic."⁶³ In the case of Israel, the *sine qua non* of automatic—or even effective—execution would be speed. The Israeli emergency plan in 1973 was based on a period of twelve days.⁶⁴ The period has probably been extended since then, but an

Israeli emergency would still almost certainly be most acute in the first days. A rescue operation mounted too late would do no good for Israel and would hopelessly discredit the United States.

To avoid such a contingency, it has been suggested that an American force should be stationed in Israel prior to any emergency. If it were merely a token, "trip-wire" force, it would not be able to defend itself adequately, let alone Israel. We would be reading about American casualties before we know how far we wanted to commit ourselves to a real war. An adequate American force would have to be a rather large one, perhaps as large as the Israeli force that would have to be mobilized to meet an attack. One shudders at the thought of thousands of American troops, complete with PX's and other appurtenances, stationed permanently in Israel, their logistical bases six thousand miles or more away.

These daunting problems would be compounded by a Soviet-American or "international" guarantee. The Soviet Union has given unswerving, unconditional political—and, to the extent that Soviet interests were served, military—support to the Arab states for a quarter of a century. It conspired with Syria in 1967 to nudge Nasser into foolhardy adventurism. Among the captured documents in the 1973 war were lectures delivered by Soviet generals at the Egyptian Staff College on how to deal with Israel; they advised the Egyptians to wage long drawn-out wars of attrition, aimed at softening up and wearing Israel down, instead of the short, swift wars of movement which they said Israel favored.⁶⁵ At present, Soviet Russia is again nudging Egypt by heavily arming the most extreme Arab states, Syria and Iraq. Thanks to Soviet arms, the PLO has a far larger and far better-equipped army in Lebanon than the Lebanese government has.

Détente, one is sure to be told, makes a Soviet-American guarantee feasible. But Secretary Kissinger himself has told us that the Middle East has been most impervious to détente.⁶⁶ Even if détente worked better in the Middle East, its relationship to a guarantee would not be reassuring. A guarantee, to be worthy of the name, must be effective and automatic; it should not depend on a Soviet-American rapport which by its very nature is fluctuating and unstable. If a guarantee is based on détente, any threat to détente would become a threat to the guarantee. Any threat to the guarantee would, in turn, threaten and get tangled up in the whole complex of issues and interests that make up détente. Above all, a Soviet-American guarantee would give the Soviet Union a veto power or at least a potentially fatal power of obstruction; the United States would be faced with the alternative of negotiating with the Soviet Union or hurriedly breaking with it on the operation of the guarantee. One can hardly imagine a more fragile and hazardous basis for a guarantee.

Such are some of the problems that a guarantee raises. Amazingly, all the would-be and have-been policy makers and policy planners who have proposed some form of guarantee have not made the slightest effort to deal with any of them. This uncharacteristic reticence is itself a commentary on how well thought-out the proposal is.

VII

Secretary Kissinger's more recent thinking on foreign policy has been marked by a peculiar contradiction. On the one hand, he has repeatedly called for "conceptual" frameworks and breakthroughs. On the other hand, he has pronounced: "The difference between a good and a mediocre policy is the accumulation of nuances."⁶⁷

One cannot have it both ways. Concepts are large and fundamental; nuances are small and subsidiary. A good foreign policy un-

doubtedly needs both, but no accumulation of nuances can save unsound concepts, while sound concepts can often survive a good many unfortunate nuances. What passes for nuances, moreover, often conceals unrecognized or unacknowledged concepts.

In essence, the Kissinger policy has tended to interpose the United States Israel and the Arabs. The basic formula has been for the United States to do for the Arabs what the latter will not do themselves. If the Arabs cannot force Israel to give up territory, the United States is expected to put subtle and not-so-subtle pressure on Israel to give up territory. If a return to the pre-1967 boundaries decreases Israeli security, the United States considers making up the difference with an American or American-plus guarantee. If Israel surrenders the Abu Rodels oil field in the Sinai, let the United States arrange to get an equivalent amount of oil from Iran.

The first thing that must be said about this American role is that it represents a tilt of policy that goes far beyond "nuances." It may be good or bad, but it is not more of the same.

The old concept used to be that there could be no peace in the Middle East unless Israelis and Arabs came to terms with each other. The new concept is for both of them to come to terms with the United States. It is only one step from this to the concept that the United States must come to terms with them by, if necessary, imposing its terms on them. This step has already been taken unofficially, as indicated by the articles I have cited, and it remains to be seen how far official policy will go in this direction.

In reality, the United States cannot impose its terms, whatever they are, equally on Israelis and Arabs. An imposed settlement is, in practice, a settlement imposed on Israel. It implies that the Arabs will give as much or as little as they want to give, the United States will in some manner pay off for them, and Israel will get whatever the Arabs and the United States together choose to give.

Is it in the American interest to interpose itself in this way between Israel and the Arabs?

We may accept at face value Secretary Kissinger's assurance: "The United States—and finally in the last analysis Europe—will not negotiate over the survival of Israel. This would be an act of such extraordinary cynicism that the world would be morally mortgaged if it ever happened. But it won't happen."⁶⁸

At one time, I too thought it couldn't happen. Now I am not so sure. It may happen because people make it happen, not necessarily because they want it to happen. The shabby scandal of UNESCO, the obsequious exhibition of Yasir Arafat at the UN, the craven behavior in the face of the Arab blacklist of Western companies and financial institutions, the report that a British minister "recently told a visiting American politician that the government doesn't envision Israel's long-term survival and is basing its Middle East policies around that assumption"⁶⁹—have shaken my confidence. I am sure that Israel will survive, because its will to survive is its veritable guarantee, but I am far from sure that the rest of the world is not already well on its way to morally mortgaging itself.

One way to become morally mortgaged is to deprive Israel of its own power of defense and to substitute the illusion of someone else's power I say "illusion" because no outside power, not even that of the United States, can effectively take the place of Israeli power. I am simply expecting too much of the United States in the present circumstances to make good a guarantee which, if taken seriously, could mean fighting another Vietnam war in Israel. That specter is not good for either the United States or Israel. Yet it hovers over the agitation for imposed

Footnotes at end of article.

settlements and guarantees without any of the advocates of these proposals daring to bring it out into the open.

It was Sadat's strategy to make the United States the center of the struggle. It serves his strategy for the United States to interpose itself constantly between Israel and the Arabs in a manner never done before. An American guarantee is perfectly acceptable to him because it shifts attention away from anything resembling an Arab guarantee.

If the American aim is an Israel that can defend itself, we cannot afford to forget some of the concepts that have governed Israel's existence from the outset:

1) *Only Israelis can defend Israel.* This is an ineluctable reality with which Israel has lived for a long time. It is a critical difference between Israel and Vietnam. Americanization of Israeli defense would smother Israel as it smothered Vietnam. Even the chimera of Americanization cannot fail to have as baneful an effect on Israel self-reliance as the real thing had on the Vietnamese.

Those who want an imposed settlement and/or guarantee specialize in the most lugubrious assessments of Israel's ability to defend itself. If the Arabs were as strong and the Israelis as weak as Mr. Fulbright and others would like us to believe, the Arabs would have overrun Israel some time ago. We seem to have gone from one extreme to the other; it is all the fashion to exaggerate Israel's difficulties and ignore those of the Arabs. If the Arabs did not have so many troubles of their own, Sadat would not have chosen to ask the United States to get what he wants for him instead of taking it himself. There is no need to minimize how hard pressed Israel is, but there is also no reason to underestimate how hard put the Arabs are. Polite panic-mongering has become a form of psychological warfare to break Israel's will to resist Arab or American pressure.

2) *There is no peace by proxy.* Two years ago, Mr. Sisco derided "the myth that peace can be made by proxy." The myth is still a myth. A statement by Egypt to the United States is not the same as a statement by Egypt to Israel. If it were the same, Sadat would not be so adamant about not giving it to Israel. The use of a proxy is important to Egypt because it leaves the way wide open to an evasion of responsibility. An under-the-table deal of this kind can be denied, obfuscated, or repudiated, especially inside the Arab countries. A deal which is not recognized as such by most Arabs and Israelis is doomed to break down.

What starts as a guarantee to Israel ends in reality as a guarantee for Egypt. In the event of default, Israel has no claim on Egypt; it must come to the United States with its complaint, as it did, fruitlessly, before. This sort of transaction is calculated to envenom future Israeli-American relations far more than it can possibly improve Israeli-Egyptian relations. It is the kind of thing diplomats think of to get over a bad moment, when they cannot think of anything else.

3) *Peace is not a piece of paper.* At present a direct and open pledge of peace or non-belligerence by Egypt to Israel is almost too much to hope for; even a statement of non-belligerence given to a third party is eagerly bid for as if at an auction. The reality of peace will never be achieved in this fashion. Peace in the Middle East will become effective only when it concerns ways of making a start at living together, socially, economically, intellectually. That is why such issues as trade and travel between Israel and the Arab states are what really matter. When they are put off to the next generation, one can be sure that what is being called peace or non-belligerence is no more than another cease-fire. Here is a story by Bernard Gwertzman which tells better than anything else

what peace does and does not mean: "One American suggested [to a high Egyptian official] that as a way of reducing mistrust, Egypt should invite some Israeli editors to visit for a month and see the situation for themselves. The Egyptian's manner changed. He looked startled. 'Look,' he said, 'we let Jews from America and other countries visit. We know why they come here and that is all right with us. But to ask us to let Israelis in—that is too much'" (New York Times, February 17, 1975).

The test of peace in the Middle East, then, hinges more on Arab-Israeli relations than on Arab-American or Israeli-American relations. There is a delicate balance between these relationships that is dangerously disturbed by putting the United States in the middle, now acting as guarantor for Israel, now for Egypt or some other Arab state. The United States is in no position to make good automatically on some guarantees, and they should not be given if they cannot be made good. The tilt in the India-Pakistan struggle was not one of Dr. Kissinger's more successful operations. A tilt in the Middle East does not promise to come out any better.

It may be said that an imposed settlement and guarantee present an extreme case. Nevertheless, we have heard a great deal about this case lately, and the question arises why anyone should want to push it.

For some, I suspect, it is a little more than a gimmick. When we are told that Israel has, in effect, always had an American guarantee but should get another one, we have a right to wonder whether the proposal can be taken seriously. When we are told that guarantees would guarantee Israel "in part," we have a right to question whether this means that Israel would be guaranteed to be half-alive or half-dead. When we are told that a guarantee is just what Israel needs but that no American President could be expected to use American armed forces in the Middle East, we have a right to surmise that we are being sold a pig in a poke.

Israeli Defense Minister Shimon Peres has made a biting observation on how guarantees operate: "In a way, guarantees are like bank loans. They are given once you convince the bank that you do not need them. If you really need them, everybody is embarrassed to take the risk."¹⁰

Secretary Kissinger recently told the editors of the *New Republic* that a guarantee would be only "icing on the cake"¹¹—which is not how he described it when he brought it up the first time on November 12, 1973. If there was a cake, however, icing would seem to be, in the circumstances, a luxury that could well be spared. The trouble is that guarantees look more like icing without the cake.

Motives undoubtedly differ from proponent to proponent of a guarantee. Some seem to think of it in terms of *faute de mieux*—it is not an ideal solution but it is better than nothing. If the price were not so high and the consequences of making good on it not so serious, such a view might be unobjectionable if not too inspiring. Others seem to think that Israel has no business looking this gift horse in the mouth because it is so dependent on the United States. Israel in this view should be grateful for anything it gets. This crass approach grossly underestimates the determination of Israelis to remain as far as possible masters of their own fate. There is no reason to believe that Israel would accede to any kind of settlement or any kind of guarantee. The consequences of attempting to impose a one-sided settlement on Israel, covered up by a less-than-convincing guarantee, could be traumatic for both Israel and the United States.

Then there are those who would like to believe that America's problems with the Arabs will disappear if only the Israeli problem disappears. This belief, I am convinced,

is profoundly in error. The Arab states have thrown their newly-discovered power around in such a way that our future problems with them will depend on how much power they have or think they have, not how much of Israel we throw to them. The more power the Arab states have, with or without our help, the more problems they will make for us. There may be temporary let-ups, based on temporary pay-offs, but Arab power will continue to seek new outlets. This is the real problem we may expect to cope with, perhaps for a decade, perhaps longer.

What then remains?

I have come to believe that a consistent American policy can be based only on Resolutions 242 and 338. There is nothing else on which everyone has agreed, whatever the different motives may have been. To give up these resolutions is to start all over again from the beginning.

What do we have to work with? Let us recall: these resolutions called for Israeli withdrawals from most of the occupied territory in exchange for what were understood to be "insubstantial" or "minor" boundary changes, non-belligerence, and negotiations between the parties concerned. These terms rule out an imposed settlement but would not necessarily rule out some form of guarantee as long as the parties concerned wanted it after reaching an agreement among themselves on the substantive issues. There is no other ground, at present, to stand on.

For Israel, 242 means that the two largest land masses of the occupied territories, Sinai and the West Bank, need to be recognized in a final agreement as Arab land. So long as either of them is retained indefinitely, the boundary changes cannot be "insubstantial" or "minor." For Israel to demand substantial or major changes is, in effect, to rule out a compromise based on 242.

For this and another reason, I cannot accept the position taken by Moshe Dayan on the retention of the West Bank. This is how Dayan expressed it in his interview in the *New York Times* of January 26, 1975:

"I want us to remain in the West Bank, with limited rights, including the right to establish Jewish settlements there, to buy land, and keep a military presence there to protect it. We should be the only military party there. We don't want to replace the people there, but that is our homeland. We have the right to be there."

Is such a state of affairs tenable? If the people are not replaced, what kind of "homeland" is it? Is there such a thing as a "home" in which other people always live? A West Bank in which Israel has only "limited rights" but remains "the only military power" sets up a hopeless contradiction between rights and power. The prime reality in the West Bank and Gaza Strip is the people in them—about 5,000 Jews and about one million Arabs.

In COMMENTARY of February 1974, I touched on this aspect of the problem:

"No diplomacy can do much about a holy war. A strategy of stages based on immemorial claims is a prescription for protracted conflict. The only way out of the dilemma is to start with the present and the living and not with the past and the dead. It is too late for Arabs to say that so many Jews do not belong in Palestine; they are there, and they cannot be removed or dispossessed without another Holocaust. It is too late for Israelis to say that the West Bank does not belong to the Arabs; they are there, and they cannot be removed or disregarded without incalculable suffering. The trouble with history is that it is non-negotiable, and diplomacy is negotiation or it is nothing."

This is still my view. It is one thing to say that Jews should be able to live in the West Bank as Arabs live in Israel; more than 5,000 Jews lived in the West Bank before Jordan expelled them and barred them from return

Footnotes at end of article.

in 1948-49. It is another thing to question the Arab character of the land because some Jews may now live there. If the Jewish population in the West Bank increased by 1,000 per cent in the next ten years, it would still be a relatively small minority in a hostile environment.

But there is another and more important reason why I reject the political implications of the "homeland" concept. It is simply this—Jews should not rule over land inhabited so massively by Arabs. It is bad for the Jews and bad for the Arabs. It sets up an unbearable tension between the two peoples. It cannot be reconciled with the understanding behind Resolution 242.

This is not the place to discuss the modalities of political controls of the West Bank to satisfy the Arab need for self-determination and the Israeli requirements of security. I am thinking of the principle only. It may be a long way from principle to practice, but the way should start with a recognition of the principle. A PLO-ruled West Bank would obviously belie the principle of self-determination because it would be imposed from the outside and constitute an intolerable threat to Israel. The true self-determination of the West Bank would require a political climate very different from the present. Nevertheless, it is hard to think of negotiation based on any other principle.

For Israel, owing to its peculiar origin, partly rooted in faith and partly in necessity, renunciation of the West Bank clearly demands an enormous sacrifice. The only thing that could justify it to most Israelis would be the conviction that there is no other road to peace. It would help little for Israel to make such a sacrifice without a corresponding effort on the part of the Arabs to satisfy Israel's minimum needs for greater security. A compromise arrangement would have to treat those neutral points—the "Latrun salient," the Golan Heights, Sharm el-Sheikh, Jerusalem, and perhaps one or two other places—which were inflamed by the Arabs themselves. Adjustments in these places would not involve more than "insubstantial" or "minor" portions of the 47,000 square miles of occupied territory. If Resolution 242 did not imply at least this much change, it was either meaningless or a deliberate swindle.

American policy since October 1973 has made such an Arab-Israeli understanding more rather than less difficult. By constantly interposing the United States between Israel and the Arab states, paying off the latter whenever some token of compromise was required of them, Dr. Kissinger's "nuances" have encouraged Arab intransigence and pushed the two sides farther and farther apart. I am inclined to agree with Professor Ullman that American policy has become so "ambiguous" that, in effect, it does more harm than good, even if I cannot go along with his suggestion that U.S. military contingents in Israel may be the remedy. The remedy, to my mind, is political rather than military. What is desperately needed is an unflinching American determination to see the Middle East conflict through on the basis of Resolution 242 and 338. Without a modicum of territorial compromise, non-belligerence, and negotiations between the parties concerned, the resolutions are effectively relegated to the famous dust-bin of history. The Middle East conflict is one Gordian knot that must be united, not cut.

My impression, so far as Israel is concerned, is that a reasonable compromise would be welcomed by a great majority of its people. The Israeli leaders have been talking the language of compromise. I do not hear similar expressions from Arab leaders. If American pressure is designed to extort substantive concessions only from the Israelis, it will not result in a durable and peaceful compromise—it will be that "moral mortgage" of which Secretary Kissinger spoke.

FOOTNOTES

¹ Marvin Kalb and Bernard Kalb, *Kissinger* (Little, Brown, 1974), p. 484.

² *Jerusalem Post Weekly*, October 30, 1973, p. 1.

³ *Dvirei HaKnesset* (Parliamentary Report), October 30, 1973, Fourth Session, p. 4585.

⁴ *Ha'avetz*, October 31, 1973.

⁵ Joan Peters Kaplan, "A Talk with Yitzhak Rabin," *New Leader*, May 13, 1974, p. 7.

⁶ Kalb, *op. cit.*, p. 487.

⁷ *Orbis*, Winter 1974, p. 1188.

⁸ *Foreign Affairs*, October 1974, p. 58.

⁹ This passage is taken from the verbatim version of Dayan's lecture in the Israeli newspaper, *Ma'ariv*, December 27, 1974, p. 21. Though the sense of the version in the *New York Times*, December 20, 1974, was similar, the exact wording could not be found in the verbatim text.

¹⁰ Lawrence L. Whetten, *The Canal War: Four-Power Conflict in the Middle East* (MIT Press, 1974), p. 293.

¹¹ David Binder, *New York Times*, November 21, 1973. As far as I have been able to make out, other efforts to reconstruct the October 1973 story, such as Tad Szulc's behind-the-scenes article in *New York* magazine of July 1, 1974, were equally unenlightening on this point. William E. Griffith and Nadav Safran, as I have noted, pointed in the right direction but gave no details. If it were not for the remarks of Rabin and the revelations of Dayan, we would still know little from U.S. sources what course U.S. policy had actually taken between October 20 and 27, 1973.

¹² *Foreign Policy*, Spring 1974, p. 121.

¹³ "From 1967 to 1973: The Arab-Israeli Wars," COMMENTARY, December 1973.

¹⁴ In the above article, I raised a question about the source of Egyptian Minister of Defense Shams Badran's testimony at his trial in February 1968 to the effect that the Egyptian Chief of Staff, General Muhammad Fawzi, had been sent to Syria on May 14, 1967, to check on this Soviet story. A UPI report from Cairo of February 24, 1968, quoted Badran as testifying that Fawzi had found the Soviet reports to be unfounded and had declared that the Soviets "must have been having hallucinations." I have now been able to verify that the reputable Beirut, Lebanon, newspaper, *Al-Hayat*, of February 25, 1968, carried the same report of Badran's testimony. Indeed, the headline on page 1 read: "Shams Badran: The Reports of the [Israeli] Attack upon Syria were Soviet Fantasies [*takhayyulat*]." The main story referred to "Soviet fantasies" of Israeli "concentrations on the Syrian border."

¹⁵ Press Conference of May 28, 1967 (see my *Israel and World Politics* [Viking, 1968] for the text, pp. 224-231, especially p. 230).

¹⁶ One of the main Israeli aims in the 1956 war was precisely to break a previous blockade of Eilat. The circumstances of President Eisenhower's commitment have been set forth in *Israel and World Politics*, pp. 17-23. The mystery of the misplaced commitment that took place in Washington in 1967 was recently related by Lucius D. Battle, then Assistant Secretary in charge of the region: "The United States had a commitment, of sorts, to the Israelis with respect to the Straits of Tiran [leading into the Gulf of Aqaba]. We had assured Israel that we would continue to consider it an international waterway, use it, and encourage others to do so. In 1967, we were, however, unable to find the record of the meetings and the discussions of the 1956 period. Therefore, the obligations that Mr. Dulles undertook at the earlier time were unclear and unknown. The Israeli records of the conversations were readily available, full, and proved accurate. American records were, for economic reasons, stored in the Middle West—Cleveland, I believe—and were therefore not available when we needed them. . . . Despite their vague-

ness, U.S. assurances at the time had been accepted by the Israelis as the basis for withdrawal (under intense American pressure) from the conquered territory of the war of 1956. These assurances were weak reeds and meaningless in the face of crisis" (*Foreign Policy*, Spring 1974, pp. 116-117).

¹⁷ "The Israelis, for the moment, occupy Arab territory. The Senator [Ribicoff] knows that we certainly publicly subscribe to the principle of the resolution of 1967, that the acquisition of territory by aggression is no longer acceptable international practice" (*Congressional Record*, Senate, August 24, 1970, p. 29800). Senator Fulbright was wrong both times; Israel was not indicted by the UN or the Security Council for having violated this "principle"; such a charge could not have been sustained at that time.

¹⁸ Edward H. Buehrig, *The UN and the Palestinian Refugees* (Indiana University Press, 1971), p. 3.

¹⁹ *U.S. Apparatus of Assistance to Refugees Throughout the World*, Hearings Before the Subcommittee to Investigate Problems Connected with Refugees and Escapees, U.S. Senate, July-August 1966, p. 5.

²⁰ "Middle East Refugees, I" from a three-part study in *Britain and Israel*, edited by Terence Prittle and Richard Jones. Among the refugees who were resettled were 15 million from India and Pakistan (1947); 400,000 from Finland (1945); 1.5 million from Czechoslovakia (1945); 2.8 million from Poland (1944-45); 7.5 million from East Germany in 1945; 3.8 million from the German Democratic Republic (1945-75); 1.2 million from Rumania (1945).

²¹ Buehrig, *op. cit.*, pp. 38-39.

²² Terence Prittle, "How Many Arab Refugees?" Middle East Information Series, American Academic Association for Peace in the Middle East, Fall 1973, pp. 37-38.

²³ Letter to the *Jerusalem Post Weekly*, January 21, 1975.

²⁴ *Congressional Record*, Senate, August 24, 1970, p. 29805.

²⁵ *New York Times*, November 24, 1974.

²⁶ I went into the full story of 242 in a previous article, "The Road to Geneva," COMMENTARY, February 1974.

²⁷ *Foreign Affairs*, October 1974, p. 51.

²⁸ Yigal Allon "Strategy for Peace," lecture at opening of the Levi Eshkol Institute, Hebrew University, June 3, 1973 (mimeographed).

²⁹ Eugene V. Rostow, speech at Educational Conference of the League for Industrial Democracy, May 5, 1974, reprinted in *Crossroads*, September 1974, p. 1. Rostow was then Under Secretary of State for Political Affairs.

³⁰ Department of State Bulletin, September 25, 1972, pp. 352-353; November 13, 1972, p. 568; February 25, 1973, p. 326; March 29, 1973, p. 486. In an interview in *Newsweek*, February 22, 1971, Sadat demanded that Israel should withdraw to a line behind el-Arish, virtually on the Israeli border, as the price of reopening the Canal in six months.

³¹ Ronald Steel, *New Leader*, February 4, 1974, p. 9.

³² *Department of State Bulletin*, January 5, 1970, pp. 7-11.

³³ *Ibid.*, November 13, 1972, p. 571; also see March 19, 1973, p. 323, June 11, 1973, p. 846.

³⁴ *Ibid.*, March 8, 1971, p. 293; also see June 11, 1973, p. 846.

³⁵ *Atlantic*, January 1969, pp. 80-85.

³⁶ *Congressional Record*, Senate, August 24, 1970, pp. 29796-29813.

³⁷ *Newsweek*, February 22, 1971, p. 40-41.

³⁸ *New York Times*, December 13, 1971.

³⁹ *Ibid.*, December 10, 1974.

⁴⁰ Majid Khadduri, *War and Peace in the Law of Islam* (Johns Hopkins Press, 1955), p. 64.

⁴¹ Cited by Elle Kedourie, *Arabic Political Memoirs and Other Studies*, Cass (London), 1974, p. 227.

⁴² *New York Times*, November 13, 1973.

⁴² Department of State Bulletin, December 10, 1973, p. 705.

⁴³ Ibid., December 24, 1973, p. 761.

⁴⁴ New York Times, November 13, 1973.

⁴⁵ New Leader, January 7, 1974, p. 9.

⁴⁶ Orbis, Winter 1974, p. 1187.

⁴⁷ Reader's Digest, February 1975, p. 75.

⁴⁸ Washington Monthly, February 1975, p. 23.

⁴⁹ Atlantic, January 1975, pp. 6-11.

⁵⁰ Foreign Affairs, January 1975, pp. 294-295.

⁵¹ Christian Science Monitor, January 29, 1975. The report in the New York Times of the same date did not contain this part of Senator Percy's statement to a group of reporters.

⁵² Interview in the English-language Daily Star of Beirut, Lebanon, reported in the Jerusalem Post Weekly, January 28, 1975.

⁵³ NBC television interview, New York Times, January 24, 1975.

⁵⁴ New York Times, February 17, 1975.

⁵⁵ NBC Meet the Press, February 23, 1975 (Sisco); New York Times, February 24, 1975 (Dinitz).

⁵⁶ New York Times, February 21, 1975.

⁵⁷ Ibid., February 24, 1975.

⁵⁸ Jerusalem Post Weekly, February 25, 1975. Rabin made the same point in his interview in the Washington Post, March 1, 1975.

⁵⁹ Le Monde, January 22, 1975, and Washington Post, February 17, 1975.

⁶⁰ Alan Dowty, "The Application of International Guarantees to the Egypt-Israel Conflict," *Journal of Conflict Resolution*, June 1972, p. 261. Also see his more general study, *The Role of Great Power Guarantees in International Peace Agreements*, Jerusalem Papers on Peace Problems, the Hebrew University, No. 3, February 1974, especially p. 27.

⁶¹ Dowty, *Journal of Conflict Resolution*, June 1972, p. 262.

⁶² Hans Morgenthau, *Politics among Nations* (Knopf, 1st ed., 1948), p. 231.

⁶³ Statement of Mark Mosevics, president of the Manufacturers Association of Israel, *New York Times*, February 2, 1974.

⁶⁴ Defense Minister Shimon Peres, *Jerusalem Post*, September 8, 1974.

⁶⁵ Interview in *Newsweek*, December 30, 1974, p. 30.

⁶⁶ Ibid., p. 32. The infatuation with "nuances" seems to go back to Dr. Kissinger's article, "The Vietnam Negotiations," in *Foreign Affairs*, January 1969 (reprinted in *American Foreign Policy*, Norton, 1969, p. 116).

⁶⁷ Ibid., p. 31.

⁶⁸ Felix Kessler, "Arab Money Talks to Britain: Knuckling Under," *New Republic*, March 8, 1975, p. 12.

⁶⁹ *Christian Science Monitor*, January 27, 1975.

⁷⁰ Comment, "Mideast Peace?" *New Republic*, March 8, 1975, p. 6.

LEAVE OF ABSENCE

(By unanimous consent, leave of absence was granted as follows to:)

Mr. PATMAN (at the request of Mr. O'NEILL), for April 8 and 9, on account of necessary absence.

Mr. CORMAN, for today, on account of official business.

Mr. FINDLEY (at the request of Mr. RHODES), for the week of April 14, on account of official business.

Mr. GUDE (at the request of Mr. RHODES), for the week of April 14, on account of official business.

Mr. JOHNSON of Colorado (at the request of Mr. RHODES), for the week of April 14, on account of official business.

Mr. J. WILLIAM STANTON (at the request of Mr. RHODES), for the week of April 14, on account of official business.

Mr. SYMMS (at the request of Mr. RHODES), for the week of April 14, on account of official business.

SPECIAL ORDERS GRANTED

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

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

Mr. FINDLEY, for 5 minutes, today.

Mr. YOUNG of Alaska, for 5 minutes, today.

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

Mr. GONZALEZ, for 5 minutes, today.

Mr. BAUCUS, for 5 minutes, today.

Mr. WHITE, for 5 minutes, today.

Mr. MOAKLEY, for 15 minutes, today.

Mr. FLOOD, for 5 minutes, today.

Mr. AUCCON, for 5 minutes, today.

Mr. UDALL, for 5 minutes, today.

Mr. MATSUNAGA, for 60 minutes, on April 17, 1975.

EXTENSION OF REMARKS

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

Mr. BIAGGI, after the prayer, today.

Mr. YATES, to extend his remarks in the body of the RECORD, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost \$2,294.

(The following Members (at the request of Mr. JOHNSON of Colorado) and to include extraneous matter:)

Mr. CARTER in two instances.

Mr. MARTIN in two instances.

Mr. VANDER JAGT.

Mr. DERWINSKI in two instances.

Mr. BROOMFIELD.

Mr. BROWN of Ohio in three instances.

Mr. BUCHANAN in two instances.

Mr. BOB WILSON in two instances.

Mr. KEMP in two instances.

Mr. COLLINS of Texas in four instances.

Mr. SYMMS.

Mr. BELL.

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

Mr. BEDELL.

Mr. SEIBERLING in 10 instances.

Mr. ANDERSON of California in three instances.

Mr. GONZALEZ in three instances.

Mr. ZEPERETTI.

Mr. McCORMACK in 10 instances.

Mr. KASTENMEIER in five instances.

Mr. MINETA.

Mr. PATTEN.

Mr. BEARD of Rhode Island.

Mr. LEGGETT in two instances.

Mr. SOLARZ.

Mr. EARLY in two instances.

Mr. DE LUGO.

Mr. MIKVA.

Mr. HANLEY.

Mr. GAYDOS in three instances.

Mr. EVANS of Indiana in 10 instances.

Mrs. LLOYD of Tennessee.

Mrs. SCHROEDER.

Mr. MOFFETT.

Mr. YOUNG of Georgia in two instances.

Mr. COTTER.

Mr. McFALL.

Mr. McDONALD of Georgia in five instances.

RECESS

The SPEAKER pro tempore. Pursuant to a previous order of the House, the Chair is now going to declare a recess until the two Houses meet in joint session for an address by the President of the United States.

The House will stand in recess until approximately 8:40 p.m. today.

Accordingly (at 3 o'clock and 19 minutes p.m.), the House stood in recess until 8:40 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 8 o'clock and 43 minutes p.m.

JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF HOUSE CONCURRENT RESOLUTION 203 TO HEAR AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The SPEAKER of the House presided.

The Doorkeeper (Hon. James T. Molloy) announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber the gentleman from Massachusetts, Mr. O'NEILL, the gentleman from California, Mr. McFALL, the gentleman from California, Mr. PHILLIP BURTON, the gentleman from Arizona, Mr. RHODES, and the gentleman from Illinois, Mr. MICHEL.

The VICE PRESIDENT. Pursuant to the order of the Senate, the following Senators are appointed to escort the President of the United States into the House Chamber: JAMES O. EASTLAND, of Mississippi; MIKE MANSFIELD, of Montana; ROBERT C. BYRD, of West Virginia; FRANK E. MOSS, of Utah; GARY HART, of Colorado; HUGH SCOTT, of Pennsylvania; ROBERT P. GRIFFIN, of Michigan; JOHN G. TOWER, of Texas; and ROBERT T. STAFFORD, of Vermont.

The Doorkeeper announced the ambassadors, ministers, and chargés d'affaires of foreign governments.

The ambassadors, ministers, and chargés d'affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives

and took the seats reserved for them in front of the Speaker's rostrum.

At 9 o'clock and 1 minute p.m., the Doorkeeper announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. My colleagues of the Congress, I have the distinct privilege and the high personal honor of presenting to you the President of the United States.

[Applause, the Members rising.]

THE STATE OF THE WORLD—ADDRESS BY THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-101)

The SPEAKER. My colleagues of the Congress, I have the distinct privilege and high personal honor of presenting to you the President of the United States.

The PRESIDENT of the United States. Mr. Speaker, Mr. President, distinguished guests, my very good friends in the Congress and fellow Americans:

I stand before you tonight after many agonizing hours in very solemn prayers for guidance by the Almighty.

In my report on the State of the Union in January, I concentrated on two subjects which were uppermost in the minds of the American people—urgent actions for the recovery of our economy and a comprehensive program to make the United States independent of foreign sources of energy.

I thank the Congress for the action that it has taken thus far in response to my economic recommendations. I look forward to early approval of a national energy program to meet our country's long-range and emergency needs in the field of energy.

Tonight it is my purpose to review our relations with the rest of the world, in the spirit of candor and consultation which I have sought to maintain with my former colleagues and with our countrymen from the time that I took office. It is the first priority of my Presidency to sustain and strengthen the mutual trust and respect which must exist among Americans and their government if we are to deal successfully with the challenges confronting us both at home and abroad.

The leadership of the United States of America, since the end of World War II, has sustained and advanced the security, well-being and freedom of millions of human beings besides ourselves. Despite some setbacks, despite some mistakes, the United States has made peace a real prospect for us and for all nations.

I know firsthand that the Congress has been a partner in the development and in the support of American foreign policy which five Presidents before me have carried forward, with changes of course but not of destination.

The course which our country chooses in the world today has never been of greater significance—for ourselves as a nation and for all mankind.

We build from a solid foundation.

Our alliances with great industrial democracies in Europe, North America and Japan remain strong, with a greater degree of consultation and equity than ever before.

With the Soviet Union we have moved across a broad front toward a more stable, if still competitive relationship. We have begun to control the spiral of strategic nuclear armaments.

After two decades of mutual estrangement we have achieved an historic opening with the People's Republic of China.

In the best American tradition we have committed—often with striking success—our influence and good offices to help contain conflicts and settle disputes in many, many regions of the world. We have, for example, helped the parties of the Middle East take the first steps toward living with one another in peace.

We have opened a new dialog with Latin America looking toward a healthier hemispheric partnership. We are developing closer relations with the nations of Africa. We have exercised international leadership on the great new issues of our interdependent world, such as energy, food, environment and the law of the sea.

The American people can be proud of what their nation has achieved and helped others to accomplish. But we have, from time to time, suffered setbacks and disappointments in foreign policy. Some were events over which we had no control; some were difficulties we imposed upon ourselves.

We live in a time of testing and of a time of change. Our world—a world of economic uncertainty, political unrest, and threats to the peace—does not allow us the luxury of abdication or domestic discord. I recall quite vividly the words of President Truman to the Congress when the United States faced a far greater challenge at the end of the Second World War. If I might quote: "If we falter in our leadership, we may endanger the peace of the world—and we shall surely endanger the welfare of this nation."

President Truman's resolution must guide us today. Our purpose is not to point the finger of blame; but to build upon our many successes; to repair damage where we find it; to recover our balance; to move ahead as a united people. Tonight is a time for straight talk among friends about where we stand, and where we are going.

A vast human tragedy has befallen our friends in Vietnam and Cambodia.

Tonight I shall not talk only of obligations arising from legal documents. Who can forget the enormous sacrifices of blood, dedication and treasure that we made in Vietnam? Under five Presidents and twelve Congresses the United States was engaged in Indochina. Millions of Americans served, thousands died, and many more were wounded, imprisoned, or lost.

Over \$150 billion have been appropriated for that war by the Congress of the United States. And after years of effort, we negotiated under the most difficult circumstances a settlement which made it possible for us to remove our military

forces and bring home with pride our American prisoners. This settlement, if its terms had been adhered to, would have permitted our South Vietnamese ally, with our material and moral support, to maintain its security and rebuild after two decades of war.

The chances for an enduring peace after the last American fighting man left Vietnam in 1973 rested on two publicly stated premises: First, that if necessary the United States would help sustain the terms of the Paris Accords it signed two years ago; and second, that the United States would provide adequate economic and military assistance to South Vietnam. Let us refresh our memories for just a moment. The universal consensus in the United States at that time, late 1972, was that if we could end our own involvement and obtain the release of our prisoners we would provide adequate material support to South Vietnam.

The North Vietnamese, from the moment they signed the Paris Accords, systematically violated the cease-fire and other provisions of that agreement. Flagrantly disregarding the ban on the infiltration of troops, the North Vietnamese illegally introduced over 350,000 men into the South. In direct violation of the agreement, they sent in the most modern equipment in massive amounts. Meanwhile they continued to receive large quantities of supplies and arms from their friends.

In the face of this situation, the United States—torn as it was by the emotion of a decade of war—was unable to respond. We deprived ourselves by law of the ability to enforce the agreement—thus giving North Vietnam assurance that it could violate that agreement with impunity. Next we reduced our economic and arms aid to South Vietnam. Finally we signalled our increasing reluctance to give any support to that nation struggling for its survival.

Encouraged by these developments, the North Vietnamese in recent months began sending even their reserve divisions into South Vietnam. Some twenty divisions, virtually their entire army, are now in South Vietnam. The Government of South Vietnam, uncertain of further American assistance, hastily ordered a strategic withdrawal to more defensible positions. This extremely difficult maneuver, decided upon without consultations, was poorly executed, hampered by floods of refugees, and thus led to panic. The results are painfully obvious and profoundly moving.

In my first public comment on this tragic development, I called for a new sense of national unity and purpose. I said I would not engage in recriminations or attempt to assess the blame. I reiterate that tonight.

In the same spirit I welcomed the statement of the distinguished Majority Leader of the United States Senate earlier this week and I quote: "It's time for the Congress and the President to work together in the area of foreign as well as domestic policy."

So let's start afresh.

I am here to work with the Congress. In the conduct of foreign affairs, Presidential initiative and ability to act

swiftly in emergencies are essential to our national interest.

With respect to North Vietnam, I call upon Hanoi—and ask the Congress to join with me in this call—to cease military operations immediately and to honor the terms of the Paris agreement. The United States is urgently requesting the signatories of the Paris Conference to meet their obligations to use their influence to halt the fighting and to enforce the 1973 Accords. Diplomatic notes to this effect have been sent to all members of the Paris Conference, including the Soviet Union and the People's Republic of China.

The situation in South Vietnam and Cambodia has reached a critical phase requiring immediate and positive decisions by this government.

The options before us are few and the time is very short.

On the one hand, the United States could do nothing more; let the government of South Vietnam save itself and what is left of its territory if it can; let those South Vietnamese civilians who have worked with us for a decade or more save their lives and their families if they can; in short, shut our eyes and wash our hands of the whole affair—if we can.

Or, on the other hand, I could ask the Congress for authority to enforce the Paris Accords with our troops and our tanks and our aircraft and our artillery, and carry the war to the enemy.

There are two narrower options:

First, stick with my January request that Congress appropriate \$300 million for military assistance for South Vietnam and seek additional funds for economic and humanitarian purposes.

Or, increase my requests for both emergency military and humanitarian assistance to levels which by best estimates might enable the South Vietnamese to stem the onrushing aggression, to stabilize the military situation, permit the chance of a negotiated political settlement between the North and South Vietnamese, and, if the very worst were to happen, at least allow the orderly evacuation of Americans and endangered South Vietnamese to places of safety.

Let me now state my considerations and my conclusions:

I have received a full report from General Weyand, whom I sent to Vietnam to assess the situation. He advises that the current military situation is very critical, but that South Vietnam is continuing to defend itself with the resources available. However, he feels that if there is to be any chance of success for their defense plan, South Vietnam needs urgently an additional \$722 million in very specific military supplies from the United States. In my judgment, a stabilization of the military situation offers the best opportunity for a political solution.

I must, of course, as I think each of you would, consider the safety of nearly 6,000 Americans who remain in South Vietnam, and tens of thousands of South Vietnamese employees of the United States Government, of news agencies, of contractors and businesses for many years whose lives, with their dependents,

are in very grave peril. There are tens of thousands of other South Vietnamese intellectuals, professors, teachers, editors and opinion-leaders who have supported the South Vietnamese cause and the alliance with the United States, to whom we have a profound moral obligation.

I am also mindful of our posture toward the rest of the world, and particularly of our future relations with the free nations of Asia. These nations must not think for a minute that the United States is pulling out on them or intends to abandon them to aggression.

I have therefore concluded that the national interests of the United States and the cause of world stability require that we continue to give both military and humanitarian assistance to the South Vietnamese.

Assistance to South Vietnam at this stage must be swift and adequate. Drift and indecision invite far deeper disaster. The sums I had requested before the major North Vietnamese offensive and the sudden South Vietnamese retreat are obviously inadequate. Half-hearted action would be worse than none. We must act together and act decisively.

I am therefore asking the Congress to appropriate without delay \$722 million for emergency military assistance and an initial sum of \$250 million for economic and humanitarian aid for South Vietnam.

The situation in South Vietnam is changing very rapidly and the need for emergency food, medicine and refugee relief is growing by the hour. I will work with the Congress in the days ahead to develop humanitarian assistance to meet these very pressing needs.

Fundamental decency requires that we do everything in our power to ease the misery and the pain of the monumental human crisis which has befallen the people of Vietnam. Millions have fled in the face of the communist onslaught, and are now homeless and are now destitute. I hereby pledge in the name of the American people that the United States will make a maximum humanitarian effort to help care for and feed these hopeless victims.

And now I ask the Congress to clarify immediately its restrictions on the use of U.S. military forces in Southeast Asia for the limited purposes of protecting American lives by ensuring their evacuation if this should be necessary, and I also ask prompt revision of the law to cover those Vietnamese to whom we have a very special obligation, and whose lives may be in danger, should the worst come to pass.

I hope that this authority will never have to be used, but if it is needed there will be no time for Congressional debate.

Because of the gravity of the situation, I ask the Congress to complete action on all of these measures not later than April 19. In Cambodia the situation is tragic. The United States and the Cambodian Government have each made major efforts, over a long period and through many channels, to end that conflict, but because of their military successes, steady external support, and their awareness of American legal restrictions, the communist side has shown no interest in negotiation, compromise, or a political solution. And yet, for the past

three months, the beleaguered people of Phnom Penh have fought on, hoping against hope that the United States would not desert them, but instead provide the arms and ammunition they so badly needed.

I have received a moving letter from the new acting President of Cambodia, Sautham Khoy—and let me quote it for you:

"Dear Mr. President," he wrote, "as the American Congress reconvenes to reconsider your urgent request for supplemental assistance for the Khmer Republic, I appeal to you to convey to the American legislators our plea not to deny these vital resources to us, if a non-military solution is to emerge from this tragic five-year-old conflict.

"To find a peaceful end to the conflict we need time. I do not know how much time, but we all fully realize that the agony of the Khmer people cannot and must not go on much longer. However, for the immediate future, we need the rice to feed the hungry and the ammunition and the weapons to defend ourselves against those who want to impose their will by force. A denial by the American people of the means for us to carry on will leave us no alternative but inevitably abandoning our search for a solution which will give our citizens some freedom of choice as to their future. For a number of years now the Cambodian people have placed their trust in America. I cannot believe that this confidence was misplaced, and that suddenly America will deny us the means which might give us a chance to find an acceptable solution to our conflict."

This letter speaks for itself. In January, I requested food and ammunition for the brave Cambodians and I regret to say that as of this evening, it may be soon too late.

Members of the Congress, my fellow Americans, this moment of tragedy for Indochina is a time of trial for us. It is a time for national resolve.

It has been said that the United States is overextended; that we have too many commitments too far from home; that we must reexamine what our truly vital interests are and shape our strategy to conform to them. I find no fault with this as a theory, but in the real world such a course must be pursued carefully and in close coordination with solid progress toward overall reduction in worldwide tensions.

We cannot in the meantime abandon our friends while our adversaries support and encourage theirs. We cannot dismantle our defenses, our diplomacy or our intelligence capability while others increase and strengthen theirs.

Let us put an end to self-inflicted wounds. Let us remember that our national unity is a most priceless asset.

Let us deny our adversaries the satisfaction of using Vietnam to pit Americans against Americans.

At this moment the United States must present to the world a united front.

Above all, let us keep events in Southeast Asia in their proper perspective. The security and the progress of hundreds of millions of people everywhere depend importantly on us.

Let no potential adversary believe that our difficulties or our debates mean a slackening of our national will.

We will stand by our friends.

We will honor our commitments, and we will uphold our country's principles.

The American people know that our strength, our authority and our leadership have helped prevent a third World War for more than a generation. We will not shrink from this duty in the decades ahead.

And let me now review with you the basic elements of our foreign policy, speaking candidly about our strengths and some of our difficulties.

We must first of all face the fact that what has happened in Indochina has disquieted many of our friends, especially in Asia. We must deal with this situation promptly and firmly. To this end, I have already scheduled meetings with the leaders of Australia, New Zealand, Singapore and Indonesia, and I expect to meet with the leaders of other Asian countries as well.

A key country in this respect is Japan. The warm welcome I received in Japan last November vividly symbolized for both our peoples the friendship and the solidarity of this extraordinary partnership. I look forward, as I am sure all of you do, with very special pleasure to welcoming the Emperor when he visits the United States later this year.

We consider our Security Treaty with Japan the cornerstone of stability in the vast reaches of Asia and the Pacific. Our relations are crucial to our mutual well-being. Together we are working energetically on the international multilateral agenda—in trade, energy and food. We will continue the process of strengthening our friendship, mutual security and prosperity.

Also, of course, of fundamental importance is our mutual security relationship with the Republic of Korea, which I reaffirmed on my recent visit. Our relations with Europe have never been stronger. There are no peoples with whom America's destiny has been more closely linked. There are no peoples whose friendship and cooperation are more needed for the future. For none of the members of the Atlantic community can be secure, none can prosper, none can advance unless we all do so together. More than ever, these times demand our close collaboration in order to maintain the secure anchor or our common security in this time of international riptides; to work together on the promising negotiations with our potential adversaries; to pool our energies on the great new economic challenge that faces us.

In addition to this traditional agenda, there are new problems involving energy, raw materials, and the environment. The Atlantic nations face many and complex negotiations and decisions. It is time to take stock, to consult on our future, to affirm once again our cohesion and our common destiny. I therefore expect to join with the other leaders of the Atlantic Alliance, at a Western Summit in the very near future.

Before this NATO meeting, I earnestly ask the Congress to weigh the broader considerations and consequences of its

past actions on the complex Greek-Turkish dispute over Cyprus. Our foreign policy cannot be simply a collection of special economic or ethnic or ideological interests. There must be a deep concern for the overall design of our international actions. To achieve this design for peace and to assure that our individual acts have some coherence, the Executive must have some flexibility in the conduct of foreign policy.

United States military assistance to an old and faithful ally, Turkey, has been cut off by action of the Congress. This has imposed an embargo on military purchases by Turkey, extending even to items already paid for—an unprecedented act against a friend. These moves, I know, were sincerely intended to influence Turkey in the Cyprus negotiations. I deeply share the concern of many citizens for the immense human suffering on Cyprus. I sympathize with the new democratic government in Greece. We are continuing our earnest efforts to find equitable solutions to the problems which exist between Greece and Turkey. But the results of the Congressional action has been:

to block progress toward reconciliation, thereby prolonging the suffering on Cyprus;

to complicate our ability to promote successful negotiations;

to increase the danger of a broader conflict.

Our longstanding relationship with Turkey is not simply a favor to Turkey; it is a clear and essential mutual interest. Turkey lies on the rim of the Soviet Union and at the gates of the Middle East. It is vital to the security of the eastern Mediterranean, the southern flank of Western Europe and the collective security of the Western Alliance. Our U.S. military bases in Turkey are as critical to our own security as they are to the defense of NATO.

I therefore call upon the Congress to lift the American arms embargo against our Turkish ally by passing a bipartisan Mansfield-Scott bill, now before the Senate. Only this will enable us to work with Greece and Turkey to resolve the differences between our allies.

I accept—and indeed welcome—the bill's requirement for monthly reports to the Congress on progress toward a Cyprus settlement. But unless this is done with dispatch, forces may be set in motion within and between the two nations which could not be reversed.

At the same time, in order to strengthen the democratic government of Greece, and to reaffirm our traditional ties with the people of Greece, we are actively discussing a program of economic and military assistance with them. We will shortly be submitting specific requests to the Congress in this regard.

A vital element of our foreign policy is our relationship with the developing countries—in Africa, Asia and Latin America. These countries must know that America is a true, that America is a concerned friend, reliable both in word and deed.

As evidence of this friendship, I urge the Congress to reconsider one provision of the 1974 Trade Act which has had an

unfortunate and unintended impact on our relations with Latin America, where we have such a long tie of friendship and cooperation. Under this legislation all members of OPEC were excluded from our generalized system of trade preferences. This unfortunately punished two South American friends, Ecuador and Venezuela, as well as other OPEC nations such as Nigeria and Indonesia, none of which participated in last year's oil embargo. This exclusion has seriously complicated our new dialogue with our friends in this hemisphere.

I therefore endorse the amendments which have been introduced in the Congress to provide Executive authority to waive those restrictions on the Trade Act that are incompatible with our national interest.

The interests of America, as well as our allies, are vitally affected by what happens in the Middle East. So long as the state of tension continues, it threatens military crisis, the weakening of our alliances, the stability of the world economy, and confrontation with the nuclear superpowers. These are intolerable risks.

Because we are in the unique position of being able to deal with all the parties, we have at their request been engaged for the past year and a half in a peace-making effort unparalleled in the history of the region.

Our policy has brought remarkable successes on the road to peace. Last year two major disengagement agreements were negotiated and implemented with our help. For the first time in 30 years a process of negotiation on the basic political issues was begun—and is continuing.

Unfortunately, the latest efforts to reach a further interim agreement between Israel and Egypt have been suspended. The issues dividing the parties are vital to them and not amenable to easy and to quick solutions. However, the United States will not be discouraged.

The momentum toward peace that has been achieved over the last 18 months must and will be maintained.

The active role of the United States must and will be continued. The drift toward war must and will be prevented.

I pledge the United States to a major effort for peace in the Middle East—an effort which I know has the solid support of the American people and their Congress. We are now examining how best to proceed. We have agreed in principle to reconvene the Geneva conference. We are prepared as well to explore other forums. The United States will move ahead on whatever course looks most promising, either towards an overall settlement or interim agreements, should the parties themselves desire them. We will not accept stagnation or a stalemate, with all its attendant risks to peace and prosperity and to our relations in and outside of the region.

The national interest—and national security—require as well that we reduce the dangers of war. We shall strive to do so by continuing to improve our relations with potential adversaries.

The United States and the Soviet Union share an interest in lessening tensions and building a more stable rela-

tionship. During this process we have never had any illusions.

We know that we are dealing with a nation that reflects different principles and is our competitor in many parts of the globe. Through a combination of firmness and flexibility, the United States in recent years laid the basis of a more reliable relationship founded on mutual interest and mutual restraint. But we cannot expect the Soviet Union to show restraint in the face of the United States weakness or irresolution. As long as I am President, America will maintain its strength, its alliances and its principles as a prerequisite to a more peaceful planet. As long as I am President, we will not permit détente to become a license to fish in troubled waters. Détente must be and I trust will be a two-way relationship.

Central to U.S.-Soviet relations today is the critical negotiation to control strategic nuclear weapons. We hope to turn the Vladivostok agreements into a final agreement this year at the time of General Secretary Brezhnev's visit to the United States. Such an agreement would for the first time put a ceiling on the strategic arms race. It would mark a turning point in postwar history and would be a crucial step in lifting from mankind the threat of nuclear war.

Our use of trade and economic sanctions as weapons to alter the internal conduct of other nations must also be seriously re-examined. However well intentioned the goals, the fact is that some of our recent actions in the economic field have been self-defeating. They are not achieving the objectives intended by the Congress. And they have damaged our foreign policy.

The Trade Act of 1974 prohibits most-favored nation treatment, credit and investment guarantees and commercial agreements with the Soviet Union so long as their emigration policies fail to meet our criteria. The Soviet Union has therefore refused to put into effect the important 1972 trade agreement between our two countries.

As a result, Western Europe and Japan have stepped into the breach. Those countries have extended credits to the Soviet Union exceeding \$8 billion in the last six months. These are economic opportunities—jobs and business—which could have gone to Americans.

There should be no illusions about the nature of the Soviet system—but there should be no illusions about how to deal with it. Our belief in the right of peoples of the world freely to emigrate has been well demonstrated. This legislation, however, not only harmed our relations with the Soviet Union but seriously complicated the prospects of those seeking to emigrate. The favorable trend aided by quiet diplomacy by which emigration increased from 400 in 1968 to over 33,000 in 1973 has been seriously set back. Remedial legislation is urgently needed in our national interest.

With the People's Republic of China we are firmly fixed on the course set forth in the Shanghai Communiqué. Stability in Asia and the world require our constructive relations with one-fourth of the human race. After two decades of

mutual isolation and hostility, we have in recent years built a promising foundation. Deep differences in our philosophy and social systems will endure. But so should our mutual long-term interests and the goals to which our countries have jointly subscribed in Shanghai.

I will visit China later this year to reaffirm these interests and to accelerate the improvement in our relations. And I was glad to welcome the distinguished Speaker and the distinguished minority leader of the House back today from their constructive visit to the People's Republic of China.

Let me talk about new challenges. The issues I have discussed are the most pressing of the traditional agenda on foreign policy. But ahead of us also is a vast new agenda of issues in an interdependent world.

The United States—with its economic power, its technology, its zest for new horizons—is the acknowledged world leader in dealing with many of these challenges. If this is a moment of uncertainty in the world, it is even more a moment of rare opportunity.

We are summoned to meet one of man's most basic challenges—hunger. At the World Food Conference last November in Rome, the United States outlined a comprehensive program to close the ominous gap between population growth and food production over the long term. Our technological skill and our enormous productive capacity are crucial to accomplishing this task.

The old order—in trade, finance, and raw materials—is changing, and American leadership is needed in the creation of new institutions and practices for worldwide prosperity and progress.

The world's oceans, with their immense resources and strategic importance, must become areas of cooperation rather than conflict. American policy is directed to that end.

Technology must be harnessed to the service of mankind while protecting the environment. This too is an arena for American leadership.

The interests and aspirations of the developed and developing nations must be reconciled in a manner that is both realistic and humane. This is our goal in this new era.

One of the finest success stories in our foreign policy is our cooperative effort with other major energy-consuming nations. In little more than a year, together with our partners, we have created the International Energy Agency; we have negotiated an emergency sharing arrangement which helps to reduce the dangers of an embargo; we have launched major international conservation efforts; we have developed a massive program for the development of alternative sources of energy.

But the fate of all of these programs depends crucially on what we do at home. Every month that passes brings us closer to the day when we will be dependent on imported energy for 50 percent of our requirements. A new embargo under these conditions would have a devastating impact on jobs, industrial expansion, and inflation at home. Our economy cannot be left to the mercy of decisions

over which we have no control, and I call upon the Congress to act affirmatively.

In a world where information is power, a vital element of our national security lies in our intelligence services. They are as essential to our Nation's security in peace as in war. Americans can be grateful for the important, but largely unsung, contributions and achievements of the intelligence services of this Nation.

It is entirely proper that this system be subject to Congressional review. But a sensationalized public debate over legitimate intelligence activities is a disservice to this Nation and a threat to our intelligence system. It ties our hands while our potential enemies operate with secrecy, with skill and with vast resources. Any investigation must be conducted with maximum discretion and dispatch, to avoid crippling a vital national institution.

Let us speak quite frankly to some in this Chamber, and perhaps to some not in this Chamber:

The Central Intelligence Agency has been of maximum importance to Presidents before me. The Central Intelligence Agency has been of maximum importance to me. The Central Intelligence Agency and its associated intelligence organizations could be of maximum importance to some of you in this audience who might be President at some later date. I think it would be catastrophic for the Congress or anyone else to destroy the usefulness, by dismantling in effect, our intelligence system upon which we rest so heavily.

Now, as Congress oversees intelligence activities it must of course organize itself to do so in a responsible way. It has been traditional for the Executive to consult with the Congress through specially-protected procedures that safeguard essential secrets. But recently some of those procedures have been altered in a way that makes the protection of vital information very, very difficult. I will say to the leaders of the Congress, the House and the Senate, that I will work with them to devise procedures which will meet the needs of the Congress for review of intelligence agency activities and the needs of the Nation for an effective intelligence service.

Underlying any successful foreign policy is the strength and the credibility of our defense posture.

We are strong and we are ready and we intend to remain so.

Improvement of relations with adversaries does not mean any relaxation of our national vigilance. On the contrary, it is the firm maintenance of both strength and vigilance that makes possible steady progress toward a safer and a more peaceful world.

The national security budget that I have submitted is the minimum the United States needs in this critical hour. The Congress should review it carefully, and I know it will. But it is my considered judgment that any significant reduction revision would endanger our national security and thus jeopardize the peace.

Let no ally doubt our determination to maintain a defense second to none,

and let no adversary be tempted to test our readiness or our resolve.

History is testing us today. We cannot afford indecision, disunity or disarray in the conduct of our foreign affairs.

You and I can resolve here and now that this Nation shall move ahead with wisdom, with assurance, and with national unity.

The world looks to us for the vigor and for the vision that we have demonstrated so often in the past in great moments of our national history.

As I look down the road, I see a confident America, secure in its strength, secure in its values and determined to maintain both.

I see a conciliatory America, extending its hand to allies and adversaries alike, forming bonds of cooperation to deal with the vast problems facing us all.

I see a compassionate America, its heart reaching out to orphans, to refugees and to our fellow human beings afflicted by war, by tyranny and by hunger.

As President, entrusted by the Constitution with primary responsibility for the conduct of our foreign affairs, I renew the pledge I made last August: To work cooperatively with the Congress.

I ask that the Congress help to keep America's word good throughout the world. We are one nation, one government, and we must have one foreign policy.

In an hour far darker than this, Abraham Lincoln told his fellow citizens, and I quote:

We cannot escape history. We of this Congress and this Administration will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us.

We who are entrusted by the people with the great decisions that fashion their future can escape neither responsibilities nor our consciences.

By what we do now the world will know our courage, our constancy, and our compassion.

The spirit of America is good and the heart of America is strong. Let us be proud of what we have done and confident of what we can do. And may God ever guide us to do what is right.

Thank you.

[Applause, the Members rising.]

At 10 o'clock and 4 minutes p.m., the President, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet.

The ambassadors, ministers, and charges d'affaires of foreign governments.

JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly (at 10 o'clock and 7 minutes p.m.), the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

REFERENCE OF PRESIDENT'S MESSAGE

Mr. O'NEILL. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the State of the Union and ordered printed.

The motion was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until Monday, April 14, 1975, 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:

772. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend title 10, United States Code, and the Military Selective Service Act to permit the assignment of members of the armed forces who have completed basic training and training in a military specialty as is prescribed by the Secretary concerned to overseas areas free from hostile fire, and to permit the release of Reserve component enlistees from their initial active duty for training upon the completion of basic training and training in a military specialty as is prescribed by the Secretary concerned; to the Committee on Armed Services.

773. A letter from the Deputy Secretary of the Treasury, transmitting a proposed agreement establishing a financial support fund of the Organization for Economic Cooperation and Development; to the Committee on Banking, Currency and Housing.

774. A letter from the Acting Assistant Administrator of General Services, transmitting a prospectus recommending the relocation of the Consolidated Federal Law Enforcement Training Center from Beltsville Md., to the Clynco Naval Air Station at Brunswick, Ga.; to the Committee on Public Works and Transportation.

775. A letter from the Secretary of Health, Education, and Welfare, transmitting the annual report for calendar year 1974 on social security advisory committees, pursuant to section 1114(f) of the Social Security Act, as amended; to the Committee on Ways and Means.

776. A letter from the Secretary of the Army and the Secretary of Agriculture, transmitting notice of the intention of the Departments of the Army and Agriculture to interchange jurisdiction of lands at Fort Leonard Wood Military Reservation, Mo., pursuant to 70 Stat. 656; jointly to the Committees on Armed Services, and Agriculture.

777. A letter from the Chairman, National Security Council Interagency Task Force on the Law of the Sea, transmitting a report on issues before the Third United Nations Conference on the Law of the Sea; jointly, to the Committees on International Relations, and Merchant Marine and Fisheries.

RECEIVED FROM THE COMPTROLLER GENERAL

778. A letter from the Comptroller General of the United States, transmitting a

report on how to improve the selected acquisition reporting system in the Department of Defense; jointly, to the Committees on Government Operations, and Armed Services.

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. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 4114. A bill to amend the Public Health Service Act to revise and extend the National Health Service Corps programs; with amendment (Rept. No. 94-137). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee on Appropriations. House Joint Resolution 375. Joint resolution making an additional appropriation for the fiscal year ending June 30, 1975, for the Veterans' Administration, and for other purposes (Rept. No. 94-133). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS of Ohio: Committee on International Relations. H.R. 4510. A bill to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations (Rept. No. 94-139). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS of Ohio: Committee on International Relations. H.R. 5810. A bill to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations (Rept. No. 94-140). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee on Appropriations. H.R. 5899. A bill making supplemental appropriations for the fiscal year ending June 30, 1975, and for other purposes (Rept. No. 94-141). Referred to the Committee of the Whole House on the State of the Union.

Mr. FLOOD: Committee on Appropriations. H.R. 5901. A bill making appropriations for the Education Division and related agencies, for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other other purposes (Rept. No. 94-142). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 4115. A bill to amend title VIII of the Public Health Service Act to revise and extend the programs of assistance under that title for nurse training; with amendment (Rept. No. 94-143). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAUCUS (for himself, Mr. BEDELL, Mr. CARNEY, Mr. CARR, Mr. CORNELL, Mr. COUGHLIN, Mr. DOMINICK V. DANIELS, Mr. FRENZEL, Mr. HARRINGTON, Mr. HAWKINS, Mr. ICHORD, Mr. KREBS, Mr. NEAL, Mr. PEPPER, Mr. ROYAL, Mrs. SPELLMAN, Mr. STUDDS, Mr. TSONGAS, Mr. WEAVER, Mr. CHARLES WILSON of Texas, Mr. WINN, and Mr. YATRON):

H.R. 5833. A bill to authorize a vigorous Federal program of research, development, and demonstration to assure the utilization of MHD (magnetohydrodynamics) to assist in meeting our national energy needs, and for other purposes; to the Committee on Science and Technology.

By Mr. BOWEN:

H.R. 5834. A bill to assure foreign countries that reserve stocks of agricultural commodities stored in the United States under certain conditions shall not be subject to export controls; to the Committee on International Relations.

H.R. 5835. A bill to amend the Federal Trade Commission Act (15 U.S.C. 45) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. BOWEN (for himself, Mr. MURTHA, Mr. PRESSLER, Mr. SIMON, and Mr. WAGGONER):

H.R. 5836. A bill to amend the Consolidated Farm and Rural Development Act; to the Committee on Agriculture.

By Mr. BOWEN (for himself, Mr. CARR, Mr. GOODLING, and Mr. STEPHENS):

H.R. 5837. A bill to amend the Internal Revenue Code to encourage the continuation of family farms, and for other purposes; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 5838. A bill to amend Public Law 93-233 to extend for an additional 12 months (until July 1, 1976) the eligibility of supplemental security income recipients for food stamps; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 5839. A bill to provide for the establishment of the National Center for Health Education and Promotion and the Institution for Health Education and Promotion to advance the national health; to reduce preventive illness, disability, and death; to moderate self-imposed risks; to promote progress and scholarship in consumer health education and preventive medicine; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CLAY (for himself, Mr. ASPIN, and Mr. BEARD of Rhode Island):

H.R. 5840. A bill to restore to Federal civilian employees their rights to participate, as private citizens, in the political life of the Nation, to protect Federal civilian employees from improper political solicitations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLEVELAND:

H.R. 5841. A bill to amend section 111 of title 23, United States Code, to permit the sale of State lottery tickets on Interstate System rights-of-way; to the Committee on Public Works and Transportation.

By Mr. DOMINICK V. DANIELS (for himself, Mr. BROWN of California, Mr. HICKS, Mr. COLLINS of Texas, Mr. RYAN, Mr. HANNAFORD, Mr. RIEGLE, Mr. STOKES, Mr. SARASIN, Mr. DIGGS, Mr. BLANCHARD, Mr. ABZUG, Mr. HAWKINS, Mrs. CHISHOLM, Mr. ALEXANDER, Mr. CARR, Mr. ROE, Mr. HOWARD, Mr. HORTON, Mr. DAN DANIEL, Mr. MINETA, Mr. MACDONALD of Massachusetts, Mr. HYDE, Mr. ST GERMAIN, and Mr. WYDLER):

H.R. 5842. A bill to amend the Internal Revenue Code of 1954 to allow individuals a deduction for amounts paid or incurred for repairs or improvements of, or additions to, their principal residences; to the Committee on Ways and Means.

By Mr. DOMINICK V. DANIELS (for himself, Mr. ASPIN, and Mr. PATTERSON of California):

H.R. 5843. A bill to amend the Internal Revenue Code of 1954 to allow individuals a deduction for amounts paid or incurred for repairs or improvements of, or additions to, their principal residences; to the Committee on Ways and Means.

By Mr. EVANS of Colorado:

H.R. 5844. A bill to amend the Internal Revenue Code of 1954 to impose a temporary excise tax on passenger motor vehicles based on horsepower, to amend the National Traffic

and Motor Vehicle Safety Act of 1966 to prohibit the manufacture of passenger motor vehicles which do not comply with certain limitations with respect to weight, fuel economy, and horsepower, and for other purposes; jointly to the Committees on Ways and Means, and Interstate and Foreign Commerce.

By Mr. HELSTOSKI (for himself, Mr. FRENZEL, Mr. SCHNEEBELI, and Mr. VANIK):

H.R. 5845. A bill relating to the income tax treatment of charitable contributions of inventory and certain other ordinary income property; to the Committee on Ways and Means.

By Mr. HUTCHINSON:

H.R. 5846. A bill to amend title 38 of the United States Code in order to exclude certain social security payments in determining annual income for purposes of paying non-service-connected disability pension to veterans; to the Committee on Veterans' Affairs.

By Mr. LEGGETT:

H.R. 5847. A bill to amend title 10, United States Code, to authorize the use of health maintenance organizations in providing health care; to the Committee on Armed Services.

H.R. 5848. A bill to amend chapter 55 of title 10 to provide additional dental care for dependents of active duty members of the uniformed services; to the Committee on Armed Services.

H.R. 5849. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for employers who employ members of the hardcore unemployed; to the Committee on Ways and Means.

By Mr. LUJAN:

H.R. 5850. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of potential water resources developments in the Mora River Basin, N. Mex., to the Committee on Interior and Insular Affairs.

By Mr. MOLLOHAN (for himself, Ms. ABZUG, Mr. CHAPPELL, Mr. HASTINGS, Mr. HINSHAW, Mr. KRUEGER, Mr. ST GERMAIN, Mr. SARASIN, and Mr. TSONGAS):

H.R. 5851. A bill to amend the Comprehensive Employment and Training Act of 1973 to provide that a unit of general local government having a population of 50,000 or more shall be eligible to be a prime sponsor; to the Committee on Education and Labor.

By Mr. NIX:

H.R. 5852. A bill to enact the Uniform Reciprocal Peace Act; to the Committee on International Relations.

By Mr. NIX (for himself, Mr. DODD, Mr. ECKHARDT, Mr. FORD of Michigan, and Mr. TRAXLER):

H.R. 5853. A bill to amend title 39, United States Code, to provide for the mailing of correspondence to Members of the Congress free of postage, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. NOLAN:

H.R. 5854. A bill to amend the Voting Rights Act of 1965 to extend certain provisions for an additional 10 years and to make permanent the ban against certain prerequisites to voting; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.R. 5855. A bill to amend the Internal Revenue Code of 1954 to provide that advertising of alcoholic beverages is not a deductible expense; to the Committee on Ways and Means.

By Mr. ROE:

H.R. 5856. A bill to amend titles II, VII, XI, XVI, XVIII, and XIX of the Social Security Act to provide for the administration of the old-age, survivors, and disability insurance program, the supplemental security income program, and the medicare program by a newly established independent Social Security Administration, to separate social security trust fund items from the general Feder-

al budget, to prohibit the mailing of certain notices with social security and supplemental security income benefit checks, and for other purposes; to the Committee on Ways and Means.

H.R. 5857. A bill to amend title II of the Social Security Act to provide that an insured individual otherwise qualified may retire and receive full old-age benefits, at any time after attaining age 60, if he has been forced to retire at that age by a Federal law, regulation, or order; to the Committee on Ways and Means.

By Mr. RUNNELS:

H.R. 5858. A bill to revise retirement benefits for certain employees of the Bureau of Indian Affairs and the Indian Health Service not entitled to Indian preference, provide greater opportunity for advancement and employment of Indians, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SKUBITZ:

H.R. 5859. A bill to change the name of the Cheney Reservoir, Kansas, to the Schoepel-Rees Lake; to the Committee on Public Works and Transportation.

By Mr. THONE (for himself, Mr. BURGNER, Mr. COLLINS of Texas, Mr. DOWNEY, Mrs. FENWICK, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. HINSHAW, Mr. KETCHUM, Mr. LENT, Mr. MONTGOMERY, Mr. MOTTL, Mr. ROE, Mr. SOLARZ, Mr. SPENCE, and Mr. WALSH):

H.R. 5860. A bill to amend the Internal Revenue Code of 1954 to authorize a tax credit for certain expenses of providing higher education; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 5861. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence; to the Committee on Ways and Means.

By Mr. BYRON:

H.R. 5862. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to require as a condition of assistance under such act that law enforcement agencies have in effect a binding law enforcement officer's bill of rights; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 5863. A bill to amend the Truth in Lending Act to prohibit discrimination on account of age in credit card transactions; to the Committee on Banking, Currency and Housing.

H.R. 5864. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5865. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 5866. A bill to provide that future increases in social security benefits shall be disregarded in determining eligibility for benefits or assistance under the supplemental security income program, the program of aid to families with dependent children, the medical program, and certain other Federal programs; to the Committee on Ways and Means.

By Mr. COUGHLIN (for himself, Ms. ABZUG, Mr. KEMP, and Mr. ROBINSON):

H.R. 5867. A bill to amend the Internal Revenue Code of 1954 and certain other provisions of law to provide for automatic cost-of-living adjustments in the income tax rates, the amount of the standard, personal exemption, and depreciation deductions, and the rate of interest payable on certain ob-

ligations of the United States; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 5868. A bill to amend title II of the Social Security Act to provide that the surviving spouse of an insured worker may authorize direct payment of the worker's lump-sum death payment for expenses incidental to the deceased worker's death; to the Committee on Ways and Means.

By Mr. DRINAN:

H.R. 5869. A bill to make requirements with respect to the disclosure of marital status the same for men and women in matters relating to voting qualifications in Federal elections; to the Committee on House Administration.

By Mr. DRINAN (for himself, Mr. BAUCUS, Mr. BEDELL, Mr. BINGHAM, Mr. BROWN of California, Mr. CORNELL, Mr. COTTER, Mr. DOWNEY, Mr. EDWARDS of California, Mr. FORD of Tennessee, Mr. GUDE, Mr. HAWKINS, Mr. HECHLER of West Virginia, and Mr. HELSTOSKI):

H.R. 5870. A bill to require the President to take all necessary action to strictly enforce the regulation promulgated under section 4 of the Emergency Petroleum Allocation Act of 1973 and all orders issued under such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DRINAN (for himself, Mr. HICKS, Ms. HOLTZMAN, Mr. MAGUIRE, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. OTTINGER, Mr. RICHMOND, Mr. ROE, Mr. ROYBAL, Mr. SOLARZ, Mrs. SPELLMAN, Mr. STARK, Mr. THOMPSON, and Mr. TSONGAS):

H.R. 5871. A bill to require the President to take all necessary action to strictly enforce the regulation promulgated under section 4 of the Emergency Petroleum Allocation Act of 1973 and all orders issued under such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DRINAN (for himself, Mr. FORD of Tennessee, and Mr. RICHMOND):

H.R. 5872. A bill to amend the Impoundment Control Act of 1974 to provide that no rescission of budget authority proposed by the President shall take effect unless and until the Congress has passed a bill incorporating such rescission; to the Committee on Rules.

By Mr. FINDLEY:

H.R. 5873. A bill to amend the National Security Act of 1947, as amended, to keep the Congress better informed on matters relating to foreign policy and national security by providing it with intelligence information obtained by the Central Intelligence Agency and with analysis of such information by such Agency; jointly to the Committees on Armed Services, and International Relations.

By Mr. FINDLEY (for himself and Mr. HINSHAW):

H.R. 5874. A bill to repeal the earnings limitation of the Social Security Act; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 5875. A bill to amend the Public Health Service Act to establish an emergency health protection program for the unemployed; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER:

H.R. 5876. A bill to provide humanitarian relief through international agencies to the people of Vietnam and Cambodia; to the Committee on International Relations.

By Mr. KASTENMEIER (for himself, Mr. STEELMAN, Mr. CORMAN, Mr. ENGLISH, Mr. HEINZ, Mr. JACOBS, Mr. KREBS, Mr. MAGUIRE, Mr. NOLAN, and Mr. OBERSTAR):

H.R. 5877. A bill to require candidates for Federal office, Members of the Congress, and officers and employees of the United States to file statements with the Comptroller Gen-

eral with respect to their income and financial transactions; jointly, to the Committees on the Judiciary, and Standards of Official Conduct.

By Mr. KOCH (for himself, Mr. OTTINGER, and Mr. SHRIVER):

H.R. 5878. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; and to remove rate inequities for married persons where both are employed; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 5879. A bill to direct the Secretary of Health, Education, and Welfare to develop and implement a system for the issuance of social security benefit checks on a staggered or cyclical basis; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 5880. A bill to designate November 11 of each year as Armistice Day; to the Committee on Post Office and Civil Service.

By Mr. MICHEL:

H.R. 5881. A bill to amend the Clean Air Act; to the Committee on Interstate and Foreign Commerce.

By Mr. NEAL (for himself, Ms. ABZUG, Mr. BLANCHARD, Mr. BROWN of California, Mr. BUTLER, Mr. DOMINICK V. DANIELS, Mr. DAVIS, Mr. DERRICK, Mr. DUNCAN of Oregon, Mr. EDGAR, Mr. ESELEMAN, Mr. FITHIAN, Mr. GOODLING, Mr. HARKIN, Mr. LENT, Mr. LUJAN, Mr. McCLOSKEY, Mr. MANN, Mr. MARTIN, Mr. MIKVA, Mrs. MINK, Mr. MURPHY of Illinois, Mr. MYERS of Indiana, Mr. NOLAN, Mr. OBERSTAR, and Mr. PATTERSON of California):

H.R. 5882. A bill to limit the use of limousines; to the Committee on Government Operations.

By Mr. NEAL (for himself, Mr. DODD, Mr. FORD of Tennessee, Mr. KREBS, Mr. MAZZOLI, Mrs. MEYNER, Mr. OTTINGER, Mr. SEIBERLING, Mr. SHARP, Mrs. SPELLMAN, Mr. SPENCE, and Mr. WEAVER):

H.R. 5883. A bill to limit the use of limousines; to the Committee on Government Operations.

By Mr. NIX (by request):

H.R. 5884. A bill to authorize appropriations for carrying out the provisions of the International Economic Policy Act of 1972, as amended, and for other purposes; to the Committee on International Relations.

By Mr. RIEGLE:

H.R. 5885. A bill to increase the amount of the weekly benefits payable under the Federal-State extended unemployment compensation program and to remove the limitations on the number of weeks of unemployment compensation under the emergency unemployment compensation program; to the Committee on Ways and Means.

By Mr. ROE:

H.R. 5886. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROE (for himself, Mr. EILBERG, Mr. NEDZI, Mr. LITTON, and Mr. HEINZ):

H.R. 5887. A bill to establish a National Foreign Investment Control Commission to prohibit or restrict foreign ownership control or management control, through direct purchase, in whole or part; from acquiring securities of certain domestic issuers of securities; from acquiring certain domestic issuers of securities, by merger, tender offer, or any other means; control of certain domestic corporations or industries, real estate, or other natural resources deemed to be vital to the economic security and national de-

fense of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. ROE (for himself, Mr. EILBERG, Mr. NEDZI, Mr. LITTON, and Mr. HEINZ):

H.R. 5888. A bill to create a Joint Congressional Committee on Foreign Investment Control in the United States; to the Committee on Rules.

By Mr. RUSSO:

H.R. 5889. A bill to strengthen the penalty provisions of the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. SMITH of Iowa (for himself, Mr. McFALL, Mr. MURPHY of Illinois, Mr. STEED, Mr. RAILSBACK, Mr. PRICE, Mr. METCALFE, Mr. SHRIVER, Mr. ROSTENKOWSKI, Mr. YATES, Mr. Mr. ANNUNZIO, Mr. ALEXANDER, Mr. BEDELL, Mr. BLOUIN, Mrs. COLLINS of Illinois, Mr. ENGLISH, Mr. GRASSLEY, Mr. HARKIN, Mr. HIGHTOWER, Mr. JONES of Oklahoma, Mr. HALL, Mr. MEZVINSKI, Mr. RISENHOVER, Mr. RUSSO, and Mr. SIMON):

H.R. 5890. A bill to amend the Regional Rail Reorganization Act of 1973 to authorize financial assistance under section 211 to a railroad which is in reorganization under section 77 of the Bankruptcy Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Iowa (for himself, Mr. McFALL, Mr. MURPHY of Illinois, Mr. PICKLE, Mrs. KEYS, Mr. O'BRIEN, Mr. THORNTON, and Mr. SHIPLEY):

H.R. 5891. A bill to amend the Regional Rail Reorganization Act of 1973 to authorize financial assistance under section 211 to a railroad which is in reorganization under section 77 of the Bankruptcy Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SYMINGTON:

H.R. 5892. A bill to amend the Controlled Substances Act to make the stealing of a controlled substance from a pharmacy or related establishment a Federal crime; to the Committee on Interstate and Foreign Commerce.

By Mr. UDALL:

H.R. 5893. A bill to designate certain lands as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. WHITEHURST (for himself, Mr. ANDERSON of California, Mr. BAUMAN, Mr. CHAPPELL, and Mr. PATTERSON of California):

H.R. 5894. A bill to direct the Secretary of Defense to continue to operate and maintain the commissary stores of the agencies of the Department of Defense; to the Committee on Armed Services.

By Mr. FRASER (for himself, Ms. ABZUG, Mr. BALDUS, Mr. BENITEZ, Mr. BROWN of California, Mr. CONYERS, Mr. CORMAN, Mr. DELLUMS, Mr. EILBERG, Mr. FASCELL, Mr. FORD of Tennessee, Mr. FORD of Michigan, Mr. GILMAN, Mr. HARRINGTON, Mrs. KEYS, Mr. KETCHUM, Mr. KREBS, Mr. MELCHER, Mr. MIKVA, Mr. MEZVINSKY, Mr. MOTTI, Mr. O'HARA, Mr. PATTERSON of California, Mr. PEPPER, and Mr. RANGEL):

H.R. 5895. A bill to amend section 1661 of title 38 of the United States Code in order to entitle veterans to 2½ months of educational assistance for each month of service on active duty and to extend the maximum entitlement to such assistance to 45 months; to the Committee on Veterans' Affairs.

By Mr. FRASER (for himself, Mr. RICHMOND, Mr. ROSENTHAL, Mr. ROYBAL, Mr. RYAN, Mr. SANTINI, Mr. ST GERMAIN, Mr. STARK, Mr. STUDDS, Mr. VAN DERLIN, Mr. WEAVER, Mr. WON PAT, Mr. YATRON, and Mr. YOUNG of Georgia):

H.R. 5896. A bill to amend section 1661 of title 38 of the United States Code in order to

entitle veterans to 2½ months of educational assistance for each month of service on active duty and to extend the maximum entitlement to such assistance to 45 months; to the Committee on Veterans' Affairs.

By Mr. GREEN (for himself, Mr. ULLMAN, Mr. SCHNEEBELI, and Mr. CONABLE):

H.R. 5897. A bill to amend the Trade Act of 1974 in order to authorize the President to designate any of certain countries as eligible for the tariff preferences extended to developing countries under title V of such act if the President determines that such designation is in the national economic interest; to the Committee on Ways and Means.

By Mr. THORNTON (for himself, and Mr. ALEXANDER):

H.R. 5898. A bill to enable cattle producers to establish, finance, and carry out a coordinated program of research, producer and consumer education, and promotion to improve, maintain, and develop markets for cattle, beef, and beef products; to the Committee on Agriculture.

By Mr. MAHON:

H.R. 5899. A bill making supplemental appropriations for the fiscal year ending June 30, 1975, and for other purposes.

By Mr. THOMPSON (for himself, Mr. PERKINS, Mr. DENT, Mr. DOMINICK V. DANIELS, Mr. BRADEMAs, Mr. FORD of Michigan, Mr. PHILLIP BURTON, Mr. ANNUNZIO, Mr. JOHN L. BURTON, Mr. BEARD of Rhode Island, Mr. KARTEH, and Mr. ROONEY):

H.R. 5900. A bill to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers; to the Committee on Education and Labor.

By Mr. FLOOD:

H.R. 5901. A bill making appropriations for the Education Division and related agencies, for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes.

By Mr. MONTGOMERY:

H.R. 5902. A bill to amend title 38 of the United States Code to provide the automobile assistance allowance and adaptive equipment for veterans of World War I and thereafter; to the Committee on Veterans' Affairs.

By Mr. MONTGOMERY (for himself, Mr. ROBERTS, Mr. TEAGUE, Mr. HAMMERSCHMIDT, and Mr. WYLLIE):

H.R. 5903. A bill to amend title 38, United States Code, to increase the rates of disability compensation for disabled veterans, and the rates of dependency and indemnity compensation for their survivors, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SYMINGTON:

H.R. 5904. A bill to provide a penalty for the robbery or burglary or attempted robbery or burglary of any narcotic drug from any pharmacy, doctor's office, or warehouse; to the Committee on the Judiciary.

By Mr. JEFFORDS (for himself, Mr. BEDELL, Mr. EDWARDS of California, Mr. HARRINGTON, Mr. HOWE, Mrs. SCHROEDER, Mr. ROE, Mrs. HOLT, Mr. PRESSLER, Mr. CHARLES WILSON of Texas, Mr. EMERY, Mrs. SPELLMAN, Mr. GILMAN, Ms. ABZUG, Mr. CONTE, Ms. HOLTZMAN, Mr. BEARD of Rhode Island, Mr. CLEVELAND, Mr. EVANS of Indiana, Mr. FITZHAN, Mr. YATES, Mr. BLOUIN, and Mr. BOLAND):

H.J. Res. 386. Joint resolution to amend the Emergency Petroleum Allocation Act of 1973 to prohibit the President from setting minimum prices for crude oil, residual fuel oil, or any refined petroleum product without congressional authority, to prohibit the President from using section 232(b) of the Trade Expansion Act of 1962 or any other provision of law to establish such minimum prices without congressional authority and

for other purposes; jointly to the Committees on Interstate and Foreign Commerce, and Ways and Means.

By Mr. JEFFORDS (for himself, Mr. HAWKINS, Mr. FASCELL, Mr. DODD, Mr. MOFFETT, Mr. DRINAN, Mr. MOAKLEY, and Mr. KREBS):

H.J. Res. 387. Joint resolution to amend the Emergency Petroleum Allocation Act of 1973 to prohibit the President from setting minimum prices for crude oil, residual fuel oil, or any refined petroleum product without congressional authority, to prohibit the President from using section 232(b) of the Trade Expansion Act of 1962 or any other provision of law to establish such minimum prices without congressional authority and for other purposes; jointly to the Committees on Interstate and Foreign Commerce, and Ways and Means.

By Mr. WHITEHURST (for himself, Ms. ABZUG, Mr. BENITEZ, Mr. CARR, Mr. COUGHLIN, Mr. EDWARDS of California, Mr. EMERY, Mr. FREY, Mr. HEINZ, Mr. KRUEGER, Mr. MAZZOLI, Mrs. MEYNER, Mr. OTTINGER, Mr. PEPPER, and Mr. RICHMOND):

H.J. Res. 388. Joint resolution calling for a wildlife preserve for humpback whales in the West Indies; to the Committee on International Relations.

By Mr. WHITEHURST (for himself, Mr. ROBINSON, Mr. ROE, Mr. SARASIN, Mrs. SCHROEDER, Mr. SOLARZ, Mr. STEIGER of Wisconsin, Mr. STUDDS, Mr. TSONGAS, Mr. BOB WILSON, Mr. CHARLES WILSON of Texas, Mr. WINN, Mr. WIRTH, Mr. YOUNG of Florida, and Mr. ZEPERETTI):

H.J. Res. 389. Joint resolution calling for a wildlife preserve for humpback whales in the West Indies; to the Committee on International Relations.

By Mr. MOTIL:

H. Con. Res. 211. Concurrent resolution expressing the sense of Congress with respect to the complexity of Federal income tax forms; to the Committee on Ways and Means.

By Mr. ROE:

H. Con. Res. 212. Concurrent resolution in support of International Women's Year 1975; to the Committee on International Relations.

By Mr. WHITEHURST (for himself, Ms. ABZUG, Mr. BENITEZ, Mr. CARR, Mr. COUGHLIN, Mr. EDWARDS of California, Mr. EMERY, Mr. FREY, Mr. HEINZ, Mr. KRUEGER, Mr. MAZZOLI, Mrs. MEYNER, Mr. OTTINGER, Mr. PEPPER, and Mr. RICHMOND):

H. Con. Res. 213. Concurrent resolution calling for a regional conservation treaty to protect Northern Hemisphere pinnepeds; to the Committee on International Relations.

By Mr. WHITEHURST (for himself, Mr. ROBINSON, Mr. ROE, Mr. SARASIN, Mrs. SCHROEDER, Mr. SOLARZ, Mr. STEIGER of Wisconsin, Mr. STUDDS, Mr. TSONGAS, Mr. BOB WILSON, Mr. CHARLES WILSON of Texas, Mr. WINN, Mr. WIRTH, Mr. YOUNG of Florida, and Mr. ZEPERETTI):

H. Con. Res. 214. Concurrent resolution calling for a regional conservation treaty to protect Northern Hemisphere pinnepeds; to the Committee on International Relations.

By Mr. BRADEMAs:

H. Con. Res. 215. Concurrent resolution providing for the printing of a House document of a revised edition of "The Capitol"; to the Committee on House Administration.

By Mr. DERWINSKI (for himself, Mr. BIAGGI, Mr. COUGHLIN, Mr. FISEH, Mr. HAGDORN, Mr. ROGERS, Mr. RYAN, and Mr. YOUNG of Florida):

H. Con. Res. 216. Concurrent resolution expressing the sense of Congress concerning recognition by the European Security Conference of the Soviet Union's occupation of Estonia, Latvia, and Lithuania; to the Committee on International Relations.

By Mr. ROBINSON:

H. Con. Res. 217. Concurrent resolution stating the sense of Congress regarding the situation in Southeast Asia; to the Committee on International Relations.

By Mr. DRINAN (for himself, Mr. BAUCUS, Mr. BEDELL, Mr. BINGHAM, Mr. BROWN of California, Mrs. BURKE of California, Mr. CORNELL, Mr. COTTER, Mr. DOWNEY, Mr. EDWARDS of California, Mr. FITZHAN, Mr. FORD of Tennessee, Mr. GUDE, Mr. HANNAFORD, and Mr. HAWKINS):

H. Res. 387. Resolution to request that the Department of Justice investigate the Federal Energy Administration with respect to any possible conflicts of interest; to the Committee on the Judiciary.

By Mr. DRINAN (for himself, Mr. HECHLER of West Virginia, Mr. HOLTZMAN, Mr. MAGUIRE, Mr. MOAKLEY, Mr. OTTINGER, Mr. RICHMOND, Mr. ROE, Mr. ROYBAL, Mr. SOLARZ, Mrs. SPELLMAN, Mr. STARK, Mr. THOMPSON, and Mr. TSONGAS):

H. Res. 388. Resolution to request that the Department of Justice investigate the Federal Energy Administration with respect to any possible conflicts of interest; to the Committee on the Judiciary.

By Mr. LLOYD of California:

H. Res. 389. Resolution congratulating the city of Chino, Calif., and the city of San Juan del Rio, Mexico, on the sixth anniversary of their sister city program; to the Committee on Post Office and Civil Service.

By Mr. PRICE:

H. Res. 390. Resolution to provide for the printing of additional copies of the "Report of the Special Subcommittee on the Middle East of the Committee on Armed Services, House of Representatives, Committee Paper No. 94-3; to the Committee on House Administration.

By Mr. STARK (for himself, Mr. BAUCUS, Mr. BELL, Mr. BROWN of California, Mr. BURGNER, Ms. BURKE of California, Mr. CARR, Mr. CORMAN, Mr. ECKHARDT, Mr. ESHLEMAN, Mr. GOLDWATER, Mr. HANNAFORD, Mr. HINSHAW, Mr. MINETA, Mr. MOSS, Mr. ROGERS, Mr. ROYBAL, Mr. SISK, Mr. VAN DERLIN, Mr. WAXMAN, and Mr. CHARLES H. WILSON of California):

H. Res. 391. Resolution directing the President to provide to the House of Representatives information which the executive branch possess with respect to the experience of certain citizens of the United States of America while in the Republic of Mexico; to the Committee on International Relations.

MEMORIALS

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

90. By the SPEAKER: Memorial of the Legislature of the State of Washington, relative to reforestation; to the Committee on Agriculture.

91. Also, memorial of the Legislature of the State of Montana, relative to air pollution control; to the Committee on Interstate and Foreign Commerce.

92. Also, memorial of the Legislature of the State of Washington, relative to the observance of Memorial Day and Veterans Day on their traditional dates; to the Committee on Post Office and Civil Service.

93. Also, memorial of the Legislature of the State of Washington, relative to the State matching requirement for obtaining Federal highway funds; to the Committee on Public Works and Transportation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRON:

H.R. 5905. A bill for the relief of Miss Coralia Raposo; to the Committee on the Judiciary.

By Mr. EARLY:

H.R. 5906. A bill for the relief of Miriam U., also known as, U, Pui-Ching; to the Committee on the Judiciary.

By Mr. ICHORD:

H.R. 5907. A bill for the relief of Yau Pik Chau; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 5908. A bill for the relief of S. Sgt. Archer C. Ford, Jr.; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 5909. A bill for the relief of Jean Maniger Ridgeway, Phillip Ridgeway, Michael Ridgeway, Amy Jane Robertson, Bruce Robertson, Jr., Susan Robertson, Catherine Robertson, Viola J. Stewart, Dana Stewart, Patrick Stewart, Lois Souby, Eilan Souby, Jr., and Heather Souby; to the Committee on the Judiciary.

By Mr. WINN:

H. Res. 392. Resolution to refer the bill H.R. 5832 for the relief of NEES Corporation to the Chief Commissioner of the Court of Claims; to the Committee on the Judiciary.

FACTUAL DESCRIPTIONS OF BILLS AND RESOLUTIONS INTRODUCED

Prepared by the Congressional Research Service pursuant to clause 5(d) of House rule X. Previous listing appeared in the CONGRESSIONAL RECORD of March 26, 1975 (page 8980):

H.R. 4000. February 27, 1975. Interstate and Foreign Commerce. Requires that motor vehicles acquired for use by the Federal Government during and after the 1980 model year achieve a significant percentage increase in fuel consumption efficiency over 1975 models.

Amends the Automobile Information Disclosure Act to require disclosure of fuel efficiency rates on information labels of automobiles offered for sale. Amends the Clean Air Act and the National Traffic and Motor Vehicle Safety Act to extend certain effective dates for standards under such provisions.

Amends the Motor Vehicle Information and Cost Savings Act to require additional information in certain reports and to extend certain effective dates for regulations.

H.R. 4001. February 27, 1975. Education and Labor. Amends the National School Lunch Act to authorize the Secretary of Agriculture to purchase beef and beef products on the open market to be distributed to schools, States and service institutions participating in the food service programs under the Child Nutrition Act and the National School Lunch Act.

H.R. 4002. February 27, 1975. Judiciary. Extends certain provisions of the Voting Rights Act of 1965 for an additional period of time. Makes permanent the ban against certain prerequisites to voting.

H.R. 4003. February 27, 1975. Interstate and Foreign Commerce. Amends the Federal-State unemployment compensation provisions of the Social Security Act by stipulating that an individual's coverage under an employer's health insurance plan shall not terminate when such individual's employment terminates. Directs the Secretary of Labor to pay the insurance premium on behalf of the unemployed individual and his former employer.

H.R. 4004. February 27, 1975. Interstate and Foreign Commerce. Authorizes a health insurance benefits program for unemployed individuals, if they would have had such benefits from their prior employer, for their dependent spouse, and for their dependent children. Directs the Secretary of Health, Education, and Welfare to enter into con-

tracts with carriers who will provide such insurance benefits.

H.R. 4005. February 27, 1975. Interstate and Foreign Commerce. Extends the funding of the Developmental Disabilities Services and Facilities Construction Act through fiscal year 1976. Requires all special project grants under such Act to be authorized by the Secretary of Health, Education, and Welfare. Stipulates that the Federal share of all costs incurred by the States for planning, administration, and services for disabled persons, including construction costs, shall be 75 percent of the total.

H.R. 4006. February 27, 1975. Armed Services. Authorizes the Administrator of General Services to dispose of a certain quantity of chemical grade chromite in the national stockpile and the supplemental stockpile.

H.R. 4007. February 27, 1975. Interior and Insular Affairs. Revises provisions of existing law relating to the rights and benefits available to the Lumbee Indians of North Carolina. Requires notification to the Secretary of the Interior by certain persons not wishing to be designated as a Lumbee Indian of North Carolina.

H.R. 4008. February 27, 1975. Banking, Currency and Housing. Amends the Bank Holding Act of 1956 (1) to require faster action by the Federal Reserve Board and the Comptroller of the Currency or State banking supervisory authorities on applications by bank holding companies for the acquisition of banks or bank holding companies under emergency conditions or when such bank or company is failing, than is taken on applications for acquisition of sound banks; and (2) to authorize bank holding companies to acquire out of State banks or bank holding companies in emergency situations to prevent the failure of such banks or companies.

H.R. 4009. February 27, 1975. Veterans' Affairs. Charges veterans with non-service-connected disabilities for the cost of providing them with hospital care to the extent that such veterans are entitled to reimbursement for the expenses of such care under an insurance policy or contract, a medical or hospital service agreement, or a similar agreement.

H.R. 4010. February 27, 1975. Agriculture. Foreign Affairs. Establishes an Office of Food Administration and directs the Administrator of the Administration to ascertain annually the food requirements for domestic and foreign assistance programs, the availability of food to carry out such programs, the availability of funding for such programs, and to study other world hunger and nutrition-related problems.

H.R. 4011. February 27, 1975. Judiciary. Increases the penalties for the commission of a felony with a firearm or while carrying a firearm.

H.R. 4012. February 27, 1975. Judiciary. Amends the Clayton Act by prohibiting any corporation or association from transporting by pipeline any petroleum, petroleum product, or natural gas which it owns, controls, produces, or refines.

H.R. 4013. February 27, 1975. Judiciary. Amends the Clayton Act to prohibit any corporation or association from (1) controlling more than one type of energy-producing mineral and (2) engaging in more than one aspect of the petroleum and natural gas industry. Prohibits any individual from serving as a director of more than one company engaged in energy resource production, refining, transportation or marketing.

H.R. 4014. February 27, 1975. Interstate and Foreign Commerce. Amends the Uniform Time Act by providing that daylight saving time shall be observed from the first Sunday following Memorial Day to the first Sunday following Labor Day.

H.R. 4015. February 27, 1975. Public Works and Transportation. Amends the Federal

Aviation Act of 1958 (1) to authorize reduced fares to young and elderly people on a space-available basis; (2) to require the payment of a deposit on all flight reservations; and (3) to prohibit the overbooking of flights by air carriers.

H.R. 4016. February 27, 1975. Interior and Insular Affairs. Prescribes the distribution scheme for funds appropriated to pay certain Indian Claims Commission judgments to the Sac and Fox Tribe of Oklahoma and the Sac and Fox Tribe of the Mississippi in Iowa.

H.R. 4017. February 27, 1975. Judiciary. Authorizes the Secretary of Agriculture to compensate employees for losses sustained in the value of personal housing due to closing the headquarters of the Sitgreaves National Forest in Arizona.

H.R. 4018. February 27, 1975. Armed Services. Directs the Secretary of the Army to convey certain lands in Georgia to the Board of Regents of the University System of Georgia.

H.R. 4019. February 27, 1975. Post Office and Civil Service. Revises regulations regarding creditable service for civil service retirement purposes with respect to National Guard technicians.

H.R. 4020. February 27, 1975. Ways and Means. Amends the Internal Revenue Code to include certain joint hospital laundry ventures among the cooperative hospital service organizations granted tax exempt status.

H.R. 4021. February 27, 1975. Interstate and Foreign Commerce. Amends the Emergency Petroleum Allocation Act of 1973 to prohibit the President from increasing the price of certain crude oil by more than one dollar per barrel per year.

H.R. 4022. February 27, 1975. Interstate and Foreign Commerce. Amends the Emergency Petroleum Allocation Act of 1973 to prohibit the President from increasing the price of certain crude oil by more than one dollar per barrel per year.

H.R. 4023. February 27, 1975. Interstate and Foreign Commerce. Amends the Emergency Petroleum Allocation Act of 1973 to prohibit the President from increasing the price of certain crude oil by more than one dollar per barrel per year.

H.R. 4024. February 27, 1975. Public Works and Transportation. Allows the Secretary of Transportation to permit States to prepare the detailed environmental impact statement on Federal aid highway projects proposed by the State which is required by the National Environmental Policy Act.

H.R. 4025. February 27, 1975. Ways and Means. Amends the Social Security Act by removing the limitation upon the amount of outside income which an individual may earn while receiving Old-Age, Survivors and Disability Insurance benefits.

H.R. 4026. February 27, 1975. Post Office and Civil Service. Adds inspectors employed by the Immigration and Naturalization Service, the United States Customs Service, and the Canal Zone Customs Service, and certain firefighting personnel, to the list of those engaged in hazardous occupations who are eligible for certain Civil Service retirement benefits.

H.R. 4027. February 27, 1975. Agriculture. Redefines the term "dealer" as used in the Animal Welfare Act of 1970 to include retail pet stores and common carriers.

H.R. 4028. February 27, 1975. Agriculture. Redefines the term "dealer" as used in the Animal Welfare Act of 1970 to include retail pet stores and common carriers.

H.R. 4029. February 27, 1975. Armed Services. Directs the Secretary of Defense to continue to operate and maintain the commissary stores of the agencies of the Department of Defense.

H.R. 4030. February 27, 1975. Merchant Marine and Fisheries. Establishes a Federal Zoological and Aquarium Board to prescribe standards for the national accreditation of zoos. Requires each regulated zoo to apply to

the Board for accreditation. Authorizes Federal grants and loans to nonprofit zoos and aquariums in order to meet accreditation standards.

H.R. 4031. February 27, 1975. Veterans' Affairs. Stipulates that remarriage after age 60 of a widow of a veteran shall not bar payment of dependency and indemnity compensation to such widow.

H.R. 4032. February 27, 1975. Armed Services. Revises one of the eligibility requirements for an annuity under the Armed Forces Survivor Benefit Plan.

H.R. 4033. February 27, 1975. Armed Services. Prohibits Survivor Benefit Plan deductions for a spouse's annuity from Armed Forces retired pay during those periods when a retiree is not married.

H.R. 4034. February 27, 1975. Veterans' Affairs. Designates the Veterans' Administration hospital in Loma Linda, California, as the Jerry L. Pettis Memorial Veterans' Hospital.

H.R. 4035. February 27, 1975. Interstate and Foreign Commerce. Amends the Emergency Petroleum Allocation Act of 1973 to establish procedures for Congressional review of certain administrative actions with respect to the pricing of domestic crude oil and petroleum products. Authorizes interim extensions of authority under the Emergency Petroleum Allocation Act of 1973 and the Energy Supply and Environmental Coordination Act of 1974.

H.R. 4036. February 27, 1975. Public Works and Transportation. Directs the heads of Executive branch departments, agencies, and instrumentalities who have jurisdiction for public works programs and projects to reduce or eliminate any procedural requirements, including but not limited to time, hearing, reporting and publication requirements, when such action would appreciably speed up the initiation or completion of such programs and projects.

H.R. 4037. February 27, 1975. Post Office and Civil Service. Directs the Civil Service Commission to establish, and from time to time revise, a Special Cost-of-Living Pay Schedule for civil service employees and positions in certain metropolitan areas.

H.R. 4038. February 27, 1975. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 4039. February 27, 1975. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 4040. February 27, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain individual in full settlement of such individual's claims against the United States for injuries received while entertaining troops in Korea.

H.R. 4041. February 27, 1975. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4042. February 27, 1975. Judiciary. Directs the United States Court of Claims to receive, consider, and allow any claim filed by a certain individual, notwithstanding specified provisions of law.

H.R. 4043. February 27, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain individual in full settlement of such individual's claim against the United States Treasury Department, Bureau of Customs.

H.R. 4044. February 27, 1975. Judiciary. Deems a certain individual eligible for a civil service deferred retirement annuity, notwithstanding certain provisions of law.

H.R. 4045. February 27, 1975. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4046. February 27, 1975. Judiciary. Authorizes the admission of a certain individual to the United States for permanent residence.

H.R. 4047. February 27, 1975. Ways and Means. Directs the Secretary of the Treasury to extend the expiration date of the temporary importation bond covering a certain schooner.

H.R. 4048. February 27, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain corporation in full settlement of such corporation's claims against the United States under a certain contract.

H.R. 4049. February 27, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain individual in full settlement of such individual's claims against the United States for injuries sustained while working in the prison industries at the United States Public Health Hospital, Lexington, Kentucky.

H.R. 4050. February 27, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain company in full settlement of such company's claims against the United States for damages incurred due to the failure of the United States to enforce a specified statute.

H.R. 4051. February 27, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain individual in full settlement of such individual's claims against the United States due to a false arrest.

H.R. 4052. February 27, 1975. Judiciary. Authorizes the admission of a certain individual to the United States for permanent residence.

H.R. 4053. February 27, 1975. Judiciary. Authorizes the admission of a certain individual to the United States for permanent residence.

H.R. 4054. February 27, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain individual in full settlement of such individual's claims against the United States for injuries incurred as the result of an automobile accident while a member of the Civilian Conservation Corps.

H.R. 4055. February 27, 1975. Judiciary. Directs the Secretary of Agriculture to convey a specified patent to a certain individual.

H.R. 4056. February 27, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain company in full settlement of such company's claims against the Department of the Army for transportation of a certain load of explosives.

H.R. 4057. February 27, 1975. Armed Services. Authorizes the President alone to appoint a certain individual to the grade of colonel on the retired list of the regular Air Force.

H.R. 4058. March 3, 1975. Armed Services. Makes service overseas during World War I performed by any female United States citizen who was a member of the telephone operating units, signal corps, creditable military service for all purposes except the right to promotion.

H.R. 4059. March 3, 1975. Interstate and Foreign Commerce. Amends the Emergency Petroleum Allocation Act of 1973 to establish a gasoline entitlement stamp program for drivers of passenger motor vehicles. Directs the President to assign State licensed drivers a minimum gasoline entitlement, and to specify a fixed user fee for purchase of additional entitlement stamps.

Authorizes exemptions for certain petroleum products from allocation or pricing regulations if the President finds such regulation is no longer necessary.

Extends the Emergency Petroleum Allocation Act of 1973 for an additional four years.

H.R. 4060. March 3, 1975. Agriculture.

Amends the Agricultural Adjustment Act of 1938 and the Agricultural Act of 1949 to set forth the national acreage allotment and price supports for rice for 1976 and subsequent years.

H.R. 4061. March 3, 1975. Ways and Means. Amends the Internal Revenue Code to eliminate the percentage depletion allowance and the option to deduct intangible drilling and development costs for any oil or gas well located outside the United States.

Eliminates as a credit against the income tax any income, war profits, or excess profits tax paid during the taxable year to any foreign country with respect to foreign oil related income.

H.R. 4062. March 3, 1975. Ways and Means. Amends the Internal Revenue Code to allow as a limited deduction the home improvement expenses paid or incurred by an individual during the taxable year, and the residential addition amortization allowed for the taxable year on his principal residence.

H.R. 4063. March 3, 1975. Post Office and Civil Service. Abolishes the United States Postal Service. Repeals the Postal Reorganization Act. Re-establishes the Post Office Department as an executive department of the Federal government.

H.R. 4064. March 3, 1975. Agriculture. Amends the Agriculture and Consumer Protection Act of 1973 to prohibit the Secretary of Agriculture from requiring the prior approval of the export sales of feed grains, wheat, soybeans, or other agricultural commodities.

H.R. 4065. March 3, 1975. Post Office and Civil Service. Authorizes reduced second-class postal rates for certain State conservation publications.

H.R. 4066. March 3, 1975. Veterans' Affairs. Extends the maximum period of eligibility for veterans' educational benefits from 36 to 45 months. Entitles veterans to 2½ months of educational benefits for each month of service on active duty.

H.R. 4067. March 3, 1975. Ways and Means. Amends the Internal Revenue Code to allow as a deduction the expenses for household and dependent care services for the gainful employment of an individual employed on a part-time basis.

H.R. 4068. March 3, 1975. Ways and Means. Amends the Internal Revenue Code to allow a deduction from gross income for expenses incurred in connection with the adoption of a child by the taxpayer.

H.R. 4069. March 3, 1975. Veterans' Affairs. Directs the Administrator of Veterans' Affairs to pay service pensions to certain World War I veterans, their widows, and their children.

H.R. 4070. March 3, 1975. Agriculture. Amends the Packers and Stockyards Act to authorize the Secretary of Agriculture to seek an injunction restraining any market agency, packer, or dealer from the purchasing livestock, meat, or poultry products if such person is unable to pay, is insolvent, or is unable to furnish the required bond. Grants priority in an insolvency proceeding to any debts owing for the purchase of livestock or poultry.

H.R. 4071. March 3, 1975. Interstate and Foreign Commerce. Amends the Emergency Petroleum Allocation Act of 1973 to establish procedures for Congressional review of certain administrative actions with respect to the pricing of domestic crude oil and petroleum products. Authorizes interim extensions of authority under the Emergency Petroleum Allocation Act of 1973 and the Energy Supply and Environmental Coordination Act of 1974.

H.R. 4072. March 3, 1975. Public Works and Transportation. Authorizes the Secretary of Transportation to submit, in fulfillment of the requirements of the National Environmental Policy Act, any environmental impact statements prepared in accordance with that Act by the States of Connecticut, New York

and Vermont concerning any Federal-aid highway project in such States. Limits the conditions under which the Secretary of Transportation shall require detailed statements under the National Environmental Policy Act concerning the environmental impact of Federal-aid highway projects.

H.R. 4073. March 3, 1975. Public Works and Transportation. Amends the Appalachian Regional Development Act of 1965 (1) to extend the provisions of the Act through fiscal year 1977; and (2) to increase the appropriations for the Appalachian development highway system for fiscal years 1977 and 1978 and to authorize funds for such system through fiscal year 1980.

H.R. 4074. March 3, 1975. Banking, Currency and Housing. Authorizes and directs the Secretary of Housing and Urban Development to make repayable emergency mortgage relief payments on behalf of distressed homeowners.

H.R. 4075. March 3, 1975. Appropriations. Rescinds certain budget authorizations for the Department of Agriculture, Department of Defense, the Consumer Product Safety Commission, and the United States Travel Service as recommended by the President in a message transmitted pursuant to the Impoundment Control Act of 1974.

H.R. 4076. March 3, 1975. Education and Labor. Amends the Occupational Safety and Health Act of 1970 by exempting from such Act any non-manufacturing business, and any business having twenty-five or fewer employees, if the State in which such businesses reside has occupational safety and health standards regulating such businesses.

Requires the Secretary of Labor to notify employers of alleged violations of the Act, and to permit such employers a reasonable period of time to correct such alleged violations, before any penalties shall be assessed.

H.R. 4077. March 3, 1975. Interstate and Foreign Commerce. Amends the Communications Act of 1934 to revise the procedures for consideration of applications for renewal of broadcast licenses. Extends the maximum term of license for the operation of broadcasting stations from three to five years.

H.R. 4078. March 3, 1975. Veterans' Affairs. Allows the Administrator of Veterans' Affairs to assist veterans, with a permanent and total service-connected disability due to the loss, or loss of use, of one upper and one lower extremity, in acquiring a suitable housing unit with special fixtures or movable facilities.

H.R. 4079. March 3, 1975. Veterans' Affairs. Creates a presumption of service-connected disability for a case of hypertension, developing a 10 percent or more degree of disability, which occurs within two years after separation from active service during a period of war.

H.R. 4080. March 3, 1975. Veterans' Affairs. Declares that any veteran who within three years of separation from the armed service develops a 10 percent degree of disability or more as a result of amyotrophic lateral sclerosis shall be presumed to have incurred or aggravated such disability as a result of such service.

H.R. 4081. March 3, 1975. Veterans' Affairs. Entitles veterans who are eligible for peacetime disability compensation to receive wartime disability compensation if their disability was incurred in the line of duty as a direct result of armed conflict while engaged in extrahazardous service.

H.R. 4082. March 3, 1975. Veterans' Affairs. Deems veterans who were prisoners of war for six months or longer during World War II or the Korean War to have a service-connected disability rating of 50 percent.

H.R. 4083. March 3, 1975. Veterans' Affairs. Includes World War I veterans in the provisions granting veterans eligibility for assistance for automobiles and adaptive equipment for disabled veterans.

H.R. 4084. March 3, 1975. Veterans' Affairs. Directs the Administrator of Veterans' Affairs to pay a clothing allowance of \$300 per year to each veteran who, because of a disability compensable by the Veterans' Administration, wears a prosthetic appliance or appliances which the Administrator determines tends to wear out or tear the clothing of such veteran.

H.R. 4085. March 3, 1975. Veterans' Affairs. Creates a presumption of service connection for any psychoses, causing a 10 percent or more degree of disability, which develop within two years from the date of separation from active service.

H.R. 4086. March 3, 1975. Veterans' Affairs. Authorizes veterans with a 10 percent or more rating of disability to receive additional compensation for their dependents.

H.R. 4087. March 3, 1975. Veterans' Affairs. Directs the Administrator of Veterans' Affairs to pay dependency and indemnity compensation to the widow, children, and parents of any veteran who died after December 31, 1956, from a service-connected or compensable disability, or who was in receipt of or entitled to receive compensation at time of death for a service-connected disability permanently and totally disabling for twenty or more years.

H.R. 4088. March 3, 1975. Veterans' Affairs. Extends the non-reduction protection that arises when veterans benefits have been received for twenty years or more to a child of a veteran who became permanently incapable of self-support before attaining the age of eighteen years.

H.R. 4089. March 3, 1975. Veterans' Affairs. Establishes a new benefit level for qualified veterans requiring regularly scheduled hemodialysis.

H.R. 4090. March 3, 1975. Veterans' Affairs. Creates a presumption of service-connection for chronic diseases becoming manifest to a degree of 10 percent or more, if incurred by a former prisoner of war within 10 years after separation from active service.

H.R. 4091. March 3, 1975. Banking, Currency and Housing. Establishes a presidentially-appointed National Landlord and Tenant Commission.

Directs the Commission to conduct a study of landlord-tenant problems, to review the implementation of the provisions of this Act, to grant funds to the States for the establishment and maintenance of housing courts in accordance with standards established by the Commission, to develop model lease and rental agreements, and to appoint a body to develop and implement a national rent control plan.

Sets forth the rights, obligations, and remedies of tenants and landlords.

H.R. 4092. March 3, 1975. Education and Labor. Authorizes the Secretary of Health, Education, and Welfare to make grants to States for (1) establishing vision testing programs for public school children in the first six grades; (2) providing necessary followup services; and (3) training personnel to administer such tests.

Directs the Secretary to establish a panel to advise him on the standards which vision tests should meet.

H.R. 4093. March 3, 1975. House Administration. Establishes a Voter Registration Administration within the Bureau of the Census to formulate and administer a voter registration program for all Federal elections.

Requires each State to make provisions for the registration and voting in Federal elections of its eligible citizens who have writing, vision, or limb handicaps or who speak a language other than English as their major tongue.

H.R. 4094. March 3, 1975. Interstate and Foreign Commerce. Authorizes and directs the Secretary of Health, Education, and Welfare to make grants to States and local communities to pay the full cost of eye ex-

aminations to detect glaucoma, for residents who are at least 65 years of age.

H.R. 4095. March 3, 1975. Interstate and Foreign Commerce. Amends the Public Health Service Act by directing the Secretary of Health, Education, and Welfare to establish a National Sickle Cell Anemia Institute for the diagnosis, treatment, and prevention of sickle cell anemia.

H.R. 4096. March 3, 1975. Judiciary. Requires proceedings in certain United States courts to be conducted bilingually under certain circumstances. Directs the Director of the Administrative Office of the United States Courts to determine and supply the personnel and facilities necessary to conduct bilingual proceedings as required by this Act.

H.R. 4097. March 3, 1975. Judiciary. Creates the National Prison Standards Administration to promulgate rules to assure that the minimum prisoner treatment standards for prisons established by this Act are maintained. Requires the Administration to hear complaints arising from alleged infractions of such standards.

H.R. 4098. March 3, 1975. Public Works and Transportation. Authorizes the Secretary of Transportation, under the Urban Mass Transportation Act of 1964, to give preference to applicants for grants and loans whose projects are designed to increase or improve public transportation for handicapped or elderly persons, and to prescribe standards for the accommodation of elderly persons in mass transportation buildings constructed with public financial assistance.

Directs common carriers in interstate commerce to provide reduced fare service to elderly persons during nonpeak periods and authorizes them to apply for compensation of losses due to such reduced fares.

Authorizes the Secretary of Health, Education, and Welfare, under the Older Americans Act of 1965, to make grants supporting studies of improved public transportation facilities for the elderly.

H.R. 4099. March 3, 1975. Ways and Means. Amends the Social Security Act by directing the Secretary of Health, Education, and Welfare to issue duplicate checks to supplemental security income recipients whose checks are lost, stolen or undelivered.

H.R. 4100. March 3, 1975. Ways and Means. Amends the Internal Revenue Code to permit the deduction of medical expenses of persons sixty-five years of age and over without reducing the expenses by the percentage exclusion.

H.R. 4101. March 3, 1975. Ways and Means. Amends the Internal Revenue Code to permit a taxpayer who has attained the age of sixty-five to take a credit against his income tax for real property taxes paid by him, or for the amount of his rent constituting such taxes.

H.R. 4102. March 3, 1975. Education and Labor. Amends the National School Lunch Act and the Child Nutrition Act of 1966 to extend and increase appropriations for certain programs under the Acts.

H.R. 4103. March 3, 1975. Education and Labor. Amends the National School Lunch and Child Nutrition Acts to (1) extend appropriations for various programs; (2) extend the School Breakfast Program and the Special Supplemental Food Program; (3) authorize the Secretary of Agriculture to make grants for Food Service Programs in institutions providing day care; (4) revise guidelines for the administration of various programs under the Acts; (5) redefine terms used in the Acts; and (6) authorize funding for nonfood assistance for the Summer Food Program and the Special Food Service Program.

H.R. 4104. March 3, 1975. Armed Services. Revises the eligibility requirement for Armed Forces reservists retired pay.

H.R. 4105. March 3, 1975. Armed Services.

Revises the method of computing Armed Forces retired or retainer pay to reflect later active duty.

H.R. 4106. March 3, 1975. Veterans Affairs. Extends the maximum period of eligibility for veterans educational benefits from 36 to 45 months.

H.R. 4107. March 3, 1975. Ways and Means. Amends the Social Security Act to allow Federal officers and employees to elect coverage under Old-Age, Survivors and Disability Insurance.

H.R. 4108. March 3, 1975. Science and Technology. Authorizes appropriations to the National Science Foundation for fiscal year 1976 to cover various programs. Directs the National Science Foundation to conduct a college science improvement program.

H.R. 4109. March 3, 1975. Interior and Insular Affairs. Amends the Grand Canyon National Park Enlargement Act to authorize the Secretary of the Interior to study the feasibility of designation of any area within the national park for preservation as wilderness.

H.R. 4110. March 3, 1975. House Administration. Sets forth regulations for State Presidential primary elections.

H.R. 4111. March 3, 1975. Interstate and Foreign Commerce. Amends the Securities Exchange Act to revise the regulations governing the Securities and Exchange Commission and its operation.

Sets forth regulations with respect to the securities industry's regulatory bodies and the national securities market system.

H.R. 4112. March 3, 1975. Judiciary. Merchant Marine and Fisheries. Interior and Insular Affairs. Science and Technology. Revises the Outer Continental Shelf Lands Act to establish a policy for the development and management of oil and natural gas on the Outer Continental Shelf designed to protect the marine and coastal environment.

Directs the Secretary of the Interior to establish a comprehensive exploratory program to develop potential oil and gas leases. Directs the National Oceanic and Atmospheric Administration to assume lead responsibility in preparation of environmental impact statement.

Revises bidding and lease administration procedures.

Authorizes the Secretary of Transportation to report on pipeline safety and operation on Federal lands and the Outer Continental Shelf.

H.R. 4113. March 3, 1975. Judiciary. Authorizes the admission of a certain individual to the United States for permanent residence.

H.R. 4114. March 4, 1975. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare, under the Public Health Service Act, to adjust the monthly pay of each physician and dentist assigned to and directly engaged in the delivery of health services to a medically underserved area to put such monthly income on a competitive level with professionals having equivalent training. Establishes procedures for determining that an area is a medically underserved population, and for determining what personnel the Secretary may assign to such areas. Establishes the National Advisory Council on the National Health Service Corps and extends appropriations for the Corps through 1976.

H.R. 4115. March 4, 1975. Interstate and Foreign Commerce. Revises and extends programs for nurse training assistance under the Public Health Service Act. Grants authority to the Secretary of Health, Education, and Welfare to make grants for advanced nurse training and nurse practitioner programs.

H.R. 4116. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to allow as a limited credit against the income tax the amount of real property taxes or the amount of rent constituting real property

taxes paid by an individual during the taxable year on his principal residence.

H.R. 4117. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to allow as a limited deduction the ordinary and necessary expenses paid during the taxable year for the repair or improvement of property used by the taxpayer as his principal residence.

H.R. 4118. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to allow as a credit against the income tax the amount of the employment placement fees paid or incurred by the taxpayer during the taxable year to an employment agency.

H.R. 4119. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to exempt private foundations operating as long-term care facilities from the excise tax on investment income and the tax on undistributed income.

H.R. 4120. March 4, 1975. Ways and Means. Amends the Social Security Act by revising the eligibility requirements for Child's Insurance benefits in the case of certain adopted children.

H.R. 4121. March 4, 1975. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to promulgate standards and formulate an inspection program for skilled nursing homes and intermediate and long-term care facilities participating in the Medicaid program. Sets forth guarantees and rights of patients in such facilities.

H.R. 4122. March 4, 1975. Veterans Affairs. Directs the Administrator of Veterans Affairs to conduct an annual investigation of the cost of travel to beneficiaries traveling to and from a Veterans Administration facility.

H.R. 4123. March 4, 1975. Agriculture. Transfers all functions of the Secretary of Agriculture under the Food Stamp Act of 1964 to the Secretary of Health, Education, and Welfare.

H.R. 4124. March 4, 1975. Banking, Currency and Housing. Amends the Flood Disaster Protection Act of 1973 by making the prohibition against Federal financial assistance for acquisition or construction purposes in an area having special flood hazards, where the property involved is not covered by flood insurance or the community is not participating in the national flood insurance program, inapplicable if a flood control study or construction program is being carried on in such community.

H.R. 4125. March 4, 1975. Veterans Affairs. Designates the Veterans Administration hospital in Loma Linda, California, as the Jerry L. Pettis Memorial Veterans Hospital.

H.R. 4126. March 4, 1975. Interior and Insular Affairs. Authorizes the Secretary of the Interior to acquire certain lands in Mississippi for access to the Natchez Trace Parkway.

H.R. 4127. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to allow an investment tax credit with respect to property used in centralized livestock operations.

H.R. 4128. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to increase the accumulated earnings credit on corporate income.

H.R. 4129. March 4, 1975. Ways and Means. Interstate and Foreign Commerce. Amends the Social Security Act by abolishing the Professional Standards review organizations which were established to review services covered under the Medicare and Medicaid programs.

H.R. 4130. March 4, 1975. Ways and Means. Amends the Social Security Act to allow Federal officers and employees to elect coverage under Old-Age, Survivors and Disability Insurance.

H.R. 4131. March 4, 1975. Education and Labor. Establishes in the Office of the Secretary of Health, Education, and Welfare an

Office of Youth Camp Safety. Requires that Federal youth camp safety standards be developed and enforced.

H.R. 4132. March 4, 1975. Education and Labor. Authorizes the Commissioner of Education to make grants for the construction of public elementary and secondary schools to local educational agencies which serve substantial numbers of children from low-income families.

H.R. 4133. March 4, 1975. Foreign Affairs. Suspends all sales of defense articles and services to Iran, Saudi Arabia, Iraq, Kuwait, Qatar, Bahrain, the United Arab Emirates and the Sultanate of Omar for six months unless Congress approves, by joint resolution, a Presidential statement of policy regarding sales made to such countries under the Foreign Military Sales Act.

H.R. 4134. March 4, 1975. Judiciary. Abolishes the death penalty under all laws of the United States. Requires that each law which authorizes or imposes the death penalty shall hereafter authorize or impose life imprisonment.

H.R. 4135. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to increase the excise tax on cigarettes, and to utilize such increase for expanded research of smoking related diseases in the National Heart and Lung Institute.

H.R. 4136. March 4, 1975. Judiciary. Approves and confirms the certificate of incorporation and certificate of amendment thereto of the Southeastern University of the District of Columbia.

H.R. 4137. March 4, 1975. Armed Services. Prohibits any military departments from using dogs in connection with research and development of any chemical or biological warfare agent.

H.R. 4138. March 4, 1975. Education and Labor. Requires educational institutions engaged in interscholastic athletic competition to employ certified athletic trainers.

Requires the Commissioner of Education to make grants to institutions of higher learning to assist them in educating athletic trainers.

H.R. 4139. March 4, 1975. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to appoint a National Commission to develop a national plan for the control of epilepsy and its consequences.

H.R. 4140. March 4, 1975. Interstate and Foreign Commerce. Authorizes the Secretary of Health, Education, and Welfare, under the Public Health Services Act to make grants and enter into contracts for projects to provide Huntington's disease screening, and research in the diagnosis, treatment, and prevention of Huntington's disease. Directs the Secretary to disseminate information on Huntington's disease and to provide voluntary screening, counseling, and treatment therefor within the Public Health Service.

H.R. 4141. March 4, 1975. Interstate and Foreign Commerce. Enlarges the authority of the National Institute of Neurological Diseases and Stroke, under the Public Health Service Act, to expand and develop a plan of investigation into all forms and aspects of neurological disorders.

H.R. 4142. March 4, 1975. Post Office and Civil Service. Redesignates Veterans' Day as November 11.

H.R. 4143. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to define the place of residence of a State legislator and to allow a limited deduction from gross income of the living expenses of such legislator.

H.R. 4144. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to exclude from gross income any gain resulting from a lottery conducted by an agency of a State acting under authority of State law.

H.R. 4145. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to revise and consolidate the provisions of the

Code with respect to small business. Establishes a Committee on Tax Simplification for Small Business to suggest changes in the Code with respect to small business. Requires the Secretary of the Treasury, with the assistance of the Office of Small Business Tax Analysis, to be created within the Office of the Secretary, to submit to the House Committee on Ways and Means and the Senate Committee on Finance recommendations for structural changes in the Code relating primarily to small business.

H.R. 4146. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to tax married and unmarried individuals at the same rate as married individuals filing jointly.

H.R. 4147. March 4, 1975. Ways and Means. Amends the Social Security Act by entitling certain Child's Insurance beneficiaries to receive benefits until they reach the age of 24.

H.R. 4148. March 4, 1975. Post Office and Civil Service. Requires that labor disputes within the United States Postal Service by supervisory organizations and the Service be submitted to an arbitration board.

H.R. 4149. March 4, 1975. Interstate and Foreign Commerce. Amends the Fair Packaging and Labeling Act to require that any packaged consumer commodities sold by a retail distributor be plainly marked as to its total selling price, by a stamp, tag, or label, on the principal display panel.

H.R. 4150. March 4, 1975. Interstate and Foreign Commerce. Amends the Fair Packaging and Labeling Act to require that any packaged consumer commodities sold by a retail distributor be plainly marked as to its total selling price, by a stamp, tag, or label, on the principal display panel.

H.R. 4151. March 4, 1975. Judiciary. Revises procedures for proceedings before the Court of Claims in congressional reference cases.

H.R. 4152. March 4, 1975. Judiciary. Retitles commissioners of the United States Court of Claims as "trial judges."

H.R. 4153. March 4, 1975. Post Office and Civil Service. Prohibits the making of appropriations to the Postal Service for any fiscal year commencing on or after July 1, 1975, unless authorized by legislation enacted by Congress.

Requires the Postal Service to keep the House and Senate Committees on Post Office and Civil Service currently informed on Postal Service activities.

H.R. 4154. March 4, 1975. Foreign Affairs. Amends the United Nations Participation Act to permit the President to apply the sanctions contained therein notwithstanding certain provisions of the Strategic and Critical Materials Piling Act.

H.R. 4155. March 4, 1975. Interstate and Foreign Commerce. Amends the Emergency Jobs and Unemployment Assistance Act of 1974 to a health insurance benefits program for unemployed individuals, if they would have had such benefits from their prior employer, for their dependent spouse, and for their dependent children. Directs the Secretary of Health, Education, and Welfare to enter into contracts with insurance carriers who will provide such insurance benefits.

H.R. 4156. March 4, 1975. Interstate and Foreign Commerce. Amends the Emergency Jobs and Unemployment Assistance Act of 1974 to establish a health insurance benefits program for unemployed individuals, if they would have had such benefits from their prior employer, for their dependent spouse, and for their dependent children. Directs the Secretary of Health, Education, and Welfare to enter into contracts with carriers who will provide such insurance benefits.

H.R. 4157. March 4, 1975. Public Works and Transportation. Authorizes the Secretary of Transportation to make grants to any State for the study of drawbridges within the State and for the implementation of such recommendations as may be made as a result of any study made pursuant to this Act.

H.R. 4158. March 4, 1975. Education and Labor. Amends sections of the Occupational Safety and Health Act of 1970 relating to civil penalties for employers in violation of the Act.

H.R. 4159. March 4, 1975. Merchant Marine and Fisheries. Amends the National Environmental Policy Act of 1969 to permit a Federal official to delegate the preparation of an environmental impact statement to an appropriate State agency, official, or qualified consultant.

H.R. 4160. March 4, 1975. Public Works and Transportation. Authorizes the Secretary of Transportation to permit States to prepare the detailed environmental impact statement on Federal aid highway projects proposed by the State which is required by the National Environmental Policy Act.

H.R. 4161. March 4, 1975. Public Works and Transportation. Amends the Federal Water Pollution Control Act by stipulating the method for allotment of funds to States by the Administrator of the Environmental Protection Agency for construction of treatment facilities.

H.R. 4162. March 4, 1975. Judiciary. Standards of Official Conduct. Requires lobbyists to: (1) register with the Federal Election Commission; (2) make and retain certain records; and (3) file reports with the Commission regarding their activities.

Requires certain officials of the executive branch to record their communications with lobbyists.

Repeals the Federal Regulation of Lobbying Act.

H.R. 4163. March 4, 1975. Public Works and Transportation. Authorizes the removal of Federal restrictions on the imposition and collection of tolls by the State of Indiana on the east-west toll road (Interstate Route 80/90) in northern Indiana upon the repayment by that State to the Treasurer of the United States of certain Federal-aid highway funds.

H.R. 4164. March 4, 1975. Agriculture. Provides that under the Agricultural Act of 1949 the price of milk shall be supported at not less than 85 percent of the parity therefor. Directs the president to limit the quality of meats and refrain from increasing the level of import quotas on butter, butter oil, cheddar cheese, and nonfat dry milk.

H.R. 4165. March 4, 1975. Ways and Means. Amends the Social Security Act by increasing the amount of outside income which an individual may earn without a reduction in Old-Age, Survivors, and Disability Insurance benefits.

H.R. 4166. March 4, 1975. Ways and Means. Amends the Social Security Act by increasing the amount of outside income which an individual may earn without a reduction in Old-Age, Survivors, and Disability Insurance benefits.

H.R. 4167. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to allow as a deduction certain expenses paid by the taxpayer during the taxable year for the education of a dependent at any primary, secondary, or higher educational institution.

H.R. 4168. March 4, 1975. Ways and Means. Amends the Social Security Act by removing the limitation upon the amount of outside income which an individual may earn while receiving Old-Age, Survivors and Disability Insurance benefits.

H.R. 4169. March 4, 1975. Public Works and Transportation. Amends the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency, to approve certain user charge systems on ad valorem taxation.

H.R. 4170. March 4, 1975. Public Works and Transportation. Amends the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to extend the effective date for cer-

tain toxic and pretreatment effluent standards.

H.R. 4171. March 4, 1975. Public Works and Transportation. Amends the Federal Water Pollution Control Act to delete the requirement for annual State water quality inventory reports and to require biennial State water quality inventory reports.

H.R. 4172. March 4, 1975. Public Works and Transportation. Designates the Federal building in Chicago, Illinois, as the John C. Kluczynski Federal Building.

H.R. 4173. March 4, 1975. Public Works and Transportation. Designates the Federal building in Chicago, Illinois, as the John C. Kluczynski Federal Building.

H.R. 4174. March 4, 1975. Ways and Means. Interstate and Foreign Commerce. Exempts, temporarily, certain rural hospitals from the professional standards review, utilization review, and utilization control requirements imposed by the Social Security Act on hospitals participating in the Medicare, Medicaid, and Maternal and Child Health Services programs.

Directs the Secretary of Health, Education, and Welfare to study alternative methods of utilization review and utilization control for rural hospitals.

H.R. 4175. March 4, 1975. Rules. Amends the Congressional Budget Act of 1974 (1) to provide that Federal revenues and outlays shall not exceed Federal revenue and budget outlay limits with specified exceptions, and (2) to require that when they are introduced all bills or joint resolutions contain a "fiscal note" disclosing the fiscal impact of the bill on Government finances.

H.R. 4176. March 4, 1975. Ways and Means. Directs the Bureau of Labor Statistics to prepare a monthly Consumer Price Index for the Aged. Amends the Social Security Act by requiring that the Consumer Price Index for the Aged be utilized in lieu of the Consumer Price Index in computing cost-of-living benefit increases when such use will yield a greater increase.

H.R. 4177. March 4, 1975. Armed Services. Makes any period of time spent in a missing status creditable service for the purpose of computing Armed Forces retired pay.

H.R. 4178. March 4, 1975. Banking, Currency and Housing. Amends the United States Housing Act of 1937 and the National Housing Act to require that future increases in social security benefits be excluded in determining the eligibility of an individual or family for admission to, or occupying of, low-income housing and the amount of rent payable for accommodations in such housing. Requires a similar exclusion under other federally assisted housing programs.

H.R. 4179. March 4, 1975. Education and Labor. Amends the National Labor Relations Act by including agricultural laborers as employees covered by the Act.

H.R. 4180. March 4, 1975. Foreign Affairs. Prohibits foreign assistance to India until India becomes a signatory to the Treaty on the Non-Proliferation of Nuclear Weapons.

H.R. 4181. March 4, 1975. Foreign Affairs. Limits the assessed and voluntary contributions of the United States to the United Nations and its affiliated agencies to an amount not to exceed an amount which bears the same ratio to the total budget of the United Nations as the total population of the United States bears to the total population of all the member states of the United Nations.

H.R. 4182. March 4, 1975. Government Operations. Requires the Administrator of General Services, where a specified amount of land is Federal real property within a State or local governmental unit, to pay to such unit amounts equivalent to the property taxes which would have been collected had the property been privately owned.

H.R. 4183. March 4, 1975. Interstate and Foreign Commerce. Amends the Interstate Commerce Act to prohibit railroads from

refusing to transport any refrigerator car which is not owned by a railroad and to expressly authorize the Interstate Commerce Commission to issue emergency car service orders with respect to all refrigerator cars whether they are owned by railroads or not.

H.R. 4184. March 4, 1975. Interstate and Foreign Commerce. Prohibits any State from imposing taxes or other regulations on wines produced outside that State which are not imposed on wines produced in that State.

H.R. 4185. March 4, 1975. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to appoint a National Commission to develop a national plan for the control of epilepsy and its consequences.

H.R. 4186. March 4, 1975. Judiciary. Amends the Immigration and Nationality Act to eliminate the option of voluntary departure in lieu of deportation for certain aliens illegally in the United States. Alters the penalties for bringing in and harboring certain aliens and for entering the United States illegally. Requires the Attorney General to increase the border patrol force and investigate the feasibility of utilizing current technology in patrolling the land borders of the United States and establishing a system of issuing machine-readable cards to aliens entering the United States.

H.R. 4187. March 4, 1975. Ways and Means. Amends the Social Security Act by removing the limitation upon the amount of outside income which an individual may earn while receiving Old-Age, Survivors and Disability Insurance benefits.

H.R. 4188. March 4, 1975. Ways and Means. Interstate and Foreign Commerce. Amends the Social Security Act by abolishing the Professional Standards Review Organizations which were established to review services covered under the Medicare and Medicaid programs.

H.R. 4189. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to increase the excise tax on cigarettes.

Amends the Public Health Service Act to establish in the Treasury of the United States a trust fund to be known as the National Cancer Research Fund into which amounts equal to the additional excise tax on cigarettes shall be deposited.

H.R. 4190. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to increase the excise tax on cigarettes.

Amends the Public Health Services Act to establish in the Treasury of the United States a trust fund to be known as the National Cancer Research Fund into which amounts equal to the additional excise tax on cigarettes shall be deposited.

H.R. 4191. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to increase the maximum period which may elapse between the sale of a residence and the purchase of another in order that gain from such sale will be excluded from gross income.

H.R. 4192. March 4, 1975. Government Operations. Expands the membership of the Advisory Commission on Intergovernmental Relations to include elected school board officials.

H.R. 4193. March 4, 1975. Ways and Means. Declares all income tax returns to be confidential, and prohibits the disclosure or inspection of such returns unless specifically authorized by this Act.

H.R. 4194. March 4, 1975. Ways and Means. Declares all income tax returns to be confidential, and prohibits the disclosure or inspection of such returns unless specifically authorized by this Act.

H.R. 4195. March 4, 1975. Ways and Means. Declares all income tax returns to be confidential, and prohibits the disclosure or inspection of such returns unless specifically authorized by this Act.

H.R. 4196. March 4, 1975. Atomic Energy.

Directs the Atomic Energy Commission to establish a National Nuclear Museum in New Mexico.

H.R. 4197. March 4, 1975. Interior and Insular Affairs. Designates certain lands in Bandelier National Monument in New Mexico as wilderness, to be administered by the Secretary of the Interior.

H.R. 4198. March 4, 1975. Interstate and Foreign Commerce. Defines the term "food supplement" as it appears in the Federal Food, Drug, and Cosmetic Act. Disallows the requirements of warning labels for and the limiting of ingredients in "food supplements" by the Secretary of Health, Education, and Welfare unless such article is intrinsically injurious to health in the recommended dosage.

H.R. 4199. March 4, 1975. Interstate and Foreign Commerce. Directs the Interstate Commerce Commission and the Federal Maritime Commission to establish nondiscriminatory rates for the transportation of recycled materials in commerce. Requires that all channels of Federal procurement be utilized to expand use of recycled materials in order to reduce the depletion of natural resources.

Amends the Wool Products Labeling Act and Fair Packaging and Labeling Act of 1966 with respect to the labeling of items containing recycled materials.

H.R. 4200. March 4, 1975. Interstate and Foreign Commerce. Prohibits the United States Consumer Product Safety Commission from making any ruling that restricts the manufacture or sale of firearms or firearm ammunition.

H.R. 4201. March 4, 1975. Interstate and Foreign Commerce. Requires States to provide medical assistance benefits to individuals who are eligible for State supplementary payments under the public assistance and supplementary security income programs of the Social Security Act, or who would be eligible for such payments but for the 1973 and 1974 general and cost-of-living increases in Old-Age, Survivors, and Disability Insurance benefits.

H.R. 4202. March 4, 1975. Interstate and Foreign Commerce. Amends the Federal Trade Commission Act to exempt from the antitrust laws certain market allocation agreements made as part of a licensing contract for the manufacture, distribution or sale of trademarked foods.

H.R. 4203. March 4, 1975. Interstate and Foreign Commerce. Amends the Communications Act of 1934 to extend the maximum term of license and license renewal for the operation of broadcasting stations from three to five years.

H.R. 4204. March 4, 1975. Judiciary. Requires Federal district courts to order the United States to pay court costs to defendants in Federal criminal cases, if such defendant is found not guilty, or the action is dismissed with prejudice.

H.R. 4205. March 4, 1975. Public Works and Transportation. Directs the Administrator of the General Services Administration to establish parking facilities for tourists to the Capitol of the United States and bus service from such facilities to Capitol Hill.

H.R. 4206. March 4, 1975. Public Works and Transportation. Designates the Federal building in Albuquerque, New Mexico as the Senator Dennis Chavez Federal Building.

H.R. 4207. March 4, 1975. Veterans' Affairs. Deems any veteran who was a prisoner of war for not less than 26 weeks to have a service-connected disability rated as permanent and total.

H.R. 4208. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to exempt from record keeping requirements the licensed ammunition importers, manufacturers, or dealers of .22 caliber ammunition.

H.R. 4209. March 4, 1975. Ways and Means. Amends the Social Security Act by removing the limitation upon the amount of outside

income which an individual may earn while receiving Old-Age, Survivors and Disability Insurance benefits.

H.R. 4210. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to permit a taxpayer to elect an alternate allowance for depreciation with respect to certain byproduct and waste energy conversion facilities.

H.R. 4211. March 4, 1975. Interstate and Foreign Commerce. Ways and Means. Authorizes the Secretary of the Interior to make grants to States which have established motor vehicle disposal plans designed for the efficient removal of junked motor vehicles to scrap processing facilities. Requires States to control visibility of automobile graveyards as a grant condition.

Includes provisions for federally guaranteed loans and tax incentives for the acquisition of automobile scrap processing equipment.

H.R. 4212. March 4, 1975. Interior and Insular Affairs. Directs the Secretary of the Interior to acquire certain lands in the State of New Mexico upon which the Zuni Salt Lake is located, and to hold the title to such lands in trust in the name of the United States for the benefit of the Zuni Indian Tribe of New Mexico. Allows any claim of the tribe to be adjudicated in the United States Court of Claims without first exhausting any available administrative remedies.

H.R. 4213. March 4, 1975. Interior and Insular Affairs. Creates an Abandoned Coal Mine Reclamation Fund to be administered by the Secretary of the Interior. Includes provisions for the acquisition and reclamation of abandoned mined lands. Authorizes the Secretary of Agriculture to enter into agreements with owners of lands affected by mining operations to provide for conservation of soil and water resources of such lands.

H.R. 4214. March 4, 1975. Banking, Currency and Housing. Establishes a Presidential-appointed Price Restraint Board to issue standards and guidelines for non-inflationary price adjustments.

Authorizes the Board (1) to require prenotification of price increases; (2) to delay proposed price increases; (3) to disapprove proposed price increases; and (4) to roll back excessive prices with respect to companies in industries designated as concentrated industries in accordance with guidelines established by this Act.

H.R. 4215. March 4, 1975. Armed Services. Authorizes payment of an annuity to the dependents of members of the Armed Forces who qualified for retired pay but died prior to being granted such pay.

H.R. 4216. March 4, 1975. Interior and Insular Affairs. Authorizes the Secretary of the Interior to study the feasibility of establishing the Bartram Trail in Alabama, Florida, and Georgia, as a national scenic trail.

H.R. 4217. March 4, 1975. Public Works and Transportation. Amends the Urban Mass Transportation Act of 1964 to (1) assist projects in nonurbanized areas; (2) extend the availability of study fellowship grants in the urban mass transportation field to private transportation operators; (3) require all new federally assisted mass transportation facilities to be designed to accommodate elderly and handicapped passengers; (4) require that studies in support of local transportation planning include accommodation of the elderly and handicapped; and (5) establish a National Advisory Council on Accessibility of Mass Transportation to advise the Secretary of Transportation on matters relating to the elderly and handicapped.

H.R. 4218. March 4, 1975. Interstate and Foreign Commerce. Prohibits, as unfair methods of competition under the Federal Trade Commission Act, certain gasoline sales promotion games.

H.R. 4219. March 4, 1975. Public Works and Transportation. Terminates the authoriza-

tion for the Salt Creek Dam and Reservoir project in Ohio.

H.R. 4220. March 4, 1975. Veterans' Affairs. Designates a Veterans' Hospital in California as the Jerry L. Pettis Memorial Veterans' Hospital.

H.R. 4221. March 4, 1975. Education and Labor. Amends the Higher Education Act of 1965 to allow the Commissioner of Education to reallocate work-study funds not expended by the institutions to which they were originally allocated.

H.R. 4222. March 4, 1975. Education and Labor. Amends the National School Lunch and Child Nutrition Acts to (1) extend appropriations for various programs; (2) extend the school breakfast program; (3) revise guidelines for the administration of various programs under the Acts; and (4) redefine terms used in the Acts.

H.R. 4223. March 4, 1975. Education and Labor. Amends the National School Lunch and Child Nutrition Acts to (1) extend appropriations for various programs; (2) extend the school breakfast program; (3) revise guidelines for the administration of various programs under the Acts; and (4) redefine terms used in the Acts.

H.R. 4224. March 4, 1975. Atomic Energy. Authorizes appropriations to the Nuclear Regulatory Commission for fiscal year 1975.

H.R. 4225. March 4, 1975. Appropriations. Extends the authorizations for appropriations under the Lead-Based Paint Poisoning Prevention Act.

H.R. 4226. March 4, 1975. Banking, Currency and Housing. Amends the United States Housing Act of 1937 to prohibit the eviction of a tenant from a low-rent housing project without a public hearing.

H.R. 4227. March 4, 1975. Banking, Currency and Housing. Amends the Housing Act of 1949 to increase relocation payments for tenants and business concerns displaced from urban renewal areas.

H.R. 4228. March 4, 1975. Foreign Affairs. Increases United States efforts toward controlling the international traffic in opium by (1) proposing the establishment of an opium control staff within the International Criminal Police Organization; (2) establishing a similar domestic staff composed of Under Secretaries of United States executive departments; and (3) amending the Foreign Assistance Act of 1961 by authorizing the President to (a) assist the efforts of friendly foreign countries in eliminating illegal opium traffic; (b) discontinue foreign aid to non-cooperating countries; and (c) by establishing an Executive Committee on International Opium Control to advise the President on international efforts at controlling opium traffic.

H.R. 4229. March 4, 1975. Interstate and Foreign Commerce. Authorizes the Secretary of Health, Education, and Welfare to make grants to States and local governments to assist them in meeting the costs of providing health care to individuals whose health problems stem from reduced heating required to conserve energy.

H.R. 4230. March 4, 1975. Ways and Means. Amends the Social Security Act to permit officers and employees of the Federal Government to elect coverage under Old-Age, Survivors and Disability Insurance. Sets forth the procedures by which Federal employees may elect such coverage.

H.R. 4231. March 4, 1975. Judiciary. Sets a time limit for the commencement of the trial of any defendant charged with an offense against the United States. Requires that States, in order to be eligible for funding under the Omnibus Crime Control and Safe Streets Act, must also adhere to the stated time limits for the commencement of trial.

Authorizes the utilization of pretrial services officers to supervise persons released on bail and on probation.

H.R. 4232. March 4, 1975. Post Office and Civil Service. Declares that employees of the Federal Government shall have the right to form, join, and assist a labor organization, or refrain from such activity, without fear of penalty or reprisal.

H.R. 4233. March 4, 1975. Interstate and Foreign Commerce. Requires owners of rail lines which are about to be abandoned pursuant to the authorization of any unit of Federal, State or local government, to give the State in which the rail line is located the opportunity to purchase such line before offering the line for sale to any other person.

Authorizes grants from Federal financial assistance programs for transportation or utility purposes to aid the State in acquiring abandoned rail lines.

H.R. 4234. March 4, 1975. Public Works and Transportation. Directs the Secretary of Transportation to require that all projects receiving Federal financial assistance for mass transportation purposes be adapted to accommodate elderly and handicapped persons.

H.R. 4235. March 4, 1975. Interstate and Foreign Commerce. Authorizes the Secretary of Health, Education, and Welfare, under the Public Health Services Act, to make grants to State health and mental health authorities to assist in meeting the costs of providing comprehensive public health services, to make grants and enter into contracts for research related to family planning and populations, and to make grants for migrant health centers, community health centers, and home health services. Directs the Secretary to appoint various Committees to study certain health related problems and diseases.

H.R. 4236. March 4, 1975. Interstate and Foreign Commerce. Revises the Public Health Services Act to increase the level of appropriations that the Secretary of Health, Education, and Welfare may make for programs to assist in the construction of teaching facilities for the training of health personnel, to contribute to the student loan funds of such schools, to establish traineeships in schools of public health, and to provide assistance to individuals from disadvantaged backgrounds. Increases appropriations for the National Health Service Corps Scholarship Training programs. Establishes the Medical Residency Training Program.

H.R. 4237. March 4, 1975. Interstate and Foreign Commerce. Revises the National Health Service Corps program to provide the Secretary of Health, Education, and Welfare with criteria to be used in processing applications for assistance from medically underserved areas. Extends the appropriations for such program. Increases and extends the level of appropriations under the National Health Service Corps Scholarship Training Program and provides a formula for repayment of loans for those individuals who fail to fulfill their service obligations under such program.

H.R. 4238. March 4, 1975. Interstate and Foreign Commerce. Revises and extends programs of assistance for nurse training under the Public Health Service Act. Authorizes the Secretary of Health, Education, and Welfare to make grants for advanced nurse training and nurse practitioner programs.

H.R. 4239. March 4, 1975. Interstate and Foreign Commerce. Extends the funding of the Developmental Disabilities Services and Facilities Construction Act through fiscal year 1976. Requires all special project grants under such Act to be authorized by the Secretary of Health, Education, and Welfare. Stipulates that the Federal share of all costs incurred by the States for planning, administration, and services for disabled persons, including construction costs, shall be 75 percent of the total.

H.R. 4240. March 4, 1975. Post Office and Civil Service. Directs the Civil Service Commission to establish, and from time to time revise, a special Cost-of-Living Pay Sched-

ule for civil service employees and positions in certain metropolitan areas.

H.R. 4241. March 4, 1975. Public Works and Transportation. Designates a Federal office building in Chicago, Illinois as the John C. Kluczynski Federal Building.

H.R. 4242. March 4, 1975. Armed Services. Requires that each member of the Armed Forces be screened for narcotics addiction near the time of his scheduled release from active duty. Requires that each member who is found to be addicted be treated prior to his release from active duty or agree to undergo private treatment subsequent to his release.

H.R. 4243. March 4, 1975. Education and Labor. Amends the Federal Coal Mine Health and Safety Act of 1969 by requiring the Secretary of Labor to establish a program to extend information and assistance to miners eligible for black lung benefits.

H.R. 4244. March 4, 1975. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to prohibit, by regulation, any compensation by a federally assisted hospital or health service delivery facility to a physician or other person for the referral of patients for treatment at such facility.

H.R. 4245. March 4, 1975. Judiciary. Amends the Immigration and Nationality Act to prohibit the voluntary departure of an alien who is a native of a country contiguous to the United States unless a finding of deportability is made in a proceeding before a special inquiry officer.

H.R. 4246. March 4, 1975. Veterans' Affairs. Directs the Secretary of the Army to establish a national cemetery in Los Angeles County in California.

H.R. 4247. March 4, 1975. Interior and Insular Affairs. Suspends the requirement of annual assessment work on mining claims held by location in the United States.

H.R. 4248. March 4, 1975. Post Office and Civil Service. Requires that labor disputes within the United States Postal Service by supervisory organizations and the Service be submitted to an arbitration board.

H.R. 4249. March 4, 1975. Post Office and Civil Service. Revises appeal and hearing procedures for certain Federal employees subject to removal from employment or suspension without pay.

H.R. 4250. March 4, 1975. Ways and Means. Amends the Tariff Schedules of the United States to remove the duty on certain forms of zinc.

H.R. 4251. March 4, 1975. Education and Labor. Amends the Older Americans Act of 1965 (1) to establish a program of Federal financial grants to States for projects to repair or renovate the homes of elderly people and to encourage the employment of older workers for such projects, and (2) to authorize Federal grants to States for programs meeting the transportation needs of older persons, especially transportation in connection with nutrition projects operated pursuant to the Older Americans Act of 1965.

H.R. 4252. March 4, 1975. Judiciary. Amends the Civil Rights Act of 1964 by prohibiting any department, agency, officer or employee of the United States from using the withholding of Federal funds to coerce changes in the racial distribution of teachers or students within a school system when a freedom of choice system, as defined by this Act, is used for the assignment of students.

Prohibits Federal courts from requiring school boards to make changes in the racial distribution of teachers or students when students are assigned in conformity with such a system.

H.R. 4253. March 4, 1975. Judiciary. Eliminates the jurisdiction of Federal courts to issue busing orders based on race, color, religion or national origin.

Prohibits any Federal agency from inducing such busing through withholding or

threatening to withhold Federal financial assistance.

Postpones the effectiveness of any busing order until all appeals have been exhausted or until the time for such appeals has expired.

Stipulates that District Courts shall have jurisdiction of proceedings involving validity or applicability of this Act.

H.R. 4254. March 4, 1975. Judiciary. Declares that no Federal court having general jurisdiction shall have any jurisdiction to hear or decide cases or controversies involving the public schools. Vests jurisdiction in such cases in the courts of the several States, and appellate jurisdiction in the United States Supreme Court by writ of certiorari from the highest State or territorial court.

H.R. 4255. March 4, 1975. Judiciary. Education and Labor. Prescribes uniform criteria for formulating judicial remedies for the elimination of dual school systems. Stipulates that the failure of an educational agency to obtain a balance, on the basis of race, color, sex, national origin, or socioeconomic status of students among its schools shall not constitute a denial of equal protection of the laws.

H.R. 4256. March 4, 1975. Interstate and Foreign Commerce. Requires every model car manufactured in model year 1977 or later to be capable of averaging at least twenty miles per gallon of gasoline.

Authorizes the Environmental Protection Agency to establish more stringent standards for future model years.

H.R. 4257. March 4, 1975. Public Works and Transportation. Authorizes the Secretary of Transportation to make grants to States for the construction of bikeways.

Directs the Secretary to establish construction standards for bikeways constructed with Federal grants.

H.R. 4258. March 4, 1975. Education and Labor. Amends these provisions of the Federal Coal Mine Health and Safety Act of 1969 relating to presumptions, attorney's fees, workman's compensation benefits, other employment, and appeals.

Directs the Secretary of Health, Education, and Welfare to undertake to locate individuals likely to be eligible for black lung benefits under this Act.

Establishes a Black Lung Disability Insurance Fund. Requires coal mine operators to pay premiums into the fund. Directs the Secretary of Labor to make benefit payments to eligible miners from the fund.

H.R. 4259. March 4, 1975. House Administration. Establishes an American Folklife Center in the Library of Congress.

H.R. 4260. March 4, 1975. Post Office and Civil Service. Declares that certain civil service annuities which have been reduced shall be recomputed and paid as if the annuity had not been so reduced upon the death of the annuitant.

H.R. 4261. March 4, 1975. Interstate and Foreign Commerce. Amends the Interstate Commerce Act to authorize the Interstate Commerce Commission to grant temporary authority to a carrier by railroad to operate the properties of a railroad which such carrier is seeking to acquire by merger or consolidation pending the final determination of the Commission on the carrier's application for merger or consolidation.

H.R. 4262. March 4, 1975. Interior and Insular Affairs. Authorizes the Secretary of the Interior to establish a national historic park on the island of Guam.

H.R. 4263. March 4, 1975. Ways and Means. Amends the Internal Revenue Code to exclude from gross income amounts received by an individual as a pension, annuity or similar retirement benefit under a public retirement system.

H.R. 4264. March 4, 1975. Banking, Currency and Housing. Authorizes the President to accept participation for the United States in the African Development Fund provided

for by the agreement establishing the Fund deposited in the Archives of the United Nations.

Authorizes an appropriation for the United States subscription to the Fund.

H.R. 4265. March 4, 1975. Foreign Affairs. Amends the Arms Control and Disarmament Act to authorize the Director of the United States Arms Control and Disarmament Agency to accept a security clearance granted (to a contractor or subcontractor) by the Department of Defense as a basis for granting access to classified information to such contractor.

Appropriates funds to the Agency for fiscal years 1976 and 1977.

H.R. 4266. March 4, 1975. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4267. March 4, 1975. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4268. March 4, 1975. Judiciary. Declares certain individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4269. March 5, 1975. Interior and Insular Affairs. Amends the Organic Act of Guam and the Revised Organic Act of the Virgin Islands to allow the same reimbursement for certain expenses for Delegates to the United States House of Representatives from Guam and the Virgin Islands as is allowed for Members of the United States House of Representatives.

H.R. 4270. March 5, 1975. Interior and Insular Affairs. Amends the Organic Act of Guam and the Revised Organic Act of the Virgin Islands to allow the same reimbursement for certain expenses for Delegates to the United States House of Representatives from Guam and the Virgin Islands as is allowed for Members of the United States House of Representatives.

H.R. 4271. March 5, 1975. Education and Labor. Amends the Occupational Safety and Health Act of 1970 by authorizing the imposition of penalties upon employees in violation of the health and safety standards established under the Act, and by authorizing the Secretary of Labor to visit the workplaces of employees in the maritime industry, upon their request, for the purpose of affording consultation and advice to such employees.

H.R. 4272. March 5, 1975. Rules. Amends the Congressional Budget and Impoundment Control Act of 1974 by establishing a legislative classification system within the Congressional Budget Office to supply information to Members and committees of Congress concerning Federal programs and expenditures, budget authority and outlays, appropriation Acts, unexpended balances, and committee jurisdiction.

H.R. 4273. March 5, 1975. Judiciary. Prohibits the destruction, burning, or damaging of the property of an employer, or other person near any place where work or business of the employer or owner is carried on. Redefines the term "extortion" to include actual or threatened force or violence used to induce consent in the course of a legitimate labor dispute.

H.R. 4274. March 5, 1975. Interstate and Foreign Commerce. Amends the Natural Gas Act to establish allocation priorities for certain agricultural uses of natural gas.

Directs the Federal Power Commission to prohibit certain boiler fuel uses of natural gas.

H.R. 4275. March 5, 1975. Ways and Means. Amends the Internal Revenue Code to remove certain limitations on the amount of the deduction allowable for household and dependent care services necessary for gainful employment.

H.R. 4276. March 5, 1975. Banking, Currency and Housing. Authorizes and directs the Secretary of Housing and Urban Development to make repayable emergency mortgage relief payments on behalf of distressed homeowners.

H.R. 4277. March 5, 1975. Government Operations. Prohibits Federal agencies from purchasing, hiring, leasing, operating or maintaining limousines, and from employing chauffeurs to operate such limousines, except for certain designated Federal officers.

H.R. 4278. March 5, 1975. Ways and Means. Amends the Internal Revenue Code to exclude from gross income a certain amount received during the taxable year as an annuity, pension or other retirement benefit by an individual or married couple.

H.R. 4279. March 5, 1975. Education and Labor. Repeals provisions of the National Labor Relations Act and the Railway Labor Act which authorizes employers to make agreements with labor organizations to require employee membership in such organization as a condition of employment.

H.R. 4280. March 5, 1975. Interstate and Foreign Commerce. Amends the Controlled Substances Act to increase the penalties for persons convicted of distributing certain controlled substances.

H.R. 4281. March 5, 1975. Judiciary. Increases the penalties for the commission of a felony with or while unlawfully carrying a firearm.

H.R. 4282. March 5, 1975. Ways and Means. Interstate and Foreign Commerce. Directs the Secretary of the Treasury to determine the dollar amount of petroleum which may be imported annually. Directs the Administrator of the Federal Energy Administration to regulate petroleum importation and the allocation of imported petroleum among domestic refiners.

H.R. 4283. March 5, 1975. Judiciary. Prohibits the manufacture, assembly, importation or sale of certain types of handguns in the United States.

H.R. 4284. March 5, 1975. District of Columbia. Directs the Mayor of the District of Columbia to transfer certain designated real property of the United States to the District of Columbia Redevelopment Land Agency.

H.R. 4285. March 5, 1975. District of Columbia. Grants the consent of Congress to authorize the Washington Metropolitan Area Transit Authority to establish and maintain a Metro Transit Police Force. Defines the jurisdiction and responsibilities of such force. Authorizes the Authority to enter into mutual aid agreements with the various jurisdictions within the Transit Zone of the Authority.

H.R. 4286. March 5, 1975. District of Columbia. Directs the chief judge of the District of Columbia Court of Appeals to convene annually a Judicial Conference of the District of Columbia Court of Appeals for the purpose of devising means of improving the administration of justice within the District of Columbia.

H.R. 4287. March 5, 1975. District of Columbia. Authorizes additional law clerks for the judges of the District of Columbia Court of Appeals.

H.R. 4288. March 5, 1975. District of Columbia. Authorizes the District of Columbia Parole Board to credit "street time" for a prisoner whose parole is revoked.

H.R. 4289. March 5, 1975. District of Columbia. Authorizes any State, territory or possession of the United States to sue in the Superior Court of the District of Columbia to recover any tax lawfully due and owing to it when the reciprocal right is accorded to the District by such State, territory or possession. Authorizes the District of Columbia Corporation Counsel to bring suit in the courts of States, territories or possessions, to collect taxes lawfully due the District.

H.R. 4290. March 5, 1975. District of Columbia. Prohibits the fraudulent use or pos-

session of credit cards in the District of Columbia. Prohibits possession of flash paper or water soluble paper. Prohibits the possession of any knife with an unlawful intent. Grants authority to the District of Columbia to seize motor vehicles used in narcotics violations. Provides for the forfeiture of such vehicles for the District of Columbia. Prohibits the service or execution of process on a Sunday. Makes it unlawful to obtain or attempt to obtain communications services with the intent to avoid lawful payment for such services.

H.R. 4291. March 5, 1975. Post Office and Civil Service. Authorizes the Civil Service Commission to take appropriate action on counterclaims filed by the government as set off against amounts otherwise due and payable from the Civil Service Retirement and Disability Fund to the debtor concerned.

H.R. 4292. March 5, 1975. Ways and Means. Amends the Internal Revenue Code to increase the estate tax exemption, and to increase the estate tax marital deduction.

Permits the executor of an estate to elect an alternate valuation of certain lands used for farming, woodland or scenic open space.

H.R. 4293. March 3, 1975. Ways and Means. Amends the Social Security Act by prohibiting any general or cost-of-living increase in Old-Age Survivors, and Disability Insurance benefits from being considered income for the purpose of determining eligibility for veterans' disability or death pensions or dependency and indemnity compensation to parents.

H.R. 4294. March 5, 1975. Post Office and Civil Service. Permits any member of a private nonprofit organization, other than a political committee, to deposit mailable matter relating to the activities or functions of such organization in any letter box without payment of postage, if such member engages in such activity on a voluntary basis without reimbursement from such organization.

H.R. 4295. March 5, 1975. Education and Labor. Amends the Emergency Job Programs section of the Comprehensive Employment and Training Act of 1973 (1) to extend the provisions of that section for two years; (2) to increase the percentage of funds appropriated for that section which may be used for the administrative costs of public service employment programs; (3) to authorize the use of funds for public service employment programs carried out under contract with private employers; and (4) to extend from twenty-six to thirty-nine weeks the period of special unemployment assistance benefits available under this Act.

H.R. 4296. March 5, 1975. Agriculture. Adjusts target prices and loan and purchase levels on the 1975 crops of upland cotton, corn, wheat and soybeans. Establishes the support price for milk at not less than 85 percent of the parity price therefor.

H.R. 4297. March 5, 1975. Agriculture. Adjusts target prices and loan and purchase levels on the 1975 crops of upland cotton, corn, wheat and soybeans. Establishes the support price for milk at not less than 85 percent of the parity price therefor.

H.R. 4298. March 5, 1975. Agriculture. Directs the Secretary of Agriculture to issue orders applicable to persons engaged in the production, processing or marketing of cattle, such orders to provide for or regulate (1) advertising, sales promotion, and consumer education with respect to the use of beef; (2) research on the marketing and distribution of beef; (3) the inspection of the books and records of producers, processors, and marketers of beef; and (4) the establishment of a Beef Board to administer such orders.

H.R. 4299. March 5, 1975. Merchant Marine and Fisheries. Amends the National Environmental Policy Act to require preparation of supplemental environmental impact statements with respect to Federal leasing of Outer Continental Shelf lands for the exploration and development of oil and gas.

H.R. 4300. March 5, 1975. Merchant Marine and Fisheries. Interior and Insular Affairs. Amends the Coastal Zone Management Act to authorize assistance to affected coastal states for the development of coastal zone management plans relating to the impact of offshore energy facilities on such States. Prohibits Federal authorization of the development of offshore energy facilities prior to approval of State coastal zone management plans.

Establishes an Affected Coastal States Fund to assist states in designation of suitable or unsuitable on-shore sites for facilities related to coastal zone development.

H.R. 4301. March 5, 1975. Judiciary. Interior and Insular Affairs. Science and Technology. Merchant Marine and Fisheries. Amends the Outer Continental Shelf Lands Act to establish strict liability for damages caused by oil spills. Authorizes the Secretary of the Interior to distribute revenues collected from the leasing of Outer Continental Shelf lands to affected States.

Establishes an Outer Continental Shelf Research Fund to expand and develop data and technology relating to oil and gas resources and the marine environment on the Outer Continental Shelf.

H.R. 4302. March 5, 1975. Interstate and Foreign Commerce. Authorizes the Secretary of Health, Education, and Welfare to make grants for the establishment and operation of home health services and for the purpose of initiating, developing, and maintaining programs for the training of professional and paraprofessional personnel to provide home health services.

H.R. 4303. March 5, 1975. Ways and Means. Interstate and Foreign Commerce. Revises the conditions and limitations applicable to home health services under the Medicare program of the Social Security Act.

H.R. 4304. March 5, 1975. Judiciary. Amends the Immigration and Nationality Act by revising the criteria under which the Attorney General may adjust the status of certain aliens to that of lawfully admitted.

Makes it unlawful to knowingly hire an alien not lawfully admitted into the United States. Requires that employees of the Department of Health, Education, and Welfare disclose the names of illegal aliens who are receiving assistance under the Social Security Act.

H.R. 4305. March 5, 1975. Government Operations. Extends and authorizes appropriations for the State and Local Fiscal Assistance Act of 1972 for five years.

H.R. 4306. March 5, 1975. Education and Labor. Amends the Comprehensive Employment and Training Act of 1973 to authorize appropriations for the emergency jobs programs under Title VI of the Act for fiscal year 1976.

H.R. 4307. March 5, 1975. Science and Technology. Ways and Means. Directs the Director of the National Bureau of Standards to issue regulations with respect to recycled oil. Repeals any previous regulations which required certain labeling of recycled oil.

Amends the Internal Revenue Code of 1954 to establish an excise tax exemption for certain sales of waste lubricating oil.

H.R. 4308. March 5, 1975. Ways and Means. Amends the Supplemental Security Income provisions of the Social Security Act by (1) mandating benefit increases and emergency assistance grants; (2) prohibiting benefit decreases as a consequence of increases in other social security benefits; (3) adding supplementary housing benefits; (4) revising the basis upon which mandatory minimum State supplementation is calculated; (5) revising administrative procedures for paying benefits; and (6) redefining "eligible spouse".

Amends the Food Stamp Act of 1964 by allowing certain Supplemental Security In-

come recipients to elect to receive food stamps.

H.R. 4309. March 5, 1975. Interior and Insular Affairs. Science and Technology. Establishes a National Energy and Conservation Corporation to undertake programs of exploration, development, and production of public land and tideland oil, natural gas, oil shale, and coal resources. Directs the Corporation to administer programs consistent with objectives of land use planning, conservation, and environmental protection.

H.R. 4310. March 5, 1975. Judiciary. Increases the penalties for the commission of a felony with a firearm or while unlawfully carrying a firearm.

H.R. 4311. March 5, 1975. House Administration. Prohibits Members of Congress who have been defeated, or have resigned or retired, from traveling outside the United States at Government expense.

H.R. 4312. March 5, 1975. Public Works and Transportation. Amends the Airport and Airway Development Act of 1970 (1) to extend the authority of the Secretary of Transportation to make grants for airport development through fiscal year 1980; (2) to limit the consideration of the environmental impact of airport development outside of standard metropolitan statistical areas; (3) to require the preparation of environmental impact statements in projects under this Act; (4) to limit the requirement for public hearings on development projects; (5) to provide an alternate method of computing the Federal share of certain project costs; and (6) to change the tax on air fares.

H.R. 4313. March 5, 1975. Post Office and Civil Service. Declares that letters sent to Members of Congress shall be carried in the mails at no cost to the sender.

H.R. 4314. March 5, 1975. Ways and Means. Revises the eligibility requirements for disability benefits and the disability freeze under the Social Security Act by extending eligibility to individuals with 40 quarters of coverage regardless of when they were earned.

H.R. 4315. March 5, 1975. Ways and Means. Revises the eligibility requirements for disability benefits and the disability freeze under the Social Security Act by extending eligibility to individuals with 40 quarters of coverage regardless of when they were earned.

H.R. 4316. March 5, 1975. Banking, Currency and Housing. Directs the Comptroller General to audit annually the Federal Reserve Board, the Federal Advisory Council, the Federal Open Market Committee, and all Federal Reserve banks and their branches.

H.R. 4317. March 5, 1975. Banking, Currency and Housing. Directs the Comptroller General to audit annually the Federal Reserve Board, the Federal Advisory Council, the Federal Open Market Committee, and all Federal Reserve banks and their branches.

H.R. 4318. March 5, 1975. Banking, Currency and Housing. Directs the Comptroller General to audit annually the Federal Reserve Board, the Federal Advisory Council, the Federal Open Market Committee, and all Federal Reserve banks and their branches.

H.R. 4319. March 5, 1975. Banking, Currency and Housing. Directs the Comptroller General to audit annually the Federal Reserve Board, the Federal Advisory Council, the Federal Open Market Committee, and all Federal Reserve banks and their branches.

H.R. 4320. March 5, 1975. Ways and Means. Amends the Internal Revenue Code to impose an excise tax on automobiles based on the rate at which such automobiles consume fuel.

Allows a credit against the income tax for the purchase of every new automobile for use within the United States, based on the rate at which such automobile consumes fuel.

H.R. 4321. March 5, 1975. Interstate and

Foreign Commerce. Directs the Federal Power Commission to review and modify plans submitted by natural gas pipelines for curtailing sales to specific customers and authorizes the Commission to direct transfers of available supplies of natural gas in order to meet regional needs.

H.R. 4322. March 5, 1975. Ways and Means. Amends the Internal Revenue Code to require that interest be paid to individual taxpayers on the calendar year basis who file their returns before March 1, if the refund check is not mailed out within a certain period after the return is filed.

H.R. 4323. March 5, 1975. Ways and Means. Amends the Internal Revenue Code to increase the Federal estate tax exemption.

H.R. 4324. March 5, 1975. Judiciary. Standards of Official Conduct. Requires lobbyists to: (1) register with the Federal Election Commission; (2) make and retain certain records; and (3) file reports with the Commission regarding their activities.

Requires certain officials of the executive branch to record their communications with lobbyists.

Repeals the Federal Regulations of Lobbying Act.

H.R. 4325. March 5, 1975. Interior and Insular Affairs. Authorizes the Secretary of the Interior to establish precipitation management projects in order to augment the United States' usable water resources. Authorizes the Secretary to engage in operational demonstration projects for potential use in precipitation management programs in certain states.

H.R. 4326. March 5, 1975. Post Office and Civil Service. Entitles an employee of an executive agency who is also an elected official of a city, town, or municipality to additional annual leave for the discharge of official duties as such elected official if such duties can not be discharged without using such leave.

H.R. 4327. March 5, 1975. Interstate and Foreign Commerce. Science and Technology. Amends the Clean Air Act to require the Administrator of the Environmental Protection Agency, with the assistance of other agencies, to determine the effect on public health and the environment of the discharge of chlorofluoromethane into the ambient air.

Prohibits, subject to such determination, the introduction into commerce of any aerosol spray container which discharges chlorofluoromethane into the ambient air.

H.R. 4328. March 5, 1975. Interstate and Foreign Commerce. Science and Technology. Amends the Clean Air Act to require the Administrator of the Environmental Protection Agency, with the assistance of other agencies, to determine the effect on public health and the environment of the discharge of chlorofluoromethane into the ambient air.

Prohibits, subject to such determination, the introduction into commerce of any aerosol spray container which discharges chlorofluoromethane into the ambient air.

H.R. 4329. March 5, 1975. Education and Labor. Authorizes the Secretary of Health, Education and Welfare to make grants for the development and implementation of new prevention and treatment techniques in the field of juvenile delinquency and for the planning, operation and evaluation of juvenile delinquency projects by States and local government units.

Establishes in the Executive Office of the President a National Office of Juvenile Delinquency Prevention to establish overall policy for Federal juvenile delinquency programs and to coordinate the Federal involvement in the field of juvenile delinquency prevention.

Establishes a National Advisory Council for Juvenile Delinquency Prevention to advise the Director of the Office of Juvenile Delinquency Prevention.

H.R. 4330. March 5, 1975. Interstate and

Foreign Commerce. Prohibits the shipment or sale in interstate commerce of nonreturnable beverage containers for which no reasonable refundable money deposit is required.

Directs the Secretary of Health, Education, and Welfare to define the term "nonreturnable containers".

H.R. 4331. March 5, 1975. Post Office and Civil Service. Revises the method of determining cost-of-living increases payable to civil service annuitants.

H.R. 4332. March 5, 1975. Agriculture. Increases the amount authorized to be appropriated for the forestry incentive program under the Agricultural Act of 1970.

H.R. 4333. March 5, 1975. Agriculture. Increases the size of the tract which may be affected by the forestry incentive program under the Agricultural Act of 1970.

H.R. 4334. March 5, 1975. Ways and Means. Amends the Internal Revenue Code to exempt from record keeping requirements the licensed ammunition importers, manufacturers, or dealers of .22 caliber ammunition.

H.R. 4335. March 5, 1975. Education and Labor. Authorizes the Secretary of Health, Education, and Welfare to establish a national adoption information exchange system to facilitate adoptions.

H.R. 4336. March 5, 1975. Judiciary. Amends the Immigration and Nationality Act to permit the adoption of more than two alien children by a United States citizen.

H.R. 4337. March 5, 1975. Ways and Means. Amends the Internal Revenue Code to allow a deduction from gross income for expenses incurred in connection with the adoption of a child by the taxpayer.

H.R. 4338. March 5, 1975. Interior and Insular Affairs. Designates certain lands in California as the Monarch Wilderness to be administered by the Secretary of Agriculture. Abolishes the previous classification of the High Sierra Primitive Area. Allows the Secretary to authorize certain uses of the lands within the wilderness area.

H.R. 4339. March 5, 1975. Judiciary. Prohibits any civil officer of the United States or any member of the Armed Forces from using the Armed Forces to exercise surveillance of civilians or to execute civil laws.

H.R. 4340. March 5, 1975. Interstate and Foreign Commerce. Authorizes the Secretary of Health, Education, and Welfare to make grants for the establishment and operation of home health services and for the purpose of initiating, developing, and maintaining programs for the training of professional and paraprofessional personnel to provide home health services.

H.R. 4341. March 5, 1975. Ways and Means. Interstate and Foreign Commerce. Revises the conditions and limitations applicable to home health services under the Medicare program of the Social Security Act.

H.R. 4342. March 5, 1975. Interior and Insular Affairs. Authorizes the Secretary of the Interior to make grants to assist States in the development and administration of land use programs. Establishes requirements and procedures for State eligibility for such grants and defines necessary elements of State land use programs.

Directs Federal public land management agencies to develop and revise land use plans. Includes provisions for public participation where Federal activities have a significant impact on State and local land use.

H.R. 4343. March 5, 1975. Armed Services. Directs the Secretary of Defense to convey certain lands in the city of Nome, Alaska.

H.R. 4344. March 5, 1975. Interior and Insular Affairs. Establishes, within the Department of the Interior, and Assistant Secretary of the Interior for Indian Affairs.

H.R. 4345. March 5, 1975. Interior and Insular Affairs. Amends existing law relating to the sale of certain public lands in Alaska by deleting certain restrictions on the use of such lands.

H.R. 4346. March 6, 1975. Government Operations. Establishes a Committee to be known as the International Women's Year American Women's Conference Planning Committee for the purpose of planning and reporting on the International Women's Conference.

H.R. 4347. March 6, 1975. Armed Services. Redefines dependent in the case of a dependent of a female member of the Armed Forces for the purposes of calculating allowances and eligibility for medical and dental care.

H.R. 4348. March 6, 1975. Armed Services. Includes family planning services, supplies and counseling among the medical services provided to members of the Armed Forces.

H.R. 4349. March 6, 1975. Education and Labor. Authorizes and directs the Secretary of Health, Education, and Welfare to establish various comprehensive child development programs and services. Establishes an Office of Child Development in the Department of Health, Education, and Welfare to coordinate and administer all comprehensive child development programs established by the Secretary in accordance with the provisions of this Act.

H.R. 4350. March 6, 1975. Foreign Affairs. Applies the same eligibility requirements to widows and widowers with respect to death benefits and annuities under the Foreign Service Retirement and Disability System.

H.R. 4351. March 6, 1975. Government Operations. Prohibits any instrumentality of the United States from using any title as a prefix to a person's name which has the effect of indicating the marital status of such person.

H.R. 4352. March 6, 1975. Government Operations. Amends the Federal Property and Administrative Service Act to include child care centers as educational institutions for the purpose of receiving surplus Federal property.

H.R. 4353. March 6, 1975. Government Operations. Amends the Federal Property and Administrative Services Act to include child care centers as educational institutions for the purpose of receiving surplus Federal property.

H.R. 4354. March 6, 1975. Interstate and Foreign Commerce. Prohibits discrimination solely on the basis of sex by the insurance business with respect to the availability and scope of insurance coverage.

H.R. 4355. March 6, 1975. Judiciary. Amends the Crime Control Act of 1973 by establishing a National Center for the Prevention and Control of Rape to conduct a continuing study, evaluation, and investigation of rape.

H.R. 4356. March 6, 1975. Judiciary. Amends the Crime Control Act of 1973 by establishing a National Center for the Prevention and Control of Rape to conduct a continuing study, evaluation, and investigation of rape.

H.R. 4357. March 6, 1975. Ways and Means. Amends the Social Security Act by increasing benefits to certain Old-Age, Survivors and Disability Insurance benefits; and establishing father's insurance benefits for widowers with minor children.

H.R. 4358. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to allow a taxpayer to deduct from gross income reasonable expenses incurred for the care of one or more dependents. Repeals the allowance of such a deduction as an itemized deduction from adjusted gross income.

H.R. 4359. March 6, 1975. Ways and Means. Amends the Social Security Act by revising the eligibility requirements for divorced women for wife's or widow's Old-Age, Survivors and Disability Insurance benefits.

H.R. 4360. March 6, 1975. Public Works and Transportation. Amends the Federal Aviation Act of 1958 to direct air carriers to provide half fare transportation on a space available basis to Armed Forces veterans who have a service-connected, total and permanent disability.

H.R. 4361. March 6, 1975. Judiciary. In-

increases the penalties for use of a firearm in the commission of a felony.

H.R. 4362. March 6, 1975. Ways and Means. Interstate and Foreign Commerce. Subjects any dog and cat products unlawfully imported into the United States or shipped in interstate commerce to seizure and forfeiture as provided for violation of the customs laws.

H.R. 4363. March 6, 1975. Interstate and Foreign Commerce. Directs the Secretary of Transportation to establish and enforce fuel economy standards for classes of new motor vehicles. Requires automobile manufacturers and dealers to affix labels disclosing fuel economy information. Requires disclosure of such information in advertisements for new motor vehicles.

H.R. 4364. March 6, 1975. Interstate and Foreign Commerce. Amends the Clean Air Act to postpone certain automobile emission standards. Amends the National Traffic and Motor Vehicle Safety Act of 1966 to establish a moratorium on new automobile safety standards.

H.R. 4365. March 6, 1975. Interstate and Foreign Commerce. Establishes an Interstate Railroad System composed of existing rail lines designated by the Secretary of Transportation and approved by Congress to provide nationwide freight and passenger rail service. Directs the Secretary to set maintenance standards for System rail lines.

Establishes a nonprofit Interstate Railroad Corporation and sets forth the duties and regulations of the Corporation and of States which acquire rail lines under this Act with regard to the acquisition, rehabilitation, maintenance and modernization of System rail lines.

Authorizes Federal financial assistance for the System.

H.R. 4366. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to impose an excise tax equal to a percentage of the amount paid for the transportation of property within the United States by rail, motor vehicle, or water.

H.R. 4367. March 6, 1975. Ways and Means. Amends the Social Security Act to allow Federal officers and employees to elect coverage under Old-Age, Survivors and Disability Insurance.

H.R. 4368. March 6, 1975. Ways and Means. Amends the estate tax provisions of the Internal Revenue Code to allow a limited deduction from the gross estate of the value of the decedents interest in a family farming operation which passes to an individual related to him or his spouse.

H.R. 4369. March 6, 1975. Interstate and Foreign Commerce. Amends the Clean Air Act to direct the Administrator of the Environmental Protection Agency to revise certain air pollutant standards based on recent scientific evidence. Authorizes the Administrator to establish emission charges for certain air pollutants where promulgation of national standards is impracticable.

Requires that certain stationary sources of air pollutants install and operate continuous air pollution monitoring instruments.

Authorizes extensions of transportation control deadlines upon application to the Administrator. Authorizes the Secretary of Labor to pay unemployment compensation and temporary mortgage and rental to an individual who is unemployed as a result of enforcement of air pollution standards.

H.R. 4370. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to repeal the excise tax on trucks, buses, and tractors and parts and accessories for such vehicles.

H.R. 4371. March 6, 1975. Ways and Means. Revises the Internal Revenue Code by amending and repealing portions of the Code with respect to capital gains and losses, income derived from the extraction of minerals, individual and corporate income, the estate and gift tax and State and local obligations.

H.R. 4372. March 6, 1975. Armed Services.

Authorizes special pay for active duty judge advocates of the Army, Navy, Air Force, and Marine Corps, and law specialists of the Coast Guard.

H.R. 4373. March 6, 1975. Merchant Marine and Fisheries. Incorporates the National Zoological and Aquarium Corporation.

H.R. 4374. March 6, 1975. Judiciary. Interior and Insular Affairs. Foreign Affairs. Grants to each coastal State certain mineral rights in Outer Continental Shelf lands extending to a line twelve miles from the coast of such State. Establishes a boundary advisory commission to report to the President on international boundaries between the United States, Canada, and Mexico.

H.R. 4375. March 6, 1975. Education and Labor. Amends the Emergency Jobs and Unemployment Assistance Act of 1974 to make individuals performing instructional, research, or administrative services for educational institutions ineligible for unemployment compensation under the Act for periods between academic years or terms.

H.R. 4376. March 6, 1975. Education and Labor. Amends the Bankruptcy Act to limit the dischargeability in bankruptcy of educational debts.

Amends the Higher Education Act of 1965 to eliminate the defense of infancy with respect to federally insured Student Loans. Revises provisions of the Act relating to the minimum repayment period for loans, the interest subsidy on multiple disbursements and the minimum annual payment for married couples.

Makes students who have defaulted on any student loan ineligible for further federally supported loans or basic educational opportunity grants.

Eliminates proprietary institutions as eligible lenders for Federally Insured Student.

H.R. 4377. March 6, 1975. Agriculture. Prohibits the Secretary of Agriculture, under the Agriculture and Consumer Protection Act of 1973, from requiring or providing for the voluntary or involuntary prior approval of the export sales of agricultural commodities.

H.R. 4378. March 6, 1975. Agriculture. Amends the Federal Meat Inspection Act to prohibit the States from establishing less strict standards with respect to the marketing, labeling, and ingredient requirements of the Act.

H.R. 4379. March 6, 1975. Foreign Affairs. Amends the United Nations Participation Act to permit the President to apply the sanctions contained therein notwithstanding certain provisions of the Strategic and Critical Materials Stock Piling Act.

H.R. 4380. March 6, 1975. Ways and Means. Interstate and Foreign Commerce. Directs the Administrator of the Federal Energy Administration to regulate petroleum importation and the allocation of imported petroleum among domestic refiners.

H.R. 4381. March 6, 1975. Ways and Means. Interstate and Foreign Commerce. Directs the Administrator of the Federal Energy Administration to regulate petroleum importation and the allocation of imported petroleum among domestic refiners.

H.R. 4382. March 6, 1975. Veterans' Affairs. Directs the Administrator of Veterans' Affairs to pay service pensions to certain World War I Veterans, their widows, and their children.

H.R. 4383. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to prohibit the filing of a joint return unless each spouse verifies under oath or affirmation that such spouse has equal ownership, management and control of the income, assets, and liabilities of the marriage partnership.

H.R. 4384. March 6, 1975. Interstate and Foreign Commerce. Requires under the Fair Packaging and Labeling Act, that perishable or semiperishable foods must be labeled by the manufacturer or packager to show the pull date for such food and the optimum temperature and humidity conditions for its

storage by the ultimate consumer. Prohibits sale after the pull date has expired unless the food is fit for human consumption, is separated from other packaged perishable or semiperishable foods, and is clearly identified as a food whose pull date has expired.

H.R. 4385. March 6, 1975. Interstate and Foreign Commerce. Defines the term "food supplement" as it appears in the Federal Food, Drug, and Cosmetic Act. Disallows the requirement of warning labels for and the limiting of ingredients in "food supplements" by the Secretary of Health, Education, and Welfare unless such article is intrinsically injurious to health in the recommended dosage.

H.R. 4386. March 6, 1975. Interstate and Foreign Commerce. Amends the Federal Food, Drug, and Cosmetic Act to require that labels of certain packaged goods contain a disclosure of the manufacturer, packer, and distributor of each such good.

H.R. 4387. March 6, 1975. Interstate and Foreign Commerce. Requires that certain durable products be labeled with the date of manufacture. Directs the Federal Trade Commission to prepare a list of products to be so labeled and to administer and enforce this Act.

H.R. 4388. March 6, 1975. Interstate and Foreign Commerce. Requires, under the Federal Food, Drug, and Cosmetic Act, that the labels on all foods disclose each ingredient in order of its predominance, an accurate statement of the percentage amount of such ingredient, and any change made in the ingredients.

H.R. 4389. March 6, 1975. Interstate and Foreign Commerce. Requires, under the Fair Packaging and Labeling Act, the total selling price and the retail unit price for packaged consumer commodities to be plainly marked on the package itself or on a sign in close proximity to the point of display of such package.

H.R. 4390. March 6, 1975. Interstate and Foreign Commerce. Requires manufacturers of durable consumer products to conspicuously label each item sold at retail with respect to the performance life under normal operating conditions of such durable product.

H.R. 4391. March 6, 1975. Interstate and Foreign Commerce. Makes it a violation of the Federal Trade Commission Act for any retailer to increase the price of a consumer commodity after the retailer has marked the price on that item.

Authorizes the Federal Trade Commission to issue a cease and desist order and to order the restitution of moneys received by a retailer in violation of this Act.

H.R. 4392. March 6, 1975. Post Office and Civil Service. Revises regulations regarding creditable service for civil service retirement purposes with respect to National Guard technicians.

H.R. 4393. March 6, 1975. Veterans' Affairs. Requires that payments to an individual under any Federal retirement, annuity, or similar plan or program be disregarded in computing annual income for the determination of eligibility for veterans' pension or dependency and indemnity compensation.

H.R. 4394. March 6, 1975. District of Columbia. Amends the District of Columbia Self-Government and Governmental Reorganization Act by abolishing the National Capital Service Area.

H.R. 4395. March 6, 1975. Agriculture. Revises the eligibility requirements for food coupons under the Food Stamp Act of 1964 to exclude individuals who receive one-half of their income from an individual who is not eligible for food coupons.

H.R. 4396. March 6, 1975. Agriculture. Amends the Emergency Livestock Credit Act of 1974 to provide additional temporary financial assistance to owners of livestock who have suffered severe financial losses as a result of low market prices for livestock.

H.R. 4397. March 6, 1975. Judiciary. Prohibits the destruction, burning, or damaging of the property of an employer, or other person near any place where work or business of the employer or owner is carried on. Redefines the term "extortion" to include actual or threatened force or violence used to induce consent in the course of a legitimate labor dispute.

H.R. 4398. March 6, 1975. Public Works and Transportation. Authorizes the Secretary of Transportation to delegate to the State which proposes a Federal-aid highway project the responsibility for preparing the environmental impact statement required under the National Environmental Policy Act.

H.R. 4399. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to increase the maximum period which may elapse between the sale of a residence and the purchase of another in order that gain from such sale will be excluded from gross income.

H.R. 4400. March 6, 1975. Government Operations. Requires the President to include in the budget transmitted to Congress additional information showing regional impact by State and Congressional districts of budget proposals.

Requires the Director of the Office of Management and Budget to file with the Congress certain information relating to Federal expenditures within the States and Congressional districts.

H.R. 4401. March 6, 1975. Interstate and Foreign Commerce. Directs the Secretary of Commerce, under the Fair Packaging and Labeling Act (1) to formulate and prescribe a system of food quality grade designations for all food products; (2) to require a label on all food products containing a statement specifying all the ingredients of such food in their order of predominance; (3) to require a label specifying the nutritional value of a food product; and (4) require, for perishable and semiperishable foods, a label specifying the expiration date of such food, the optimum storage conditions, and any other information necessary to protect the palatability of such food.

H.R. 4402. March 6, 1975. Interstate and Foreign Commerce. Directs the President to cause the design and construction of a minimum of seven full-scale petroleum refining facilities. Establishes a public corporation to manage the design, construction and operation of each such facility.

H.R. 4403. March 6, 1975. Interstate and Foreign Commerce. Requires, under the Fair Packaging and Labeling Act, the total selling price and the retail unit price for packaged consumer commodities to be plainly marked on the package itself or on a sign in close proximity to the point of display of such package.

H.R. 4404. March 6, 1975. Interstate and Foreign Commerce. Amends the Federal Power Act to prohibit public utilities from increasing rates for electric energy which reflect increased fuel costs by means of a fuel adjustment clause in a wholesale rate schedule, where such clause allows more than 50 percent of any increased fuel cost to be reflected in the increased rate.

H.R. 4405. March 6, 1975. Interstate and Foreign Commerce. Prohibits the sale of energy-intensive consumer goods without labeling of average annual energy costs for the operation of such goods.

Directs the Federal Trade Commission to establish minimum standards of efficiency for consumer goods. Requires additional labeling stating that such consumer goods are inefficient.

Regulates advertising of consumer goods to require disclosure of energy efficiency information.

H.R. 4406. March 6, 1975. Judiciary. Prohibits certain corporate management interlocking relationships under the Clayton Act.

H.R. 4407. March 6, 1975. Judiciary. Makes it unlawful under the Clayton Act for a vertically integrated oil company to acquire, own or control any asset of certain energy resources.

H.R. 4408. March 6, 1975. Education and Labor. Amends the National Labor Relations Act by including agricultural laborers as employees covered by the Act.

H.R. 4409. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to allow to individuals an additional income tax exemption for each dependent under the age of 19 who is disabled.

H.R. 4410. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to impose an income tax surcharge on every energy corporation for each taxable year ending after December 31, 1972, and beginning before the termination of the energy emergency period.

H.R. 4411. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to allow as a deduction the amounts paid by a tenant to a lessor during the taxable year equal to the tenant's proportionate share of the real estate taxes and the interest incurred on the indebtedness of the real property such tenant occupies as his principal residence.

H.R. 4412. March 6, 1975. Interstate and Foreign Commerce, Interior and Insular Affairs. Establishes a Bureau of National Resource Information and a National Resource Information System within the Department of Commerce to maintain information and statistics on natural resources.

Requires major natural resource companies engaged in commerce to file reports with the Bureau detailing their worldwide assets and operations.

Authorizes the Secretary of the Interior to compile an inventory of all mineral reserves in the public lands of the United States.

H.R. 4413. March 6, 1975. Merchant Marine and Fisheries. Establishes a Coastal Zone and Energy Production Coordination Fund from Federal revenues collected from leases on the Outer Continental Shelf. Authorizes assistance to States for the development of coastal zone planning and management programs.

H.R. 4414. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to permit a taxpayer an additional personal exemption for each dependent who is mentally retarded.

H.R. 4415. March 6, 1975. Post Office and Civil Service. Amends the Intergovernmental Personnel Act of 1970 by (1) authorizing an increase in the Federal share for funding Government Service Fellowships for State and local government personnel; (2) requiring recipients of such fellowships to agree to certain conditions; and (3) including the Trust Territory of the Pacific Islands as an eligible jurisdiction under the Act.

Revises regulations with respect to Federal employees assigned to work for State or local government agencies, and State or local government employees assigned to work for Federal agencies.

H.R. 4416. March 6, 1975. Veterans' Affairs. Redefines veteran to mean a person who served in the active military, naval, or air service, who was discharged other than by a court-martial. Directs the Administrator of Veterans' Affairs to provide any claimant for Veterans' Administration benefits with a list of such documentary information and other evidence which the claimant will likely need to support his claim. Directs the Administrator to pay the reasonable attorney's fees of such claimant, if such attorney is a recognized practitioner. Authorizes an appeal from the Board of Veterans' Appeals decisions to the appropriate District Court.

H.R. 4417. March 6, 1975. Veterans' Affairs. Declares the decisions of the Administrator of Veterans' Affairs with respect to any claim for benefits final and conclusive. Authorizes review within two years from the date of the mailing of the Administrator's decision

in the appropriate United States District Court. Allows the court to award reasonable fees for the attorneys of claimants, unless the court determines that the attorney is guilty of the misdemeanor of champerty.

H.R. 4418. March 6, 1975. Judiciary. Amends the patent laws of the United States to provide for public examination and review of claims relating to applications for patents.

H.R. 4419. March 6, 1975. Veterans' Affairs. Specifies that recipients of veterans' pension and compensation will not have the amount of such pension or compensation reduced because of increases in monthly social security benefits.

H.R. 4420. March 6, 1975. Ways and Means. Excludes general and cost-of-living increases in Old-Age, Survivors and Disability Insurance benefits under the Social Security Act from being considered income for the purpose of determining an individual's eligibility for veterans pensions or dependency and indemnity compensation for parents of deceased veterans.

H.R. 4421. March 6, 1975. Judiciary. Directs the President to appoint, by and with the advice and consent of the Senate, additional Federal district court judges.

H.R. 4422. March 6, 1975. Judiciary. Directs the President to appoint, by and with the advice and consent of the Senate, additional judgeships for the United States courts of appeals.

H.R. 4423. March 6, 1975. Interstate and Foreign Commerce. Prohibits the introduction of nonreturnable beverage containers in interstate commerce. Authorizes the Administrator of the Environmental Protection Agency to establish such regulations as are necessary for the purpose of this Act.

H.R. 4424. March 6, 1975. Interstate and Foreign Commerce. Establishes a National Commission on Regulatory Reform to study and make recommendations on the activities and effect on the economy of certain Federal regulatory agencies.

H.R. 4425. March 6, 1975. Judiciary. Amends the Voting Rights Act of 1965 by prohibiting voting eligibility tests in jurisdictions covered by the Act for an additional ten years. Extends the prohibitions against such tests to additional jurisdictions.

H.R. 4426. March 6, 1975. Public Works and Transportation. Terminates the Airlines Mutual Aid Agreement.

H.R. 4427. March 6, 1975. Armed Services. Allows certain members of the National Guard to wear civilian clothing when performing their duties in a civilian status.

H.R. 4428. March 6, 1975. Post Office and Civil Service. Revises regulations regarding creditable service for civil service retirement purposes with respect to National Guard technicians.

H.R. 4429. March 6, 1975. Agriculture. Revises the eligibility requirements for food coupons under the Food Stamp Act of 1964 to exclude individuals who receive one-half of their income from an individual who is not eligible for food coupons.

H.R. 4430. March 6, 1975. Education and Labor. Amends the Higher Education Act of 1965 to require that institutions of higher education and vocational schools, in order to be eligible for purposes of federally assisted student loans, establish a policy of tuition refunds for students who withdraw. Requires notification of the institution's tuition refund policy to students prior to the payment of tuition or fees.

H.R. 4431. March 6, 1975. Education and Labor. Amends the Occupational Safety and Health Act of 1970 by authorizing the Administrator of the Small Business Administration to render onsite consultation and advice to certain small business employers to assist such employers in complying with the health and safety standards of the Act.

H.R. 4432. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to im-

pose an excise tax on every passenger automobile sold by the manufacturer whose fuel consumption falls below a stipulated fuel economy standard.

Directs the Secretary of Transportation to establish test procedures for determining the fuel consumption rate for each new automobile subject to such tax.

H.R. 4433. March 6, 1975. Ways and Means. Declares all income tax returns to be confidential, and prohibits the disclosure or inspection of such returns unless specifically authorized by this Act.

H.R. 4434. March 6, 1975. Interior and Insular Affairs. Science and Technology. Establishes a National Energy and Conservation Corporation to undertake programs of exploration, development, and production of public land and tideland oil, natural gas, oil shale, and coal resources. Directs the Corporation to administer programs consistent with objectives of land use planning, conservation, and environmental protection.

H.R. 4435. March 6, 1975. Education and Labor. Amends the Comprehensive Employment and Training Act of 1973 to reduce from one hundred thousand to fifty thousand the population required for a unit of general local government to qualify as a prime sponsor for the purpose of receiving Federal financial assistance under the Act.

H.R. 4436. March 6, 1975. Banking, Currency, and Housing. Repeals the provisions of the Flood Disaster Protection Act of 1973 which require communities and individuals in flood prone areas to participate in the national flood insurance program in order to be eligible for Federal financial assistance.

H.R. 4437. March 6, 1975. Banking, Currency, and Housing. Repeals the provisions of the Flood Disaster Protection Act of 1973 which require communities and individuals in flood prone areas to participate in the national flood insurance program in order to be eligible for Federal financial assistance.

H.R. 4438. March 6, 1975. Foreign Affairs. Requires executive agreements to be transmitted by the President to Congress. Stipulates that such agreements shall come into force within a certain time period unless Congress disapproves such executive agreement by passage of a concurrent resolution by both Houses.

H.R. 4439. March 6, 1975. Foreign Affairs. Requires Congressional review of any international executive agreement concerning the establishment, renewal, continuance, or revision of a national commitment.

H.R. 4440. March 6, 1975. Merchant Marine and Fisheries. Amends the Port and Waterways Safety Act of 1972 to require the Secretary of the department in which the Coast Guard is operating to certify certain sites suitable for the location of liquefied natural gas storage terminals. Prohibits the issuance of a certificate of public convenience and necessity by the Federal Power Commission without such certification.

H.R. 4441. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to authorize real property to be valued for estate tax purposes at its value as farmland, woodland, or openland rather than at its fair market value.

H.R. 4442. March 6, 1975. Interstate and Foreign Commerce. Amends the Emergency Petroleum Allocation Act of 1973 to exempt from mandatory allocation regulations the first sale of the share of a State or local government in crude oil produced from the leasing of State and or locally-owned lands.

H.R. 4443. March 6, 1975. Armed Services. Directs the Secretary of Defense to establish a program for the screening, treatment and rehabilitation of drug-dependent members of the Armed Forces. Forbids disciplinary action against, or issuance of a dishonorable discharge to, any member of the Armed Forces solely on the basis of drug use or dependency.

Directs the President to renegotiate status of forces agreements concerning the host country's jurisdiction to prosecute members of the Armed Forces for drug use or dependency.

H.R. 4444. March 6, 1975. Appropriations. Extends the authorization for appropriations under the Lead-Based Paint Poisoning Prevention Act.

H.R. 4445. March 6, 1975. Foreign Affairs. Prohibits the export from the United States of the substance known as 2,4,5-trichlorophenoxyacetic acid or any of its salts or esters, or any herbicide which contains such substance or any of its salts or esters.

H.R. 4446. March 6, 1975. Government Operations. Amends the Employment Act of 1964 to include price stability as one of the goals of the Act.

H.R. 4447. March 6, 1975. Government Operations. Amend the Employment Act of 1964 to include price stability as one of the goals of the Act.

H.R. 4448. March 6, 1975. Agriculture. Ways and Means. Amends the Social Security Act by authorizing the Secretary of Health, Education, and Welfare to formulate and administer a food allowance program for the elderly.

H.R. 4449. March 6, 1975. Interstate and Foreign Commerce. Authorizes appropriations to the Secretary of Commerce for the promotion of tourist travel in the United States for fiscal years 1976 through 1979.

H.R. 4450. March 6, 1975. Agriculture. Authorizes the Secretary of Agriculture to pay compensation for beef cattle, dairy cattle, swine, poultry, eggs, milk, and dairy products at a fair market value to producers who are advised that their animals or products cannot be marketed because such animals or products contain residues of Polychlorinated Biphenyl, unless such producer willfully failed to follow procedures prescribed for the use of such substance.

H.R. 4451. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to allow tax exempt industrial development bonds to be issued to finance recycling facilities.

H.R. 4452. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to repeal the manufacturers excise tax on tires, inner tubes, and tread rubber.

H.R. 4453. March 6, 1975. Education and Labor. Applies the Longshoremen's and Harbor Workers' Compensation Act to agricultural workers for the purposes of compensating such workers for disability or death occurring in the course of employment or arising out of any unsafe condition or inadequate sanitary facility of housing provided incident to employment. Authorizes such workers to sue for damages where injury or death resulted from the employer's gross negligence or from the use of an economic poison. Directs the damages be paid from appropriations to the Environmental Protection Agency in the case of injury or death from an economic poison.

H.R. 4454. March 6, 1975. Ways and Means. Amends the Tariff Schedules of the United States with respect to the rate of duty on olives.

H.R. 4455. March 6, 1975. Armed Services. Authorizes recomputation of retired pay for members and former members of the Armed Forces who are 60 years of age or older or who are retired because of a physical disability.

H.R. 4456. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to exempt cooperative housing corporations, condominium manager associations, and residential real estate management associations from taxation on certain types of income.

H.R. 4457. March 6, 1975. Interstate and Foreign Commerce. Authorizes the Securities and Exchange Commission to facilitate the establishment of national system for the clearance and settlement of securities.

Directs the Commission to for a fifteen-member National Market Board, composed of persons knowledgeable of securities market practice; to advise the Commission on the establishment of the system, and on the fairness, honesty, and efficiency of regulations proposed by the Commission.

H.R. 4458. March 6, 1975. Merchant Marine and Fisheries. Amends the Fishermen's Protective Act of 1967 to repeal the authority of the President to disapprove the transfer of foreign assistance funds from the intended recipient country because of an unsatisfied claim against such country arising from its seizure of a United States fishing vessel.

H.R. 4459. March 6, 1975. Interior and Insular Affairs. Extends the boundaries of the Los Padres National Forest in California.

H.R. 4460. March 6, 1975. Public Works and Transportation. Limits the charge which can be made by common carriers in interstate commerce for transporting elderly persons during nonrush hours to half the published tariff.

Establishes procedures for reimbursing carriers which lose money due to the provisions of this Act.

Revises the Urban Mass Transportation Act of 1964 to give preference for assistance under such Act to States and local bodies which adopt specially reduced rates for elderly persons transported in intrastate commerce.

H.R. 4461. March 6, 1975. Science and Technology. Government Operations. Creates in the Executive Office of the President a Council of Advisers on Science and Technology to advise the President and Congress on the continued implementation of the national science policy set forth in this Act.

Establishes in the executive branch a Department of Research and Technology Operations and an independent agency, the Science and Technology Information and Utilization Corporation to further the purposes of this Act. Transfers various governmental agencies to the administrative control of the newly created agencies.

H.R. 4462. March 6, 1975. Education and Labor. Amends the Emergency Jobs and Unemployment Assistance Act of 1974 to increase from twenty-six to thirty-nine the maximum number of weeks for which an individual may receive unemployment assistance under the provisions of such Act.

H.R. 4463. March 6, 1975. Education and Labor. Amends the Emergency Jobs and Unemployment Assistance Act of 1974 to increase from twenty-six to thirty-nine the maximum number of weeks for which an individual may receive unemployment assistance under the provisions of such Act.

H.R. 4464. March 6, 1975. Ways and Means. Amends the Emergency Unemployment Compensation Act of 1974 to increase from thirteen to twenty-six the maximum number of weeks for which an individual may receive emergency compensation thereunder.

H.R. 4465. March 6, 1976. Ways and Means. Amends the Emergency Unemployment Compensation Act of 1974 to increase from thirteen to twenty-six weeks the maximum number of weeks for which an individual may receive emergency compensation thereunder.

H.R. 4466. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to allow as a deduction an amount equal to the stipulated value of services contributed to a qualified charitable organization by an individual who has attained the age of sixty-five.

H.R. 4467. March 6, 1975. Agriculture. Amends those provisions of the Animal Welfare Act of 1970 relating to the care and treatment of animals to include protection for birds in pet stores and zoos. Extends the applicability of such laws to include the terminal facilities used by any common carrier licensed to transport animals.

H.R. 4468. March 6, 1975. Agriculture. Re-

defines the term "dealer" as used in the Animal Welfare Act of 1970 to include retail pet stores and common carriers.

H.R. 4469. March 6, 1975. Armed Services. Directs the Secretary of Defense to continue to operate and maintain the commissary stores of the agencies of the Department of Defense.

H.R. 4470. March 6, 1975. Interior and Insular Affairs. Authorizes the Secretary of the Interior to use aircraft and motorized vehicles to provide for the protection, management, and control of wild free-roaming horses and burros. Allows the Secretary to sell or donate, without restriction, excess horses or burros to individuals or organizations.

H.R. 4471. March 6, 1975. Veterans' Affairs. Allows the widow of a veteran to remarry after age 60 without losing her veterans' dependency and indemnity compensation.

H.R. 4472. March 6, 1975. Veterans' Affairs. Allows remarriage of a widow over age 60 without termination of Veterans' dependency and indemnity compensation.

H.R. 4473. March 6, 1975. Interior and Insular Affairs. Designates a unit of the Big Thicket National Preserve in Texas as the Ralph Yarborough Unit.

H.R. 4474. March 6, 1975. Ways and Means. Amends the Internal Revenue Code to allow a deduction from gross income for costs paid by the taxpayer for the custodial care of a dependent as a result of Down's syndrome.

H.R. 4475. March 6, 1975. Public Works and Transportation. Prohibits commercial flights by supersonic aircraft in the navigable airspace of the United States until Congress approves findings of the Administrator of the Environmental Protection Agency that such flights will have no detrimental effect on the persons and environment of the United States, and the Secretary of Transportation certifies that the operation of such aircraft meets all standards prescribed for the operation of aircraft in the United States under the Federal Aviation Act of 1958.

Requires supersonic aircraft to meet noise standards equal to those of subsonic aircraft.

H.R. 4476. March 6, 1975. Judiciary. Requires the establishment of a system for the redress of law enforcement officers' grievances and acceptance of a law enforcement officers' bill of rights by the States and local government units as a condition to receiving grants under the Omnibus Crime Control and Safe Streets Act of 1968.

H.R. 4477. March 6, 1975. Judiciary. Authorizes the Attorney General to institute suits to eliminate sex discrimination in public facilities. Prohibits discrimination on the basis of marital status in various Federal programs and statutes. Requires the Secretary of Health, Education, and Welfare to make recommendations to equalize the treatment of the sexes under Federal laws.

H.R. 4478. March 6, 1975. Judiciary. Declares certain individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4479. March 6, 1975. District of Columbia. Provides that all property of American University shall be held in perpetuity for educational purposes and, in the event that the property shall no longer be held for educational purposes, all right, title, and interest shall vest in the Board of Education of the United Methodist Church.

H.R. 4480. March 6, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to certain individuals for the period of their imprisonment in Southeast Asia which commenced while employed by International Voluntary Services Incorporated pursuant to a Government contract.

H.R. 4481. March 6, 1975. Authorizes emergency appropriations to various Federal agencies for fiscal year 1975.

H.R. 4482. March 10, 1975. Judiciary. Prohibits discrimination on the basis of sex and marital status in public accommodations, public facilities, public education, federally assisted programs, employment opportunities, and the sale or rental of housing. Authorizes the Secretary of Health, Education, and Welfare to pay up to 60 percent of the cost of commissions, boards, and advisory panels established by the legislatures or Governors of the several States to study discrimination against women.

H.R. 4483. March 10, 1975. Interstate and Foreign Commerce. Amends the Natural Gas Act to establish a priority system for certain agricultural uses of natural gas.

H.R. 4484. March 10, 1975. Post Office and Civil Service. Repeals criminal penalties for the failure of an individual to answer questions submitted in connection with certain censuses or surveys conducted or administered by the Department of Commerce.

H.R. 4485. March 10, 1975. Banking, Currency and Housing. Authorizes the Secretary of Housing and Urban Development to reduce interest rates on home mortgages for middle-income families (1) by making periodic interest reduction payments to reduce payments made by a family to the amount that would be due on its home mortgage at six percent; (2) by making interest rate differential payments equal to the difference between the outstanding principal balance on home mortgage and the market value of the mortgages, with a maximum interest rate of seven percent, priced to provide a yield determined by the Secretary; and (3) by purchasing mortgages through the Government National Mortgage Association.

H.R. 4486. March 10, 1975. Judiciary. Sets forth penalties for the kidnapping of a minor child by a parent who is under a judicial order not to interfere with the custody of such child or not to remove such minor from the jurisdiction of the Court.

H.R. 4487. March 10, 1975. Post Office and Civil Service. Requires that labor disputes within the United States Postal Service by supervisory organizations and the Service be submitted to an arbitration board.

H.R. 4488. March 10, 1975. Interstate and Foreign Commerce. Amends the Emergency Petroleum Allocation Act of 1973 to exempt from mandatory allocation regulations the

first sale of the share of a State or local government in crude oil produced from the leasing of State or locally-owned lands.

H.R. 4489. March 10, 1975. Interior and Insular Affairs. Authorizes the Secretary of the Interior to study the feasibility of establishing the Bartram Trail in Alabama, Florida, and Georgia, as a national scenic trail.

H.R. 4490. March 10, 1975. Post Office and Civil Service. Directs the Postal Service to issue a special postage stamp in honor of the approximately six million Jews killed by Nazi Germany during World War II.

H.R. 4491. March 10, 1975. Ways and Means. Amends the Internal Revenue Code to permit an employer who is a corporation or other organization exempt from the income tax, and who contributes to a custodial account which is a qualified employee retirement plan, to invest the funds so contributed in savings accounts or debt obligations of banks.

H.R. 4492. March 10, 1975. Ways and Means. Amends the Internal Revenue Code to repeal the December 31, 1975 termination of a provision of the code relating to interest income earned from certain domestic savings, insurance, and other institutions, which is treated as income from sources within the United States except where such interest is paid to nonresident aliens or a foreign corporation.

H.R. 4493. March 10, 1975. Education and Labor. Amends the Fair Labor Standards Act of 1938 by repealing the employers' credit against minimum wage liability which is based on tips received by employees.

H.R. 4494. March 10, 1975. Education and Labor. Amends the Occupational Safety and Health Act of 1970 by stipulating that no civil penalty may be assessed against an employer the first time such employer is issued a citation for a violation of the Act. Requires such employer to abate those violations cited within a specified period of time.

H.R. 4495. March 10, 1975. Public Works and Transportation. Directs that no State shall receive less than 80 percent of the amount paid by that State into the Highway Trust Fund.

H.R. 4496. March 10, 1975. Ways and Means. Amends the Internal Revenue Code to disallow deduction from gross income of the expenses for attending conventions outside the United States and Canada unless certain requirements are met.

H.R. 4497. March 10, 1975. Ways and Means. Amends the Internal Revenue Code to exclude from gross income the membership income of cooperative housing corporations, condominium owners' or homeowners associations.

H.R. 4498. March 10, 1975. Ways and Means. Amends the Social Security Act by extending Medicare benefits to unemployed individuals, and their dependent spouses and children, who are entitled to weekly unemployment compensation benefits.

H.R. 4499. March 10, 1975. Ways and Means. Amends the Social Security Act by removing the limitation on the amount of outside income which a widow with minor children may earn while receiving mother's insurance benefits.

EXTENSIONS OF REMARKS

THE HARTFORD, CONN., TIMES
CALLS FOR LOBBYING REFORM

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 1975

Mr. KASTENMEIER. Mr. Speaker, the Hartford Times, on March 16, called for quick congressional action on legislation, the Public Disclosure of Lobbying Act,

H.R. 15, which reforms lobbying activities with the Federal Government. I recommend this editorial to my colleagues:

ESTABLISH CONTROLS ON FEDERAL LOBBYING

An intensive drive is underway in the Congress to force action this year on a piece of major legislation that would establish basic controls on legislative and executive branch lobbying.

The present law, the 1946 Federal Regulation of Lobbying Act, does not have enforcement powers, does not apply to executive

branch lobbying and provides inadequate coverage of those who lobby the Congress.

John W. Gardner, chairman of Common Cause, the national citizens' lobby, recently said, "Lobbying has become one of the most secretive and potentially corrupting ingredients in American politics. The time for legislation bringing it out in the open is long overdue."

He also said, "The citizens of this land have a right to know about any individual or group that is spending money secretly to manipulate the political process. They must know because the price of their food, their heating