

HOUSE OF REPRESENTATIVES—Wednesday, July 29, 1970

The House met at 12 o'clock noon.

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

We are laborers together with God.—
I Corinthians 3:9.

Almighty God, from whom we come, with whom we live, and in whose fellowship is our true life, we bring our spirits to Thee in the quiet of this moment of prayer. From the tumult and turmoil of the world we enter the sanctuary of Thy presence seeking peace and strength and wisdom as we face the duties of this day.

Empower all within these hallowed and historic walls who labor for the good of our country and who endeavor to lead our people in just ways to bring to their tasks the very best that is within them, ever standing up for the truth, siding with justice, and strengthening the good will in our world.

In the spirit of the Master we pray.
Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed the following resolution:

S. RES. 434

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. Michael J. Kirwan, late a Representative from the State of Ohio.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16916) entitled "An act making appropriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes."

The message also announced that the Senate agreed to the House amendments to Senate amendments numbered 3 and 38.

PERMISSION FOR HOUSE MANAGERS TO FILE CONFERENCE REPORT ON H.R. 16915, LEGISLATIVE BRANCH APPROPRIATIONS, 1971

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent that the managers on the part of the House

may have until midnight tonight to file a conference report on the bill (H.R. 16915) making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes.

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

There was no objection.

CONFERENCE REPORT (H. REPT. NO. 91-1354)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16915) "making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 34.

That the House recede from its disagreement to the amendments of the Senate numbered 36, 42, and 43, and agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$572,900"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$5,178,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$74,020,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 35, 37, 38, 39, 40, and 41.

GEORGE W. ANDREWS,
SIDNEY R. YATES,
BOB CASEY,
FRANK E. EVANS,
GEORGE MAHON,
FRANK T. BOW,
ODIN LANGEN,
BEN REIFEL,
DEL CLAWSON.

Managers on the Part of the House.

JOSEPH M. MONTROYA,
RALPH W. YARBOROUGH,
JAMES B. PEARSON,
NORRIS COTTON.

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16915) making appropriations for the Legislative Branch for the fiscal year ending June 30, 1971, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

SENATE

Amendments Nos. 1 through 31: Reported in technical disagreement. Inasmuch as

these amendments relate solely to the Senate and in accord with the long practice, under which each body determines its own house-keeping requirements and the other concurs therein without intervention, the managers on the part of the House will offer motions to recede and concur in Senate amendments Nos. 1 through 22 and Nos. 24 through 31.

The managers on the part of the House will offer a motion to recede and concur in Senate amendment numbered 23 with an amendment providing that \$200,000 shall be available for obligations incurred in fiscal year 1970 for inquiries and investigations, as requested by the Senate.

HOUSE OF REPRESENTATIVES

Amendment No. 32: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment providing gratuities to the widows of two deceased Members.

JOINT ITEMS

Amendment No. 33: Appropriates \$572,900 for the Joint Economic Committee instead of \$542,900 as proposed by the House and \$592,900 as proposed by the Senate.

Amendment No. 34: Appropriates \$236,110 for salaries and expenses of the Joint Committee on Printing as proposed by the House instead of \$255,243 as proposed by the Senate.

Amendment No. 35: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment to appropriate \$253,110 for the Joint Committee on Printing instead of \$272,243 as proposed by the Senate, including \$17,000 for compiling, preparing, and indexing material for the 1970 edition of the Biographical Congressional Directory as proposed by the Senate.

ARCHITECT OF THE CAPITOL

Amendment No. 36: Appropriates \$2,442,526 for Capitol Buildings as proposed by the Senate instead of \$2,431,600 as proposed by the House.

Amendments Nos. 37 through 40: Reported in technical disagreement. These amendments relate solely to Senate activities and the managers on the part of the House will offer motions to recede and concur in the Senate amendments.

Amendment No. 41: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment providing for the transfer of fiscal year 1971 funds for Library Buildings and Grounds, Furniture and Furnishings, to the Librarian of Congress by the Architect of the Capitol for expenditure in accord with Public Law 91-280, approved June 12, 1970.

LIBRARY OF CONGRESS

Amendment No. 42: Appropriates \$21,573,100 for salaries and expenses as proposed by the Senate instead of \$21,330,000 as proposed by the House.

Amendment No. 43: Appropriates \$3,594,500 for the Copyright Office as proposed by the Senate instead of \$3,548,000 as proposed by the House.

Amendment No. 44: Appropriates \$5,178,000 for the Legislative Reference Service instead of \$5,013,000 as proposed by the House and \$5,286,800 as proposed by the Senate.

GENERAL ACCOUNTING OFFICE

Amendment No. 45: Appropriates \$74,020,000 for salaries and expenses instead of

\$73,712,000 as proposed by the House and \$74,750,000 as proposed by the Senate.

GEORGE W. ANDREWS,
SIDNEY R. YATES,
BOB CASEY,
FRANK E. EVANS,
GEORGE MAHON,
FRANK T. BOW,
ODIN LANGEN,
BEN REIFEL,
DEL CLAWSON.

Managers on the Part of the House.

THE POLLUTION CRISIS

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

Mr. VANIK. Mr. Speaker, I do not know how the pollution inversion affected others yesterday—but I had a dreadful time—breathing. The air outside was unfit for living things. The air inside was cooled—but just as foul. The pollution crisis descended on Washington for a cruel and silent visit.

The problem calls for drastic action. The problem calls for a demonstration effort to provide a public measurement of the pollution effect of the internal combustion engine. These conditions warrant an emergency pollution alert under which all but emergency vehicle movement is suspended until the foul, contaminated air is cleaned out. This kind of a demonstration effort would give every citizen in the area an opportunity to measure what pollution is doing to us. This kind of a demonstration would bring the message home to Congress and the administration which have failed to provide a realistic solution.

What are we doing to ourselves and how long can we wait? My neighbors are frightened. They properly wonder whether their children will be permitted to live a full lifespan. I share their concern.

The most dreadful damage occurs in the central city, where the pollution inversion takes its heaviest toll. I am requesting a comparison of death records from respiratory diseases during these days of pollution inversion with the days of the previous week. These records will tell in death an irrefutable story that, by our delays and indifferences, innocent people have been condemned to death by pollution.

Several weeks ago, I requested the administration to designate the Lewis Research Center laboratory as the official Government agency to study methods of controlling the pollution emission of the internal combustion engine and to review alternate methods of propulsion. This agency with its 2,800 engineers and facilities designed for propulsion analysis is the best equipped facility in America to meet this challenge.

I urge that Congress and the administration act with dispatch to face up to the urgency of this crisis.

INSPECTION OF MOTOR VEHICLES BY STATES TO REDUCE AIR POLLUTION

(Mr. GUDE asked and was given permission to address the House for 1 min-

ute and to revise and extend his remarks and include extraneous matter.)

Mr. GUDE. Mr. Speaker, today the citizens of several eastern cities are suffering from a severe air pollution situation because of a stagnant inversion layer which covers the eastern seaboard. Everyone suffers, but particularly those with respiratory problems such as asthma, hay fever, emphysema, and bronchitis.

Here in the Washington area we have made some headway in reducing the levels of sulphur dioxide from fuels and particulate matter from open burning. But such pollutants, as carbon monoxide, and nitrates of oxygen from automobile exhaust, are a major part of the summertime problem.

There are Federal requirements for antipollution devices on many classes of automobiles, but presently State government has the opportunity and, indeed, the responsibility to the extent possible to see that these devices are functioning. I have high praise for the District of Columbia for moving ahead to incorporate the checking of PCV valves on those cars requiring them in their regular inspections. If the valve is not operating, the motorist must replace it. The Department of Motor Vehicles is also in the process of installing emission monitoring devices in its inspection stations. This monitoring system will enable the inspector to inform a motorist if his car is polluting at excessive rates. As soon as the Federal standards for used car emissions are set, the District will be ready to enforce them.

I wish I could say that Maryland were cooperating in reducing exhaust pollution in our metropolitan area, but the State has no regular auto inspections. We all suffer from this gap in enforcement. I have long urged regular automotive inspection in Maryland, and I hope Maryland and all States which do not have regular automotive inspection will assume their responsible roles in the fight against air pollution. Air pollution cannot be licked by one level of government alone—it is a team effort.

CONFERENCE REPORT ON H.R. 17548, INDEPENDENT OFFICES AND THE DEPARTMENT OF HUD APPROPRIATIONS, 1971

Mr. EVINS of Tennessee. Mr. Speaker, I call up the conference report on the bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 237]

Anderson, Tenn.	Edwards, La.	Murphy, N.Y.
Baring	Eshleman	Ottinger
Berry	Fallon	Pelly
Blaggi	Flood	Pollock
Blanton	Flowers	Powell
Bray	Flynt	Rarick
Brock	Gallagher	Reid, N.Y.
Bush	Goodling	Rivers
Button	Gubser	Rogers, Colo.
Byrne, Pa.	Hawkins	Rooney, Pa.
Celler	Hébert	Rosenthal
Chisholm	Howard	Roudebush
Clark	Ichord	Ryan
Clay	Karth	Scheuer
Conyers	King	Schneebell
Coughlin	Lloyd	Sebelius
Cramer	McEwen	Sikes
Cunningham	Matsunaga	Tunney
Dawson	May	Weicker
de la Garza	Mayne	Wyder
Diggs	Meskill	
	Morton	

The SPEAKER. On this rollcall 367 Members have answered to their names, a quorum.

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

CONFERENCE REPORT ON H.R. 17548, INDEPENDENT OFFICES AND DEPARTMENT OF HUD APPROPRIATIONS, 1971

The SPEAKER. The Clerk will read the statement of the managers on the part of the House.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 28, 1970.)

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

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

There was no objection.

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

Mr. EVINS of Tennessee. Mr. Speaker, we bring back to the House a conference report on the Independent Offices and the Department of Housing and Urban Development Appropriation bill for 1971. This is a big bill. It is a good bill. It is certainly an important appropriation bill serving the needs of this Nation.

The bill provides \$18,009,525,300 for some 22 departments and agencies of Government, including the Department of Housing and Urban Development.

We began the hearings on this bill in February. It passed the House on May 12. The Senate passed the bill on July 7. Since then we have had some long, hard conferences.

The bill is the result of some hard compromises, and the conference report sets forth those compromises.

Mr. Speaker, by way of summary, the budget considered by the House was for \$17,216,823,500. The amended budget now totals \$17,468,223,500.

The bill passed by the House was \$17,390,212,300. This is less than the amended budget submitted to the Congress for these agencies.

However, the Senate bill totaled \$18,655,019,500 and was about \$1.2 billion over the amended budget. The Senate bill was \$1.264 billion over the House bill.

We had to give some. We have made some adjustments. This conference report is, like all conference reports, the result of give and take.

First let me identify the major increases in the conference report.

For construction of Federal buildings by the GSA the conferees added \$31,895,800 above the budget. There are some 21 Federal building projects in this bill, and the \$31 million added for these projects is necessary largely for cost escalation of Federal building construction since the projects were initially funded.

Another increase, which is one of the major increases, is \$105 million for veterans medical care. I want everyone to hear and understand this. The House added \$25 million, as Members will recall, on a vote for veterans medical care. The Senate added \$80 million more, which makes a total of \$105 million added to the budget for the veterans medical care.

There has been some talk about vetoing the bill. I believe it is idle rumor. When the facts are known and understood about this bill I do not believe the President will entertain the thought of vetoing it—money needed for veterans medical care and the housing programs.

Another major increase is \$350 million for urban renewal. The amount approved by the Senate was \$700 million above

the House bill and we brought it down to \$350 million.

Members will recall that \$350 million was added on the House floor for grants for basic water and sewer facilities. The House voted on this popular program—and it was overwhelmingly approved. It is needed. The Senate committee took it out, but it was put back in the bill on the Senate floor.

I repeat, the three major increases in this bill are: \$105 million for veterans medical care, \$350 million for water and sewer grants adopted by both the House and Senate, and \$350 million for urban renewal.

The funds for urban renewal are, by far, less than the cities of this Nation want and need.

In addition, there was \$10 million added for the housing for the elderly and handicapped. This item was not in the budget. Members all know the popularity of that program and the need for housing for the elderly and the handicapped. The Senate added \$25 million, and the conference report provides \$10 million for this program.

Now let me briefly summarize some of the cuts and reductions. I have given you the increases. Here are the reductions we made: \$165 million for interest subsidies to the Federal Home Loan Banks. The request was for \$250 million for these interest subsidies. We cut this to \$85 million. We made cuts in the NASA program below the budget totaling \$64,325,000. This will be the sixth year that the space program has been cut. We cut some of the Department of Housing and Urban Development programs about \$60 million. Cuts to independent agencies and other boards were \$16.3 million for a total in cuts of \$305,594,000.

Mr. Speaker, we have cut from this bill \$305 million.

The major increases that I mentioned are for medical care, urban renewal, and water and sewer grants.

The Senate bill at one time was \$1.2 billion above the budget. As we have cut this back, we are now only \$541 million above the budget in this conference report.

This is a big bill. We feel that your House conferees won the conference. Let me tell you that there were 55 items in disagreement. We were able to reduce 26 of them while only one was increased. That one addition was for Federal building construction. The remaining 28 items in conference were primarily language changes, technical differences, and limitations on expenditures. The increase of \$105 million for medical care will provide the highest level of medical care in the history of the Veterans' Administration. We are going to insist on quality medical care for the veterans of this Nation. The largest item in the bill is \$9,065,528,000 for all of the programs of the Veterans' Administration, which includes about \$2 billion for medical care and veterans hospital construction. We also have an expanded veterans hospital construction program in this bill.

We were able to cut, I repeat, \$645,494,200 from the Senate bill.

Mr. Speaker, let me say that in the 18 years I have served on this bill and 6 years as chairman, it has become harder to hold the line, but we have fought for a proper balance.

Mr. Speaker, this is an important bill and a good bill. I urge the adoption of the conference report.

I shall include at this point in the RECORD a complete summary of the legislative history for the amounts recommended by appropriation item, for the Department and agencies that are being funded herein.

COMPARATIVE STATEMENT OF CONFERENCE ACTION
INDEPENDENT OFFICES AND HUD APPROPRIATIONS BILL, 1971 (H.R. 17548)

Agency and item (1)	New budget (obligational) authority, 1970 ¹ (2)	Amended budget estimates of new (obligational) authority, 1971 (3)	Recommended in the House bill for 1971 (4)	Recommended in Senate bill for 1971 (5)	Conference action (6)	Conference action compared with—		
						Budget estimate (7)	House bill (8)	Senate bill (9)
TITLE I								
INDEPENDENT OFFICES								
Appalachian Regional Commission								
Salaries and expenses.....	\$890,000	\$958,000	\$958,000	\$958,000	\$958,000			
Civil Service Commission								
Salaries and expenses:								
Appropriation.....	43,132,500	48,619,000	45,800,000	47,800,000	47,577,000	-\$1,042,000	+\$1,777,000	-\$223,000
By transfer.....	(7,794,000)	(8,173,000)	(8,173,000)	(8,173,000)	(8,173,000)			
Annuities under special acts.....	1,265,000	1,180,000	1,180,000	1,180,000	1,180,000			
Government payment for annuitants, employees health benefits.....	41,185,000	46,523,000	46,523,000	46,523,000	46,523,000			
Payment to civil service retirement and disability fund.....	230,816,600	(*)						
Federal Labor Relations Council, salaries and expenses.....	300,000	900,000	700,000	700,000	700,000	-200,000		
Total, Civil Service Commission.....	316,699,100	97,222,000	94,203,000	96,203,000	95,980,000	-1,242,000	+1,777,000	-223,000
Commission on Government Procurement								
Salaries and expenses.....	700,000	1,800,000	1,500,000	1,500,000	1,500,000	-300,000		

Footnotes at end of tables.

Agency and item (1)	New budget (obligational) authority, 1970 ¹ (2)	Amended budget estimates of new (obligational) authority, 1971 (3)	Recommended in the House bill for 1971 (4)	Recommended in Senate bill for 1971 (5)	Conference action (6)	Conference action compared with—		
						Budget estimate (7)	House bill (8)	Senate bill (9)
TITLE I—Continued								
INDEPENDENT OFFICES—Continued								
Federal Communication Commission								
Salaries and expenses.....	\$23,925,000	\$24,900,000	\$24,725,000	\$24,900,000	\$24,900,000		+\$175,000	
Federal Power Commission								
Salaries and expenses.....	17,700,000	18,450,000	18,210,000	18,350,000	18,210,000	-\$240,000		-\$140,000
Federal Trade Commission								
Salaries and expenses.....	20,500,000	21,375,000	20,500,000	20,500,000	20,500,000	-875,000		
General Services Administration								
Operating expenses, Public Buildings Service.....	314,222,000	344,153,000	335,250,000	344,153,000	340,350,000	-3,803,000	+5,100,000	-3,803,000
Repair and improvement of public buildings.....	61,600,000	83,280,000	83,280,000	83,280,000	83,280,000			
Construction, public buildings projects.....	26,533,000	101,664,500	142,024,300	120,672,500	133,560,300	+31,895,800	-8,464,000	+12,887,800
Sites and expenses, public buildings projects.....	11,371,000	14,000,000	14,000,000	14,000,000	14,000,000			
Payments, public buildings purchase contracts.....	2,400,000	2,400,000	2,400,000	2,400,000	2,400,000			
Expenses, U.S. court facilities.....	1,250,000	1,463,000	1,000,000	1,463,000	1,000,000	-463,000		-463,000
Operating expenses, Federal Supply Service.....	81,946,000	83,513,000	83,346,000	83,346,000	83,346,000	-167,000		
Operating expenses, National Archives and Records Service.....	22,985,000	24,695,000	24,485,000	24,485,000	24,485,000	-210,000		
National historical publication grants.....	350,000	350,000	350,000	350,000	350,000			
Operating expenses, Transportation and Com- munications Service.....	6,678,000	6,478,000	6,478,000	6,478,000	6,478,000			
Operating expenses, Property Management and Disposal Service.....	29,796,000	33,079,000	31,000,000	31,000,000	31,000,000	-2,079,000		
Salaries and expenses, Office of Administrator, Allowances and office staff for former Presi- dents.....	1,997,000	1,215,000	1,000,000	1,215,000	1,215,000		+215,000	
Administrative operations fund (limitation on administrative expenses).....	335,000	303,000	303,000	303,000	303,000			
	(13,800,000)	(28,561,000)	(28,500,000)	(28,500,000)	(28,500,000)	(-61,000)		
Total, General Services Administration.....	561,463,000	696,593,500	724,916,300	713,145,500	721,767,300	+25,173,800	-3,149,000	+8,621,800
National Aeronautics and Space Administration								
Research and development.....	3,006,000,000	2,606,100,000	2,500,000,000	2,606,100,000	2,565,000,000	-41,100,000	+65,000,000	-41,100,000
Construction of facilities.....	53,233,000	34,600,000	18,275,000	34,478,000	24,950,000	-9,650,000	+6,675,000	-9,528,000
Research and program management.....	675,400,000	692,300,000	678,725,000	678,725,000	678,725,000	-13,575,000		
Total, National Aeronautics and Space Administration.....	3,734,633,000	3,333,000,000	3,197,000,000	3,319,303,000	3,268,765,000	-64,325,000	+71,675,000	-50,628,000
National Commission on Consumer Finance								
Salaries and expenses.....	375,000	500,000	500,000	500,000	500,000			
National Science Foundation								
Salaries and expenses.....	438,000,000	511,000,000	495,000,000	520,500,000	511,000,000		+61,000,000	-9,500,000
Scientific activities (special foreign currency programs).....	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000			
Total, National Science Foundation.....	440,000,000	513,000,000	497,000,000	522,500,000	513,000,000		+16,000,000	-9,500,000
Renegotiation Board								
Salaries and expenses.....	4,110,000	4,235,000	4,110,000	4,235,000	4,235,000		+125,000	
Securities and Exchange Commission								
Salaries and expenses.....	21,416,000	21,916,000	21,716,000	21,716,000	21,716,000	-200,000		
Selective Service System								
Salaries and expenses.....	75,348,000	76,000,000	75,000,000	75,000,000	75,000,000	-1,000,000		
Veterans' Administration								
Compensation and pensions.....	5,314,400,000	5,456,600,000	5,456,600,000	5,456,600,000	5,456,600,000			
Readjustment benefits.....	1,069,700,000	1,354,500,000	1,354,500,000	1,354,500,000	1,354,500,000			
Veterans insurance and indemnities.....	7,253,000	5,100,000	5,100,000	5,100,000	5,100,000			
Medical care.....	1,655,201,000	1,752,200,000	1,777,200,000	1,857,200,000	1,857,200,000	+105,000,000	-80,000,000	
Medical and prosthetic research.....	57,621,000	59,200,000	59,200,000	59,200,000	59,200,000			
Medical administration and miscellaneous ex- penses.....	17,905,000	19,100,000	19,100,000	19,100,000	19,100,000			
General operating expenses.....	236,700,000	239,200,000	239,200,000	239,200,000	239,200,000			
Construction of hospital and domiciliary facili- ties.....	69,152,000	59,000,000	59,000,000	79,000,000	59,000,000			-20,000,000
Grants for construction of State extended care facilities.....	4,000,000	7,500,000	7,500,000	7,500,000	7,500,000			
Grants to the Republic of the Philippines.....	1,362,000	2,000,000	2,000,000	2,000,000	2,000,000			
Payment of participation sales insufficiencies.....	5,716,000	6,128,000	6,128,000	6,128,000	6,128,000			
Loan guaranty revolving fund (limitation on obligations).....	(425,000,000)	Language	(350,000,000)	(350,000,000)	(350,000,000)	(-350,000,000)		
Total, Veterans' Administration.....	8,439,010,000	8,960,528,000	8,985,528,000	9,085,528,000	9,065,528,000	+105,000,000	+80,000,000	-20,000,000
Total, Independent Offices, title I.....	13,656,769,100	13,770,477,500	13,665,866,300	13,904,338,500	13,832,469,300	+61,991,800	+166,603,000	-71,869,200

Footnotes at end of tables.

COMPARATIVE STATEMENT OF CONFERENCE ACTION—Continued
 INDEPENDENT OFFICES AND HUD APPROPRIATIONS BILL, 1971 (H.R. 17548)—Continued

Agency and item (1)	New budget (obligational) authority, 1970 ¹ (2)	Amended budget estimates of new (obligational) authority, 1971 (3)	Recommended in the House bill for 1971 (4)	Recommended in Senate bill for 1971 (5)	Conference action (6)	Conference action compared with—		
						Budget estimate (7)	House bill (8)	Senate bill (9)
TITLE II								
EXECUTIVE OFFICE OF THE PRESIDENT								
Council on Environmental Quality and Office of Environmental Quality								
Salaries and expenses.....	\$350,000	\$1,500,000	\$650,000	\$1,500,000	\$1,000,000	-\$500,000	+\$350,000	-\$500,000
National Aeronautics and Space Council								
Salaries and expenses.....	549,000	560,000	400,000	560,000	500,000	-60,000	+100,000	-60,000
Office of Emergency Preparedness								
Salaries and expenses.....	5,290,000	6,005,000	5,290,000	5,890,000	5,890,000	-115,000	+600,000	
Salaries and expenses, telecommunications.....	1,795,000	3,300,000	1,795,000	3,300,000	2,000,000	-1,300,000	+205,000	-1,300,000
Defense mobilization functions of Federal agencies.....	3,200,000	3,130,000	3,130,000	3,130,000	3,130,000			
Total, Office of Emergency Preparedness.....	10,285,000	12,435,000	10,215,000	12,320,000	11,020,000	-1,415,000	+805,000	-1,300,000
Office of Science and Technology								
Salaries and expenses.....	1,958,000	2,175,000	2,000,000	2,175,000	2,100,000	-75,000	+100,000	-75,000
Total, Executive Office of the President.....	13,142,000	16,670,000	13,265,000	16,555,000	14,620,000	-2,050,000	+1,355,000	-1,935,000
Funds Appropriated to the President								
Appalachian regional development programs.....	282,500,000	295,500,000	291,500,000	295,500,000	293,500,000	-2,000,000	+2,000,000	-2,000,000
Disaster relief.....	245,000,000	65,000,000	65,000,000	65,000,000	65,000,000			
Total, funds appropriated to the President.....	527,500,000	360,500,000	356,500,000	360,500,000	358,500,000	-2,000,000	+2,000,000	-2,000,000
DEPARTMENT OF DEFENSE								
Civil Defense								
Operation and maintenance.....	49,200,000	50,100,000	50,000,000	51,000,000	50,100,000		+100,000	-900,000
Research, shelter survey and marking.....	20,050,000	23,700,000	22,000,000	22,000,000	22,000,000	-1,700,000		
Total, Civil Defense, Department of Defense.....	69,250,000	73,800,000	72,000,000	73,000,000	72,100,000	-1,700,000	+100,000	-900,000
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE								
Public Health Service								
Emergency health.....	4,000,000	3,755,000	3,500,000	3,755,000	3,755,000		+255,000	
Total, title II.....	613,892,000	454,725,000	445,265,000	453,810,000	448,975,000	-5,750,000	+3,710,000	-4,835,000
TITLE III								
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT								
Renewal and housing assistance								
Grants for neighborhood facilities.....	40,000,000	40,000,000	40,000,000	40,000,000	40,000,000			
Alaska housing.....	1,000,000							
Urban renewal programs.....	\$1,000,000,000	1,000,000,000	1,000,000,000	1,700,000,000	1,350,000,000	+350,000,000	+350,000,000	-350,000,000
Rehabilitation loan fund.....	45,000,000	35,000,000	35,000,000	35,000,000	35,000,000			
Low-rent public housing annual contributions.....	473,500,000	654,500,000	654,500,000	654,500,000	654,500,000			
Grants for tenant services.....		5,000,000		5,000,000		-5,000,000		-5,000,000
College housing:								
Increased limitation for annual contract authorization.....	(11,500,000)	(9,300,000)	(7,200,000)	(9,300,000)	(9,300,000)		(+2,100,000)	
(Cumulative limitation for annual contract authorization).....	(17,000,000)	(26,300,000)	(24,200,000)	(26,300,000)	(26,300,000)		(+2,100,000)	
Appropriation for payments.....	2,500,000	2,500,000				-2,500,000		
Salaries and expenses, renewal and housing assistance.....	39,508,000	45,000,000	41,000,000	45,000,000	43,500,000	-1,500,000	+2,500,000	-1,500,000
Total, renewal and housing assistance.....	1,601,508,000	1,782,000,000	1,770,500,000	2,479,500,000	2,123,000,000	+341,000,000	+352,500,000	-356,500,000
Metropolitan development								
Comprehensive planning grants.....	50,000,000	60,000,000	50,000,000	50,000,000	50,000,000	-10,000,000		
Community development training and urban fellowship programs.....	3,500,000	3,500,000	3,500,000	3,500,000	3,500,000			
New community assistance.....	2,500,000	10,000,000	5,000,000	5,000,000	5,000,000	-5,000,000		
Open space land programs.....	75,000,000	75,000,000	75,000,000	75,000,000	75,000,000			
Grants for basic water and sewer facilities.....	135,000,000	150,000,000	500,000,000	500,000,000	500,000,000	+350,000,000		
Grants to aid advance acquisition of land.....	2,500,000							
Salaries and expenses, metropolitan development.....	7,980,700	8,700,000	8,000,000	8,700,000	8,000,000	-700,000		-700,000
Total, metropolitan development.....	276,480,700	307,200,000	641,500,000	642,200,000	641,500,000	+334,300,000		-700,000
Model cities and governmental relations								
Model cities programs.....	575,000,000	575,000,000	575,000,000	575,000,000	575,000,000			
Salaries and expenses, model cities and governmental relations:								
Appropriation.....	577,600	700,000	600,000	600,000	600,000	-100,000		
By transfer.....	(6,750,000)	(9,300,000)	(8,300,000)	(8,300,000)	(8,300,000)	(-1,000,000)		
Total, model cities and governmental relations.....	575,577,600	575,700,000	575,600,000	575,600,000	575,600,000	-100,000		

Footnotes at end of table.

Agency and item (1)	New budget (obligational) authority, 1970 ¹ (2)	Amended budget estimates of new (obligational) authority, 1971 (3)	Recommended in the House bill for 1971 (4)	Recommended in Senate bill for 1971 (5)	Conference action (6)	Conference action compared with—		
						Budget estimate (7)	House bill (8)	Senate bill (9)
TITLE III—Continued								
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—Continued								
Urban technology and research								
Urban research and technology.....	\$25,000,000	\$55,000,000	\$30,000,000	\$55,000,000	\$30,000,000	-\$25,000,000		-\$25,000,000
Low-income housing demonstration programs (appropriation to liquidate contract authori- zation).....	* (2,000,000)							
Total, urban technology and research.....	25,000,000	55,000,000	30,000,000	55,000,000	30,000,000	-25,000,000		-25,000,000
Mortgage Credit								
Homeownership and rental housing assistance: Homeownership assistance, increased limitation for annual contract authoriza- tion:								
1971.....	(125,000,000)	(140,000,000)	(130,000,000)	(130,000,000)	(130,000,000)	(-10,000,000)		
1972.....		(140,000,000)				(-140,000,000)		
(Cumulative annual contract authoriza- tion):								
1971.....	(195,000,000)	(335,000,000)	(325,000,000)	(325,000,000)	(325,000,000)			
Rental housing assistance, increased limi- tation for annual authorization:								
1971.....	(120,000,000)	(145,000,000)	(135,000,000)	(135,000,000)	(135,000,000)	(-10,000,000)		
1972.....		(145,000,000)				(-145,000,000)		
(Cumulative annual contract authoriza- tion):								
1971.....	(190,000,000)	(335,000,000)	(325,000,000)	(325,000,000)	(325,000,000)			
Appropriation for payments.....	26,500,000	¹⁰ 115,100,000	115,100,000	115,100,000	115,100,000			
Rent supplement program: Increased limitation for annual contract authorization:								
1971.....	(50,000,000)	(75,000,000)	(50,000,000)	(75,000,000)	(55,000,000)	(-20,000,000)	(+\$5,000,000)	(-20,000,000)
1972.....		(75,000,000)						
(Cumulative annual contract authoriza- tion):								
1971.....	(122,000,000)	(197,000,000)	(172,000,000)	(197,000,000)	(177,000,000)	(-20,000,000)	(+\$5,000,000)	(-20,000,000)
Appropriation for payments.....	23,000,000	46,600,000	46,600,000	46,600,000	46,600,000			
Low and moderate income sponsor fund.....	2,000,000	5,000,000	3,000,000	3,000,000	3,000,000	-2,000,000		
Loans for housing and related facilities for elderly or handicapped families.....				25,000,000	10,000,000	+10,000,000	+10,000,000	-15,000,000
Salaries and expenses, Federal Housing Ad- ministration.....	3,500,000	6,290,000	3,500,000	6,290,000	3,500,000	-2,790,000		-2,790,000
Total, mortgage credit.....	55,000,000	172,990,000	168,200,000	195,990,000	178,200,000	+5,210,000	+10,000,000	-17,790,000
Federal Insurance Administration								
Flood insurance.....	2,428,500	6,050,000	5,000,000	5,000,000	5,000,000	-1,050,000		
Fair Housing and Equal Opportunity								
Fair housing and equal opportunity.....	6,391,400	11,300,000	7,000,000	11,300,000	8,000,000	-3,300,000	+1,000,000	-3,300,000
Departmental management								
General administration.....	9,559,500	9,200,000	9,000,000	9,000,000	9,000,000	-200,000		
Regional management and services.....	11,155,000	14,550,000	13,500,000	14,500,000	14,000,000	-550,000	+500,000	-500,000
Working capital fund.....	4,338,000							
Total departmental management.....	25,052,500	23,750,000	22,500,000	23,500,000	23,000,000	-750,000	+500,000	-500,000
Participation sales								
Payment of participation sales insufficiencies.....	56,238,000	58,781,000	58,781,000	58,781,000	58,781,000			
Special Institutions								
National homeownership foundation.....		250,000				-250,000		
Total, Department of Housing and Urban Development—title III.....	2,623,676,700	2,993,021,000	3,279,081,000	4,046,871,000	3,643,081,000	+650,060,000	+364,000,000	-403,790,000
TITLE IV								
CORPORATIONS								
Federal Home Loan Bank Board								
Interest adjustment payments.....		¹¹ 250,000,000		250,000,000	85,000,000	-165,000,000	+85,000,000	-165,000,000
Revolving fund.....	8,400,000							
Total, new budget (obligational) au- thority—title IV.....	8,400,000	250,000,000		250,000,000	85,000,000	-165,000,000	+85,000,000	-165,000,000
Administrative and Nonadministrative Expenses (Limitation on Accounts of Corporate Funds to be Expended)								
Federal Home Loan Bank Board:								
Administrative expenses.....	(5,712,000)	(6,625,000)	(5,750,000)	(6,625,000)	(6,625,000)		(+875,000)	
Nonadministrative expenses.....	(14,125,000)	(14,700,000)	(14,700,000)	(14,700,000)	(14,700,000)			
Federal Savings and Loan Insurance Corpora- tion.....	(384,000)	(408,000)	(408,000)	(408,000)	(408,000)			

Footnotes at end of tables.

COMPARATIVE STATEMENT OF CONFERENCE ACTION—Continued
INDEPENDENT OFFICES AND HUD APPROPRIATIONS BILL, 1971 (H.R. 17548)—Continued

Agency and item (1)	New budget (obligational) authority, 1970 ¹ (2)	Amended budget estimates of new (obligational) authority, 1971 (3)	Recommended in the House bill for 1971 (4)	Recommended in Senate bill for 1971 (5)	Conference action (6)	Conference action compared with—		
						Budget estimate (7)	House bill (8)	Senate bill (9)
Department of Housing and Urban Development:								
Housing for the elderly or handicapped.....	(\$1,200,000)	(\$850,000)	(\$850,000)	(\$850,000)	(\$850,000)			
College housing loans.....	(1,175,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)			
Public facility loans.....	(1,055,000)	(1,400,000)	(1,200,000)	(1,200,000)	(1,200,000)	(\$200,000)		
Revolving fund (liquidating programs).....	(106,700)	(125,000)	(125,000)	(125,000)	(125,000)			
Federal Housing Administration								
Administrative expenses.....	(12,950,000)	(13,800,000)	(13,500,000)	(13,500,000)	(13,500,000)	(-300,000)		
Nonadministrative expenses.....	(110,175,000)	(125,550,000)	(112,000,000)	(125,550,000)	(118,775,000)	(-6,775,000)	(+\$6,775,000)	(-\$6,775,000)
Government National Mortgage Association.....	(5,000,000)	(6,600,000)	(6,600,000)	(6,600,000)	(6,600,000)			
Total, administrative and nonadministrative expenses—title IV.....	(151,882,700)	(171,058,000)	(156,133,000)	(170,558,000)	(163,783,000)	(-7,275,000)	(+7,650,000)	(-6,775,000)
Grand total, all titles, new budget (obligational) authority.....	16,902,737,800	17,468,223,500	17,390,212,300	18,655,019,500	18,009,525,300	+541,301,800	+619,313,000	-645,494,200
Consisting of—Appropriations.....	(16,902,737,800)	(17,468,223,500)	(17,390,212,300)	(18,655,019,500)	(18,009,525,300)	(+541,301,800)	(+619,313,000)	(-645,494,200)
Grand total.....	(16,902,737,800)	(17,468,223,500)	(17,390,212,300)	(18,655,019,500)	(18,009,525,300)	(+541,301,800)	(+619,313,000)	(-645,494,200)

¹ Includes all supplemental appropriation acts of 1970.

² Sec. 103 of the Civil Service Retirement Amendments of 1969 requires the Secretary of the Treasury to make annual payments from general revenues as determined by the Civil Service Commission.

³ Reflects increase of \$600,000 contained in H. Doc. 91-305.

⁴ Reflects increase of \$275,500,000 contained in H. Doc. 91-312.

⁵ Reflects increase of \$50,000,000 contained in H. Doc. 91-294.

⁶ Additional estimate of \$800,000 contained in S. Doc. 91-87.

⁷ Additional estimate of \$600,000 contained in S. Doc. 91-88.

⁸ Includes \$750,000,000 advance funding for fiscal year 1970 provided in 1969 act.

⁹ Provided by transfer from "Urban Research and Technology."

¹⁰ Reflects increase of \$10,500,000 contained in H. Doc. 91-273.

¹¹ Estimate contained in S. Doc. 91-85 not considered by House.

Mr. EVINS of Tennessee. Mr. Speaker, I yield such time as he may consume to my distinguished friend the gentleman from North Carolina (Mr. JONAS).

Mr. JONAS. Mr. Speaker, the chairman of the subcommittee has made a detailed explanation of what transpired in the conference and what happened to this bill since it was first considered by your Committee on Independent Offices and the Department of Housing and Urban Development. I will speak discussing the same figures but will make an explanation of what transpired from a little different direction than that used by the distinguished chairman. I present the following figures for the information of those who are not as familiar with the bill as those of us are who worked on it and participated in the conference.

Those of you who are interested in the figures should take these down. The subcommittee considered total budget requests of \$17,216,823,500. Some additional budget requests went directly to the Senate after we had marked up our bill. That accounts for the discrepancy between the figures cited by the gentleman from Tennessee and the ones that I have just given.

I would like to trace for you what happened to the bill after we completed our hearings on it and our markup in the subcommittee.

We considered, as I have said, \$17,216,823,500. When we reported that bill to the House, it had been reduced by \$201,611,200 below the budget. That is, your subcommittee cut the budget with respect to the items contained in this bill by \$201 million. If the bill had remained as we originally reported it, it would today be \$201 million below the budget.

But let me remind you what happened on the floor of the House. Amendments were adopted on the floor increasing our bill by \$25 million for veterans' medical care and by \$350 million for water and sewer grants for smaller communities. That is a total of \$375 million by which the House increased the committee bill. So, when the bill left the House, instead

of being \$201 million below the budget, it was \$173 million above the budget. That is what we had to start out with in our conference with the other body. But I remind you that, as usually is the case, the other body in its wisdom proceeded to add \$1,264,807,200 to the House-passed bill. So when the other body finished work on the bill it was \$1.2 billion more than the House-passed bill and \$1,186,796,000 above the budget.

We wound up with the conferees recommending appropriations which amount to only \$541 million above the budget, which means that the appropriations recommended in this conference report are \$645 million below the bill that came out of the other body.

Now, Mr. Speaker, I have just said that the conference report is \$541 million above the budget.

Let me cite a few items that make up these increases.

First, there is the \$350 million to which I have already alluded that was added on the House floor for water and sewer grants. The other body added \$700 million to our bill for urban renewal. We were able only to achieve an even split on that item so we find another \$350 million above our bill in the conference report for urban renewal, but it is \$350 million below the sum put in the bill by the other body.

Another item above the budget is \$105 million for the veterans' medical program.

I do not know how you can have a conference with a co-equal body unless you are willing to give and take. The only alternative—and this conference lasted 2 days—the only alternative is for one group of managers representing one body or the other to just say they will not budge and the results would be no bill at all.

Mr. Speaker, we did not feel that we could afford to report that we could not have a bill which provides for the operation of the Veterans' Administration, especially in view of all the talk that we hear today about the need for more medical care.

Mr. Speaker, more than half the money contained in this conference report is to run the Veterans' Administration, to pay the compensation and the pensions that are fixed by law, and to operate the hospitals and to provide the medical care and the other programs for our veterans.

Mr. EVINS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. JONAS. I yield to the chairman of the subcommittee.

Mr. EVINS of Tennessee. Does not the gentleman feel that from the high level of \$1.2 billion above the budget, to bring this conference report back only \$541 million above the budget, that this is no small achievement or accomplishment?

Mr. JONAS. I will have to agree, and I have just said, and I would like to repeat for emphasis, we were faced with a situation where the other body was \$1.2 billion above the budget, and we came out of that conference having reduced that deficit by \$645,494,200 and with a conference report only \$541 million above the budget.

You must remember that \$375 million of that was added right here on the House floor. If the subcommittee's bill had stood up through the House and the other body, and the conference, we would be \$201 million below the budget.

I have some reservations about this conference report. I reserved on two items because I could not agree that it was advisable to go above the budget with respect to those items. But by and large I am able to say that I concur in the views of the gentleman from Tennessee (Mr. EVINS) that we argued these points out with the representatives of the other body over a period of two days, and we got the best deal I think we could possibly have gotten if we had remained in conference indefinitely. I do not know, as I have said before and will repeat, how one group of conferees can prevail all of the time in a conference. Those of you who have participated in conferences know that it is necessary to have a meeting of the minds of the conferees on both sides of the table.

We worked very hard to hold this bill down in conference. I am disappointed that we did not succeed in keeping it below the budget. I thought we should have won all points at issue but it became apparent as the conference continued that it would be impossible. We argued with the representatives of the other body, but we simply were unable to get them to go beyond the point that they did go, which was to reduce their bill by \$645 million.

If we had caved in or supinely sat there and allowed the other body to roll over us, this conference report would be \$645 million more than it is. If you think we should have been more obstinate and stubborn and held out longer, you have a right to that view if you entertain it. But it is my considered judgment, after having participated in the conference, that we got the best compromise that we could negotiate with the conferees on the other side who were representing a bill that was \$1 billion higher than ours. And when you look at it in that light I suspect the gentleman from Tennessee (Mr. EVINS) is correct in saying that the House conferees came out of the conference having won more points than we lost.

Mr. Speaker, if the House wishes to recommit this bill to the conference committee, I certainly have no objections and will gladly go back to conference again and renew our efforts to get the conferees from the other body to yield further. But I must say that they seemed adamant and indicated that since they had already yielded more than we yielded that was as far as they should go.

Mr. EVINS of Tennessee. Mr. Speaker, I yield 5 minutes to the distinguished ranking minority member of the Committee on Appropriations, the gentleman from Ohio (Mr. BOW).

Mr. BOW. Mr. Speaker, I did not sign this conference report, and neither did the gentlemen from California, Mr. TALCOTT and Mr. DEL CLAWSON. We believed this report was much too high; that it added to the problems of inflation; and that it is not an appropriate amount to ask the House to accept.

In the present form, this bill provides \$350 million over the \$1 billion budget request for urban renewal. It provides \$350 million over the \$150 million budget request for grants for water and sewer facility construction. It provides \$71,675,000 over the House bill for space research and construction. It provides \$16 million over the House bill for the National Science Foundation.

Now, they reduced the particular area in which I was in favor of an increase of \$10 million. This was the program concerned with research directed at achieving improvements in housing systems design, production, assembly, management, financing, and marketing and also designed to provide a high level of environmental quality, efficient land use, and low-cost maintainability. It is called "Operation Breakthrough."

The House had provided \$30 million. The Senate had increased this to \$55 million. I had hoped that we might have agreed on about \$45 million because this is research that may permit us to develop

new methods of construction that would help people of all income levels. I believed it was a very important part of this bill.

Now the only significant reduction in any program in this bill is the \$165 million reduction in funds requested by the Federal Home Loan Bank Board for interest subsidy payments. These funds would have been used to help reduce interest rates for people who want to purchase their own home. One of the most critical factors affecting the construction of homes today is the problem of the high interest rates. This program was not considered in the House. It was considered in the Senate and only after the authorization appeared well on the way toward enactment. They provided \$250 million in their bill, but this was reduced in conference by \$165 million.

So the substantial reduction in this bill is in the one area that might have helped to reduce the interest rates that affect the construction and sale of private homes. The House provided only \$85 million. So what looks so good here, a \$165 million reduction, is actually in the one area that affects housing for people who want to purchase their own home.

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

Mr. BOW. I am glad to yield to the gentleman.

Mr. JONAS. May I say that I concur in the views being expressed by the distinguished gentleman from Ohio. I am one of those who is in favor of this particular program, but it should be understood that the \$250 million was no year funds to be available until expended. What we decided was to put up \$85 million for the first year and reserve \$165 million for consideration in the supplemental which will soon be forthcoming and after we can have some hearings. This item has never been considered at all by the House committee.

Mr. BOW. I appreciate the position of my distinguished friend but I believe we should have provided more for this purpose in the bill.

Mr. EVINS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman. Mr. EVINS of Tennessee. I might say to my friend that the bill authorizing this program was just signed into law by President Nixon last Friday.

We have not yet had hearings on it in the House Committee on Appropriations. The committee should review all of the items contained in the Emergency Home Finance Act of 1970 before they are fully funded.

Mr. BOW. The point I am making is that the one substantial reduction in the bill, \$165 million, was the program that would have helped reduce interest rates for those who want to purchase their own home.

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

Mr. BOW. I yield to the gentleman.

Mr. KUYKENDALL. Would the gentleman not agree then that the cut in research technology primarily manifests itself in a cut in Operation Breakthrough and this is a cut in the one area where we need to help, and that is new technology in housing?

Mr. BOW. I quite agree with the gentleman. This is one area where we should go forward.

Mr. KUYKENDALL. One of the designated breakthrough cities is my own city of Memphis, Tenn. This is one of the areas in which it has already been proved that we are getting \$5 of private investment for every \$1 of Federal money. It seems to me that that is the type of thing we have been looking for. We want to be able to get private money, private know-how, private initiative, instead of the Federal Government having to do everything. So I think it is quite disappointing to get a bill \$650 million over the budget and yet take cuts in the very areas that are showing the most promise for the future of this country.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. EVINS of Tennessee. Mr. Speaker, I yield 2 additional minutes to the gentleman from Ohio with the understanding that he will yield one of them back to me.

The SPEAKER. The gentleman from Ohio is recognized for 2 minutes, and the gentleman has control of that time.

Mr. BOW. I thank the Chair.

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

Mr. BOW. I yield to my friend from Illinois.

Mr. ARENDS. I would like to ask the gentleman from Ohio if any member of the conference committee, either conferees on the part of the Senate or of the House, at any time made the suggestion that if Congress wants to continually spend more than the budget requests, we well could be forced to raise additional taxes.

Mr. BOW. No; I do not believe that subject was considered at all. Now I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Speaker, the conference report provides \$30 million of new obligated authority in the bill for housing research in 1971. This is the full level provided by the House bill. There is also a carryover balance of \$27,100,000 of unexpended funds that can be spent in 1971 for such research. So this will give them \$57,100,000 for expenditure for housing research during the next year. There are many explanations for this, but this is the amount available for expenditure for housing research in the next year. With the \$30 million made available in this bill, we feel this is a substantial sum for expenditure in this program.

Mr. BOW. I must say to the gentleman that I believe the \$27,100,000 he refers to was committed last fiscal year and is not available for new contractual efforts in housing research during fiscal year 1971.

May I also say, before my time expires, that at the proper time I shall offer a motion to recommit this report to the committee of conference.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

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

Mr. TEAGUE of Texas. Could the gentleman tell the House the comparison of the amount of money requested by

the President for the space program and the amount of money contained in this conference report?

Mr. BOW. I am sorry, I do not have that information at my fingertips, but let me obtain it.

Mr. TEAGUE of Texas. Will the gentleman tell us, then, the difference between what the House provided and what the conferees came out with; also what the President asked for?

Mr. BOW. The President asked for \$3,333,000,000, and the amount agreed to in conference is \$3,268,675,000.

Mr. TEAGUE of Texas. I would just like to point out that the amount is less than what the President asked for.

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

Mr. BOW. I yield to the gentleman from South Carolina.

Mr. DORN. Would the gentleman also inform us of the amount recommended in the conference report for medical care for veterans as compared with the amount proposed in the President's budget?

Mr. BOW. The conference report provides \$105 million more than was requested in the President's budget.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. EVINS of Tennessee. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Committee on Appropriations, the gentleman from Texas (Mr. MAHON).

THE FEDERAL BUDGET SITUATION

Mr. MAHON. Mr. Speaker, the spending pot is boiling at both ends of the Capitol Building, at the White House, in the press, and in many households throughout the country. I think it is a healthy sign, and I, for one, would like to see this caldron continue to bubble and boil in order that the Congress and the country might be constantly aware of the problems confronting the Nation in the field of Federal programs and Federal spending. Someone must undertake to keep this vital matter in the forefront of our thinking.

Certain things—popular or unpopular, pleasant or unpleasant—must be said.

The dollar at the grocery store and elsewhere is buying less and less, month by month.

THE PENDING CONFERENCE REPORT

The bill before us, the independent offices-HUD appropriation bill for 1971 agreed to in conference is too high in the present national fiscal and economic situation.

A majority of the House conferees worked valiantly to reduce the overall appropriation figures in the bill, and we did persuade the conferees of the other body to compromise downward on some of the Senate add-ons, reducing the measure below the Senate figure by about \$645 million.

But even so, the bill as agreed to in conference is \$541 million above the President's budget requests for appropriations for the purposes included in the measure.

I commend the subcommittee headed on the Democratic side by the distinguished gentleman from Tennessee (Mr. EVINS) and headed on the Republican

side by the distinguished gentleman from North Carolina (Mr. JONAS). They did an outstanding job and I am here to support their best efforts. I was a part of that conference, of course, and joined in the efforts to improve the bill.

THE DISTURBING BUDGET DEFICIT FOR FISCAL 1970

The fact that the conference bill exceeds the budget requests for appropriations by more than a half billion dollars is especially significant in the light of the alarming announcement in this morning's press that the Government went in the red in the fiscal year 1970, just closed on June 30, by more than a billion dollars more than had been estimated in May.

It was announced yesterday that the budget deficit—under the unified budget plan—for the fiscal year which ended less than a month ago was \$2.9 billion. When the borrowings from the social security fund and the other trust funds are added to the Federal funds, this is the deficit. But actually what the announcement of yesterday means is that when we take out of account the borrowings of surpluses in the trust funds, which must be repaid with interest, there was a deficit in Federal funds of about \$13 billion for the fiscal year which ended less than a month ago.

That is an alarming figure, in my judgment, and it ought to be printed boldly on the front pages of the papers and called to the attention of all our people.

The press at times appears to lie awake at night to draft criticisms of Congress for secrecy, but often in reporting on fiscal matters shields from the public the real magnitude of Federal deficits. This secrecy on the part of the press, intended or not intended, tends to create complacency. It tends to generate a tendency for more Federal spending at a time when we are in dire fiscal straits. To me, the omission of the clarifying information is most unfortunate.

It is most regrettable that the administration itself in reporting on the deficit made no mention of the huge size of the Federal funds deficit. In fact, insofar as I am aware, no mention was made of it.

We must face up to the fact that we have had a continuation of deficits from year to year. The biggest one in recent years was in fiscal 1968, \$25 billion. I am not speaking in a partisan vein when I call attention to the actual facts of life with respect to Federal spending.

The morning paper very properly stated the figures, indicating the announced deficit of \$2.9 billion, but it failed to state that this figure, taken without explanation, is very inadequate and will be misunderstood by the American people generally. Federal finances are very complex at best and require at least some explanation of two or three major facts. It would have taken only a sentence or two to clarify the \$2.9 billion figure. It could have been added that if surplus trust funds, which were borrowed for general Federal expenditure purposes during the previous year and which must be repaid with interest, are eliminated from the picture, The Federal deficit last year was \$13 billion. That would be more awakening than the release of yesterday.

This morning's Wall Street Journal quotes the President's adviser, George Shultz—a very able, dedicated, and delightful gentleman—as indicating that the budget results, or at least the spending results for fiscal year 1970 represent “a strong and satisfactory performance.” The Under Secretary of the Treasury, according to the Wall Street Journal, told reporters that the “modest deficit” of \$2.9 billion on the unified budget basis—which, I would add, is in effect a deficit of \$13 billion on the Federal funds basis—is “not disturbing.”

Well, in my judgment and, I believe, in the judgment of a lot of people, there is something to be disturbed about when a deficit of that size is not disturbing in the mind of such a key official in the Government. I am surprised and disturbed to find that this deficit is apparently not greatly disturbing.

Let us take a closer look. The actual Federal funds deficit for fiscal 1970 was \$13 billion. In view of the great store which the administration has laid, and properly so, on the need for a budget balance since it took office, it is a bit surprising and disturbing to read that the administration aides now seem to evidence something of a turnabout in view.

Here is the picture in brief: The original administration review of the fiscal year 1970 budget, in April of 1969, projected a tentative surplus of \$5.8 billion under the unified budget plan. Now, instead of a surplus of \$5.8 billion, it is a deficit of \$2.9 billion. In other words, deterioration of the budget situation to the tune of about \$8.7 billion. And this final report for fiscal year 1970 shows that the administration actually spent about \$12.2 billion more than was spent in the previous year 1969. That likewise ought to be disturbing also to us and to the executive branch of the Government.

In my judgment, Congress has been unwise in increasing certain appropriations above the President's budget requests. I have deplored and opposed many of them. We did it last year, and we are doing it again this year.

The Congress, last year, reduced the President's fiscal 1970 appropriation budget requests by about \$5.6 billion, but increased spending authority through nonappropriation bills or by inaction on certain budget items—for which we must assume full responsibility—by a very large sum, resulting in approximately a standoff in terms of the budget impact.

The fact that I want to nail down hard and fast is that in the overall, the Congress did not provide spending authority for fiscal year 1970 substantially different from the President's aggregate budget requests, and thus it cannot accurately be said that the Congress is by any means chiefly responsible for the deficit in fiscal year 1970. Certainly, both the executive and legislative branches had a part in creating the situation.

I should add that in respect to the tax bill last year, the changes made by the Congress in the administration's request had a minimum adverse impact on projected budget receipts for fiscal 1970; the principal impact had to do with projected revenues for fiscal years 1971 and 1972 and beyond.

Mr. EVINS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the distinguished chairman of the subcommittee.

Mr. EVINS of Tennessee. The gentleman has made an excellent speech regarding the overall budget and fiscal situation, but he did sign the conference report, and he advocates the adoption of the conference report; is that correct?

Mr. MAHON. The gentleman is correct.

The SPEAKER pro tempore (Mr. HAYS). The time of the gentleman from Texas has expired.

Mr. EVINS of Tennessee. Mr. Speaker, I yield the distinguished gentleman 2 additional minutes.

Mr. MAHON. Mr. Speaker, I should like to nail down hard and fast the fact that the Congress did not, last year, provide spending authority for fiscal year 1970, substantially above that requested in the budget.

THE CURRENT BUDGET OUTLOOK FOR FISCAL 1971

So, Mr. Speaker, the gnawing problem of spending in excess of revenues continues in an almost unbroken chain. As Presidential adviser George Shultz told a congressional committee a week or so ago—

The outlook for the current year—1971—is clouded with uncertainty and for the most part the clouds are dark and threatening.

I agree with that assessment. I would not be surprised, as I have said before, if the unified budget deficit for 1971 goes as high as \$10 billion and the Federal funds deficit for 1971 goes to \$20 billion. Interest on the debt went up last year, fiscal 1970, by \$2.7 billion, to \$19.2 billion.

Certain big spending is, of course, inevitable. There are many needs, but big spending without having the revenues in hand or in sight means that we are not getting a dollar in value for a dollar expended.

The Committee on Appropriations is doing its best to hold the line in this conference report. I urge the members to support it. I believe it is the best we can do on the pending measure. I urge support of the conference committee.

THE PENDING CONFERENCE REPORT

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

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

Mr. GROSS. I believe, despite the disclaimers and the urging to support this conference report, the gentleman has made the best speech I expect to hear in behalf of support for the motion to recommit by the gentleman from Ohio. I do not know how anyone could listen to the gentleman and do otherwise than vote for the motion to recommit this bill.

Mr. MAHON. The gentleman to some extent has misinterpreted my remarks. One cannot go to a conference and have his own way completely. We got better than an even split. We tried to do better. We fought hard against those who wanted larger and larger sums for a number of these programs.

The SPEAKER pro tempore. The time of the gentleman from Texas has again expired.

Mr. EVINS of Tennessee. Mr. Speaker, I yield the distinguished gentleman 1 additional minute.

PUBLIC CONCERN ABOUT FEDERAL SPENDING

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

Mr. MAHON. I am glad to yield to the distinguished gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I listened very attentively to the gentleman. I know how strongly he feels about spending. Spending is inevitable. You may recall, though, in the late 1950's when the American people became aroused about spending they did something about it. If there is some way we can again arouse the American people on spending, I am sure that the Congress will behave a little differently than we are at the present time.

Mr. MAHON. I thank the gentleman for his comments. The reason why I am in the well is to try to arouse our concern in this direction in order that we may do a better job. I believe we are doing a reasonably good job in many respects, but we must undertake to do an even better job.

Mr. EVINS of Tennessee. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. BOLAND).

(Mr. BOLAND asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. BOLAND. Mr. Speaker, I share the concern of the very distinguished gentleman from Ohio (Mr. Bow) the ranking minority member of the full Appropriations Committee with respect to the item of urban research and technology. I supported the \$55 million request by the department in this regard in our subcommittee when we marked up this bill. When we went to conference I supported the Senate's position of restoring \$25 million for this activity. As the Members will recall, \$30 million was allowed by the House and \$55 million was allowed by the Senate. In conference the Senate receded to the House request. This report carries \$30 million.

The congressional record on support of research to solve the problems of our urban areas—our cities and towns—is not good. If we go back as far as 1957 and add up all of the research that was requested by the executive branch, the total comes to only \$135 million. But the Congress appropriated less than \$50 million through the current fiscal year. The total obligations, that have been made through fiscal year 1969 for research on urban problems, in the Department of Housing and Urban Development or its predecessor agencies, is less than \$28 million.

The record shows that from 1962 to 1965, less than \$400,000 was provided for research annually. In 1966 the amount passed by the Congress went up to \$750,000 and in 1967 it went back down to \$500,000. Finally, in 1968, it appeared, that we were recognizing the urgent need for research in this important area. The administration requested \$20 million but the Congress provided only \$10 million. In 1969 the administration again requested \$20 million and the Congress passed only \$11 million. In 1970 the administration asked for \$30 million and

the Congress passed \$25 million. And now, the administration has asked for \$55 million. It should really be a request for several hundred and \$55 million. But the Congress is prepared to cut urban research to \$30 million.

The Defense research budget is almost \$8 billion by comparison with the urban research budget. Far more money is spent determining the properties of materials under various pressures and temperatures than is spent on measuring the properties of our cities, our towns, our need for housing.

Inadequate research funds seriously impair the ability to meet the crisis that exists in providing mass production of housing for low and middle income groups. That research, would permit looking ahead, at the means, for improving the whole business of housing, so that modern production, management, marketing and financing methods and improved building codes and zoning regulations can be brought into the development of housing.

Mr. Speaker, the \$30 million carried in this bill is completely inadequate to carry on the important work of research that the Department of Housing and Urban Development needs if it is to meet and attempt to solve the myriad problems that perplex this country in the matter of providing housing for millions that are today ill-housed.

Operation Breakthrough needs \$35 million alone to carry out necessary research and demonstrations. It has been said here today that there are carryover funds of some \$27 million that can be added to the \$30 million provided by this bill for a total of \$57 million available for fiscal year 1971. This simply is not so. All of the \$27 million has been completely obligated. Thus, the only funds available for research and technology for fiscal year 1971 will be the \$30 million that this conference report provides.

Mr. Speaker, refusal to allow the \$55 million requested for research by the Department of Housing and Urban Development will result in damaging cutbacks in its research activity. The effects of the reduction in the research and technology budget to \$30 million from a request of \$55 million are as follows:

First. Under Operation Breakthrough, two and possibly three of the 10 prototype sites and one subsite would have to be dropped.

Second. Only minor studies and evaluations rather than action programs could be undertaken to solve the problems of abandonment and inadequate management in housing developments. This effort would be reduced from an amount of \$3.6 million under the original request to \$300,000 under the new request.

Third. No new building technology work could be undertaken under this \$30 million budget.

Fourth. No work will be conducted on the followup of ongoing studies to implement tax revisions to encourage housing development and proper maintenance and rehabilitation.

Fifth. Essentially all funding will be eliminated for work on avoidance of thermal pollution by useful application

in urban areas, noise abatement, demonstration of advanced solid waste disposal methods, improved methods of installing utilities, application of available but advanced communications technology to improving urban functions will be eliminated, and other urban utilities and environmental factors. Only \$200,000 is left for work in that area.

Sixth. No funds will be provided to the urban observatory program in which universities and 10 cities are working together to help improve urban operations. In addition the plan for extension of that program to five smaller metropolitan areas will be eliminated.

Seventh. No new commitments will be made to the Urban Institute.

Eighth. The work in six cities to develop municipal information systems will be stretched out and planned support reduced.

Ninth. The housing and urban data series work that assembles information on the housing market, the characteristics of new housing, the sale of new one-family homes, single family home construction, and so forth, will be reduced.

Tenth. Research work on fair housing, zoning improvements, new ownership approaches will be eliminated.

Mr. EVINS of Tennessee. Will the gentleman yield?

Mr. BOLAND. I yield to the gentleman.

Mr. EVINS of Tennessee. We have been hearing a great deal of speeches about economy. I believe that the gentleman is not speaking for economy now.

Mr. BOLAND. I would suggest that the chairman of the subcommittee economize in other areas. I submit that in the field of research for housing we have not done the job so far and we are not doing it in this bill.

Mr. EVINS of Tennessee. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, expenditures for housing research and technology in 1970 were only \$8,278,000. The appropriation was \$25,000,000. There is a \$27.1 million unexpended balance carried forward from last year, and we are providing another \$30 million of new obligational authority in the bill. This makes a total of \$57.1 million available for housing research expenditures in 1971. The President's budget estimates that outlays will only be \$23,500,000 in 1971. The \$57,100,000 should be fully adequate for orderly expansion of this program with proper administration.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California, a member of the Committee on Appropriations, Mr. COHELAN.

Mr. COHELAN. Mr. Speaker, I want to say, since I have spoken on this topic before, I shall be brief but wish to commend the conference committee for the very fine job which it has done.

Mr. Speaker, I rise in support of the Conference Report on Independent Offices and HUD.

As many of my colleagues are aware, I offered an amendment to increase the supplemental appropriations by \$587.5 million for urban renewal. Unfortunately this amendment was defeated, but I am now encouraged that the conferees on the HUD appropriations have increased ur-

ban renewal by \$350 million over the House figure. This makes a total of \$1.350 billion available for urban renewal programs.

The chairman of the Subcommittee on Independent Offices and Housing and Urban Development, the gentleman from Tennessee (Mr. EVINS), is to be commended for his diligent and careful work in handling this major bill. The other conferees are also to be commended for their dedication in continuing the process of urban renovation.

The conference report, Mr. Speaker, is the latest example of this Congress dedication to rebuilding our Nation. This cannot be done by press releases or by formulating committees to study the problem, but by funding vital urban renewal projects. This battle is joined in earnest; the Congress again leads the way in attempting to alleviate our pressing social needs.

The needs are obvious and are there for all to see. In my previous statement, I pointed out that there is an existing need for \$3 billion in Federal funds for urban renewal projects. Many cities—of all sizes—under conventional urban renewal plans, cannot proceed with necessary local improvements until they receive grant reservations. This \$1.35 billion will go a great distance in lessening this backlog.

This figure is a more realistic appropriation to continue our attack on urban blight. We must continue to fund these programs and plan new methods to combat urban decay. We cannot delude ourselves. It is a costly battle, but one, I submit, that must be won. These increases are another step in attempting to stem the tide of urban decay, but it must be followed by an ever-increasing Federal, State, and local financial commitment.

Urban renewal, funds for education and health, a more realistic defense budget are all new directions that are being charted by this Congress. This action by the conferees—the HUD appropriations—is another step to improve the quality of life in America.

I urge its adoption.

Mr. EVINS of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. TALCOTT), a member of the Subcommittee on Independent Offices Appropriations.

Mr. TALCOTT. Mr. Speaker, I did not sign the conference report, and I would like to use my minute or so, if I may, to explain why.

Mr. Speaker, some of the items, of course, are satisfactory. The increased funding for the Veterans' Administration is praiseworthy. However, I want to commend the committee and the conference and the chairman, the gentleman from Tennessee (Mr. EVINS), for doing a superb job in many respects. But this conference report, and the bill, in its present form simply has reversed or subverted many of our national priorities. As a result of the action of the other body, and the conference, there was added additional funds which amount to over one-half billion dollars over the budget.

Mr. Speaker, these additional funds include \$16 million for the National Science Foundation. The bill now contains an increase of \$73 million over the amount appropriated for this agency last year.

There are additional funds for space research. The bill now contains \$65 million over the amount allowed by the House. This is in addition to the \$2.5 billion already appropriated for research and development for the space program.

There are additional funds in the amount of \$10 million for section 202 loan funds, a program for which nothing was requested and for which nothing was provided by the House.

Mr. Speaker, this is a program which is being phased out because the elderly and handicapped themselves would rather participate in the section 236 program where the interest subsidy is much better.

Mr. Speaker, there were additional funds added to the extent of \$5 million for the rent supplement program. This is contract authorization and could cost us as much as \$200 million in payments in future years.

There are additional funds to the extent of \$350 million over and above the budget for urban renewal. The administration requested \$1 billion and the House had allowed the full \$1 billion, and I think the people back home would prefer this amount to remain at \$1 billion. On the other hand, the President's request for funds to carry out the Emergency Home Finance Act was reduced by \$165 million. We also drastically limited the program Operation Breakthrough, a research effort designed to explore new techniques in home construction in order to improve housing and lower the cost of construction, which is very, very important.

Mr. Speaker, many of our priorities are cockeyed and this conference report aggravates some of the inequities. There are billions for research in space and pennies for research in housing. I believe that the American citizen would prefer our priorities to be reversed.

Therefore, Mr. Speaker, I would suggest that we recommit this conference report back to the conference. I believe we can do better.

Mr. EVINS of Tennessee. Mr. Speaker, I yield 1 minute to the distinguished gentleman from South Carolina (Mr. DORN).

Mr. DORN. Mr. Speaker, I want to thank the distinguished chairman of the subcommittee, the gentleman from Tennessee (Mr. EVINS) for yielding to me at this time. I thank the gentleman from Tennessee for his devotion and dedication to our veterans.

Mr. Speaker, I urge the House to act wisely and compassionately to provide the necessary funds for our veterans' medical care. This committee and the conferees are to be commended for appropriating \$105 million more for veterans' medical care than was recommended by the administration.

This timely action in behalf of our veterans is a tribute to the House Committee on Veterans' Affairs and to its

great chairman, "TIGER" TEAGUE of Texas, I am proud to serve with him on the only committee of the Congress devoted solely to veterans' affairs.

Mr. Speaker, it was only after exhaustive hearings and field trips on the part of the Veterans' Hospital Subcommittee of the Committee on Veterans' Affairs, headed by the distinguished and able gentleman from Florida (Mr. HALEY), that the inadequacies of the veterans medical program were carefully documented and brought forcefully to the attention of the American people. We found conditions warranted more appropriations to meet pressing needs.

Mr. Speaker, I would like to remind the Members of the House that the Bureau of the Budget did not recommend sufficient funds for medical care for our veterans. Furthermore, those of us so deeply concerned with veterans medical care were astounded to read that the Veterans' Administrator, speaking for the administration, told the other body that extra money was not needed above the amount suggested by the administration. One might hope that through our action today the House can encourage the administration to adopt a more compassionate attitude with respect to our veterans' medical care.

I urge this House to reject the motion to be made in behalf of the administration which would have the effect of cutting these desperately needed funds.

Mr. Speaker, I commend the Appropriations Committee for acting on the recommendations of the House Veterans' Affairs Committee in providing for this larger appropriation. I urge the House to approve this money for those veterans who so urgently need it.

Mr. Speaker, may I remind my colleagues that Congress appropriates money for our veterans. Not one penny can be made available without authorization and appropriation by Congress. Our veterans desperately need new hospitals, air-conditioned facilities, nursing care, more doctors and an improved diet. This additional appropriation provided by the Congress will provide for these urgent needs.

Mr. EVINS of Tennessee. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. THOMPSON) to whom I promised to yield, and then I will yield to other Members.

Mr. THOMPSON of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would first like to ask the gentleman from Tennessee if he has any figures on how many dollars are to be used in the so-called open communities program, wherein the Government takes the taxpayers money and places low-income housing in affluent suburban areas to destroy the property values in those areas?

Is there a breakdown on the turnkey program in the conference report?

Mr. EVINS of Tennessee. It is not in a separate item, I will say to my colleague.

Mr. THOMPSON of Georgia. I would like to state that in my own city of Atlanta, Ga., according to a newspaper ar-

ticle yesterday, we have 12,356 low-income subsidized housing units, and the housing authority plans to more than double that amount in the next 24 months, using Federal taxpayers funds to add 16,000 more units.

In addition, these are to be placed in many cases in the suburban areas.

Mr. Speaker, I was awake until 3 o'clock in the morning yesterday morning answering telephone calls because a \$6.5 million grant for 300 units was announced in an area of \$75,000 homes. One particular doctor said that the low-income housing was going to be within 50 feet of him.

Mr. Speaker, I favor many items in the report such as medical aid for veterans, but I do not intend to vote money to destroy the property value of these people. I do not intend to tax the people's own tax dollars and in trying to accomplish what some call desirable (removing economic stratification) destroy the property values with the people's own tax money.

Mr. Speaker, another thing that the addition of 16,000 more Government-owned housing units will do is to bring more people from the rural areas to the city to be supported by the taxpayers.

The SPEAKER. Time of the gentleman has expired.

Mr. EVINS of Tennessee. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Speaker, I am going to vote to recommit this conference report because I find it completely anomalous that a bill which is more than half a billion dollars over the budget has virtually slashed in half the one thing in the bill that might permit some people in the lower income groups to have low-cost housing.

Low-cost housing in America is one of the most critical problems facing this Nation today. The costs of providing a low-cost home to the average American has risen to that degree where 60 percent of those in need of the home can no longer afford it. The cost of land, labor, material, and money have all increased sharply in recent years, making the low-cost home unavailable to those who need it.

Secretary Romney at HUD has undertaken what I believe to be the only meaningful approach which can bring the costs of these houses back into that price range where they can be afforded by those Americans who need them most. This is Operation Breakthrough, which is currently in its research and experimental stages. They have selected 10 sites throughout the country together with developers and system builders to encourage the large, mass-producers of houses who can deliver a quality, long-lasting house at a reasonable cost. This is done through the application of technology and a systems approach that has been applied to the space programs and other areas, but has been, as yet, untried in the housing field.

For fiscal year 1971 they requested \$55 million—certainly a modest sum to perform this very necessary and vital effort. They needed this amount desperately to

pursue this program. Without these funds the program will be seriously curtailed and the housing goals seriously jeopardized. The House originally granted \$30 million; the Senate restored the balance to \$55 million. Yesterday the conferees agreed to the \$30 million level. It is hoped that HUD will come back for a supplemental budget for this vital project as soon as possible. By denying these funds to this Operation Breakthrough the House and this committee assumes the responsibility of this program's failure. If you believe in the need for low-cost housing; if you believe in the need for quality housing at a reasonable cost, then I ask for your support when this supplemental comes up in the future.

The effects of the reduction in the research and technology budget to \$30 million from a request of \$55 million are as follows:

First. Under Operation Breakthrough, two and possibly three of the 10 prototype sites and one subsite would have to be dropped.

Second. Only minor studies and evaluations rather than action programs could be undertaken to solve the problems of abandonment and inadequate management in housing developments. This effort would be reduced from an amount of \$3.6 million under the original request to \$300,000 under the new request.

Third. No new building technology work could be undertaken under this \$30 million budget.

Fourth. No work will be conducted on the followup of ongoing studies to implement tax revisions to encourage housing development and proper maintenance and rehabilitation.

Fifth. Essentially all funding will be eliminated for work on avoidance of thermal pollution by useful application in urban areas, noise abatement, demonstration of advanced solid waste disposal methods, improved methods of installing utilities, application of available but advanced communications technology to improving urban functions will be eliminated, and other urban utilities and environmental factors. Only \$200,000 is left for work in that area.

Sixth. No funds will be provided to the urban observatory program in which universities and 10 cities are working together to help improve urban operations. In addition the plan for extension of that program to five smaller metropolitan areas will be eliminated.

Seventh. No new commitments will be made to the Urban Institute.

Eighth. The work in six cities to develop municipal information systems will be stretched out and planned support reduced.

Ninth. The housing and urban data series work that assembles information on the housing market, the characteristics of new housing, the sale of new one-family homes, single family home construction, and so forth, will be reduced.

Tenth. Research work on fair housing, zoning improvements, new ownership approaches will be eliminated.

Mr. EVINS of Tennessee. Mr. Speaker,

I yield 1 minute to the distinguished gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I wish to join those of my colleagues who have criticized the reduction in the budget request for research and technology by \$25 million, while increasing the urban renewal program \$350 million.

The unwise slash of the request for HUD's research and technology program, a cut of 45 percent, will have serious short and long-range effects. I think that too often we think too much of brick and mortar and not enough about the planning of the activities that can be done by the appropriations that we make in the brick and mortar field.

I concur with the gentleman from Illinois (Mr. ANDERSON). I think it is a serious mistake to have made this cut in research and technology.

I certainly trust that the bill will be re-committed for the purpose of correcting this inequity.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. EVINS of Tennessee. Mr. Speaker, let me summarize the bill once more.

Regarding the item for housing research, funds were denied for this purpose by the Congress some years ago when it was felt the industry should be able to support its own research instead of having it financed and controlled by the Government. Modest support was provided in 1962 at the level of \$375,000. In 1968 a big jump was made to \$10,000,000 and the general level was continued in 1969 at \$11,000,000. Last year it went up to \$25 million, a 100-percent increase last year. These large increases have not yet been digested. The carryover unexpended balance this year is \$27,100,000.

This year we are giving a further increase of \$5 million over the fiscal year that has just ended, and there is the \$27 million unexpended balance still available to be spent in 1971, which makes a total of \$57.1 million available for expenditure for such housing research in the next year. Mr. Speaker, these are the facts—a 100-percent increase in appropriations for research in recent years and \$30 million in new funds for next year in addition to carryover of last year's unexpended funds. HUD spent less than \$9 million for this purpose last year—why this sudden urge for large expenditures at this time? We should sustain the House position.

Mr. Speaker, as to the overall bill, we bring back from conference a cut of \$645,494,200 below the sum proposed by the Senate, which was \$1,200,000,000 above the budget. To repeat, the increases are \$105 million for veterans' medical care; \$350 million for water and sewerage grants; and \$350 million for urban renewal. These are to meet urgent needs in these vital areas.

These are the increases—water, sewerage grants, urban renewal, and veterans' medical care.

If any Member wants to vote against

these increases in the bill for these needed programs, certainly it is your privilege to do so.

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

Mr. EVINS of Tennessee. I yield to the gentleman from Connecticut, a valued member of the subcommittee on appropriations.

Mr. GIAIMO. Mr. Speaker, I think it is important that we get this problem of Operation Breakthrough and support of urban research and technology in the proper perspective.

I support the conference report, but I do think we need additional money for Operation Breakthrough and for urban research and technology. I hope we can correct this situation in a supplemental appropriation bill at a later date.

Reference has been made to the fact that we are providing \$30 million for Operation Breakthrough and for research, and reference is also made to the fact that there is a \$27 million carryover of unexpended funds. Then reference is further made that this makes a total of \$57 million available.

I think we are giving the House the wrong impression here, because even though this \$27 million is unexpended, the fact is these funds have been committed. They have been committed to bringing a breakthrough—a very much desired breakthrough—in this area of construction of housing.

So I do not think we can properly say that this \$27 million is available. It has already been committed—regardless of when it will actually be expended. By not giving them additional funds, I think we are setting the program back and we are delaying the breakthroughs in this area.

Mr. EVINS of Tennessee. Mr. Speaker, I yield myself 1 additional minute.

Mr. Speaker, less than \$9 million was expended from this item last year. As I have said, there are carryover obligations of \$27,100,000 that will be available for expenditure on the program in 1971. This is from previous appropriations. The bill provides another \$30,000,000, yet the President's budget shows outlays—or expenditures will only be \$23,500,000 in 1971. So we have been building up the funding for housing research rapidly. The \$30,000,000 of new obligational authority is a further increase of \$5 million over last year. These funds are available until expended.

Again I repeat—there is a total of \$57 million available for housing research expenditures in the next year. This is a significant sum and represents a rapid escalation of support for this item.

Mr. BOLAND. Mr. Speaker, I am happy to point out that this conference report provides \$1,857,200,000 for the Veterans' Administration's medical care programs, an increase of \$105 million over the amount sought in President Nixon's budget. Earlier this year the House added \$25 million to the budget request. And the Senate, citing "the goal of attaining for all veterans the best medical service obtainable," added \$80 million more. The House-Senate conferees have

agreed to maintain the entire \$105 million increase.

As a ranking member of the Appropriations Committee and as a conferee on this legislation, I strongly supported the additional funds for medical care. Certainly, Mr. Speaker, our veterans are entitled to nothing short of the very best medical care. Thousands of Vietnam veterans are entering VA hospitals, making great demands on the facilities and staff of these institutions. Articles in the popular press—Life magazine, for example, published what amounts to an exposé—maintain that VA hospital care falls far short of adequacy. The VA denies these allegations, contending that the individual cases selected for the Life article are not representative of hospital conditions. Even so, Mr. Speaker, the need for better medical care is obvious. If just one veteran is receiving less than adequate medical care, if just one VA hospital is lagging behind conventional hospital efficiency, we are justified in our alarm.

We spend tens of billions of dollars each year on the war in Vietnam.

Certainly we can afford to spend a few million dollars more on the men wounded in fighting that war.

Mr. Speaker, I include in the RECORD telegrams and letters that veterans' organizations have sent me in support of increased funds for medical care:

PARALYZED VETERANS OF AMERICA,

Needham, Mass., July 11, 1970.

Congress EDWARD BOLAND,
House of Representatives Office Building,
Washington, D.C.

DEAR REPRESENTATIVE BOLAND: We wish to make known to you our deep concern about the appropriation for the Veterans Administration budget.

We understand that the House and Senate have passed differing versions, the greater amounts being in the Senate bill.

One of the areas most affected will be the Spinal Cord Injury Program. At present we are at a low help level which makes it impossible to give proper care or better the programs to care for the needs of the new injuries.

We implore you to provide the needed funds so that our veterans can be treated in a manner better than what Life Magazine portrayed.

Sincerely,

WILLIAM P. GREEN, President.

SPRINGFIELD, MASS.,

July 13, 1970.

HON. EDWARD P. BOLAND,
House Office Building,
Washington, D.C.

DEAR ED: Will appreciate if you would support Senate amendment for 100 million dollars to increase VA appropriations for medical and hospitals for fiscal year 1971.

Sincerely,

SIDNEY J. HARRIS,
Executive Secretary, Springfield Post
No. 21 American Legion.

LEOMINSTER, MASS.,

July 13, 1970.

Representative EDWARD P. BOLAND,
House of Representatives,
Washington, D.C.

We support the amendment increasing appropriations for VA hospitals and medical care for fiscal 1971.

HARRY E. PARKS,
Adjutant, American Legion Post 191.

REHOBOTH, MASS.,
July 15, 1970.

Representative EDWARD P. BOLAND,
House Office Building,
Washington, D.C.

SIR: As commander of American Legion District Nine we the officers and members wish to go on record as being in favor and support of the Senate amendment for \$100,000,000 VA hospital and medical care for fiscal 1971.

LAURENT E. BEAUVAIS,
Commander District 9, American Legion,
Department of Massachusetts.

BOSTON, MASS.,
July 14, 1970.

Representative EDWARD BOLAND,
Washington, D.C.:

The 20,000 members of the American Legion Auxiliary Department of Massachusetts Inc. actively supports that part of the Senate version of HR 17548 the 1971 Appropriations Bill adding 100 million dollars for Veterans medical care.

Mrs. ELSIE L. MORSE,
Secretary-Treasurer, American Legion
Auxiliary, Department of Massachusetts.

IPSWICH, MASS.,
July 16, 1970.

HON. EDWARD BOLAND,
Member, Subcommittee on Independent
Offices Housing and Urban Development,
U.S. House of Representatives, Wash-
ington, D.C.

DEAR MR BOLAND: As the commander of the department of Massachusetts Veterans of Foreign Wars, representing some 60,000 overseas veterans, I strongly urge your support on behalf of our members for the \$100 million which has been added to the Veterans' Administration hospital and medical program for 1971 in H.R. 1748, the Independent Offices Appropriation Bill.

It is certainly an act, that despite the financial problems of the times the wealthiest nation on earth must provide proper and adequate medical care for the veterans who gave of their physical well-being for its survival.

Sincerely yours,

RICHARD T. LAWLER,
Commander, Department of Massa-
chusetts Veterans of Foreign Wars.

Mr. BARRETT. Mr. Speaker, I rise in support of the conference report on the bill, H.R. 17548, making appropriations for the Independent Offices and the Department of Housing and Urban Development for fiscal year 1971. As in most conference reports, there are many items which I am sorry to see left out. This is the case especially with this appropriations bill. But I am pleased that this conference report contains more money for the Department of Housing and Urban Development's Federal housing programs that was originally passed by the House when we considered this bill on the floor. I would liked to have seen the full \$1.7 billion for urban renewal retained, but I believe that the compromise arrived at which provides an additional \$350 million for urban renewal over and above the House action was a good compromise. Urban renewal needs more funds as we have heard from mayors in both large and small cities from all over the country. Hopefully, next year, the Appropriations Committees of both Houses will see fit to increase the urban renewal appropriations. I was particularly happy to see that the conferees agreed to provide more

funds for the section 202 housing for the elderly program. Everyone agrees that this is one of the most popular HUD housing programs, to provide for a direct 3-percent loan from the Government to build units for our elderly citizens. There were no funds in the House-passed version, but there was \$25 million provided for elderly housing which was put into the Senate appropriations bill by the distinguished Senator from New Jersey, my good friend, PETE WILLIAMS. The conferees adopted a \$10 million figure for housing for the elderly, and I wholeheartedly endorse this action.

For the third time, there have been no funds appropriated for tenant services. I believe that this is the most glaring gap in this appropriations bill. As chairman of the Housing Subcommittee, I have heard time and again from people all over the country pleading for funds to provide essential services for our public housing tenants. Such services, I believe, would make public housing tenants more responsible and more willing to make the atmosphere in public housing more respectable and more pleasant to live in.

The research and technology appropriations that the conferees agreed on was for \$30 million and not the \$55 million that the Senate and the administration requested. The main reason for this increase for urban research and technology was to fully fund the Operation Breakthrough program. I believe as the House Appropriations Committee report stated that before more money is made available to Operation Breakthrough, we in Congress must see the results of this program before we give them more money. I am sorry to see that the House conferees could not agree with the Senate on providing full funding for the rent supplement program. We could have used the full \$75 million that the Senate appropriated, instead of the \$55 million that is contained in the conference report. Again, I do not believe that sufficient funds were made available in this conference report for the fair housing and equal opportunity program. The full \$11.3 million as proposed by the Senate is greatly needed, and I am sorry to see that only \$8 million is being provided by this conference report.

So I would say that this is a good compromise, although not the best that I would have liked to see, but I urge the House to adopt this so that the funding for these vital HUD programs can be made available immediately.

Mr. ANDERSON of California. Mr. Speaker, I rise in support of the conference report on H.R. 17548, the HUD and independent offices appropriations bill. I wish to specifically commend the conferees for their actions in accepting the Senate-passed funding level for the Veterans' Administration medical program.

This past weekend, I was privileged to attend the annual convention of the Disabled Americans Veterans in Los Angeles. At the convention, I spoke with men who are all too familiar with the conditions which exist in our 166 veterans' hospitals. Their feeling was unanimous—more

funds are needed for increased staffing; more funds are needed for maintenance and repair; more funds are needed for dental care.

Mr. Speaker, I have voted for cuts in the administration's overall budget for 1971 which total well over one-half billion dollars. I realize the need to hold down Federal spending, but we cannot let our returning servicemen bear the brunt of our fight against inflation by allowing them to have second-class medical care.

For fiscal year 1971, the administration recommended spending \$1,752,200,000 for VA medical care. The House of Representatives, on May 12, passed H.R. 17548 appropriating \$25 million more than requested by the administration. The Senate, chiefly through the efforts of the chairman of the Veterans Affairs Subcommittee, Senator ALAN CRANSTON, passed an appropriation for medical care totaling \$1,857,200,000. I agree with Chairman TEAGUE that the Senate-passed amount will not accomplish all that is needed but "these additional funds which the Senate added will make a significant step toward overcoming the serious shortages which exist in fulfilling America's obligation to its sick and disabled veterans."

Chairman TEAGUE, perhaps the most knowledgeable person regarding the veterans' program in the United States, has conducted a study which concludes that veterans' hospitals are in great need of \$180.5 million more than the amount recommended by the administration. In other words, the directors of the 166 Veterans' Administration hospitals feel that \$70 million more than the conference level is needed in order to properly and promptly care for America's disabled veterans.

California veterans hospitals have been especially hard-hit by both an influx of patients and insufficient funding. Directors of the California VA hospitals and outpatient clinics report that their proposed funding level for 1971 is \$20.4 million less than is necessary to maintain quality care.

In commenting on over \$4 million in funding deficiencies at the Los Angeles medical complex, the director said:

In spite of our constant efforts to improve nursing and building management services, the progressive needs which are developing are advancing more rapidly than our means.

Mr. Speaker, this reflects the frustration which is prevalent in our hospitals today.

Thus, Mr. Speaker, I commend the conferees for their foresight and for their compassion. While the funding level is not as great as I feel it should be, it will allow a beginning toward assuring the veterans of this country the best possible medical care.

Mr. RANDALL. Mr. Speaker, it is my intention to be against any straight or general motion to recommit without enumerated instructions. I submit that such a procedure is in itself a sort of exercise in one-upmanship. Who among us can possibly believe that simply to recommit the bill to the conferees would

lead to any different result than we have before us today. It is an effort in make believe to try to fool the uninformed observer that a sincere effort is being made to save money.

I make this statement only because I must explain it is with a disturbed feeling that I find myself with no available alternative other than to vote against the motion to recommit the conference report on the independent offices and Housing and Urban Development appropriation bill. This unhappy circumstance exists because of the practice of lumping together controversial items in a single bill. It is a procedure which places all Members in an untenable position, requiring them to continually to seem to have to accept the bad with the good.

To illustrate, this bill carries more than \$1½ billion for urban renewal. This is an enormous amount of money. It is directed to one phase of our urban problems—housing. No one can be unsympathetic to the plight of those unfortunates who live in substandard environment. But what we are doing is starting on an endless cycle. The appropriation is at best a sort of a stopgap measure. It does not take in account that much greater sums will be needed in these same urban areas to rehabilitate the schools, to provide job opportunities and restore the commercial properties in the areas to a more serviceable condition.

I am no expert on urban renewal; yet those who do possess an expertise say that to do any kind of a thorough job on urban renewal it would require \$20 billion a year for the next 5 years or a total of \$100 billion. The point I would hope to make is that such huge an enormous expenditures is far too great to pledge or even consider until after there is a study of the cost-benefit ratio for revitalizing rural areas of America. I have reference to inaugurating a program that would encourage millions of people who have crowded into metropolitan areas the past few years to return to our smaller towns and communities.

It is my sincere hope that none of my friends from the Chicago area will regard the following comments as any slight toward that great city. That huge metropolis has always been one of my favorite places. Recently, however, a well known scholar in urban affairs stated the reason for a city the size of Chicago had ceased to exist. He added that the time had past when such a large city was needed as a rail hub or even as a distribution center. Of course, this particular author can be wrong about Chicago but his opinion is buttressed by other students of urban affairs as to other cities who say as long as people continue to congregate or concentrate in our great cities it is a hopeless task to try to eliminate the ghettos. As soon and as surely as one is cleaned up or rebuilt another will spring up somewhere else in the same city. I am firmly convinced there is not enough money in the U.S. Treasury to eliminate all of the ghettos in America. It is for that reason I had hoped the

minority would offer a motion to recommit with instructions to reduce this huge amount for urban renewal.

In this bill there is \$30 million for urban research and technology. No one can oppose such research. I wish I could be sure that the brain trust down at HUD would break the shackles that have chained them to those old wornout ideas which commit them to rebuilding our present cities where they stand. Instead, they should open their minds to become receptive to the great opportunities existing in rural and small-town America for better housing, better job opportunities with the restoration of life and hope to all the inhabitants of our crowded cities. If only we would spend \$1½ billion on a well-planned and well-coordinated program of rural revitalization, we would be much farther ahead toward the solution of the great problem of rural-urban population imbalance.

If there was an opportunity to have a separate vote on such a huge appropriation for urban renewal, I am sure the sum would be reduced. As it exists today, urban renewal is nothing but a band-aid or just some very expensive first aid or resuscitation for our big cities at the very time when there are such bright prospects for better alternatives in rural America.

With these objections spread on the record, I will oppose a straight or general motion to recommit because such action would only delay other meritorious items in the bill. For example, the \$500 million item for water and sewer grants, while not in conference, should be given immediate approval without any further delay. Those who really believe in trying to clean up our environment and give meaning to the impetus that started on Earth Day and also believe that the science of ecology can have practical applications with beneficial results recognize that the \$150 million contained in the budget was only a token appropriation when you spread it across all of our 50 States. We in the House by separate vote this year approved \$500 million or an increase of \$350 million. The Senate concurred in our action. A general motion to recommit would imperil or delay this program to adequately fund efforts to eliminate pollution which is an existing domestic problem of the very highest priority.

Now, Mr. Speaker another one item in disagreement which would be periled by a straight motion to recommit is the item for medical care in our veterans hospitals. Have any of us forgotten the recent story in Life magazine and the large volume of mail that story generated over the charge our Vietnam veterans were not receiving top quality medical care? I applaud the conference committee's work for their increase in these sorely needed funds.

Recently I had occasion to visit our veterans hospital in my own district in the eastern portion of Kansas City, Mo. At that time the Administrator outlined his many needs. On that visit I saw patients who had been waiting to see a doctor for 6 or 7 hours. When faced with facts such as these, which I know are du-

plicated all across America, \$1¼ billion is just not enough for good medical care for our deserving veterans and particularly those whose bodies have been torn by the Vietnam conflict.

The final figure in the bill for medical care for veterans is \$1,857,200,000. It is \$105 million over the President's budget figure and is even \$80 million over our House figure. I hope that I had the reputation over the years for being economy minded. I have opposed both authorization and appropriation bills in this second session of the 91st Congress. There are countless items of Federal expenditures that can be reduced. Notwithstanding good veteran care is one of those irreducible items that is completely consistent with federal financial responsibility.

We are currently engaged in a seemingly endless debate over the change of rules of the Congress. Some call it reorganization and some may call it reform. Surely there is a better way to accomplish an appropriation effort than bundling so many different items into one package. Why is it we should have to swallow this staggering amount for urban renewal with its questionable benefits in order to be sure there are adequate funds for water and sewer treatment facilities? Should we any longer be forced to support a program of rebuilding the ghettos which will never be fully completed in order to see there is top-quality medical care for our deserving veterans. That is the situation which may hopefully, before the debate is over on congressional reform, receive some attention. For the time we have no choice but to accept the conference report because of the many meritorious appropriations it provides.

Mr. EVINS of Tennessee. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. HAYS). The question is on the conference report.

MOTION TO RECOMMIT OFFERED BY MR. BOW

Mr. BOW. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. BOW. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BOW moves to recommit the conference report on H.R. 17548 to the Committee of Conference.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. YATES. Mr. Speaker, I ask for a division.

Mr. EVINS of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 156, nays 228, not voting 46, as follows:

[Roll No. 238]
YEAS—156

Abbitt	Findley	Nelsen
Abernethy	Fish	O'Konski
Adair	Ford, Gerald R.	Pettis
Anderson, III.	Foreman	Pirnie
Andrews,	Fountain	Poff
N. Dak.	Freilighuysen	Price, Tex.
Arends	Frey	Quie
Ashbrook	Goldwater	Railsback
Beall, Md.	Goodling	Reid, Ill.
Belcher	Gross	Reifel
Bell, Calif.	Grover	Rhodes
Bennett	Gubser	Robison
Betts	Hall	Roth
Blester	Hammer-	Rousselot
Blackburn	schmidt	Ruppe
Bow	Hansen, Idaho	Ruth
Bray	Harsha	Sandman
Broomfield	Harvey	Satterfield
Brotzman	Hastings	Saylor
Brown, Mich.	Hogan	Schadeberg
Brown, Ohio	Hosmer	Scherle
Broyhill, N.C.	Hunt	Schmitz
Broyhill, Va.	Hutchinson	Schneebeil
Buchanan	Jarman	Schwengel
Burke, Fla.	Johnson, Pa.	Scott
Burton, Utah	Keith	Shriver
Byrnes, Wis.	Kleppe	Skubitz
Camp	Kuykendall	Smith, Calif.
Carter	Kyl	Smith, N.Y.
Cederberg	Landgrebe	Snyder
Chamberlain	Iangen	Springer
Clancy	Latta	Stanton
Clausen,	Lujan	Steiger, Ariz.
Don H.	Lukens	Steiger, Wis.
Clawson, Del.	McClory	Taft
Collier	McCloskey	Talcott
Collins	McClure	Taylor
Conable	McCulloch	Teague, Calif.
Conte	McDade	Thompson, Ga.
Corbett	McDonald,	Thomson, Wis.
Coughlin	Mich.	Vander Jagt
Cowger	McKneally	Watkins
Crane	Mailliard	Whalley
Daniel, Va.	Marsh	Wiggins
Davis, Wis.	Martin	Williams
Dellenback	Mathias	Wilson, Bob
Denney	May	Winn
Dennis	Melcher	Wold
Derwinski	Michel	Wyatt
Devine	Miller, Ohio	Wylie
Dickinson	Mize	Zion
Edwards, Ala.	Montgomery	Zwach
Erlenborn	Morton	
Eshleman	Myers	

NAYS—228

Adams	Davis, Ga.	Green, Pa.
Addabbo	de la Garza	Griffin
Albert	Delaney	Griffiths
Alexander	Diggs	Gude
Anderson,	Dingell	Haley
Calif.	Donohue	Halpern
Andrews, Ala.	Dorn	Hamilton
Annuzio	Dowdy	Hanley
Ashley	Downing	Hanna
Aspinall	Dulski	Hansen, Wash.
Ayres	Duncan	Harrington
Barrett	Dwyer	Hathaway
Bevill	Eckhardt	Eays
Blaggi	Edmondson	Hébert
Bingham	Edwards, Calif.	Hechler, W. Va.
Blanton	Ellberg	Beckler, Mass.
Blatnik	Esch	Heistoski
Boggs	Evans, Colo.	Henderson
Boland	Evens, Tenn.	Hicks
Bolling	Farbstein	Hollfield
Brademas	Fascell	Horton
Brasco	Feighan	Hull
Brinkley	Fisher	Hungate
Brooks	Flood	Jacobs
Brown, Calif.	Flowers	Johnson, Calif.
Burke, Mass.	Foley	Jonas
Burleson, Tex.	Ford,	Jones, Ala.
Burlison, Mo.	William D.	Jones, N.C.
Burton, Calif.	Fraser	Jones, Tenn.
Byrne, Pa.	Friedel	Karth
Cabell	Fulton, Pa.	Kastenmeier
Caffery	Fulton, Tenn.	Kazen
Casey	Fuqua	Kee
Celler	Galifianakis	Kluczynski
Chappell	Garmatz	Koch
Chisholm	Gaydos	Kyros
Clark	Gettys	Landrum
Cleveland	Glaime	Leggett
Cohelan	Gibbons	Lennon
Corman	Gilbert	Long, La.
Culver	Gonzalez	Long, Md.
Daddario	Gray	Lowenstein
Daniels, N.J.	Green, Oreg.	McCarthy

McFall	Patman	Stafford
Macdonald,	Patten	Stagers
Mass.	Pepper	Steed
MacGregor	Perkins	Stephens
Madden	Philbin	Stokes
Mahon	Pickle	Stratton
Mann	Plke	Stubblefield
Meeds	Poage	Stuckey
Mikva	Podell	Sullivan
Miller, Calif.	Preyer, N.C.	Symington
Mills	Price, Ill.	Teague, Tex.
Minish	Pryor, Ark.	Thompson, N.J.
Mink	Pucinski	Udall
Minshall	Purcell	Ullman
Mizell	Quillen	Van Deerlin
Mollohan	Randall	Vanik
Monahan	Reuss	Vigorito
Moorhead	Riegle	Waggonner
Morgan	Rivers	Walde
Morse	Roberts	Wampler
Mosher	Rodino	Watson
Moss	Roe	Watts
Murphy, Ill.	Rogers, Fla.	Whalen
Murphy, N.Y.	Rooney, N.Y.	White
Natcher	Rooney, Pa.	Whitehurst
Nedzi	Rosenthal	Whitten
Nichols	Rostenkowski	Widnall
Nix	Roybal	Wolf
Obey	St Germain	Wright
O'Hara	Scheuer	Wyman
Olsen	Shipley	Yates
O'Neal, Ga.	Sisk	Yatron
O'Neill, Mass.	Slack	Young
Passman	Smith, Iowa	Zablocki

NOT VOTING—46

Anderson,	Fallon	Pollock
Tenn.	Flynt	Powell
Baring	Gallagher	Rarick
Berry	Hagan	Rees
Brook	Hawkins	Reid, N.Y.
Bush	Howard	Rogers, Colo.
Button	Ichord	Roudebush
Carey	King	Ryan
Clay	Lloyd	Sebelius
Colmer	McEwen	Sikes
Conyers	McMillan	Tiernan
Cramer	Matsunaga	Tunney
Cunningham	Mayne	Weicker
Dawson	Meskill	Wilson,
Dent	Ottinger	Charles H.
Edwards, La.	Pelly	Wydler

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:
Mr. Baring for, with Mr. Dent against.
Mr. Berry for, with Mr. Reid of New York against.

Mr. Cramer for, with Mr. Button against.
Mr. Bush for, with Mr. Matsunaga against.
Mr. Cunningham for, with Mr. Ryan against.

Until further notice:
Mr. Sikes with Mr. Roudebush.
Mr. Rogers of Colorado with Mr. Sebelius.
Mr. Fallon with Mr. Wydler.
Mr. Charles H. Wilson with Mr. Pollock.
Mr. Tiernan with Mr. Weicker.
Mr. Howard with Mr. Pelly.
Mr. Carey with Mr. Conyers.
Mr. Ottinger with Mr. Clay.
Mr. Gallagher with Mr. Meskill.
Mr. Edwards of Louisiana with Mr. Mayne.
Mr. Anderson of Tennessee with Mr. Brock.
Mr. Colmer with Mr. Lloyd.
Mr. Ichord with Mr. McEwen.
Mr. McMillan with Mr. King.
Mr. Flynt with Mr. Tunney.
Mr. Hagan of Georgia with Mr. Rarick.
Mr. Rees with Mr. Powell.

Messrs. JACOBS, WHITTEN and JONES of Alabama changed their votes from "yea" to "nay."

Messrs. FINDLEY and SCHWENDEL changed their votes from "nay" to "yea." The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to. A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendments No. 7: On page 9, line 12, strike out: "Augusta, Georgia, Honolulu, Hawaii, Indianapolis, Indiana, Houma, Louisiana, Albany, New York, Providence, Rhode Island, Denton, Texas, and Seattle, Washington," and insert: "Honolulu, Hawaii, Indianapolis, Indiana, Frankfort, Kentucky, Fitchburg, Massachusetts, Albany, New York, Bronx, New York, and San Antonio, Texas,".

MOTION OFFERED BY MR. EVINS OF TENNESSEE

Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "Honolulu, Hawaii, Indianapolis, Indiana, Albany, New York, and Bronx, New York,".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: On page 9, line 12, strike out: "Independent Offices Appropriation Act, 1964, and 1967, and the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968," and insert: "Independent Offices Appropriation Act, 1967, and the Independent Offices and Department of Housing and Urban Development Appropriation Acts of 1968 and 1970,".

MOTION OFFERED BY MR. EVINS OF TENNESSEE

Mr. EVINS of Tennessee. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: On page 10, line 13, insert:
"Post Office and Federal office building, Augusta, Georgia, in addition to the sum heretofore appropriated, \$2,694,000;".

MOTION OFFERED BY MR. EVINS OF TENNESSEE

Mr. EVINS of Tennessee. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House recede from its disagreement to the amendment of the Senate numbered 9 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: Page 10, line 24, insert:
"Post Office and Federal office building, Houma, Louisiana, in addition to the sum heretofore appropriated, \$2,064,000;".

MOTION OFFERED BY MR. EVINS OF TENNESSEE

The motion was agreed to.

Mr. EVINS of Tennessee. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House recede from its disagreement to the amendment of the Senate numbered 12 and concur therein.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 14: Page 11, line 21, insert:

"Post Office and Federal office building, Providence, Rhode Island, in addition to the sum heretofore appropriated, \$1,355,600;"

MOTION OFFERED BY MR. EVINS OF TENNESSEE

Mr. EVINS of Tennessee. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House recede from its disagreement to the amendment of the Senate numbered 14 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 19: Page 21, line 9, insert: "of which \$10,000,000 shall be available only for use at the Mississippi Test Facility/Slidell Computer Complex and at other NASA facilities which can accommodate earth environmental studies to furnish, on a nonreimbursable basis, basic institutional and technical services to Federal agencies, resident at the complexes, in pursuit of space and environmental missions:"

MOTION OFFERED BY MR. EVINS OF TENNESSEE

Mr. EVINS of Tennessee. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House recede from its disagreement to the amendment of the Senate numbered 19 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 25: Page 24, line 24, insert: "including necessary funds to complete the Institutional Investors Study."

MOTION OFFERED BY MR. EVINS OF TENNESSEE

Mr. EVINS of Tennessee. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House recede from its disagreement to the amendment of the Senate numbered 25 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 30: Page 31, line 17, strike out:

"COUNCIL ON ENVIRONMENTAL QUALITY
"SALARIES AND EXPENSES

"For expenses necessary for the Council on Environmental Quality, in carrying out its functions under the National Environmental Policy Act of 1969 (Public Law 91-190), including partial support of the Environmental Quality Council and the Citizens' Advisory Committee on Environmental Quality, \$650,000."

And insert:

"COUNCIL ON ENVIRONMENTAL QUALITY AND
OFFICE OF ENVIRONMENTAL QUALITY

"SALARIES AND EXPENSES

"For expenses necessary for the Council on Environmental Quality and the Office of Environmental Quality, in carrying out their functions under the National Environmental Policy Act of 1969 (Public Law 91-190) and the National Environmental Improvement Act of 1970 (Public Law 91-224), including hire of passenger vehicles, and support of the Cabinet Committee on the Environment and the Citizens' Advisory Committee on Environmental Quality established by Executive Order 11472 of May 29, 1969, as amended by Executive Order 11514 of March 5, 1970, \$1,500,000."

MOTION OFFERED BY MR. EVINS OF TENNESSEE

Mr. EVINS of Tennessee. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House recede from its disagreement to the amendment of the Senate numbered 30 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert: "\$1,000,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: Page 38, line 7, insert:

"LOANS FOR HOUSING AND RELATED FACILITIES
FOR ELDERLY OR HANDICAPPED FAMILIES

"For loans authorized by section 202 of the Housing Act of 1959 (42 U.S.C. 1701q), \$25,000,000."

MOTION OFFERED BY MR. EVINS OF TENNESSEE

Mr. EVINS of Tennessee. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House recede from its disagreement to the amendment of the Senate numbered 39 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert on page 41 after line 15:

"HOUSING FOR THE ELDERLY OR HANDICAPPED
FUND

"For the revolving fund established pursuant to Section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q et seq.), \$10,000,000, to remain available until expended."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 55: Page 56, line 9, insert:

"Sec. 512. No part of any appropriations contained in this Act shall be available for the procurement of or for the payment of the salary of any person engaged in the procurement of any hand or measuring tool(s) not produced in the United States or its possessions except to the extent that the Administrator of the General Services Administration or his designee shall determine that a satisfactory quality and sufficient quantity of hand or measuring tools produced in the United States or its possessions cannot be procured as and when needed from sources in the United States and its possessions or except in accordance with procedures prescribed by section 6-104.4(b) of Armed Services Procurement Regulation dated January 1, 1969, as such regulation existed on June 15, 1970."

MOTION OFFERED BY MR. EVINS OF TENNESSEE

Mr. EVINS of Tennessee. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House recede from its disagreement to the amendment of the Senate numbered 55 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Sec. 512. No part of any appropriations contained in this Act shall be available for the procurement of or for the payment of the salary of any person engaged in the procurement of any hand or measuring tool(s) not produced in the United States or its possessions except to the extent that the Administrator of General Services or his designee shall determine that a satisfactory quality and sufficient quantity of hand or measuring tools produced in the United States or its possessions cannot be procured as and when needed from sources in the United States and its possessions or except in accordance with procedures prescribed by section 6-104.4(b) of Armed Services Procurement Regulation dated January 1, 1969, as such regulation existed on June 15, 1970. This section shall be applicable to all solicitations for bids opened after its enactment."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the conference report may have 5 legislative days in which to revise and extend their remarks, and that I may be permitted to include extraneous matter and tables.

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

There was no objection.

REPRESENTATIVE ALBERT HAILS HUD APPROPRIATION BILL

(Mr. ALBERT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ALBERT. Mr. Speaker, the House of Representatives today in giving final approval to the HUD appropriation bill has demonstrated in no uncertain terms that the 91st Congress is fully committed to a reordering of this Nation's national priorities. The Congress has acted to increase the President's budgetary requests for both urban renewal and water and sewer facilities by \$350 million each. We have thus showed an awareness of the magnitude of the problems of urban decay and pollution with which this country is now faced. While in the light of the seriousness of those problems, these increases are undoubtedly quite modest, their significance is vital. Congressional increases in Presidential requests for urban renewal and water and sewer facilities funds are unprecedented. These increases, therefore, underline the urgency, and commitment to immediate and dynamic action in these areas, with which this Democratic Congress views these problems. I earnestly hope that President Nixon shares that view

and that not only will he sign this vitally needed measure, but of equal importance use the funds which we have provided to make a modest start in countering urban decay and in curbing pollution.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

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

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

There was no objection.

LEGISLATIVE REORGANIZATION ACT OF 1970

Mr. SISK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 17654) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 17654, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read section 118, ending on page 39, line 4 of the bill, and there was pending an amendment offered by the gentleman from Texas (Mr. WHITE) and an amendment to the amendment offered by the gentleman from Iowa (Mr. SMITH).

The question is on the amendment offered by the gentleman from Iowa (Mr. SMITH) to the amendment offered by the gentleman from Texas (Mr. WHITE).

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. WHITE).

PARLIAMENTARY INQUIRY

Mr. WHITE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WHITE. Mr. Chairman, under what procedure at this time, insofar as we adjourned last evening and agreed to reconvene today for consideration of the amendment pending, offered by me, could the amendment be explained to the membership prior to this vote being taken?

The CHAIRMAN. The Chair would like to inform the gentleman from Texas that there was no Member on his feet seeking recognition, and for that reason the Chair put the question to the Committee.

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

Mr. Chairman, I hope the membership will recall the debate that transpired last evening. Those who were here will recall it. Some of the Members were not here and do not know what is contained in this amendment.

This amendment is an opportunity for real progress. In essence, this amendment will prove that at the time a quorum call is ordered, at the discretion of the Speaker or the Chairman of the Committee of the Whole House, he could call for tally sheets to be laid out, at which time the Members present shall be recorded.

Now, when a quorum is reached, of 100 Members in the Committee of the Whole House, or a quorum of the House, whichever was involved, the Clerk could advise the Speaker or the Chairman of the Committee of the Whole that a quorum was present, at which time a motion could be entertained that the further call of the roll be dispensed with.

At that time business would then resume. But for 30 minutes from the commencement of the quorum call the Members could come in and have their presence recorded.

The language is such that it does not restrict the manner in which this can be done. Tally sheets can be laid at any place in this hall that will cause least confusion and conflict.

I submit to the Members that this will cut down 20 minutes of our 30 to 35 minutes the quorum calls take today.

This does not conflict with the McClory amendment, which provides for electronic voting in the House itself. That amendment does not touch the Committee of the Whole House. My amendment does touch the Committee of the Whole House, to save considerable time there.

As an alternative, it also allows such a procedure in the House itself. If the electronic system which is to be provided for breaks down, then we would have this alternative. If we have not acquired an electronic system by the next Congress, then this alternative would be available.

It is strictly discretionary, and it does not disturb present procedures.

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

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

Mr. McCLORY. I just want to point out that the rules of the House do provide that the rules of the proceedings of the House shall be observed in the Committee of the Whole House so far as may be applicable, so if we do install an electronic voting system it would be capable of use in the Committee of the Whole as well as in the House.

Mr. WHITE. The gentleman may be right on that, but this would not conflict. This an alternative proceeding which may be used.

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

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

Mr. GROSS. Is the gentleman saying

that this is discretionary both with the Speaker and the Chairman of the Committee of the Whole?

Mr. WHITE. Respectively, yes.

Mr. GROSS. Why does the gentleman want to give that kind of discretionary authority?

Mr. WHITE. Because there may be occasions when we would find there could be a considerable saving of time. In his discretion and in his judgment he could use this system, if there might be a saving of time.

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

Mr. WHITE. I yield to the gentleman from Arizona.

Mr. UDALL. I commend the gentleman from Texas on the leadership he has shown in bringing forward this amendment. I am proud to be a co-sponsor.

It is permissive. It is discretionary. It is optional. It is simply another tool by which the Speaker and the Chairman of the Committee of the Whole can seek to cut 15 or 20 minutes off of the time required every time we have a call of the House.

Mr. WHITE. I thank the gentleman.

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

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

Mr. SCHEUER. I should like to add my congratulations to the gentleman from Texas. He has been working on this for a long period of time in an extremely professional and thoughtful way. I believe this amendment would save each Member untold hundreds of hours every year. Mr. WHITE has informed me that, averaging two quorum calls per day, the House consumes one-sixth of its working day on quorum calls. If at least 350 Members out of 435 answer their names as is usual, each such day 43 8-hour man-days are used in quorum calls, or the equivalent of over \$7,000 per day in the money value of the Member's time. We are all in the gentleman's debt for the fine job he has done.

Mr. WHITE. I thank the gentleman.

If this is found not to be useful, then of course it will remain dormant. If it is useful it will save a considerable amount of time of the Members of the Congress.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. WHITE).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 68, noes 20.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. BINGHAM

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

The Clerk read as follows:

Amendment offered by Mr. BINGHAM: On page 39, after line 4, insert the following new section:

"Sec. 120. Clause 6 of Rule XXIII of the Rules of the House of Representatives is amended by adding at the end thereof the following new sentence: 'If time for debate on such section or paragraph is limited under this clause, a Member shall not be recognized to speak on such pending amendment.'"

Mr. BINGHAM. Mr. Chairman, I ask unanimous consent that the Clerk reread the amendment. I believe he eliminated part of it.

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

There was no objection.

The Clerk reread the amendment.

Mr. BINGHAM. Mr. Chairman, I ask unanimous consent that the amendment as read include the following language, which was intended: "during that limited time if he has previously spoken thereon."

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

Mr. SISK. Mr. Chairman, reserving the right to object, and I will not object, the copy of the amendment that was delivered to us by the gentleman from New York certainly is not in line with what I understood to have been read. Is the gentleman striking out part of what he originally proposed to offer?

Mr. BINGHAM. That is correct.

Mr. SISK. If the gentleman will yield further, what I am trying to do is simply get to what we have pending before us. Under my reservation to object at what point, in the matter which we have before us and which has been distributed, does the gentleman propose to cut off the language?

Mr. BINGHAM. Everything following the words "if he has previously spoken thereon". I think if I could explain the amendment, Mr. Chairman, I could answer some of the questions which have been posed by the gentleman from California.

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

Mr. HALL. Mr. Chairman, reserving the right to object, we cannot write legislation on the floor this way. May I respectfully suggest that the gentleman from New York withdraw his amendment until it is perfected and then present it to both desks and give sufficient time until some of us have had an opportunity to review it. We cannot give unanimous consent that amendments be restructured in the well of the House. I have absolutely no objection to the gentleman offering his amendment, but I certainly recommend that he ask unanimous consent that it be withdrawn, perfected and presented to both desks.

Mr. BINGHAM. Mr. Chairman, I ask unanimous consent at this time to withdraw the amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. JACOBS

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

The Clerk read as follows:

Amendment offered by Mr. JACOBS: On page 39, after line 4, add the following new section:

"Sec. 123(a) Clause 23 of Rule XI of the Rules of the House of Representatives is amended by adding at the end thereof the following: 'In addition, the Committee on

Rules shall not report any rule or order for the consideration of any legislative measure which limits, restricts, or eliminates the actual reading of that measure for amendment or the offering of any amendment to that measure.'

"(b) Clause 7 of Rule XXIII of the Rules of the House of Representatives is amended by adding at the end thereof the following: 'When any measure is reported from a Committee of the Whole House, it shall be in order, immediately after the adoption of the order for the engrossment and third reading of the measure and before consideration of the question of final passage, for any Member of the committee which has reported that measure to offer a motion that all necessary changes in that measure, which are purely technical and perfecting in nature and are subject to approval by such committee, be made in its engrossment. Such motion is of the highest privilege and shall be decided with debate. If such motion is adopted, then the technical and perfecting changes approved by the committee shall be deemed to have been read in the third reading, and shall be included in the engrossment, of that measure.'

Mr. SISK. Mr. Chairman, I reserve a point of order on the amendment. However, I would be perfectly happy to have the gentleman from Indiana explain what he proposes to do, but I would like to reserve a point of order against the amendment.

Mr. SMITH of California. Mr. Chairman, I was going to make a point of order against the gentleman's amendment because it clearly limits and violates the rule under which we are proceeding. But if the gentleman has a desire to speak on it, I shall reserve a point of order until after the gentleman speaks on it.

Mr. JACOBS. I have expressed no such desire.

Mr. SMITH of California. Mr. Chairman, I raise the point of order that this very definitely limits the jurisdiction of the Rules Committee and would prohibit us from issuing a closed rule and other types of rules. The rule under which this measure was considered strictly prohibits the changing of any jurisdiction of any committee.

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

Mr. JACOBS. Mr. Chairman, as I understand the term "jurisdiction," it means the territory or subject matter over which legal power is exercisable, not the rules by which such power proceeds.

The CHAIRMAN (Mr. NATCHER). The Chair is prepared to rule.

The Chair would like to point out to the gentleman from Indiana that under House Resolution 1093 we have the following language, beginning in line 11:

No amendments to the bill shall be in order which would have the effect of changing the jurisdiction of any committee of the House listed in Rule XI.

Therefore, the Chair sustains the point of order.

PARLIAMENTARY INQUIRY

Mr. JACOBS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. JACOBS. Mr. Chairman, my par-

liamentary inquiry is for some enlightenment about the word "jurisdiction" itself, the definition of the word "jurisdiction"? Does it refer to subject matter and territory, or relate to the manner in which the Committee on Rules can make a report within its jurisdiction?

The CHAIRMAN. The Chair would like to point out to the gentleman from Indiana that under the amendment offered by the gentleman from Indiana there is the following language:

The Committee on Rules shall not report any rule or order for the consideration of any legislative measure which limits, restricts, or eliminates the actual reading of that measure for amendment or the offering of any amendment to that measure.

Therefore the amendment offered by the gentleman from Indiana restricts the jurisdictional powers of the Committee on Rules. For that reason the point of order must be sustained.

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

Mr. Chairman, I take this time, my amendment having been ruled out of order, simply to say for the record that one of the most intolerable shackles of the legislative process of the House of Representatives and its Committee of the Whole House on the State of the Union in my judgment is the so-called closed rule.

Now, it may well be—although I do not think so—that the petroleum industry in the United States is entitled to deduct for tax purposes an expense which it in fact has not incurred. Where I come from this is known as back-door spending by the Federal Government. Where I come from my constituents have some question about whether they should each pay from 50 to 75 to 100 or even more dollars a year above their fair share of taxes just so the petroleum industry in this country might pay substantially less than its fair share of Federal income taxes.

Now, it may well be that this is the will of the House of Representatives. It may well be that this is the will of the Committee of the Whole House. I think it is more likely that this loophole is not the will of the American people because of the billions of dollars that they have to pay in lieu of a fair share's being paid by the big oil companies.

But if it is the judgment of the House of Representatives that such loopholes or such excusing from the payment of tax should be accorded that industry, it strikes me that the day should come when this House of Representatives should be given the opportunity to vote specifically on that question.

In none of the days that I have served in the House of Representatives or in this committee has that opportunity ever been presented. And the device of the so-called closed rule has been the device by which I, as a Representative of nearly half a million Americans who pay taxes to make up for the taxes that the petroleum industry does not pay, have been denied the opportunity to vote upon that question. It is difficult for six

people to carry a piano. But it is especially difficult when two of the biggest ones are riding on it.

Now, I hear it said that ordinary, mere, mortal Members of Congress are not smart enough or well-informed enough or educated enough on the subject of taxes to comprehend the tax bill when it comes to the floor; to understand all its complications and complexities; we just do not understand it well enough to be allowed to offer amendments. And I submit to you that, more likely, one reason that such bills are reported in such a way is that Members of Congress such as myself understand the loophole tax bills all too well.

And speaking of "well"—some oil wells in this country have been depleted, as I understand, three, four, five, and 15 times.

So I merely take this time and I do not think I can fully do my duty to my conscience or to my constituents without saying that I hope the means will be afforded to the Members of the Congress to vote on the record either for or against these loopholes.

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

Mr. JACOBS. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. It is true, however, is it not, that when one of these closed rules, to which the gentleman just stated he had objection—and I agree with his objection—comes to the floor of the House, the Members do have an opportunity to vote on the rule?

Mr. JACOBS. Yes; and if the majority of the Members—and I understand the gentleman's point and I will respond to it in this way—it is almost exactly the same as the bill itself—take it or leave it. If you vote on a closed rule that relates to one good and one bad matter you cannot reject the bad without rejecting the good.

I am saying I think a major issue of this kind should come to the vote of the House of Representatives as an issue itself and not bootlegged with other elements of true tax reform. In the notorious so-called tax reform bill we just passed, not a hair of the head of the petroleum industry was touched.

I do not like to talk personalities or talk about individuals. I do not care who is right. But I have the deep suspicion and belief myself about what is right in this situation, and I would like to have the opportunity to vote on it.

We are concerned about oil slicks in this country and I am beginning to be just as concerned about slick oil.

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

Mr. JACOBS. I yield to the gentleman.

Mr. CLEVELAND. Again I just want to make the point that on a closed rule if a majority of the membership objects to it, it will be turned down.

Mr. JACOBS. The point is not quite the same. It is like saying when you are drowning, you can have a life raft only if you will agree to have a tiger on it—which is a rather difficult choice to make.

Or putting it another way: "Give them

someday our daily bread"—under certain conditions. I just do not think that an issue of this kind should be blocked from a vote in the House of Representatives since before I was born.

AMENDMENT OFFERED BY MR. VANIK

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

The Clerk read as follows:

Amendment offered by Mr. VANIK: on page 39, after line 4 and before line 5, insert the following:

"ADDITIONAL LIMITATION ON RULES AND ORDERS OF THE COMMITTEE ON RULES

"SEC. 119. Clause 23 of Rule XI of the Rules of the House of Representatives is amended by inserting immediately before the period at the end thereof a semicolon and the following: nor shall it report any rule or order which shall operate to prevent a vote to approve or disapprove any individual section of a bill or resolution."

Mr. SISK. Mr. Chairman, I reserve a point of order against the amendment.

Mr. SMITH of California. Mr. Chairman, I also reserve a point of order against the amendment.

The CHAIRMAN. The gentlemen from California (Mr. SMITH and Mr. SISK) have reserved points of order against the amendment offered by the gentleman from Ohio (Mr. VANIK).

The Chair recognizes the gentleman from Ohio (Mr. VANIK).

Mr. VANIK. Mr. Chairman, since the ruling of the Chair on this point of order would probably be identical with the ruling on the amendment that was offered by my distinguished colleague, the gentleman from Indiana (Mr. JACOBS), I will address the Committee within this reservation.

Mr. Chairman, I want to point out that what I was endeavoring to do in this amendment was to give the House an opportunity to vote section by section on a bill that comes to the House on a closed rule.

Now this would not permit the introduction of any new matter. It would not put the House in a position of writing a bill. But it would be a way of providing the membership of the House with a way of expressing itself on a specific section to which there may be great objection.

Under the closed rule procedure, we have developed a system of conglomerate legislation in which there are many different unrelated parts of legislation that are combined. The legislation comes here on a closed rule and the membership of the House has to either take the whole package or reject it.

I think that somehow or other if we gave the House an opportunity to vote on a proposal under a closed rule, section by section, it would permit the membership to express itself and we probably would end up improving the legislative product.

Under these circumstances, I expect to ask the Rules Committee, when the trade bill is submitted sometime in the next week or so, to recognize this principle and give the membership of the House the opportunity to reject a section which it may find unworthy or to

which a majority may find objectionable. This would permit us, I believe, to perfect the legislative product without taking over from the appropriate committee the right to legislate in the general area.

Mr. Chairman, in light of the point of order that is made, I would like to have unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio that his amendment be withdrawn?

Mr. VANIK. With the understanding that I can approach the Rules Committee later on and ask for this kind of language in a closed rule on bills such as the trade bill and other issues during the course of this session.

Mr. ANDERSON of Illinois. Mr. Chairman, with the gentleman yield?

Mr. VANIK. I am happy to yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. I do not think the gentleman should be under any illusions that the Rules Committee can grant the kind of rule the gentleman is suggesting he may request in connection with the trade bill. I realize he can request virtually any kind of rule, but I doubt very much that we would be able to furnish you with a rule telling the House how it shall conduct its voting on a particular bill, that it should vote at the end of every section. You would have to have a change in the Rules of the House rather than expect the Rules Committee, in a resolution reporting a bill to the House, to assume that burden.

Mr. VANIK. What rule of the House would prohibit the kind of rule I suggest? What prevents a separate vote on the bill section-by-section, if a rule permits this procedure?

Mr. ANDERSON of Illinois. I cannot point the gentleman to any rule that would prohibit it. Maybe it is something that might be barred by custom rather than a specific rule. But to my knowledge we have never attempted—and I see the ranking member on our side of the aisle here and he perhaps is in a better position than I am to attest to the customs of the committee—but I do not think you should suggest that we are to bear the responsibility of fulfilling that kind of request.

Mr. VANIK. Then I might suggest to the gentleman that the reform we have adopted on a teller vote has no effect when you deal with the difficult sections of a conglomerate bill that is presented to this body. I certainly hope some way might be developed to permit the membership of the House to express itself with respect to obnoxious sections in a bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio to withdraw his amendment?

There was no objection.

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

Mr. Chairman, I am particularly impressed with the fact that some of those who, only a few moments ago were so

insistent about changing the rules with respect to quorum calls, apparently for the purpose of seeing to it that the Members are on the floor and present for business, are conspicuous now by their absence.

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

The CHAIRMAN. The Chair will count.

Seventy-four Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 239]

Abbutt	Fallon	Meskill
Adams	Feighan	Ottinger
Alexander	Flynt	Pelly
Anderson,	Foley	Pollock
Tenn.	Fraser	Powell
Ashbrook	Fuqua	Rarick
Baring	Gallagher	Reid, N.Y.
Berry	Glaimo	Rogers, Colo.
Blanton	Gilbert	Rosenthal
Brock	Gubser	Roudebush
Bush	Harsha	Ryan
Button	Hawkins	Scheuer
Clark	Hébert	Sebellius
Clay	Horton	Sikes
Conyers	Ichord	Teague, Tex.
Corbett	King	Thompson, N.J.
Cramer	Kuykendall	Tunney
Cunningham	Lloyd	Weicker
Dawson	McDade	Wilson,
Diggs	McEwen	Charles H.
Dingell	Matsunaga	Wyder
Edwards, La.	Mayne	Wyman

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. NATCHER, 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. 17654, and finding itself without a quorum, he had directed the roll to be called, when 366 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

(Mr. VANIK asked and was given permission to speak out of order.)

MEMORIAL SERVICE FOR THE LATE HONORABLE
MICHAEL J. KIRWAN

Mr. VANIK. Mr. Chairman, I take this time to advise the House that on Tuesday, August 4, at 10:30 a.m. at St. Peter's Church, 313 Second Street SE., there will be a memorial service for our former distinguished colleague from Ohio, the late Honorable Michael J. Kirwan.

This will be the only memorial service for Mike Kirwan in the Washington area. I hope the Members of the House will endeavor to be present.

AMENDMENT OFFERED BY MR. STEIGER OF
WISCONSIN

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: On page 39, immediately after line 4, insert the following:

"PRINTED RECORD OF HOUSE FLOOR PROCEDURES
"SEC. —. The Rules of the House of Representatives are amended by adding at the end thereof the following new Rule:

"Rule XLV

"Printed Record of Floor Procedures

"1. The body of the Congressional Record for the House of Representatives shall con-

tain an accurate and verbatim account of remarks actually delivered on the floor of the House together with such permitted tables, statistics, and other supporting data dealing directly with the subject matter under discussion; and such remarks and data shall appear in the order in which they were delivered.

"2. Extensions and revisions of remarks in the Congressional Record delivered on the floor of the House shall be limited to the correction of grammatical and typographical errors; and in no event shall such corrections make any change in the meaning, content, or substance of those remarks.

"3. Members shall be entitled to make insertions in the Congressional Record of remarks not actually delivered on the floor. As appropriate, such insertions shall appear following the record of the entire debate to which they are germane and prior to the record of a vote: *Provided*, That such insertions shall be printed in a type face distinctively different from that used for verbatim remarks."

And make the appropriate and necessary technical changes in the bill.

Mr. STEIGER of Wisconsin. Mr. Chairman, I hesitated for some time before offering this amendment. This amendment would create a new rule in the House of Representatives relating to the CONGRESSIONAL RECORD.

In essence, it does three things.

One, it says that the body of the RECORD shall contain an accurate and verbatim account of the remarks actually delivered on the floor and such remarks and data shall appear in the order in which they were delivered.

Two, it says extensions and revisions of remarks delivered on the floor shall be limited to the correction of grammatical and typographical errors and in no event shall such corrections make any change in the meaning, content, or substance of such remarks.

Number three is: Members shall be entitled to make insertions in the CONGRESSIONAL RECORD of remarks not actually delivered, but such insertions shall appear in a distinctly different type face from that used for the verbatim remarks.

Mr. Chairman, the Joint Committee on the Organization of the Congress in its report in 1967 said:

The Congressional Record is intended to fulfill a number of functions. It is a chronology of the floor proceedings of both Houses. It is a basic source document for information on current legislative issues. It is a tool for the transmission of the views of the officeholder to his constituents.

In a chapter in the book "We Propose: A Modern Congress" the distinguished and able gentleman from Arizona (Mr. RHODES) in his chapter on "Floor Procedure" on page 213, said this:

Finally, I would call attention to the privilege of Members to "revise and extend" remarks in the *Congressional Record*. The privilege is useful, and in the light of the very heavy burden today's Congressman carries, perhaps even necessary. In the interest of historical accuracy, however, I would recommend (1) that all remarks not actually delivered on the Floor of the House be set forth in different print from recorded debate, and (2) that the privilege of revising one's remarks be confined to grammatical correction and never allowed to alter the meaning or to misrepresent the circumstances of debate in colloquy between Members.

In essence this ought to be called the Rhodes amendment, because the substance and content of this amendment comes from that chapter of "We Propose" as written by the distinguished gentleman from Arizona (Mr. RHODES).

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

Mr. STEIGER of Wisconsin. I am happy to yield to the gentleman from California.

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

I should like to get clear exactly what the gentleman seeks to do here. Under present procedures, of course, Members can extend their remarks only by unanimous consent; is that not right?

Mr. STEIGER of Wisconsin. That is correct.

Mr. SISK. And they can revise only by unanimous consent. Do I correctly understand that the intent of the language is to provide for Members a right under the rules to simply insert their remarks and have them printed, or to make such revisions as are outlined in No. 2, for example? There is no longer any necessity for unanimous consent or anything of that kind? Is that basically what the gentleman seeks to do?

Again, I am not discussing the merits. I am trying to get clear what the effect would be. As the gentleman knows, at the present time all this must be done by unanimous consent.

Mr. STEIGER of Wisconsin. My response to the distinguished chairman of the subcommittee of the Committee on Rules would be that unanimous consent would still be required or, as is the system that we use today, if, for example, in general debate a blanket unanimous consent were granted for all Members to extend their remarks in the body of the RECORD on the subject matter, that would still be required also.

What the intent of the amendment is is to say that the RECORD shall be a proceeding of those remarks actually delivered on the floor of the House, and those remarks which were not delivered but for which permission is granted would be set in a different type face than those which were actually delivered.

Mr. SISK. If the gentleman will yield further, I am sympathetic, I believe, with respect to what I believe my colleague and friend is attempting to get at. As the gentleman knows, our RECORD very often is criticized for all kinds of things it contains and for the fact that it does not necessarily contain exactly what a Member said, and so on.

I do raise this point, because it seems rather important to me, as I understand the rules today, that we can do these things only by unanimous consent. If the gentleman will note the language, for example, in number 3 of his amendment, it says, "Members shall be entitled to make insertions in the CONGRESSIONAL RECORD," et cetera et cetera. It would seem to me, if we put this into the rules, then we would be eliminating any necessity for unanimous consent.

Again I am not discussing the merits. Perhaps this is all right. Perhaps it is not. But I do believe we ought to know exactly what the impact of this would be

in connection with present practice and procedures.

(By unanimous consent (at the request of Mr. SISK) Mr. STEIGER of Wisconsin was allowed to proceed for 5 additional minutes.)

Mr. STEIGER of Wisconsin. May I say to the distinguished gentleman from California that my intent was that there would not be a change in the present practice or procedure as used in the House of Representatives insofar as extensions are concerned in the House.

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

Mr. STEIGER of Wisconsin. I am happy to yield to the gentleman.

Mr. ECKHARDT. Do I understand this to be the intent of the bill in a practical situation. In the last session of Congress, as I recall it, in the debate on the anti-riot bill there was a question addressed on the floor to one of the authors as to whether or not the element of engagement in interstate commerce would include travel by interstate facility from one town that was in a State to another town that was in the same State. The reply to the inquiry was no, that it would require travel between two States. Later the gentleman who made the answer, and made it utterly in good faith, discovered that he was in error. So he talked to the inquirer and told him that he was going to have to change his answer. Of course, the person who made the inquiry made no protest because it was of no interest to him particularly and the second gentleman was acting with great cordiality and in the proper process. However, the result was that the next day we had a history of legislative enactment which, if used by a court, would indicate exactly the opposite matter before the House than that which was before the House as far as the legislative history is concerned. It was not just a matter between A and B, but it was the important necessity of having the true history before the House so that the court could properly interpret it that was in issue.

A I understand your amendment, this sort of thing would not be permitted even by unanimous consent, but an ordinary correction of grammar, for example, could be permitted by unanimous consent but only by unanimous consent. Is that the proper construction of the amendment?

Mr. STEIGER of Wisconsin. My answer to the gentleman from Texas is to say that the language of the amendment says, "in no event shall such corrections make any change in the meaning, content, or substance of those remarks," which is to say explicitly those remarks were the remarks that were delivered on the floor of the House.

Mr. ECKHARDT. I understand. I think it is a very laudable amendment. Without it we actually mislead the courts as to what the legislative history of a bill is in the instance of the type that I described.

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

May I say in further response to the

gentleman from California that the rule, since this comes as a rule, which is not now the case, since this is under title 44 of the United States Code and the Joint Committee on Printing, I structured it in a way that says Members shall be entitled to make insertions to make very clear that that right is granted and not that the present practice and procedure in the House would be changed. Is that helpful to the gentleman in terms of trying to understand the intent of the amendment?

Mr. SISK. Will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from California.

Mr. SISK. I appreciate the statement that the gentleman makes as to the intent, but, of course, these rules will have to be interpreted in future years. I believe as I read this language it would eliminate any necessity of any unanimous-consent request because it makes it a part of a right. As the gentleman knows, to cite an example, I can get up and get unanimous consent, I suppose, to move the U.S. Capitol to Denver, if there was no objection. You can do almost anything here by unanimous consent, if no one objects. And if you want to proceed with it, that is. The point that I am making here is, then when we act to put in a rule, if we make it a rule, that the Members shall be entitled to make insertions, and I cited that also to some extent with the same kind of language in 1 and 2, it seems to me by rule it makes these things possible. There would be no point then in unanimous-consent requests. And, that there would be no point in having a unanimous-consent request, because a Member would have as a matter of privilege under the rules of the House the right anyway.

Again, I am not saying it is bad but I am not sure how we are going to do it.

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

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

Mr. Chairman, I appreciate the interest of the gentleman from Wisconsin in connection with this matter regarding the CONGRESSIONAL RECORD, because over the years there has been a considerable amount of criticism of the content of the RECORD. There have been charges at times that the RECORD does not necessarily represent the actual occurrences on the floor of the House or exactly the words spoken. However, to the extent that some way could be devised to correct that criticism, of course I am all for it.

However, I would feel that without a better study of exactly how this language might be interpreted, I would almost have to oppose it because it does substantially revise what I understand to be our procedures today.

It seems to me that the language makes very clear that a Member shall be entitled to make insertions in the CONGRESSIONAL RECORD of remarks not actually delivered, and so on. But I would like to raise one further point with my friend, the gentleman from Wisconsin (Mr. STEIGER), in connection with this

matter. Again, the gentleman may feel this is not a meritorious point, but it does go to the matter of expediting the work of the House.

Take for example, the bill which we are on right now, and on which we have been working for the better part of 3 weeks. We have from time to time sought unanimous consent for Members to have 5 legislative days in which to extend their remarks. Many Members have come to me and have asked for time and unanimous consent to extend their remarks and we have yielded for that purpose.

The point I am making is that in most cases I could visualize Members who would desire to have their statement in the RECORD on a given subject as though it was given at the time indicated by its place in the RECORD.

But I am inclined to think that if they were going to be tagged with a change in format or a change in type or the use of italics, or whatever the provision might be for setting up those remarks as not having been given on the floor, that most Members will insist upon their time to speak, which they have a right to do.

Again, I can visualize that this could double or triple the time element involved on so many matters that come before the House.

As the gentleman knows, in many cases there is a general unanimous-consent request here and that there may be as many as 50 Members or 75 Members who extend their remarks on a given subject because of their interest in and the work they have done on it. But under this procedure, I feel that a substantial percentage of those Members would probably insist upon taking the time to actually make their statement on the floor. Thus, it would seem to me that it would become a substantial delaying operation.

I yield to the gentleman from Wisconsin (Mr. STEIGER) to comment upon that observation.

Mr. STEIGER of Wisconsin. I appreciate the gentleman yielding, and I appreciate his comments. However, let me be perfectly clear and honest with the gentleman. Yes, you do run the risk that debate might be extended by virtue of making it so that there is a different type face used on those remarks not actually delivered. However, my point is that it seems to me that is the only fair way to do it, that we should differentiate between those who did deliver their remarks and those who did not. The RECORD today is simply not accurate.

If the gentleman will yield further, let me ask the gentleman—

Mr. SISK. I would be glad to yield to the gentleman, but let me say that I was looking around for the gentleman from Ohio (Mr. HAYS) who is here, and I do not know, but I hope he may contribute to this colloquy.

Because at the present time the CONGRESSIONAL RECORD is under the Joint Committee on Printing, and they have the jurisdiction over the type of printing and the arrangements of the RECORD, and things of that kind. And I recognize that this amendment, if it becomes part

of the rules, could change that situation possibly.

I am concerned about a thorough understanding of the change in procedure as well, and of the possibility that it could delay debate on the floor of the House in connection with matters before the House.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. SISK. I will yield to the gentleman from Wisconsin on that matter.

Mr. STEIGER of Wisconsin. Mr. Chairman, I appreciate the gentleman yielding again.

First, let me say that I did show this amendment to the gentleman from Maryland (Mr. FRIEDEL), the chairman of the Joint Committee on Printing, and to other Members—the gentleman from Pennsylvania (Mr. DENT) and the gentleman from Ohio (Mr. DEVINE) so that they were aware of the amendment, of its impact, and what it proposed to do.

Second, let me ask the gentleman from California if he is saying that what I have stated as the legislative intent is not sufficient to get by this problem by saying by the way the rule is being rewritten, that unanimous consent must still be requested.

As I said, it is not my intent to disrupt the present practice, that unanimous consent still is required, but I suppose one could add those words if that would help.

Mr. SISK. If I understand what the gentleman is saying, the gentleman is saying that in spite of the language of—let us take No. 3 in the amendment, because I think it is more obvious there, the language says:

Members shall be entitled to make insertions in the Congressional Record of remarks not actually delivered on the floor.

Now, what would be the point of a unanimous-consent request? What would you be seeking unanimous consent to do beyond the authority granted in that part of the RECORD, as I understand it?

Mr. STEIGER of Wisconsin. It is my understanding that permission is now possible for Members to extend their remarks with a unanimous-consent request. Am I wrong in that understanding?

Mr. SISK. That is correct. At any time the gentleman can get unanimous consent to do that.

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

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

Mr. HAYS. Mr. Chairman, it seems to me that if you read the gentleman's amendment it does away with unanimous consent, and gives any Member a right to extend without restricting anybody in any way.

Mr. SISK. That is exactly the point. Mr. HAYS. I do not think there is any question about that.

Mr. SISK. That is the point I was at-

tempting to make. And it is my understanding the gentleman from Wisconsin said he did not intend to do that, but in spite of his intent the language says that, and certainly I believe would be so interpreted by any parliamentarian. At least, that is the concern I have.

Mr. HAYS. Mr. Chairman, it seems to me that what ought to be done here, and that is what was done yesterday with another amendment offered by a different gentleman, but with the same name, and that is withdraw the amendment and rewrite it to do what the gentleman intends it to do. I do not believe the gentleman intends to do away with the asking of unanimous consent, but that is the way his amendment is written. I think it certainly does do that.

Mr. STEIGER of Wisconsin. Mr. Chairman, if the gentleman from California would yield further, it is not my intent to do that, and I will ask unanimous consent to withdraw the amendment, if the gentleman will yield for that purpose, with the understanding it can be reoffered.

Mr. SISK. I yield to the gentleman from Wisconsin for that purpose.

Mr. STEIGER of Wisconsin. Mr. Chairman, I ask unanimous consent to withdraw the amendment with the understanding that it may be reoffered later.

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

Mr. ECKHARDT. Reserving the right to object, Mr. Chairman, would the gentleman repeat his request?

The CHAIRMAN. The gentleman from Wisconsin will restate his request.

Mr. STEIGER of Wisconsin. Mr. Chairman, I had asked unanimous consent to withdraw the amendment, with the understanding that it could be reoffered later.

The CHAIRMAN. The Chair would like to inform the gentleman that the gentleman may request that the amendment be withdrawn.

Is there objection to that request?

Mr. ECKHARDT. Mr. Chairman, reserving the right to object, it would appear that a small amendment to the amendment could cure the matter. I happen to have one on the desk, and I should like to offer it.

Mr. STEIGER of Wisconsin. All right, I will be willing to withdraw my request.

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

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Chairman, a parliamentary inquiry, was not the amendment withdrawn?

The CHAIRMAN. The Chair has not passed on that question.

Mr. ECKHARDT. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. Mr. SISK. Mr. Chairman, has my time expired?

The CHAIRMAN. The gentleman from California has 1 minute remaining.

Mr. SISK. Mr. Chairman, I may not

necessarily have to use it, but I am trying to find out exactly where we are here.

I will simply say, it is my hope that the amendment which the gentleman from Texas apparently proposes to offer may clarify this issue. This does not mean we are prepared to accept the amendment. We will discuss the merits of the amendment at that time.

AMENDMENT OFFERED BY MR. ECKHARDT TO THE AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

Mr. ECKHARDT. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. ECKHARDT of Texas to the amendment offered by Mr. STEIGER of Wisconsin.

Strike out No. 3 of the amendment and add in lieu thereof:

"3. The custom of Members making insertions and corrections in the Congressional Record by unanimous consent should not be otherwise altered."

The CHAIRMAN. The gentleman from Texas (Mr. ECKHARDT) is recognized.

Mr. ECKHARDT. Mr. Chairman, I recognize that this somewhat limits the amendment.

But I do not think it limits it in its essential purpose.

The amendment as offered by the gentleman from Wisconsin (Mr. STEIGER) did two things. First, it prevented material changes in colloquy between Members during floor debates.

Now that appears to me is so eminently correct that no one could disagree with it. If such changes are permitted, fundamental changes in colloquy, we falsify the legislative history of a bill—and we have done this several times in my short period in this House. I do not think that should be permitted.

I think if the rule prohibited it, the Members would abide by the rule voluntarily.

But the other thing that the Steiger amendment did was to provide for a different kind of type in inserted material from that which is used in actual statements on the floor. Now that, it seems to me, is not so fundamental and is arguable both ways. One of the reasons we permit a Member to insert remarks is because we frequently limit debate and we do not want to prevent the man from expressing fully what his position was, even if he does not have a full opportunity to explain it. We do not want to point him out to his constituents as having thought of the matter later—which is perhaps not true. I do not agree with the latter part of the amendment. I do agree with the first part strongly. The section 3 which I have added, I think answers the entire question of unanimous consent.

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

Mr. ECKHARDT. I yield to the gentleman.

Mr. SISK. I appreciate that. I think that would eliminate that objection.

Let me ask the gentleman though, if the language as he understands it, and I

would assume, in (2) would preclude a Member under our procedure here in the morning hours—or maybe I should not use that term—I think it is used in the other body—but at the start of the session under the 1-minute speeches from extending his remarks? That is, he would ask unanimous consent to address the House for 1 minute and to revise and extend his remarks. Would this preclude him from doing that? In other words, the RECORD would only carry that portion of his statement given on the floor?

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

Mr. ECKHARDT. I yield to the gentleman.

Mr. STEIGER of Wisconsin. May I say to the distinguished gentleman from California that number (2) has nothing to do with that question because (3) has to do with extensions and revisions of remarks in the CONGRESSIONAL RECORD delivered on the floor.

What the gentleman from California has just asked goes to number (3) which the gentleman from Texas proposes to amend.

Mr. ECKHARDT. I would state further in answer to the gentleman from California's question that if there is any question about that, the provision in paragraph 3 would take care of it because it envelops into the amendment the customs of the House with respect to the enlargement or correction of remarks.

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

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

Mr. HAYS. If we could have the attention of the gentleman from Wisconsin, going back to what the gentleman from California said about 1-minute speeches, frequently I have seen a Member get permission to speak for 1 minute, to revise and extend his remarks, and in the middle of his remarks, when he is cut off, he puts in the balance that he did not get to speak because of the amount of time that was given. It seems to me that under the gentleman's amendment we would have part of the speech in one type, part of it in another type, and the part spoken printed in one place in the RECORD, and the part extended in another. How would you get around that situation?

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

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

Mr. STEIGER of Wisconsin. The gentleman from Ohio is correct. If the Eckhardt amendment is not adopted and we went back to the old language in my original amendment, the gentleman from Ohio would be absolutely correct. We would have one type and then another. The gentleman from Texas proposes to maintain the custom we now follow, which is that a Member can extend and revise his remarks and they would be in the same type. If that is the pleasure and will of the House, frankly that is what we ought to do. The major thrust is to try at least to make accurate in the

RECORD what is said on the floor, so we do not get into the position where substance is changed from what one has said through revision.

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

(On request of Mr. HAYS, and by unanimous consent, Mr. ECKHARDT was allowed to proceed for 5 additional minutes.)

Mr. ECKHARDT. In striking all of section 3, we would strike all reference to different type faces, and also we would include in section 3 the provision that the custom of the House with respect to correction and extension is continued.

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

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

Mr. HAYS. I think we ought to make a little legislative history here in the event that this amendment is adopted. I would like the gentleman from Wisconsin to comment: As I understand what the gentleman is saying, if the Eckhardt amendment is accepted, then under section 2 of his amendment, which would limit corrections to grammatical and typographical errors, and so on, a Member could, in making a 1-minute speech, put in the balance of the speech that he did not get to deliver when he was cut off by the limitation of time. Nothing in the gentleman's amendment would preclude that; is that correct?

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield so that I may respond?

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

Mr. STEIGER of Wisconsin. The answer is yes.

Mr. ECKHARDT. I agree that the answer is yes.

Mr. FASCELL. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

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

PARLIAMENTARY INQUIRY

Mr. FASCELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FASCELL. If there is no prohibition in the rule for the Speaker to recognize any Member for a unanimous-consent request, is it not true that the Speaker can recognize any Member for a unanimous-consent request?

The CHAIRMAN. The power of recognition is in the Speaker. He has the right to recognize any Member on the floor.

Mr. FASCELL. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FASCELL. The point specifically is that by rule the Speaker can be prohibited from recognizing a Member for a unanimous-consent request; is that not correct?

The CHAIRMAN. The Chair would like to inform the gentleman that his statement is correct.

Mr. FASCELL. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FASCELL. Is it not true, therefore, that if there is no prohibition in the present amendment, any Member could rise and the Speaker could recognize him for a unanimous-consent request to waive that particular rule at that moment?

The CHAIRMAN. The Chair would like to inform the gentleman that under those conditions it would require unanimous consent. Any Member could object. The Speaker could object.

Mr. FASCELL. Mr. Chairman, one further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FASCELL. May a rule be waived by unanimous consent, either temporarily or permanently?

The CHAIRMAN. The Chair would like to inform the gentleman that there are rules of the House that the Speaker himself does not have the right to waive.

Mr. FASCELL. Mr. Chairman, I cannot quite reconcile that ruling with the previous ruling of the Chair as to the present rules of the House which specifically point out the instances in which the Speaker is prohibited from recognizing a Member for a unanimous-consent request, aside from the right which a Speaker has to recognize or not to recognize a Member who may stand and want to speak. For example, may I read what I refer to?

The CHAIRMAN. The gentleman may proceed.

Mr. FASCELL. Clause 8 of rule XV says:

It shall not be in order for any Member to introduce to or to bring to the attention of the House during its sessions any occupant in the galleries of the House; nor may the Speaker entertain a request for the suspension of this rule by unanimous consent or otherwise.

That is a direct prohibition on the Speaker, as I understand it. Therefore, that is the reason for my parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. In answer to the gentleman, the Chair would like to state again that there are rules that the Speaker does not have the right to waive.

Mr. FASCELL. And the one I read is an example of that.

The CHAIRMAN. The gentleman is correct.

Mr. FASCELL. Therefore, we are able to reconcile the previous rulings of the Chair, which is that the present amendment does not contain a direct prohibition on the Speaker to recognize, and therefore, as I understand the rulings of the Chair, if the language of this amendment is adopted, a Member may ask unanimous consent to do what he may not do under this amendment; is that not correct?

The CHAIRMAN. The Chair would like to inform the gentleman at this time that the Chair will not endeavor to place an interpretation upon the amendment now pending before this Committee and for that reason could not give the gentleman an answer to his inquiry.

Mr. ECKHARDT. Mr. Chairman, may I state that as I understand the amendment, it does not purport to limit the Speaker in any way. If a wrong answer, for instance, has been given, and a Member wants to correct that answer, he may ask specifically for unanimous consent to change his answer from yes to no, but it appears in the RECORD that the request was made.

What this gets at is the general request for a revision and extension of remarks so that the man who makes the wrong answer, without ever asking permission for unanimous consent to change it, changes it and at no place in the RECORD does it appear that he was given unanimous consent to change his answer from yes to no.

Mr. SMITH of California. Mr. Chairman, I rise in opposition to the amendment and I am opposed to the amendment to the amendment.

I have sympathy with both gentlemen in connection with the problem, and I do think we have problems in this area. But I think we are going to run into a tremendous amount of trouble if we try to write something like this into the rules.

Title 44 of the United States Code sets forth laws for the Government Printing Office to follow, and the House and the Senate, through the Joint Committee on Printing, interpret the laws as set forth therein. To some extent we would be writing into the rules of the House of Representatives a change in the laws in connection with the Government Printing Office.

I realize the amendment to the amendment suggests we strike out paragraph 3, but if we go down to printing in type face distinctly different, we could cause nothing but confusion with the Government Printing Office.

Then there is a regulation, I think, that if the cost is too great, or the insertions, let us say on Extensions of Remarks, "The Public Printer shall withhold any Extensions of Remarks which exceed economical press fill or exceed production limitations." Sometimes the Member has to come back to the House and say the copy exceeds more than a certain amount, and ask unanimous consent for it to be placed in the RECORD regardless of the excessive cost.

In addition to that, without in any way being critical of our very fine reporting staff, sometimes we do not speak too clearly around here, maybe too fast at times, sometimes it is pretty difficult to get accurately when a number of us are talking at once, and we could have some very definite factual errors in our statements when we get them back unless they are corrected. That could mislead the entire body. The only person who can give an accurate and verbatim account is the individual who made the remarks on the floor.

If we do not give an individual a right to correct his remarks and to make them as accurate and verbatim as possible, the RECORD could be erroneous. I believe we would be making a mistake in writing this into the rules of the House. I believe we could clutter up the RECORD.

I believe that 300 words is the limit for

a 1-minute speech. That might be prohibited.

Then, when there are special orders for the day, I am not certain where they would come in the RECORD, if this is passed. I do not know whether they would be at the end, in the middle, during the business of the House, or whether they would get lost in the RECORD.

Mr. Chairman, although I have sympathy for the gentleman's position, I believe it would be bad for us to try to write this into the rules on the floor of the House today. I oppose both the amendment and the amendment to the amendment.

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

Mr. Chairman, I have a great deal of sympathy for what the gentleman is trying to do. I would say to the gentleman, I have been a member of the Joint Committee on Printing for a great many years, up to the beginning of this Congress, when I relinquished the chairmanship of the Subcommittee on Printing to take the chairmanship of the Subcommittee on Accounts.

I would say to the gentleman, under the present rules and the present law the Joint Committee on Printing has jurisdiction over the RECORD, and the Joint Committee has not been adamant in maintaining the rules as they were written originally. There have been many changes.

During my tenure one change was the limitation of insertions to a certain number of words.

I will say to the gentleman further, that it is against the rules now to make substantial changes in the language in a revision of remarks, which changes the content or meaning of what was said on the floor. That is already in the rules. The only trouble is, how does one enforce it? One does not enforce it unless the person affected makes a complaint. Frequently, when they read it in the CONGRESSIONAL RECORD, they do not want to raise a fuss about it, they do not want to rise to a question of personal privilege, and they do not want to move to have it stricken from the permanent RECORD.

Again let me reiterate that I am sympathetic with what the gentleman is trying to do. I believe something can be worked out.

I do not want to oppose the gentleman's amendment and ask for it to be defeated, but if we could get the amendment withdrawn, the gentleman could go to the Joint Committee on Printing and make his proposals and let them work out the mechanics of it. I cannot guarantee that they would accept the gentleman's proposals, but I do know from my experience that they would get a friendly reception, and I believe probably would be accepted, and then it would not disturb the whole mechanism which we have now of allowing this committee to supervise the CONGRESSIONAL RECORD.

This is not an easy task and, frankly, it is not done by the committee members. Let me be candid about it. It is done by

a bipartisan staff. The staff director is a Democrat. The assistant staff director is appointed by the Republicans. When a rules change is made by the committee, they work out the mechanics of how it is to be done. I am talking about a rules change so far as the composition and makeup of the RECORD is concerned.

I do not want to belabor this, but another thing we worked out during my tenure there—and it was not easy—related to the fact that always, up to a year or two ago, the CONGRESSIONAL RECORD started with the proceedings of the Senate first and those of the House second. We worked out a procedure where they now alternate. Some days the RECORD opens with the House proceedings first, and on the subsequent day with the Senate proceedings first.

That does not seem very important, but it is a matter that we are two co-equal bodies.

I do not believe the gentleman has any problem. I believe what he is trying to do ought to be done, and there ought to be some way for a layman who reads the RECORD to know what was really said on the floor as against what was inserted. I believe that can be worked out.

If the gentleman really wants to meet with the committee, I believe they can do it.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield to me?

Mr. HAYS. I yield to the distinguished Speaker.

Mr. McCORMACK. A moment ago you made reference to the makeup of the RECORD where for years the Senate always appeared first.

Mr. HAYS. I want to give the Speaker credit. He is the one who really saw that through.

Mr. McCORMACK. No. I did not want all credit, but I just wanted to have the RECORD show that I had a little something to do with it.

Mr. HAYS. The Speaker instigated this reform.

Mr. STEIGER of Wisconsin. Will the gentleman yield?

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

Mr. STEIGER of Wisconsin. I appreciate very much the statement that the gentleman from Ohio made and the fact that he made a suggestion. I am more than willing, quite frankly, because I did not think it was possible to amend title IV. I did it in this way, therefore, which is an amendment of the rules. If the gentleman from Texas is willing, I will withdraw the amendment and let the committee get on with its work.

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

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

Mr. ECKHARDT. I understand that the gentleman is referring to the rules of the Joint Committee on Printing.

Mr. HAYS. That is right. Which has jurisdiction over the CONGRESSIONAL RECORD.

Mr. ECKHARDT. It seems to me this amendment properly acts on the conscience of the Members, asking them to enforce the same rule with respect to

material changes. It is for that reason I feel it is quite important that this be made as a change to the rules themselves.

Mr. STEIGER of Wisconsin. Would the gentleman from Ohio yield?

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

Mr. STEIGER of Wisconsin. My suggestion would be in those circumstances we go ahead and vote on the amendment and I will pursue it with the Joint Committee regardless of the outcome.

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

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

Mr. HAYS. I have no objection to voting on the amendment. I would hope that the amendment would not be agreed to, because I think that the other way is a better way. I will say to the gentleman I think his amendment is subject to a point of order. I knew it when it was offered. I did not make it because I thought under the rule that this comes down here under, you cannot change the jurisdiction or the rules of a committee and this does change the jurisdiction of the Joint Committee, but I did not make the point of order because I thought we ought to have some discussion on this. I think the discussion has been worthwhile, and I hope something comes of it.

Mr. STEIGER of Wisconsin. If the gentleman will yield, I appreciate that. It was my understanding it was rule XI of the legislative committees that was subject to a point of order and the Joint Committee on Printing would not fall under it.

Mr. HAYS. I am talking about the whole subject of the amendment because it does fall under the jurisdiction of the Joint Committee on Printing. There is no question about that. But it is a moot question now, anyhow.

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

Mr. Chairman, I think that the colloquy here has been worthwhile discussing the situation with respect to the rule. I appreciate the attitude of the gentleman in offering it. As has been indicated, we are sympathetic to it, but since an opportunity will be afforded to pursue it through another method suggested by the gentleman from Ohio, I would ask that the amendment be voted down, and I ask for a vote on it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. ECKHARDT) to the amendment offered by the gentleman from Wisconsin (Mr. STEIGER).

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. STEIGER).

The amendment was rejected.

AMENDMENT OFFERED BY MR. CLEVELAND

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

The Clerk read as follows:

XCVI—1665—Part 19

Amendment offered by Mr. CLEVELAND: On page 39, immediately following line 4, insert the following:

"SEC. —. (a) Clause 1 of rule X of the Rules of the House of Representatives is amended by adding at the end thereof the following new paragraph:

"(v) Minority Committee on investigations, to consist of fifteen members as follows: Ten members of the minority party and five members of the majority party."

"(b) The rules of the House of Representatives are amended by adding at the end thereof the following new rules:

"RULE XLV

"MINORITY COMMITTEE ON INVESTIGATIONS

"1. The Minority Committee on Investigations is authorized, acting as a whole or by any subcommittee thereof, to conduct studies and examinations of any activity of any department, agency, wholly owned Government corporation, establishment, or instrumentality of the Government of the United States or the government of the District of Columbia.

"2. The Minority Committee on Investigations is further authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books, papers, documents, or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary.

"3. Subpena may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate.

"4. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses."

Mr. SISK. Mr. Chairman, I make a point of order against the amendment, but I shall be happy to reserve the point of order if the gentleman from New Hampshire wishes to speak on it.

Mr. CLEVELAND. I would appreciate it if the gentleman would reserve the point of order.

The CHAIRMAN. Under the reservation, the gentleman from New Hampshire (Mr. CLEVELAND) is recognized for 5 minutes.

Mr. CLEVELAND. Mr. Chairman, the purpose of this amendment is to establish an investigatory committee which would be controlled by the minority party.

The subject matter of this particular amendment is treated in part at least in two sections of the book, "We Propose a Modern Congress." The first treatment of the subject is in a chapter which begins at page 14 of the book and later in the book there is a chapter written by our colleague, the gentleman from Illinois (Mr. MICHEL), which appears at page 163 of that book. I will ask consent that these be included following my remarks.

Mr. Chairman, one may ask why the minority should be given the control of an investigatory committee. The reason for this is that particularly when the majority party controls both Congress and the executive branch, there has been a feeling—and I think there have been some facts to back up that feeling—that

Congress has not exercised its oversight function as vigorously as it should.

I think it can be safely said that even when the minority party in the House does control the executive branch questions will arise which should give the minority party an opportunity to exercise oversight and investigatory functions over the executive branch of the Government which would in my opinion be a very salutary situation.

Of course it can immediately be said that this is something that we who are in the minority, the Republican Party, is asking for, but would not be willing to grant it in the event we became the majority party. I am pleased to be able to inform the membership of this House that there is historic precedent for precisely such a situation.

When the Teapot Dome scandal broke in the 1920's, the Republican Party at that time did control both the House and Senate and the White House. The investigation of that scandal was turned over to a Democratic Senator, Senator Walsh, of Montana.

So, there is solid precedent for this proposal.

Second, there is another precedent for this proposal. In the British Parliament there is a tradition that the chairmanship of the fiscal oversight committee is usually given to a member of the minority party.

Now, Mr. Chairman, I recognize that because of the rule under which we are operating this amendment of mine may be subject to a point of order. At first I did not think it would be because it does not take away jurisdiction from any committee. However, it certainly duplicates the jurisdiction of the Committee on Government Operations.

Therefore, Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. CLEVELAND

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

The Clerk read as follows:

Amendment offered by Mr. CLEVELAND: On page 39, immediately below line 4, insert the following:

"MINORITY PARTY CONTROL OF ONE SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS

"SEC. —. The Rules of the House of Representatives are amended by adding at the end thereof the following new rule:

"RULE XLV

"MINORITY PARTY CONTROL OF ONE SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS

"A majority of the members of no fewer than one subcommittee of the Committee on Government Operations shall consist of members of the largest minority party in the House of Representatives."

And make the necessary technical changes in the table of contents, section numbers and references in the bill.

Mr. SISK. Mr. Chairman, I make a point of order against the amendment.

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

Mr. SISK. Mr. Chairman, I make a point of order against the amendment on the grounds that the amendment also affects the jurisdiction; it changes jurisdiction within the Committee on Government Operations, and in view of the language of the present rules of the House, in clause 8 of rule XI regarding the jurisdiction of the Committee on Government Operations, near the bottom of page 338:

(d) For the purpose of performing such duties the committee, or any subcommittee thereof when authorized by the committee—

And so on, that this language would definitely affect the jurisdiction of other subcommittees of the Committee on Government Operations, and, therefore, is subject to a point of order as I understand the rule under which we are proceeding at the present time.

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

Mr. CLEVELAND. Yes, Mr. Chairman. I did not think, nor do I admit, that this amendment is subject to a point of order. With my previous amendment, I expressed doubt because, although it did not take away jurisdiction from any committee, the establishment of a minority investigatory committee would duplicate the jurisdiction of the Committee on Government Operations and perhaps other committees.

But now, in the amendment I have offered, it simply states:

A majority of the members of no fewer than one subcommittee of the Committee on Government Operations shall consist of members of the largest minority party in the House of Representatives.

I do not see how that can possibly or conceivably be construed to affect the jurisdiction of the Committee on Government Operations. It does not mention the name of the committee; it does not mention the jurisdiction that will be exercised by the committee. If this amendment is adopted the Committee on Government Operations, which will still be in control of the majority, of course, can designate, as the committee to be controlled by the minority, one of the most innocuous of all their committees.

It is the principle that I am striving for here. I have not attempted to designate the subcommittee by name or state what the jurisdiction will be. How can that effect the jurisdiction or change it?

Mr. Chairman, this substitute amendment of mine was drafted quite recently with the assistance of at least one or two members of the Committee on Rules. And I had in mind the very strict rule under which we are proceeding, and they had in mind the very strict rule under which we are proceeding. There is not a single scintilla, by either implication or word, in this particular amendment, that goes to the jurisdiction of any committee. It does not even mention the subcommittee that will be given to the minority party. The only thing it does is to give to the minority party just one—just one subcommittee.

People in speaking of the legislative process speak of settling for half a loaf as better than none. I might say that as far as the principle is concerned here I am attempting to settle for a crumb. One, only one of the eight subcommittees of the Committee on Government Operations will be controlled by the minority. Now, if the Committee on Government Operations in its wisdom chooses to designate, as that committee which they are going to give to the minority, one of the committees with very unimportant jurisdiction or very unimportant duties, that is their prerogative—that is their power—and we recognize they have the power, but I think it would be a healthy thing to have at least one place in the House where the minority can go to have some power over a committee to investigate and call witnesses.

Mr. Chairman, I would be very disappointed if this point of order were upheld because I cannot see how this language can be interpreted as affecting the jurisdiction of the Committee on Government Operations.

The CHAIRMAN. The Chair is ready to rule.

As the gentleman from New Hampshire knows, the House resolution under which we are now operating, House Resolution 1093, specifically provides, in part:

No amendment to the bill shall be in order which would have the effect of changing the jurisdiction of any committee of the House listed in rule XI.

The amendment offered by the gentleman from New Hampshire would change the jurisdiction and the makeup of the Committee on Government Operations to the extent that it would force the Committee on Government Operations to set up a subcommittee for the purpose to which the amendment goes.

Therefore, the Chair sustains the point of order that was raised by the gentleman from California (Mr. SISK), that the amendment violates that part of the resolution under which we are operating and, therefore, for the reasons the Chair has given, the point of order is sustained.

Mr. CLEVELAND. Mr. Chairman, I move to strike out the last word.

Mr. HAYS. Mr. Chairman, I do not wish to cut the gentleman off, but I think it is important on things like this that we should be legislating with a quorum. We do not have 100 Members here, so I make the point of order that a quorum is not present, Mr. Chairman.

The CHAIRMAN. The Chair will count. Fifty-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 240]

Abbutt	Bush	Diggs
Addabbo	Button	Dulski
Albert	Byrne, Pa.	Edwards, La.
Alexander	Carey	Eshleman
Anderson,	Celler	Evins, Tenn.
Tenn.	Clancy	Fallon
Baring	Clark	Flynt
Barrett	Clay	Fulton, Tenn.
Berry	Conyers	Gallagher
Boggs	Cramer	Garmatz
Bow	Cunningham	Giaino
Brock	Dawson	Gilbert
Brotzman	Dennis	Gray
Buchanan	Devine	Grover

Hawkins	Nix	Roudebush
Hébert	O'Neill, Mass.	Ryan
Ichord	Ottinger	Scheuer
Karth	Passman	Sebelius
King	Patman	Sikes
Kuykendall	Pelly	Smith, N.Y.
Lloyd	Podell	Springer
Lukens	Pollock	Stuckey
McEwen	Powell	Teague, Tex.
Macdonald,	Price, Tex.	Tierman
Mass.	Rarick	Tunney
MacGregor	Reid, N.Y.	Welcker
Matsunaga	Rivers	Willson,
Mayne	Rogers, Colo.	Charles H.
Meskill	Rooney, N.Y.	Wylder
Murphy, N.Y.	Rooney, Pa.	Wyman

Accordingly the Committee rose; and the Speaker having resumed the chair (Mr. NATCHER) 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. 17654, and finding itself without a quorum, he had directed the roll to be called, when 343 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from New Hampshire (Mr. CLEVELAND) is recognized.

Mr. CLEVELAND. Mr. Chairman, before the quorum call I asked for these 5 minutes to urge the Chair to reconsider its ruling that the amendment I offered was out of order under the rule.

The amendment I offered was very brief. It simply said that a majority of one of the subcommittees of the Committee on Government Operations would be Members of the minority party.

We are proceeding under the rule, House Resolution 1093, and it says:

No amendment to the bill shall be in order which would have the effect of changing the jurisdiction of any committee of the House.

Regardless of the merits of my proposal to give the minority party control of a subcommittee of the Government Operations Committee, regardless of the merits of that proposal, this ruling which states that to afford the minority control of one of the subcommittees of the Government Operations Committee is in effect changing the jurisdiction of that committee to me, at least, is very hard to understand.

There has been talk here about the fact that there are a lot of amendments being offered. It would seem to me that if the strictness of this ruling is going to be applied to other amendments, there need be no fear about talking this bill to death or, for that matter, loading it up so it will sink. The strictness of this ruling would almost indicate that we have in effect a closed rule.

If simply suggesting that the constitution of one subcommittee of the eight subcommittees that make up the Government Operations Committee be given to the minority, is interpreted as changing the jurisdiction of that committee, then it seems to me that almost any one of the amendments that I have heard discussed here at some length on the floor somehow or other, remotely or indirectly, could be interpreted as effecting or changing the jurisdiction of some committee.

I think the House Rules Committee

and the House Administration Committee has in effect some jurisdiction over almost everything that we have been debating for the past 4 or 5 days. I would hope that the Chair would reconsider this ruling, because I think the ruling is unnecessarily strict in this connection, and it is regrettable that I will not have an opportunity to offer the amendment, which I think is significant and important.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman from New Hampshire yield?

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

Mr. GERALD R. FORD. The proposal that the gentleman sought to offer is a modification of a proposal that he and others, including myself, have sought to develop over the last 4 or 5 years. I think there is considerable merit to the substance of the idea. Obviously, the House is not in a mood to embrace such a far-reaching proposal, but there is precedent for the idea in the Government of Great Britain and the Teapot Dome situation. It seems to me that the gentleman should be commended for seeking to promote this thought, even though under the circumstances it is not possible to see it debated and to see it voted on in the House of Representatives.

Mr. CLEVELAND. I thank the gentleman. As I have said, it is regrettable that this proposal, which has been the subject of considerable discussion and debate and, as I have mentioned earlier in my remarks, has been written about in various periodicals and books, cannot be debated and voted on. The ruling that to change the constitution of a subcommittee of the House Government Operations Committee is in effect changing its jurisdiction, is regrettable to me. This ruling denies the House an opportunity to actively consider and vote on this measure.

The references to this proposal in "We Propose: A Modern Congress" to which I referred earlier follow. The first few paragraphs from my chapter on staffing, and second, Mr. MICHEL's entire chapter:

WE PROPOSE: A MODERN CONGRESS
CHAPTER I

In this connection, I wish to mention a Republican-sponsored proposal to give to the minority party control of an investigative committee of the House whenever the majority party controls both houses of Congress and the executive branch. Sponsors of the bill are headed by Minority Leader Gerald Ford of Michigan, and include Congressman Robert H. Michel of Illinois, whose chapter in this book is devoted solely to a detailed explanation of the proposal.

Here I merely want to point out that the adoption of the Republican proposal would ease considerably some of the problems of a minority party seeking to fulfill its functions under the present state of affairs. It would help insure against whitewashes of wrongdoing and gross errors on the part of government officials.

While outsiders and members of the majority party may be forgiven a feeling of suspicion at Republican motives in making the proposal, in refutation of these I point out that there is good Republican precedent for the idea.

In 1923, when both the executive branch and both houses of Congress were controlled

by the Republican Party, rumors of improprieties surrounding the leasing the Teapot Dome oil reserve whirled through the Capital. As they grew to a point requiring formal investigation, Republicans prevailed upon Democratic Senator Thomas J. Walsh of Montana to take charge of the investigation. This is a dramatic example of a case in which Republicans gave to the Democrats control of an investigation into a major scandal involving high-ranking members of a Republican Administration. The results were salutary and of great benefit to the whole country. There should be formal provisions enacted so that this would always be the case.

(It should also be noted that the British House of Commons has a Committee of Public Accounts whose chairman is by tradition a leading member of the Opposition, usually a person who has been Financial Secretary of the Treasury. The committee is charged with responsibility for insuring that all public money is spent in the manner intended by Parliament. It promotes economy and efficiency and helps to maintain high standards of morality in all public financial matters.)

REORGANIZATION OF THE COMMITTEES ON GOVERNMENT OPERATIONS AND MINORITY CONTROL OF INVESTIGATION

(By Robert H. Michel, M.C.)*

The President of the United States is the sole executive authority in the United States. The Constitution vests the executive power in him, with little guidance as to the manner of its exercise other than that he shall take care that the laws be faithfully executed. As Commander-in-Chief of the Armed Forces, he can order the military forces of the United States virtually anywhere he chooses. For example, the substantial increase of military forces in Vietnam was carried through within the powers invested in the Presidency. Similarly, the decision to intervene in Korea was the President's.

In contrast, the political leadership of the Soviet Union is divided. As Chairman of the Council of Ministers, Kosygin is the formal head of the Soviet Government and thus exercises all the formal authority inherent in that office. As General Secretary of the CPSU, Brezhnev is head of the Soviet Communist Party, which is the real source of political power in the Soviet system. And as a member of the Politburo, Kosygin shares in this power. Under present conditions both sources of power, governmental and political, complement one another, but it is unlikely that either the Soviet Premier or General Secretary could act independently on a crucial question, for example, making a military commitment in the same manner as the President of the United States, who commands sole executive authority.

In the American constitutional system it is extraordinarily difficult to remove a President before his 4-year term of office ends. The most significant attempt of this sort, the impeachment of President Andrew Johnson, failed. Thus, except for death or virtually total disability, the President can exercise his authority for four years and even eight if re-elected.

Tenure of office for the political leader is not necessarily a guarantee in the Soviet political system, except during the Stalin years of totalitarianism. Within a few months after assuming Stalin's mantle, Malenkov was divested of his authority as General Secretary of the CPSU, retaining only the Premiership of the Government. In February, 1955, Malenkov was forced to resign from this office to be replaced by Bulganin. Khrushchev retained the posi-

tion of General Secretary of the Party. In July 1957, Bulganin was removed, and Khrushchev assumed both positions as Premier of the Government and First Secretary of the Party. But even in this position his power was limited by various political forces acting within the Soviet political system. Some scholars have referred to Khrushchev's leadership not as a dictatorship but rather as a collegial leadership in which he played a major role. Of course, Khrushchev himself was removed from both offices in October 1964. And there are no assurances that Brezhnev and Kosygin will hold their posts for two, three, four, or any determined number of years.

Thus, by virtue of having a constitutional tenure of four years and perhaps even eight, it could be said that the President has an advantage in exercising the power he holds over that of the present Soviet political leadership. This power has been building up for over 30 years; so that the omnipotent executive has become the nation's greatest spender in its taxpayers' money in all its peacetime history. The Chief Executive concerns himself with the air we breathe and the water we drink, with junkyards and with beauty—not to mention building houses for us, planning our cities, and reclaiming blighted areas. All of these things require money—tax money. Moreover, attention to these matters leaves the executive short on time to defend the nation against its enemies and to conduct its foreign affairs, which are the primary duties laid upon him by the Constitution.

Very recent events demonstrate dramatically the growing power of the executive. The *New York Herald Tribune* of November 9, 1965, reported:

"There is a more fundamental issue in the President's crackdown on aluminum than his use of the stockpile for purposes clearly beyond the intent of Congress in authorizing its creation. Mr. Johnson has moved his Administration into the business of administering industrial prices. . . . The proper extent of the government's coercive powers is . . . of much greater significance than whether the price of aluminum should be a half-cent higher or a quarter-cent lower. Mr. Johnson is concerned over inflation, and rightly so (though not sufficiently concerned to balance his own budget). . . ."

"We have a far better mechanism than Presidential judgment for determining 'justified' price levels; the forces of a free market. . . . In the short run, prices may go higher than they should; in the long run, they could hardly be sustained in a competitive market. . . . The President has every right to 'state the public interest,' as he himself might put it; but when he begins trotting out the Federal arsenal of economic weapons, he risks launching a dangerous spiral of his own—a spiral of coercion that is not easily stopped."

The matters covered by the executive directly affect the daily lives of millions of people. There is no question that big government has been getting bigger as well as more intrusive.

Minimal effective checks on executive power require that: (1) each individual whose interests are directly affected by government action shall, if he wishes, have a meaningful day in court (not necessarily a court of law). If before a congressional committee, he should be allowed to present his case upon the assumption that someone with real authority will in good faith seriously consider his statement; (2) the congressional committee should be independent and objective—free from external direction by party or executive officials; and (3) the congressional committee should reveal to the public the facts presented and the details of procedure, thus avoiding either arbitrary

*Footnotes at end of article.

departures from general rules or unfair application of general rules.

Committee decisions are accepted in part because they are supported and enforced by the power of the Congress. They are also accepted because they are regarded as fair and just in their own right and are viewed as the product of a legislative body which is regarded as serving a common need and indispensable function in our society.

There are certain attributes which we usually look for in determining the fairness and justice of a committee decision in its own right, as far as procedure is concerned. We are more willing to attribute these qualities to judgments arrived at (1) manifestly on the basis of the weight of testimony; (2) after all parties brought forward by both the majority and minority¹ have had a chance to present their case fully; (3) undominated by the special interest of the chairman in the outcome of the investigation; or (4) not on the initiative of the chairman, but at the request of the minority.

Committee decisions often depart widely from these standards for what are deemed compelling reasons. Thereby, committees may forfeit public confidence in their fairness and justice and rely for acceptance instead upon public respect for Congress.

For example, committee members may rely partly on information and arguments presented by the Administration without holding a full hearing for presentation of conflicting views. Chairmen may consent to committee action only after pressure from the news media and even then may have a special interest in the outcome.

Such factors greatly weaken the moral force, so to speak, of committee decisions. But the possibility of investigation by the government operations committees under minority control, in those cases where these conditions are present, may do much to restore the moral force otherwise lacking and thus secure public acceptance of the fairness and justice of congressional actions. The existence of minority control would be a constant reminder to the official that excessive actions risk legislative inquiry and reversal. It would be a constant source of assurance and security to the individual citizen that he has a forceful method of vindicating his rights against the executive before an independent tribunal.

If the executive process is part and parcel of a necessary delegation of power to government officials to enable them to handle adequately the problems of modern society, then congressional review seems essential to insure that this power be exercised conscientiously, within the minimum demands of procedural fair play, without the requirement of a judicially determinable violation of constitutional or statutory rights. The delegation of discretionary powers to the minority party in Congress is neither new nor foreign to a congressional "rule of law." What is novel is the enormous amount of discretion entrusted to modern executive officials.

Rule XI, section 691, 8(c) (2), of the House of Representatives, states that the Committee on Government Operations "shall have the duty of studying the operation of Government activities at all levels with a view to determining its economy and efficiency." Control of the Executive has long been one of the main functions of the Congress. For example, from 1789 to 1925 there were upwards of 300 congressional investigations of executive conduct. Since Congress has yielded more and more authority to the executive, I feel it must seek ways of insuring that the executive carries out Congress' intentions. For that reason, I introduced H.R. 9252 to provide—(See Appendix III for full text.)

"That the majority of the membership (including the chairman) of the Committee on

Government Operations of the Senate and House of Representatives, respectively, shall be composed of members of a major political party other than the political party of which the President of the United States is a member."

The requirement that the chairman be a Member of the minority party would not permit the chairman to play the part of an autocrat with impunity since the chairman and the committee would have to depend upon the whole House or Senate for legislative acceptance of their proposals. But it would tend to give the chairman a spirit of independence and freedom to criticize the operations of the executive.

Quite often a minority Member will have information which it would be in the public interest to disclose in the press; a newsman will recognize this but will be reluctant to use the information which does not have an "official stamp". H.R. 9252 would provide an official minority outlet to the news media.

Although I have been unable to find any legislative precedents for H.R. 9252, there certainly are many precedents for minority control of investigations—the most famous being the minority investigation of the Teapot Dome scandal. In 1923, the executive and both houses of Congress were under the control of Republicans, but Senator Thomas J. Walsh, Democrat of Montana, was prevailed upon to take command of the Public Lands Committee to investigate improprieties surrounding the leasing of the Teapot Dome oil reserve.

The most recent instance occurred when Senator Harry Byrd was permitted to retain his chairmanship of the Joint Committee on Reduction of Nonessential Federal Expenditures in the Republican 80th and 83rd Congresses, although the executive was not Republican in the 80th Congress. Also, in the 63rd Congress, when the Senate had 72 standing committees, 51 Democrats, and a one-committee-chairmanship rule, 21 committees were perforce chaired by Republicans.²

It is true that in the early days of the House, and at least up through 1898 in the Senate, some standing (and select) committees had majorities on them from the minority party or were chaired by a Member of the minority party, but to our knowledge the resolutions or rules creating them did not specify such a result. It usually occurred because the committees were relatively minor in nature, or because distinction was given to a Member with long service in a particular area.

In his *Forge of Democracy*, Neil MacNeil (p. 157) states:

"Down until the Civil War, in fact, it was not unusual for the Speaker to give political control of some of the less important House committees to the political minority and even appoint minority stalwarts to be chairmen of them. John Quincy Adams, for example, normally chaired a House committee, no matter which party controlled the House."

McConachie, *supra*, records that as a result of committee elections in the Senate in 1816, the Finance Committee came under minority control, and the Chairman of the Senate Committee on Commerce and Manufactures was a Member of the minority (p. 275). He also records that the Chairman of the Senate Committee on Pensions in 1845 was a Member of the minority (p. 282), and that in the early days of the House, some committee chairmen were from the minority (p. 139). Samuel Randall, of Pennsylvania, a Democrat and Speaker during the 44th and 45th Congresses (1876, 1878), was Chairman of the House Committee on Public Expenditures (a minor committee) in the Republican controlled Congress of 1883 (p. 140).

In 1898, of 59 Senate committees in a Republican-controlled Senate, 11 were

chaired by Democrats and 2 by Populists (p. 293).

In all such instances, to our knowledge, however, these situations occurred from factors other than specific resolutions and rules specifying minority control or minority chairmen. We thus have been unable to find any precedents for H.R. 9252 as a considered and definite policy of Congress.

Minority parties have formed their own *ad hoc* committees on an informal basis, such as the Republican Congressional Food Study Committee, which was created in 1943. It consisted of 44 or 45 Members of the Republican Party in the House, under the chairmanship of the Honorable Thomas Jenkins of Ohio,³ but it had no official sanction or authority.

Of course, when the Presidency has been in control of one party and one or both houses of Congress have been in control of the other party, congressional committees will be created of majorities in the party not of the President, but such situations are the result of politics and not of determined policy.

The provisions in the House rules relating to selection of committees are found in Rule X:

"1. There shall be elected by the House, at the commencement of each Congress, the following standing committees: . . .

"2. The Speaker shall appoint all select and conference committees which shall be ordered by the House from time to time.

"3. At the commencement of each Congress, the House shall elect as chairman of each standing committee one of the members thereof; . . ."

The provisions in the Senate rules relating to selection of committees are found in Rule XXIV:

"1. In the appointment of the standing committees, the Senate, unless otherwise ordered, shall proceed to ballot to appoint severally the chairman of each committee, and then, by one ballot, the other members necessary to complete the same. A majority of the whole number of votes given shall be necessary to the choice of a chairman of a standing committee, but a plurality of votes shall elect the other members thereof. All other committees shall be appointed by ballot, unless otherwise ordered, and a plurality of votes shall appoint."

Taken literally, the rules of both houses do not prohibit the selection of committees controlled by a minority as long as the consensus in both Chambers is in agreement with such a prospect.

Secondly, the concepts of separation of powers and checks and balances support the thesis that the committee in each house charged primarily with oversight of the expenditure of funds by the executive branch and the efficient operation of that branch should be in the control of the party opposite to the President's. The swing of power away from Congress to the executive, the vast authorization of administrative powers by Congress to the executive branch, the huge growth of that branch, the great enlargement of the policy and legislation proposing functions of the executive, and the consequent need for a thorough oversight by Congress, are conditions which support H.R. 9252.

Perhaps the major function of Congress today is oversight of the sprawling administrative structure; this function is necessarily diminished when the party of the President and the majority party in Congress (and thus the majority on every committee) is one and the same.⁴

The most certain way to assure that funds are being expended by the administrative agencies in accordance with law, that waste and misfeasance will be ferreted out, is to place general authority regarding oversight

Footnotes at end of article.

of expenditures and efficiency in committees where the party opposite to that of the President is given control. It is the most certain way that the Congress and the public will be fully informed, that the public welfare is receiving maximum benefit, and that "whitewashing" will be eliminated.

The principle behind the bill was expressed by John Stuart Mill, in his *Representative Government* (Everyman Edition, page 239):

"Instead of the function of governing, for which it is radically unfit, the proper office of a representative assembly is to watch and control the Government; to throw the light of publicity on its acts; to compel a full exposition and justification of all of them which anyone considers questionable; to censure them if found condemnable; and, if the men who compose the Government abuse their trust or fulfill it in a manner which conflicts with the deliberate sense of the Nation, to expel them from office, and either expressly or virtually appoint their successors."

Joseph P. Harris, in his *Congressional Control of Administration*, (1964) (pp. 292-293), states:

"Congressional investigations of administration, and especially of charges of mismanagement or misconduct of executive officers, are seldom free of partisanship. Many result in divided reports, the members of one party absolving the executive officers of any serious blame for shortcomings, and those of the other party finding them guilty of misconduct or incompetence as charged. This obvious partisanship seriously impairs the utility of the inquiry except as a weapon of party warfare; the public is more likely to be confused than informed by such conflicting findings."

Lindsay Rogers, in *The American Senate*, (1926) (p. 202), states—

"... party control in the House of Representatives is now so strong as to shut off that body from embarrassing inquiries into Executive performances. Only when the majority of the House and the President belong to different political parties do the latter's agents suffer any scrutiny. This, for example, was the case during Mr. Wilson's last 2 years. Then 51 congressional investigations were in progress. But when a President has a Congress of his own political faith, inquiries are not so frequent, their institution by the House of Representatives is extremely rare, and Senate majorities are not anxious to act."

Dr. George Galloway, in his *The Investigative Function of Congress*, (supra, page 59) states:

"In the final analysis, therefore, investigation may be viewed as the legitimate function and duty of a political party. It would appear to be part of its duty to reveal the errors, shortcomings, and misdeeds of the representatives of the other party in office."

He then lists some of the purposes of the investigative function (pp. 64-65).

"It is a safeguard against imbecilities as well as corruption. It is the American method of achieving ministerial responsibility without reducing power. It is one of the checks in a system of checks and balances. . . .

"... it is a substitute for a system of administrative courts needed to protect the citizen from the arbitrary action of subordinate officials."

"... it is a security against the misuse of opportunity. There is always the danger that public positions will become places of profit, that office will be employed as a means of private plunder."

But, he reports (pp. 66-67)—

"... in order to secure the appointment of a committee of investigation, the support of a majority of those present in the Chamber is necessary, which is difficult to obtain when both the majority of the House and the Executive belong to the same party. The administration leaders will resort to every

parliamentary stratagem to avert the danger. Many inquiries are proposed which fail to receive the support of the Rules Committee or the House and consequently fall through. Others are authorized but never reach completion. . . ."

Possible examples of such consequences in recent years might include the TFX investigation, the Bobby Baker investigation, the failure to investigate alleged pressure put upon federal employees to contribute to Democratic "Galas," and the considerable activity of the Legislative Oversight Subcommittee of the House Interstate and Foreign Commerce Committee during the Eisenhower years as contrasted with its relative inactivity since 1961.

As Dr. Galloway points out in his book *Congress and Parliament*.

"The use of committees of inquiry by legislative bodies dates back to the practice of the British House of Commons in the seventeenth century. The Commons used them in disputed election cases as early as the end of the sixteenth century, and as an aid in the legislative process after 1688. Later, the inquisitorial power was assumed by the American colonial assemblies, which modeled themselves after the House of Commons, and asserted the same privileges. The practice of the Continental Congress and of the state legislatures in the period following the Revolution furnished further evidence of the heritage of this device by U.S. legislatures. Likewise, the Federal Congress after 1789 assumed that the legislative power implied the use of committees of inquiry with power to send for persons and papers."

The British still have devices for the efficient and expeditious conduct of investigations that Congress could well copy. Since 1861, the select committee of Public Accounts of the House of Commons has been a critic of Treasury administration, and by reporting its findings to the Commons has fastened financial responsibility on the executive. Secondly, about half of the time of the House of Commons during a normal session is devoted to the criticism of government policy and administration, and is largely controlled by the opposition.

The select committee on Public Accounts has 15 members and is chaired by a member of the opposition. The financial control exercised by the Accounts Committee is both retrospective and deterrent. As Basil Chubb states:

"Select committees cannot, of course, ensure efficiency and economy; only the efforts of the administration itself can do that. But they are sufficient to assure the House of Commons that its wishes are carried out, that government is conducted honestly and faithfully, and that where business is not transacted efficiently there is a fair chance that notice will be taken. . . . Active select committees, criticizing and appraising the conduct of public business, have a powerful effect at once deterrent and stimulating, and they go as far as it is possible to go under our present system of government to enable the House of Commons to see that it gets twenty shillings' worth of goods for every pound it spends."

Like our own Committee on Government Operations, the Accounts Committee is effective largely because it has at its disposal the reports and investigations of the Comptroller and Auditor General. Also like our Government Operations Committee, the Accounts Committee is not concerned with financial policy (which is reserved for our Appropriations Committee), but rather with insuring that government expenditure conforms with the orders of the House of Commons and that public business is conducted faithfully and economically.

Footnotes at end of article.

However, unlike our present Government Operations Committee, the Accounts Committee is always chaired by the opposition. Therefore, the Accounts Committee would receive and examine the reports of the Comptroller and Auditor General and would submit such recommendations as it saw fit in connection with such reports, a function not always performed by our government operations committees with respect to reports of our Comptroller.

With respect to the second point, Dr. Galloway asserts:

"As it works in the English Parliament, question-time has several beneficial results. It keeps the ministry alert to the temper of the Commons and keeps the civil service on its toes. It provides a safety valve for the daily escape of parliamentary steam that might otherwise accumulate and explode in sensational investigations. It directs the attention of the Cabinet to inconsistent or conflicting departmental policies and programs and to instances of administrative inefficiency or private grievance."

I am reluctant to suggest the creation of special investigating committees and would leave the performance of the investigative function of Congress to its standing committees. I believe that H.R. 9252, without the need for any additional specific language, provides for the effective devices just discussed: (1) more significant use of the reports of the Comptroller General and, (2) public discussion of government policy and administration, thereby eliminating executive secrecy.

I also favor codes of fair conduct voluntarily adopted by congressional committees and codes of fair play mandatory upon all congressional investigating groups by statute or standing order.

One must be realistic about the current chances for adoption of any one or more of the many proposals for congressional reform including: "resident agents for Congress," "joint committee on legislative-executive relations," "automated information systems," use of "congressional specialists," "institutional devices for improved congressional intelligence," establishment of "oversight calendars" pertaining to oversight of the Administration, and, many other fine recommendations.

And what I propose in H.R. 9252 is a long, long way from every getting a favorable vote with the present complexion of the Congress.

Hearings before the Joint Committee on the Organization of Congress were held in 1945, and many alarms for reform sounded at that time are still ringing over 20 years later. Dr. W. Y. Elliott, professor of Political Science at Harvard, then Vice Chairman of the War Production Board, testified on June 26 of that year that there had been some improvement over the early days of President Franklin Roosevelt's first administration, but "there is still in my judgment need for the closest legislative scrutiny of the actions taken by the executive and administrative agencies of the Government."

Dr. Elliott pointed out that the operation of committees through the service of hearings is a method of getting *ex post facto* accountability of the administrative agencies—a problem that is still with us today. Reorganization of the committees on government operations, as I have outlined, will, by its nature, prevent errors at the formative stages, both of legislation and of administrative policy.

Dr. Elliott reminded the Committee—
"that legislative and representative government is on trial the world over as to its ability to survive in a period when crises are recurrent and when often the very safety of the Nation or its economic stability may be involved as much by delay as by ill-considered decisions."

He also emphasized:

"The Committee on Appropriations of the House reviews the budget of every part of the Government. But it cannot in the nature of things do more than express the views of the committee as to the functions being performed. The power of the purse is always an ultimate power in the legislative body and a very useful one."⁷

The fundamental purpose of H.R. 9252 is to assure that funds are being expended by the administrative agencies in accordance with law and that waste and misfeasance will not go undetected. With the swing of power away from the Congress to the executive, the vast authorization of administrative powers by the Congress to the executive, the huge growth of the executive, and the great enlargement of the policy and legislative proposing functions of the executive, the need for thorough and persistent oversight by the Congress of administrative activities is heightened. The interest of good government demands determined, persistent, and independent examination into and evaluation of the manner in which the executive branch is carrying out the legislative mandates under which it operates. The function of critically analyzing executive use of legislative authority and the transactions which flow therefrom is one of the most important responsibilities the legislative branch must fulfill. Fulfillment of this responsibility is essential to an informed citizenry, the very touchstone of our democratic processes. With the majority party in Congress the same as the party of the President, thereby giving rise, under present procedures, to each committee being chaired by a member of the President's party and having a majority of its members of the same political party, it is only realistic to recognize that a climate exists in which the important oversight function of the Congress is subject to political pressures inimical to the necessity for full disclosure and critical scrutiny of executive actions.

My bill proposes to assure more aggressive inquiry by the Congress into executive actions through removing the political compatibility between membership of the key oversight committees of both houses and the executive. I believe the proposals contained in the bill—that the chairmanship and majority membership of the House and Senate committees on Government Operations be comprised of Members of a major political party other than that of the President—would provide the most direct and efficient way to assure that inappropriate political considerations will not obtrude upon the oversight function.

I realize that the matter of how any committee of the Senate and House is to be organized is one peculiarly within the provisions of each particular Congress to resolve unless a constitutional amendment is enacted. I am also well aware of the fact that the problems which we are attempting to overcome are ones which are rooted in the political processes of our governmental structure.

Therefore, I think it is important to point out that the various proposals for congressional reform are not the only means available for minimizing the degree to which the oversight functions of the Congress are subject to political persuasions.

It is in the very interest of obtaining the independent examination and evaluation of executive activities, which are essential to the proper functioning of our governmental processes, that the Congress in 1921 established the General Accounting Office. The General Accounting Office was created as an independent agency in the legislative branch and is headed by the Comptroller General of the United States under a 15-year appointment. The Comptroller General is not subject to removal except for cause and he may not be reappointed for a second

term. The office functions as an agent of the Congress. As an arm of the Congress, one of the main functions of the General Accounting Office is in the area of great concern which led me to introduce my bill—to assure the conduct of administrative agency programs in accordance with law and to detect waste and misfeasance where they occur. In executing this important function the General Accounting Office has consistently been guided by the principle that its effectiveness depends upon a reputation for independence of action and objectivity of view. Not only has it remained completely free from political influence, but I believe that it is constantly alert to the dangers of being placed in a position where its actions and decisions could be construed as being motivated by political considerations.

There is no need to detail the extent to which the General Accounting Office is responsive to the undertaking of examinations and investigations at the request of the Congress, its committees and its individual members. Nor is it necessary to detail the valuable work undertaken by that office upon its own initiative in carrying out its statutory responsibilities. A cursory review of the annual reports of the Comptroller General and the direct contacts members of both houses have had with the office would make obvious the fact that the General Accounting Office is a valuable tool toward accomplishment of the objectives my bill is designed to attain. For example, during the 88th Congress, the Comptroller General of the United States submitted a total of 668 audit reports and other communications to the Congress on fiscal and related operations of the Government. During the 1st Session of the 89th Congress there were 75 different references in the *Congressional Record* relating to use by minority members of General Accounting Office reports and recommendations. Hearings conducted by the various congressional committees are replete with references to findings of the General Accounting Office.

Reports of the General Accounting Office are available for whatever use the minority will make of them. These reports and responses to inquiries from Members of the Congress contain objective views with respect to the issue covered therein and recommendations for corrective actions indicated. If the minority concludes that the subject of a General Accounting Office report or any other subject indicates a need for further investigation, within the purview of that Office as a nonpartisan, nonpolitical agency of the Congress, it is free to bring that matter to the attention of the Comptroller General with a request that he furnish advice on his findings.

A heightened appreciation by all the minority Members of the valuable assistance available to them through the services of the General Accounting Office, together with an increased utilization of those services to help bring to light matters relating to Government operations and expenditures, might go a long way toward obviating any immediate need for committee membership realignments as put forth in my bill.

However, in the final analysis, I believe that a reasonable man would agree that it is a fact that the substance of our desires cannot, in reality, be completely achieved through greater minority use of the General Accounting Office. It would not appear, particularly from some of the examples to which I have referred, that the assistance the Government Accounting Office could render in such situations would be sufficient to accomplish our purposes.

The efforts of the General Accounting Office are no substitute for investigation by congressional committees. The General Accounting Office has no power of subpoena: it is not organized and does not operate in

the context of conducting hearings or the taking of testimony regarding factual matters which might be in dispute. To say that the efforts of the General Accounting Office are not a substitute for H.R. 9252 is not to say, of course, that the General Accounting Office cannot be of considerable use to minority Members of a committee who desire to obtain information.

Obviously, no need would exist for H.R. 9252 if one or both houses were controlled by the major party other than the President's. This is probably the best argument for the enactment of H.R. 9252 and the most realistic as far as presenting this to the Congress for a vote.

Since 1858 there have been 16 instances of one or both houses of Congress controlled by the President's opposition party:

Congress and President

86th, R—Eisenhower.
85th, R—Eisenhower.
84th, R—Eisenhower.
80th, D—Truman.
72nd, R—Hoover.
66th, D—Wilson.
62nd, R—Taft.
54th, D—Cleveland.
52nd, R—B. Harrison.
50th, D—Cleveland.
49th, D—Cleveland.
48th, R—Arthur.
46th, R—Hayes.
45th, R—Hayes.
44th, R—Grant.
36th, D—Buchanan.

The effect of opposition control of one or both houses goes far beyond the provisions in H.R. 9252 and surely the nation has been the better for the checks and balances in our history. In fact, notwithstanding the statements by some political scientists that the magisterial and doctrinaire years between the 72nd and 80th Congresses did irreparable harm to our system of government, any one or all 16 instances cited above could very well have saved this nation from executive dictatorship. Some form of opposition control should not be left to chance.

As Lord Acton said, "Power tends to corrupt; absolute power corrupts absolutely." We pointed out in the beginning that a President whose party controls both houses of the Congress has, in some respects, more power than that of the present Soviet political leadership. Caesar took in hand the army, the empire, and the opposition. "All is Caesar's"; there was no opportunity for what we would call legislative oversight. Thus, the birth of executive dictatorship was the beginning of the decline and fall of the Roman Empire.

Our three-branch system of government has helped to prevent a dictatorship from arising in our nation. The deterrent to dictatorship would be strengthened by the existence and operation, on a regular basis within the legislative branch, of minority control of the investigations and reports of the powerful committees on government operations.

FOOTNOTES

* A Member of the House Committee on Appropriations, Mr. Michel was first elected to Congress in 1956 and has served on the Government Operations Committee. He represents the 18th Congressional District of Illinois and served as administrative assistant to his predecessor in office.

[Mr. Michel's article was delivered as a speech on the Floor of the House April 25, 1966.—Ed.]

¹ The word "minority" will refer to the major minority party when both Houses of Congress are controlled by the same major party as that of the President, unless otherwise indicated.

² A search through Hinds' and Cannon's *Precedents of the House of Representatives*,

as well as Haynes' volumes on the U.S. Senate, and other volumes on Congress, including *Congressional Committees*, L. G. McConachie (1938); *The Jeffersonians*, Leonard White (1954); *Government by Investigation*, Alan Barth (1955); *Congressional Investigation Committees*, Marshall E. Dimock (1929); *Congressional Control of Administration*, Joseph P. Harris (1964); *The History of Legislative Methods in the Period Before 1825*, Ralph V. Harlow (1917); *The American Senate*, Lindsay Rogers (1926); *History of the House of Representatives*, George B. Galloway (1961); *Forge of Democracy*, Neil MacNeil (1963); *Party Government in the House of Representatives*, Paul D. Hasbrouck (1927); *Congressional Investigations*, Ernest J. Eberling (1928); *The Investigative Function of Congress*, George B. Galloway, 21 American Political Science Review, 47 (1927); *Legislative Procedure*, Robert Luce (1922); *The United States Senate, 1787-1801*, Senate Document 64, 87th Congress, 1st Session, uncovered no instances of the adoption of a bill such as H.R. 9252. All resolutions providing for investigations by standing or select committees that are produced in Hinds's and Cannon's Precedents merely provide for committees of a specified number, and in a rare instance, during the 1920's, a specification that the select Senate committee be composed of three members of the majority (Republicans) including one "progressive" Republican and two members of the minority (Democrats). Cannon's, *Precedents of the House of Representatives*, vol. VI, par. 364.

The general rule, particularly over the last hundred years, seems to have been committee representation in accordance with party strength in both Houses. *Ibid.*, vol. VIII, pars. 2184, 2187, 2188. Hinds' *Precedents of the House of Representatives*, vol. IV, pars. 4467, 4477, 4478, 4551.

⁹⁰ *Congressional Record*, A3454-A3458.

⁴ Note the comment by George B. Galloway in *History of the House of Representatives* (p. 185): "Today 'legislative oversight' has become a, if not the, principal activity of the standing committees of both Houses."

⁵ *Congress and Parliament* by Dr. George B. Galloway, National Planning Association, November 1955, p. 82.

⁶ *Ibid.*, p. 74.

⁷ *Organization of Congress*; hearings before the Joint Committee on the Organization of Congress; 79th Congress, First Session; pursuant to H. Con. Res. 18; Part 4, June 26, 1945; U.S. Government Printing Office; Lib. of Cong. JK 1061. A48 1945; pp. 951-973.

AMENDMENT OFFERED BY MR. MEEDS

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

The Clerk read as follows:

Amendment offered by Mr. MEEDS: On page 39, immediately below line 4, insert the following:

"DEBATE ON MOTION TO RECOMMIT WITH INSTRUCTIONS AFTER PREVIOUS QUESTION IS ORDERED

"Sec. — Clause 4 of Rule XVI of the Rules of the House of Representatives is amended by adding at the end thereof the following new sentence: 'However, with respect to any motion to recommit with instructions after the previous question shall have been ordered, it always shall be in order to debate such motion for ten minutes before the vote is taken on that motion, one half of such time to be given to debate by the mover of the motion and one half to debate in opposition to the motion.'"

And make the appropriate technical changes in section numbers and references, as necessary.

(Mr. MEEDS asked and was given permission to revise and extend his re-

marks and insert the names of the 71 cosponsors of the amendment.)

Mr. MEEDS. Mr. Chairman, the Members will be happy to know that after the fiasco of yesterday with this amendment, I have taken the precaution of checking it with the counsel on both sides of the Rules Committee, with the Parliamentarian, and with a number of other people in the House—indeed with everyone except the House Restaurant Committee, and I am looking for them.

We seek by this amendment to change clause 4 of rule XVI and to guarantee a minimum of 10 minutes' debate on a motion to recommit with instructions, 5 minutes for the person who proposes the amendment, and 5 minutes in opposition to that amendment.

I submit to this House that probably all Members are aware that often the most important motion of any bill on any day occurs with the motion to recommit. Yet, there is no guarantee of time to explain what are often very complex motions covering a number of sections in a bill. Under the provisions of this amendment we would have at least 10 minutes to discuss it.

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

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

Mr. ARENDS. Mr. Chairman, I am asking for information.

Since the motion to recommit is the right of the minority, would this mean the mover of the motion would have his 5 minutes, and then the minority would have the right to the other 5 minutes?

Would this remain with the minority?

Mr. MEEDS. The 5 minutes would be by the mover of the motion.

Mr. ARENDS. Which would be a minority side Member?

Mr. MEEDS. Yes, automatically, and I assume the other 5 minutes would probably go to the committee chairman on the other side.

Mr. ARENDS. I do not necessarily think that would be true, because that would be taking it away from the minority, and it is the right of the minority to explain this particular motion to recommit, which is a minority privilege.

Mr. MEEDS. I think the gentleman will agree the purpose is to have a full disclosure of that motion—at least as full as possible within 10 minutes—and, therefore, both sides of that should be explained.

Mr. ARENDS. We ought to have that on this side.

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

Mr. MEEDS. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. Mr. Chairman, I think this is a point worth commenting on momentarily. As the gentleman from Washington recognizes, as I am sure he does recognize, it is true normally and conventionally the majority would have the other 5 minutes, but not necessarily. It is entirely possible under the gentleman's amendment to have both halves of the time by individuals from this side if there should be no Member on the majority side who desired to oppose.

Mr. MEEDS. If there were no opposition on this side, that is correct. I am sure the Members of this House can recall much better than I a number of instances when, because of a lack of time with the motion to recommit, there has been a lack of information and a lack of knowledge about what actually we are voting on when it comes time to vote on the motion to recommit. I recall recently in a military procurement authorization bill when the motion to recommit was made which actually cut \$500 million out of the military procurement, this motion was interpreted by some people as a vote on another matter entirely, and people who really were in favor of that motion ended up voting against it, and those who were against it ended up voting for it simply because there was no proper explanation. I do not care how Members stood on it, but I think we should have had knowledge of what we were voting on. We should be able to vote informed. I know some will say there are other methods by which this can be taken care of.

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

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

Mr. SISK. Mr. Chairman, this amendment is a revised version of the amendment we had under discussion on yesterday, as I recall.

Mr. MEEDS. That is correct.

Mr. SISK. I should like to develop a little legislative history and make certain exactly what we are doing.

As I understand it, the division of time here would mean that the Member proposing the motion to recommit would be entitled to up to 5 minutes. I believe it is good wording now. It would not necessarily have to come to 10 minutes, but they could have 5 minutes on each side.

It would be assumed, under the language the gentleman proposes that the opposition to the motion to recommit could be recognized for 5 minutes.

Normally, if I might use an illustration, in the Congress as it is composed, a committee having proposed a legislative matter, a Member from the minority party makes a motion to recommit with instructions. He would speak for 5 minutes. The probable procedure, under the precedents of the House and custom, is that then the chairman of the committee or the manager of the bill, a proponent of the bill, would be recognized and considered in all probability to be opposed to the motion to recommit.

Is that the intent of the language in the amendment?

Mr. MEEDS. That is certainly the way I envision it would work. The overriding purpose here is to give 5 minutes in favor of and 5 minutes in opposition to that motion, so it can, in a type of adversary proceeding, be fully exposed to our information.

Mr. SISK. If the gentleman will yield further, I have no objection to the amendment.

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

(On request of Mr. Gross, and by unanimous consent, Mr. MEEDS was al-

lowed to proceed for 1 additional minute.)

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

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

Mr. GROSS. In the case of a proposer of a motion to recommit with instructions who does not desire to use the time, would the minority then be given 5 minutes under those circumstances? Not the minority, but the opposition?

Mr. MEEDS. No. He would control that time. The mover of the motion to recommit would control the 5 minutes in favor of that motion.

Mr. HANSEN of Idaho. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Idaho.

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

There may still be a little confusion as to the effect of the proposed amendment. Let me ask the gentleman if I am not correct in my understanding that the amendment leaves with the minority party the prerogative it has always enjoyed to propose the motion to recommit.

Mr. MEEDS. Absolutely.

Mr. HANSEN of Idaho. And then it provides for 5 minutes on each side of the question, regardless of whether it is the majority or the minority, so that both sides of the question can be heard and explained before we vote on the motion to recommit. Is that not about how simple it is?

Mr. MEEDS. That is the intent of the amendment.

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

(On request of Mr. STEIGER of Arizona, and by unanimous consent, Mr. MEEDS was allowed to proceed for 1 additional minute.)

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

Mr. MEEDS. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. I thank the gentleman from Washington.

I should like also to point out to the Members that nothing is being taken away from anyone by virtue of this amendment. There is now no time permitted for debate on a motion to recommit with instructions. All this amendment would do is permit 10 minutes of debate and discussion. It would not take away any prerogative; indeed, it would add a prerogative both to the minority and to the majority.

I thank the gentleman.

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

Mr. MEEDS. I yield to the minority whip.

Mr. ARENDS. I really have no opposition to what the gentleman is trying to do, but I still say that both the proposal of the motion to recommit and the opposition should remain with the minority. Someday the gentleman may be in the minority of his side of the aisle. I believe that giving away the rights of

the minority in this body is bad precedent.

Mr. MEEDS. I hope that does not occur, I say to the gentleman. I understand his problem.

The real purpose is to get an adversary proceeding during the 10 minutes.

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

Mr. Chairman, as I have already indicated, I have no basic objection to the amendment, but I am merely trying to establish the legislative history.

If I can have the attention of my good friend from Illinois, I do not think we have any difference of opinion, but I want to make crystal clear, if possible, what the intent of the language is here. As I understand it, it is that the proposer of the motion to recommit with instructions would be given 5 minutes to explain what his motion is about and whatever statement he desires to make on the motion to recommit in support of it. The opposition to that would, I assume, normally, assuming that in this case the majority party or whichever party it might be opposing it would probably be the one that was recognized by the Speaker—again recognizing that the Speaker has the prerogative to make this recognition—that party would have control of the time. I just want to be clear on this. I was having a little difficulty in following the statement of the gentleman from Illinois, but I want to make it completely and clearly understood that, of course, I would not understand the entire 10 minutes would necessarily fall to the minority party merely because normally the right of offering a motion to recommit falls to the minority party.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. SISK. I am glad to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Unfortunately I have had a little experience in working on who should offer and what the contents should be of a motion to recommit. Let me say from our point of view and from my experience I do not believe it is necessary to freeze into the rules such a provision as provided by the amendment. I cannot see that in the last five and a half sessions where I have had some responsibility in this regard that we have ever found it necessary to have this kind of frozen-in opportunity. We have always had under the rules of the House an opportunity to explain our motion to recommit. We have learned that you have to look ahead and plan your time so that the individual who was going to offer it does get the time to explain what will be the contents of the motion to recommit.

Mr. SISK. That is exactly my understanding of the meaning of this amendment.

Mr. GERALD R. FORD. It seems to me unclear why we should add something to the rules that I do not think is a necessity or essential when the present practice I think is satisfactory, at least to us in the minority. I think our experience ought to be the guideline for the other side when they become the mi-

nority. The amendment does not harm although I do not believe it essential.

Mr. SISK. If the gentleman will permit me to comment there, of course I agree completely with what the gentleman is saying. We do not propose this in this legislation and it is not contained in it. As my distinguished colleague from Michigan knows, this matter was debated yesterday and was originally proposed by the gentleman from Arizona (Mr. STEIGER). The situation is that our committee and the staff people cooperated in a rewrite of the language that attempts to make clear exactly what is intended here. All I say at this point is if it is the will of the House to adopt this 5 minutes on either side and if it will be helpful to the procedure of the House, then certainly I as an individual have no objection to it. I agree completely with the gentleman from Michigan that normally this is a matter for the person proposing it or the people involved in making such a motion to make arrangements to explain it.

Mr. MEEDS. Will the gentleman yield to me on that point?

Mr. SISK. Yes. I yield to the gentleman.

Mr. MEEDS. Both of the gentleman who have spoken on this matter have been here longer than I have and have had much more experience, but I can recall instances when you got to the motion to recommit which had not been explained and we were operating under a limitation of time on a motion to recommit when there was an attempt made to explain it in one minute or less than that. I do not think that is sufficient time to explain motions, which are usually the most complex and usually cover the most complex subject matters of any motion that is made ordinarily and become the most important motion of the day.

Mr. SISK. I thank the gentleman for his comment.

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

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

Mr. SNYDER. While we are talking about what usually happens here, of course, if no Member of the minority seeks recognition for the purpose of making a motion to recommit, then the time would go to the majority side. Would it be the gentleman's thinking that the second 5 minutes would go to the majority side?

Mr. SISK. I might say to the gentleman, since I was involved in one occasion where I actually offered a motion to recommit, I would assume that a Member of the minority party would be in a position to be recognized.

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

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

Mr. SNYDER. Mr. Chairman, if the gentleman will yield further, it is also my understanding—and I would like to know if I am correct in this, that a motion to recommit with instructions under

this amendment applies to conference reports as well as to original legislation?

Mr. SISK. I would assume that that would be true. Now, there again there is the question—

Mr. SNYDER. I think we ought to have the legislative history spelled out, even though I would favor the amendment in that instance also.

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

Mr. SISK. I yield to the gentleman from Washington.

Mr. MEEDS. Under the section that is sought to be amended, I would disagree. I think it is not true. The section which is sought to be amended appears on page 387 of the House Rules and Manual, rule XVI, clause 4, and a part of it there says:

After the previous question shall have been ordered on the passage of a bill or joint resolution, one motion to recommit shall be in order . . .

I assume the amendment would be restricted to the same subject matter since it does not change that subject matter.

Mr. SISK. I stand corrected. I think the gentleman is right because under rule XVI the subject matter that is being dealt without would not make it in order on a motion to recommit.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. MEEDS).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 43, noes 16.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. ARENDS

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

The Clerk read as follows:

Amendment offered by Mr. ARENDS: On page 39, after line 4:

"SEMI-ANNUAL PUBLISHED REPORTS OF OFFICE PAYROLLS OF HOUSE MEMBERS

"Sec. 123. Clause 30 of Rule XI of the Rules of the House of Representatives is amended—

"(1) by inserting "(a)" immediately before "Each committee shall report"; and

"(2) by adding at the end thereof the following new paragraph:

"(b) The Clerk of the House shall report to the House, within fifteen days after December 31 and June 30 of each year, the name, position, title, and total salary of each person paid, during the period covered by such report, from the clerk hire allowance of each Member and the Resident Commissioner from Puerto Rico, listed under the name of that Member and the Resident Commissioner and including the aggregate total of all such salaries paid from the clerk hire allowance of that Member and the Resident Commissioner. Such information, when so reported, shall be published in the Congressional Record."

Mr. ARENDS. Mr. Chairman, this is a simple amendment. It hardly needs an explanation. There should be no opposition to it.

My amendment simply provides that the Clerk of the House shall publish twice a year in the CONGRESSIONAL RECORD the full names, dates of service, and total gross salary of each employee of each

Member during the period paid out of his clerk hire allowance, as shown by the official records of the Finance Office.

This is nothing more than an enlargement of the rules of the House which now provide that the chairman of each committee shall report for publication in the RECORD the names, dates of service, and gross salary paid to each committee employee.

It should be evident by now that the primary purpose of this legislation is not to make the machinery of Congress more efficient to the end that we can act more expeditiously. Its primary purpose—at least it is the main thrust of the arguments for the bill—that the Congress should be made more responsible to and more responsive to the will of the people.

Over and over again we have heard the argument—here on the floor and in the editorial columns of the newspapers and by radio and television commentators—there is too much secrecy. It is proposed that virtually all committee sessions be public. It is proposed that how each and every committee member voted on each and every proposition be made public. It is proposed that teller votes on the floor be recorded and made public.

Public disclosure—that is the battle cry today. There is too much secrecy in the Congress, some argue.

All right, let us have public disclosure of what the public is entitled to know. All right, let us disclose to the public what we do with the taxpayer's money that is allotted to us as clerk hire allowance to enable us to transact public business. We are now talking about public funds—funds that do not belong to any one of us, but funds which belong to all the people.

By this amendment I am proposing no more than the public is entitled to know—what we do with their money.

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

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

Mr. HALL. Mr. Chairman, if I understand the amendment offered by the gentleman in the well, it says it will be reported in the form of gross salary?

Mr. ARENDS. That is right; it will be reported in the form of the gross salary.

Mr. HALL. Second, it will be published twice a year, and it will make the Members' staff hire reportable, the same as committee hire is now made public?

Mr. ARENDS. There is nothing different. It is the same as the committees do with the committee staffs, which is now being done.

Mr. HALL. If the gentleman will yield further, is it the intention of the gentleman to include some of the supernumeraries who are on committees, or are not hired by Members that allegedly aid and abet in the functions of the House, including some of the employees of the House such as those on the staff of the Clerk of the House, and the Doorkeeper of the House?

Mr. ARENDS. I have not gone that far. I have set it to the Members, the staff of the Members that each Member has.

Mr. HALL. I think that the amendment proposed by the gentleman from

Illinois is noteworthy, but I believe it should include some of the other functionaries of the House.

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

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

Mr. GROSS. Mr. Chairman, the gentleman said in the offices, or does the gentleman mean the entire payroll?

Mr. ARENDS. The payroll of the office.

Mr. GROSS. The payroll of each individual Member, and the entire payroll of each individual Member?

Mr. ARENDS. Of each individual Member; his entire payroll.

Mr. GROSS. Not merely those in the specific office, but those who may be elsewhere and who are on the payroll?

Mr. ARENDS. His entire payroll, the name and gross salary.

Mr. GROSS. I support the amendment offered by the gentleman from Illinois.

Mr. SMITH of California. Mr. Chairman, will the gentleman yield?

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

Mr. SMITH of California. Mr. Chairman, I am not quite certain as to how the gentleman's amendment reads. Does it say the gross salary, or the total salary, the total gross salary?

Mr. ARENDS. It says the total gross salary; that is the way my amendment reads. I think that is the intent, anyway.

Mr. SMITH of California. I suggest that we have the Clerk recheck that.

Mr. ARENDS. Let me read my amendment, that portion of it. It says:

The Clerk of the House shall report to the House within 15 days after December 31st and June 30th of each year the name, position title, and total salary of each person paid, during the period covered by such report.

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

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

Mr. BOLLING. Mr. Chairman, I have not the slightest objection to this appearing in the RECORD, and appearing monthly. It already appears as the gentleman provides, but his amendment provides that it appear twice a year.

Mr. ARENDS. Semiannually.

Mr. BOLLING. It already is available on a monthly basis now, and is on public display in, I believe, the Disbursing Office, and that is in plain dollars and not base pay. I do not have the slightest objection to it also appearing in the RECORD, but it does seem to me that is one time when we could save a little money because it would cost money to print it.

Mr. ALBERT. Mr. Chairman, if the gentleman will yield, why does the gentleman want it printed in the CONGRESSIONAL RECORD when it is something that is already public knowledge?

Mr. ARENDS. I would say to the gentleman from Oklahoma that this is really not public knowledge—of course it is if someone wants to take the time to go over there and look it up. If it were in the CONGRESSIONAL RECORD it would be easier for all of us to look at it. And the people back in my district do not have this in-

formation readily available. Of course, they can come to Washington and do so if they want to come here, but not all of them can do that. If it is in the CONGRESSIONAL RECORD then it would be a simple matter for them to look it up in the CONGRESSIONAL RECORD.

I see nothing wrong with it. We are disclosing everything else, as we should.

Mr. ALBERT. If the gentleman will yield further, we are disclosing this information already.

Mr. ARENDS. This would be semianually, it should not involve very much money to do that.

Mr. ALBERT. You can go every month, or any month you want, to the Office of Finance, and find out the salary of the staff of every Member.

Mr. ARENDS. I know that you can do that, but I think this is something that the people back home should have available to them, and this way they will be able to look it up in the CONGRESSIONAL RECORD twice a year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLLING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I really do not have any objection to the amendment, but I think it is a sort of waste of time and waste of money and although I dislike to disagree with and oppose the gentleman from Illinois, I ask for a vote and I ask that it be a vote against the amendment.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I am delighted to yield to the gentleman.

Mr. GERALD R. FORD. Mr. Chairman, I have long felt that the method by which we determine the compensation for member staffs and committee staffs is archaic, outdated, and the wrong way to go about it.

Perhaps an amendment of this kind will lead to the necessary reforms so that we will do something to better the method by which we indicate the compensation, or determine the compensation, for members' staffs and committee staffs.

Mr. BOLLING. The gentleman from Michigan is somewhat embarrassing me because I do not wish to get into this kind of colloquy with the minority leader and the minority whip.

But an amendment, which this gentleman is going to support, because I have thought for years that the business of base pay, which does not mean anything, should be changed to gross pay, is as I understand, and I am trying to find out, going to be offered by the gentleman from Virginia (Mr. BROYHILL); or is planned to be offered. I would assume that it would pass overwhelmingly.

I entirely agree that the technique of base pay is not a fraud—but a joke—and we ought to go to that. But I do not want to get too involved in something I do not think is terribly important. I really do not think there is much point in the proposal made by the gentleman from Illinois (Mr. ARENDS).

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I am delighted to yield to the gentleman.

Mr. GERALD R. FORD. I was not familiar with this proposed amendment which the gentleman from Missouri indicates will be subsequently offered.

Since I believe in that amendment of Mr. BROYHILL of Virginia, which I did not know was going to be offered, I think that the amendment of the gentleman from Illinois is a way of forcing some affirmative and constructive action to achieve that end.

Mr. BOLLING. I have no disagreement with the gentleman. I think that is right. But I think the Broyhill amendment would actually be strengthened if we do not bother with this one.

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

Mr. BOLLING. I yield to the gentleman.

Mr. HUNGATE. Will the gentleman from Illinois have any objection to an amendment providing that annually the income of Members from all sources be printed in the RECORD?

Mr. BOLLING. What did the gentleman say?

Mr. HUNGATE. I asked the gentleman to yield further to inquire of the gentleman from Illinois if he would have objection to a further amendment providing that the annual income be filed as a matter of public record from all sources of the Members.

Mr. BOLLING. I believe that I have the time, and I do not intend to answer for the gentleman from Illinois, but the gentleman from Missouri who is now speaking has been on public record as favoring such a provision as part of the rules of the Committee on Official Conduct.

But I really appreciate the gentleman's intervention. I really think we ought to have a vote on this amendment.

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

The question was taken; and on a division (demanded by Mr. ARENDS) there were—ayes 28, noes 49.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. THOMPSON OF GEORGIA

Mr. THOMPSON of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of Georgia: On page 39 after line 4 insert a new section:

"COPIES OF AMENDMENTS

"Upon the offering of any amendment by a member, when the House is meeting in the Committee of the Whole, the clerk shall promptly transmit to the majority committee table 5 copies of the amendment, and 5 copies to the minority committee table. Further the clerk shall deliver at least one copy of the amendment to the majority cloak room and at least one copy to the minority cloak room."

Mr. THOMPSON of Georgia. Mr. Chairman, those who were present yesterday will remember that I offered an amendment to provide a written or printed copy to each Member present on the floor of the House when an amend-

ment is offered. There were some questions that developed around that. I asked unanimous consent to withdraw the amendment.

The amendment offered today would provide that whenever any Member offers an amendment when we are meeting in the Committee of the Whole, the Clerk shall immediately make at least 12 copies. Five copies shall be delivered to the majority committee table so the managers on that side of the aisle can see the amendment, and five copies shall be delivered to the minority committee table.

It further provides that at least one copy will be delivered to the majority cloakroom and one copy to the minority cloakroom so that it may be posted in plain view in order that Members may see the amendment.

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

Mr. THOMPSON of Georgia. I yield to the gentleman from Florida.

Mr. GIBBONS. I think the gentleman has offered a good amendment. I support it, and I urge the Committee to adopt it.

Mr. THOMPSON of Georgia. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. THOMPSON).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments under this title?

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

The CHAIRMAN. The Chair will count.

Mr. WAGGONNER. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order has been withdrawn.

Are there additional amendments under this section? If not, the Clerk will read.

MOTION OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 6, noes 46.

So the motion was rejected.

The CHAIRMAN. Are there additional amendments under this title? If not, the Clerk will read.

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

The CHAIRMAN. The Chair will count.

Mr. GROSS. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

CONFERENCE REPORTS

SEC. 119 (a) (1) The section caption of section 135 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190c) is amended to read as follows:

"SENATE CONFERENCE REPORTS"

(2) Section 135 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190c) is

amended by adding at the end thereof the following new subsections:

"(c) Each report made by a committee of conference to the Senate shall be printed as a report of the Senate. As so printed, such report shall be accompanied by an explanatory statement prepared jointly by the conferees on the part of the House and the conferees on the part of the Senate. Such statement shall be sufficiently detailed and explicit to inform the Senate as to the effect which the amendments or propositions contained in such report will have upon the measure to which those amendments or propositions relate.

"(d) If time for debate in the consideration of any report of a committee of conference upon the floor of the Senate is limited, the time allotted for debate shall be equally divided between the majority party and minority party."

(3) The item relating to section 135 contained in the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended to read as follows:

"Sec. 135. Senate Conference Reports."

Mr. SISK (during the reading). Mr. Chairman, I ask unanimous consent that the portion of section 119 dealing with the other body be considered as read, printed in the RECORD, and open to amendments at any point.

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

There was no objection.

The CHAIRMAN. The Clerk will read the remainder of the section.

The Clerk read as follows:

(b) (1) Paragraph (c) of clause 1 of Rule XXVIII of the Rules of the House of Representatives is amended to read as follows:

"(c) Each report made by a committee of conference to the House shall be printed as a report of the House. As so printed, such report shall be accompanied by an explanatory statement prepared jointly by the conferees on the part of the House and the conferees on the part of the Senate. Such statement shall be sufficiently detailed and explicit to inform the House as to the effect which the amendments or propositions contained in such report will have upon the measure to which those amendments or propositions relate."

(2) Clause 2 of Rule XXVII of the Rules of the House of Representatives is amended by adding at the end thereof the following new sentence: "The time allotted for debate in the consideration of any such report shall be equally divided between the majority party and the minority party."

Mr. SISK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. NATCHER, 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. 17654) to improve the operation of the legislative branch of the Federal Government, and for other purposes, had come to no resolution thereon.

LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker,

I take this time for the purpose of asking the distinguished majority leader the program for the remainder of this week.

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

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, tomorrow we plan to take up two of the bills which we had announced last week as the program for this week:

H.R. 13100, to extend programs for training in the allied health professions, under an open rule with 1 hour of general debate; and

H.R. 14237, to amend the Mental Retardation Facilities and Community Health Centers Construction Act of 1963, under an open rule with 1 hour of general debate; and we are adding at the request of the gentleman from Alabama (Mr. JONES) the bill H.R. 18104, Tennessee Valley Authority financing, which is under an open rule with one hour of debate.

We are adding that bill because we do not yet have the rule on the Defense Production Act, and we did not get the rule on the agricultural bill in time to take it up today.

Members know that the funeral for our late distinguished colleague, Mike Kirwan, is tomorrow in Youngstown, and a large number of Members are attending.

ORDER TO PUT OVER ROLLCALL VOTES UNTIL
4 P.M. THURSDAY

Mr. Speaker, I ask unanimous consent at this time, if the gentleman will yield further, that any rollcall votes other than on rules or procedural questions which may be demanded on tomorrow, Thursday, July 30, be put over until 4 p.m. on that day.

Mr. HALL. Mr. Speaker, reserving the right to object, and I certainly have no objection to this request insofar as tomorrow is concerned, and insofar as honoring our distinguished colleague is concerned.

I therefore shall not object. I take this means of asking the majority leader if he intends to announce whether or not there will be votes after the cortege returns on tomorrow, or on Friday following, the day after tomorrow?

Mr. ALBERT. May I say that if votes are required tomorrow we will take the votes after 4 o'clock tomorrow.

The SPEAKER. The Chair would like to inquire whether the gentleman's unanimous consent request was for 4 o'clock or 4:30?

Mr. ALBERT. It was intended to be 4 o'clock, Mr. Speaker.

Mr. HALL. Mr. Speaker, in view of the change of program and in view of this unfortunate event, is it the plan for us to convene on Friday?

Mr. ALBERT. It is.

I may make this statement: We have requested a rule on the Defense Production Act Amendments, tomorrow morning. If that is granted, we will take up on Friday H.R. 17880, which is the Defense Production Act Amendments.

Mr. HALL. Mr. Speaker, I withdraw my reservation.

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

There was no objection.

DEFICIT SPENDING

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

Mr. BOGGS. Mr. Speaker, I notice the distinguished minority leader on the floor, a man who has said that the prospect for a recession was nil.

I know we will have a conference report up in a few minutes, and he will say it is wild spending.

Some months ago this administration was boasting that it would complete fiscal year 1970 with a \$1.3 billion surplus. Last May, just a couple of months ago, this estimate was revised—or, to use their euphemism "adjusted downward" to show again a slight deficit for the fiscal year just completed.

On yesterday the Nixon administration disclosed—from California—that its budget deficit for the fiscal year 1971 amounted to \$2.9 billion, which is \$1.9 billion more than was projected only 2½ months ago.

This miscalculation of more than \$4 billion was being predicted in this Chamber just a few months ago by myself and others of the Joint Economic Committee.

The administration also admitted that we have spent something like \$1 billion less in 1970 than had been projected, contrary to the loose talk we have heard about this being a spendthrift Congress.

I submit to you that these charges are politics—pure and simple—they are not economics—they distort reality.

What we are seeing is an effort to shift blame from where it belongs to where it does not belong. Someone once said that truth will out. I am sad to report this morning the truth. The reason for this deficit can be found on the front pages of every newspaper in this country today—the New York Times, the Wall Street Journal, the Washington Post, the Baltimore Sun—all of which articles are included in this statement. This deficit is a direct result of a grave shortfall in revenues and not from overspending.

The fact is that outlays by our Government totaled \$1.4 billion less in 1970 than was predicted last May. Every economic indicator tells us the real reason why we have a deficit. President Nixon cannot pursue an economic policy which throws 1 million Americans out of jobs, reduces corporate profits, maintains the highest interest rates in a century, designed to create what they call a mild recession, and expect our Government's revenues not to decline also.

Some weeks ago President Nixon used an analogy of docking a boat to explain his economic policies or his economic plight. Today I would say we are still miles away from the dock; our sails are down; and the captain and the crew are blaming the passengers.

The administration's budget totals

for fiscal year 1970 show a deficit in the unified budget of \$2.91 billion. Expenditures totaled \$196.15 billion while receipts were \$193.84 billion. Both expenditures and receipts were lower than the estimates made by the administration in February and in May.

Expenditures were down by \$1.1 billion from the May projections and \$1.4 billion from the February budget projections. The major change, however, came in receipts. They fell by \$2.6 billion since the estimates released in May and by \$5.5 billion from the estimates in February.

The major sources of the shortfall in revenues, of course, were the collections from individual and corporation income taxes. In fact, the shortfalls in these two major tax sources were greater than the total shortfall for all receipts.

Since the February estimates, the yearend figures show a decline in individual income taxes of \$1.8 billion and in corporate income taxes of \$4.2 billion, a total decline of \$6 billion since February. Since the estimates in May, the shortfall has been \$1.8 billion for individual income taxes and \$1.2 billion for corporation income taxes, for a total drop of \$3 billion in the 6-week period since the May estimates.

The cause of these declines is the current recession which in turn is caused by the administration's fiscal policy. Unemployment and less overtime produce a lower income base for current withholdings which are reflected in individual income tax payments. The decline in business which has occurred in the forefront of this year accounts for the lower corporation profits reported in the quarterly payments made in April and June.

While the downturn seems to have leveled off somewhat it is by no means clear we have reached the bottom. Unemployment may well rise in the months ahead even at the same time as inflationary pressures cause continuing price rises.

Following are the articles I refer to:

[From the New York Times, July 29, 1970]
A LAG IN REVENUES PUSHES U.S. DEFICIT UP TO \$2.9 BILLION—SPENDING EXCESS FOR YEAR ENDED JUNE 30 IS MODEST BUT ABOVE EXPECTATIONS

(By Edwin L. Dale, Jr.)

WASHINGTON, July 28.—The Government announced today that the Federal budget showed a relatively small deficit of \$2.9-billion in the fiscal year that ended June 30.

The deficit was a little bigger than was estimated as recently as last May, a result of revenues that were lower than expected. Spending came out a shade lower than estimated.

Total outlays were \$196.7-billion and receipts \$193.8-billion.

Paul A. Volcker, Under Secretary of the Treasury for Monetary Affairs, said that a "modest" deficit in the present circumstances, where a sluggish economy cuts into revenues, "is not disturbing in any sense."

CONCERN CITED

However, officials ranging up to President Nixon are known to be very concerned about the outlook for the current fiscal year 1971. If all of a number of possible things go wrong, including actions and inactions by Congress, the deficit could mount as high as \$15-billion.

Mr. Volcker termed a figure that high "sheer speculation at this point" and said it was certainly not regarded as "the most probable result."

At the Western White House in San Clemente, Calif., George P. Shultz, Director of the Office of Budget and Management, made the same point. He said that the Administration was not projecting a deficit figure nearly so high as \$15-billion.

FACTORS IN CALCULATION

Other officials, simply adding up all the things that could go wrong, have reached a deficit figure close to \$15-billion, without predicting it. The following are the main factors in such a calculation:

The "uncontrollables." These items, such as interest on the national debt, Medicare, Social Security and grants to the states for welfare have sometimes run billions of dollars above the estimates, particularly in the last few years, though officials hope estimates are closer to the target this time.

Congressional inaction on revenue. About \$4.5-billion is counted on in the Nixon budget from higher postal rates, a speed-up in collection of estate and gift taxes, and a new tax on lead additives for gasoline, none of which have yet made any headway in Congress.

Congressional action and inaction on spending. Congress is in the process of increasing some appropriation bills above the President's request and is showing no movement on requests totaling almost \$1-billion, which are counted on in the budget.

Lower revenue collections than expected, particularly from the corporate profits tax.

The budget figures disclosed today showed a massive shortfall of \$4.2-billion in profits tax collections against the estimate of last January. Mr. Volcker said there was still no complete explanation for this shortfall, although one reason is that corporate profits in calendar year 1969 turned out to be lower than the Government at first thought.

Individual income tax collections, which during the years of the economic boom regularly exceeded the Treasury's estimates, were \$1.8-billion below the January estimate. One reason, reflecting the decline in the stock market, was lower-than-expected capital gains.

On the expenditure side of the budget there were, as usual, sizable variations both up and down from the estimates made as recently as January, when the fiscal year was half over. In this case the downs offset the ups by \$1.1-billion, but most of them did not reflect conscious "savings" by the Administration or Congress.

A striking feature of the figures was that military spending turned out slightly below that of the previous fiscal year, the first time this had happened since the nation's heavy engagement in Vietnam began in 1965. At \$77.1-billion, military outlays were about \$600-million higher than the January estimate, but this was entirely accounted for by the retroactive pay rise enacted in April. Outlays in the fiscal year 1969 were \$77.9-billion.

WAR COSTS DECLINING

Mr. Shultz in San Clemente estimated the peak Vietnam war costs at an annual rate of \$29-billion. He said that by the time the text scheduled reduction of 150,000 troops is completed next spring, the cost of the war will have dropped to half that amount, or an annual rate of \$14.5-billion.

Although the final figure for total outlays in the budget, at \$196.7-billion, was below the estimate of last January, it was nearly \$4-billion above the \$192.9-billion figure fixed by the new administration in April, 1969, after its review of the budget submitted by President Johnson. This \$192.9-billion figure was adhered to up until the end of last year

and then had to be abandoned, mainly because the "uncontrollables" ran so far ahead of estimates.

The original Johnson estimate for the fiscal year 1970 was \$195.3-billion. Although Mr. Nixon aimed to reduce this figure, in the end the spending total came out a little higher.

[From the Baltimore (Md.) Sun, July 29, 1970]

U.S. BUDGET \$1.1 BILLION MORE IN RED—REVENUE DECLINE SWELLS DEFICIT—SHULTZ HAILS CURBS ON SPENDING

(By Art Pine)

WASHINGTON, July 28.—The Nixon administration disclosed today that its budget deficit for fiscal 1970 was \$1.1 billion more than was projected last May, but said it resulted from a shortfall in revenues, not overspending.

Officials reported that despite the \$2.9 billion deficit, outlays totaled a full \$1.4 billion below what was predicted two months ago—even with additional expenses brought on by the postal pay raise and higher interest rates.

Spokesmen here explained that the deficit instead was caused by reduced corporate tax revenues—due mainly to lower profits as a result of the economic slowdown—which left receipts \$2.6 billion below what was expected.

SATISFACTORY PERFORMANCE

George P. Shultz, director of the new Office of Management and Budget, in a statement transmitted from the Western White House at San Clemente, Calif., called the figures "a strong and satisfactory performance from our standpoint."

Noting that the administration had been "successful in holding the expenditure line" during the 1970 fiscal year ending June 30, he again implored Congress to help keep expenditures down during the current 1971 fiscal year.

But Mr. Shultz, as well as Treasury officials in Washington, dismisses as groundless speculation that the fiscal 1971 budget already was heading for a whopping deficit of \$15 billion or \$20 billion.

SHEER SPECULATION

"That's just sheer speculation," said Paul A. Volcker, under secretary of the treasury, echoing Mr. Shultz at a briefing here. So much depends on congressional action on tax proposals, he said, that the exact deficit is too early to measure.

In his statement today, Mr. Shultz told reporters that the decrease in corporate earnings during fiscal 1970 had acted as "a stabilizing force . . . and helps the economy . . . to now be in a position to move upward."

But figures released by the Department of Commerce a few hours earlier failed to show any distinct upward trend in the so-called leading indicators used to predict changes in the economy—hinting that any upturn may be slight.

DECLINE IN INDEX

The agency's index of leading economic indicators, whose movement often foreshadows reversals in the economy, declined one-tenth of a point last month—a dip that economists regard as statistically insignificant, leaving the indicators virtually unchanged.

While some analysts saw the decrease as the start of a "bottoming out," especially in the wake of a drop of 2.0 points in May, most agreed that it seemed to preclude any substantial economic upswing before mid-fall.

SECOND DECREASE IN LAYOFFS

Meanwhile, however, a separate Labor Department report showed the demand for factory workers indicated signs of strengthening in June, with new hirings up slightly and layoffs down moderately.

The June figures represented the second consecutive reduction in layoffs following

nearly a year of small out steady increases. Analysts said the new data could figure favorably in upcoming unemployment statistics to be released next week.

In reviewing the fall in corporate tax receipts during fiscal 1970, officials here were hard-pressed to explain why such revenues fell a full \$4.2 billion—even with a \$2 billion shortfall in corporate profits.

Treasury officials speculated that a portion of that decline stemmed from the timing of corporate tax payments, which usually are sent in much earlier. If that is true, they said, the government can expect a windfall in fiscal 1971.

[From the Washington (D.C.) Post, July 29 1970]

U.S. DEFICIT FOR 1970 WAS \$2.9 BILLION (By Ken W. Clawson)

SAN CLEMENTE, CALIF., July 28.—The federal budget for Fiscal 1970 went \$2.9 billion in the red, the Western White House announced today.

It marked the ninth time in the last 10 years that the federal government has spent more money than it has collected in taxes. Only in Fiscal 1969 was there a budget surplus in the last decade.

George P. Shultz, director of the Office of Management and Budget, announced the 1970 deficit today following a 2½-hour meeting with President Nixon and other top administration officials at the presidential compound here.

Shultz said the government spent \$196.8 billion, including \$77.8 billion for defense, while revenues flowing into the federal treasury totaled \$193.8 billion.

The actual deficit was in contrast to a \$1.8 billion deficit predicted by the administration last May, and a \$1.5 billion surplus that President Nixon projected last February.

However, the final expenditures of \$196.8 billion were less than either of the earlier projections, and Shultz hailed this as a "strong and satisfactory performance from our standpoint."

The deficit figure does not agree exactly with income and expenditures because of rounding off.

The revenue shortfall, Shultz said, was in large part due to a decline in corporate profits in the last six months of Fiscal '70, which ended June 30. He said that a projected upturn in the economy during the last half of this year should boost business profits and "give a better picture for Fiscal 1971."

"This deficit in 1970 can be seen as an example of a situation where the expenditure line was held within revenues that would be produced by the tax system at full employment. The deficit results from the automatic operation of the fiscal system, and that in itself is a stabilizing force," Shultz said.

NIXON'S RULE-OF-THUMB

Spending within revenues that would be generated by full employment, Shultz said, is Mr. Nixon's rule-of-thumb in looking toward Fiscal 1971 and 1972 budgets.

But the OMB director would not move beyond the administration's May projection that the 1971 budget will result in a \$1.3 billion deficit. Most congressional estimates have ranged from a \$6 billion to \$10 billion deficit, and one key committee chairman has privately estimated that the deficit will be \$15 billion.

(In Washington, meanwhile, Treasury Under Secretary Paul A. Volcker called the \$10 billion to \$15 billion deficit prospect for Fiscal 1971, cited by some government officials, "sheer speculation at this point.")

(Volcker said that the Treasury does not have enough evidence at this time to revise the \$1.3 billion deficit forecast.)

(But other government officials who could not be named noted that Congress had not

acted on Mr. Nixon's proposals for a tax on lead in gasoline, a speedup in collection of estate and gift taxes, and an increase in postal rates. Without those items, the Fiscal 1971 budget will be an additional \$4.5 billion in the red.

(Moreover, as indicated by the Commerce Department's leading economic indicators yesterday, the economic upturn sought by the administration has not begun. This suggests a further shortfall in revenues that would add more to the prospective deficit.)

URGES TAX ACTION

Shultz said he is "explicitly restraining" himself from an updated 1971 estimate, but he again urged Congress to pass the President's tax proposals.

He stressed that the administration would continue to exert pressure on Congress to hold the line on spending this year. Mr. Nixon has already threatened to veto the education bill, which received final congressional approval today, because it exceeds the President's request by \$453 million. Shultz called the bill "one of many bills of increased spending that are causing" great concern in the administration.

The objective, Shultz said, is a balanced budget in 1972 with full employment without inflationary price increases.

In discussions this week with the President and budget officials, Shultz acknowledged that a possible tax increase proposal next January is one of the options being prepared for Mr. Nixon's consideration.

Shultz would not address himself to a published report that a secret administration analysis projects a \$23 billion deficit for fiscal 1972, but it was believed that the report was based on an analysis attributed to government sources on what would happen under the most adverse economic circumstances.

[From the Washington (D.C.) Evening Star, July 29, 1970]

U.S. BUDGET DEFICIT LAID TO SLUMP (By Lee M. Cohn)

The federal budget swung from a predicted surplus of \$1.5 billion to a \$2.9 billion deficit last fiscal year because the economic slowdown curtailed tax collections, and a bigger deficit is expected this year.

Disclosing the budget results for fiscal 1970, the year ended June 30, the Nixon administration yesterday called the outcome "strong and satisfactory."

The deficit had a "stabilizing" effect on the economy, George P. Shultz, director of the Office of Management and Budget, said at the White House offices in San Clemente, Calif.

Shultz emphasized that expenditures were held below predicted levels.

While accepting revenue reductions as the inevitable and helpful consequence of an economic slowdown, the administration maintains that restraint of spending is crucial to curbing inflation.

Neither Shultz in San Clemente nor Treasury Undersecretary Paul A. Volcker at a news conference here would predict the deficit for fiscal 1971, the year that started July 1, but it is known the administration expects it to exceed last year's \$2.9 billion.

Some analysts outside the administration predict a deficit as large as \$15 billion, compared with the \$1.3 billion officially projected in May.

Shultz said the administration expects "a much more moderate" deficit than that.

EXPENDITURES RISE

For fiscal 1970, expenditures totaled \$196.8 billion, up from \$184.6 billion in 1969. Outlays were \$1.1 billion below the forecast in the budget submitted to Congress in February and \$1.4 billion below the revised estimate issued in May.

Revenues rose to \$193.8 billion from \$187.8 billion in 1969, but were \$5.5 billion below the February forecast and \$2.6 billion below the May estimate.

The deficit of \$2.9 billion contrasted with a surplus of \$3.2 billion in 1969. A \$1.5 billion surplus was predicted in February and a \$1.8 billion deficit was projected in May.

Tax collections fell short of projections mainly because the economic slump was more severe than anticipated, reducing taxable incomes and profits.

Individual income taxes totaled \$90.4 billion, up from \$87.2 billion in 1969, but \$1.8 billion below the February budget estimate. The Treasury said taxable capital gains were below expectations—presumably reflecting the stock market's slump—and thus accounted for part of the revenue slippage.

CORPORATE TAXES DOWN

Corporations paid \$32.8 billion of income taxes, down from \$36.7 billion in 1969 and \$4.2 billion below the February projection.

Corporate profits in calendar 1969, which affected fiscal 1970 tax payments, were \$1.8 billion below the Treasury's estimate of \$93 billion. This accounted for only part of the revenue reduction, Volcker noted, but he was unable to explain the balance.

Other taxes, net, were about \$500 million above estimates.

Shultz and Volcker emphasized that total expenditures were held \$1.1 billion below the February forecast despite the \$1.1 billion federal pay rise, increases in outlays for interest on the debt and other "uncontrollable" items, and congressional action raising some appropriations above budget recommendations.

OTHER INCREASES

Major spending increases above the February budget included \$595 million for military functions of the Defense Department, \$457 million for interest, \$267 million for the Post Office, \$251 million for farm price supports, \$236 million for military foreign aid and \$127 million for the Labor Department, mainly for unemployment compensation.

The defense spending bulge resulted entirely from the pay raise, the administration said. Even with the pay raise, military outlays by the Pentagon declined \$777 million below 1969 to \$77.1 billion.

Major spending decreases below the February estimates included \$381 million for loan disbursements by the Export-Import Bank, \$321 million for medicare, \$254 million for the Department of Transportation, \$173 million for model cities, \$137 million for space, \$132 million for agriculture programs other than price supports and \$106 million for the Justice Department, mainly because the law enforcement assistance grant program proceeded behind schedule.

HOLDING THE LINE

"This dramatic and successful effort to hold expenditures in line will be continued in the interests of promoting a healthy, as well as a growing, economy," Shultz said.

Pressing the administration's campaign against "big spenders" in Congress, Shultz said President Nixon had asked him "to express again his hope that the Congress will join him in a similarly successful effort to keep expenditures under control in the current year."

Shultz said Defense Secretary Melvin R. Laird expects outlays for the Vietnam war to decline to about half the peak annual rate of \$29 billion by next spring when the withdrawal of 150,000 more U.S. troops is completed.

For fiscal 1971 and 1972, Shultz said, the administration is trying to stick to the principle that expenditures must be held within the level of revenues the Treasury would collect if the economy were operating at full capacity.

BELOW CAPACITY

This principle of a theoretical "full employment budget" balance of surplus produced a deficit in fiscal 1970 and is expected to result in another deficit in 1971, because the economy is operating below capacity.

But Shultz said the administration is aiming for an actual balance in fiscal 1972, the year starting next July 1, when the timetable calls for restoration of normal economic growth and full employment.

[From the Wall Street Journal, July 29, 1970]
FEDERAL BUDGET DEFICIT RAN TO \$2.91 BILLION IN FISCAL 1970—SPENDING TRAILED ESTIMATES

WASHINGTON.—The Federal budget ran a deficit of \$2.91 billion in the fiscal year that ended June 30, although spending was actually less than had been forecast in May.

At press briefings here and at the Western White House at San Clemente, Nixon Administration officials hailed the lower-than-expected outlays, noting that the widening in the deficit from the \$1.8 billion drain predicted two months ago was due solely to smaller revenue resulting from the sluggish economy.

George Shultz, Director of the Office of Management and Budget, called the results "a strong and satisfactory performance" at a news conference in San Clemente. And Paul A. Volcker, Treasury Under Secretary for Monetary Affairs, told reporters here that the "modest deficit" isn't "disturbing."

But these officials declined to discuss the specific budget outlook for the current fiscal year, except to disassociate themselves from estimates by Congressional and other Government sources that the deficit is likely to run as high as \$10 billion to \$15 billion in the new fiscal year that began July 1.

The deficit for the just-ended fiscal 1970 contrasts with a \$3.24 billion surplus in fiscal 1969, which was the first budget surplus in nine years and the largest in 12 years. Before leaving office in January 1969, President Johnson projected a \$3.4 billion surplus for fiscal 1970, and in April 1969 President Nixon forecast a \$5.8 billion surplus. The Nixon Administration last February scaled this projected back to a \$1.5 billion surplus and then issued the \$1.8 billion deficit estimated in May.

Expenditures for the last fiscal year totaled \$196.75 billion, down from both the \$198.2 billion estimated in May and the \$197.89 billion projected in February. In fiscal 1969, Federal outlays totaled \$184.56 billion.

Revenues in fiscal 1970 totaled \$193.84 billion, well below both the \$196.4 billion estimated in May and the \$199.93 billion forecast in February. In fiscal 1969, total Government receipts were \$187.79 billion.

Officials noted that fiscal 1970 outlays were held below earlier estimates despite Federal pay boosts that added about \$1.1 billion to expenditures and increases in "uncontrollable" spending such as interest on the public debt. Outlays were still slightly higher, however, than the \$192.9 billion spending initially forecast by President Nixon in April 1969.

JOINT STATEMENT

In a joint prepared statement, Treasury Secretary Kennedy and Mr. Shultz listed numerous areas that contributed to the less-than-anticipated outlays in fiscal 1970.

The largest downward revisions from the February estimate, the statement said, included a \$381 million reduction in projected outlays of the Export-Import Bank due "primarily to lower-than-anticipated levels of loan disbursements"; a \$321 million reduction in predicted outlays of the Department of Health, Education, and Welfare resulting from "lower-than-expected spending" in the Medicare program; program "unerruns" of \$251 million in the Transportation Depart-

ment; a \$173 million reduction in outlays by the Department of Housing and Urban Development due to "slower-than-projected" spending for model cities; program "deletion" and "rephasing" in the National Aeronautics and Space Administration resulting in a \$137 million spending reduction; a reduction of \$132 million in Agriculture Department outlays, and a \$106 million reduction in projected Justice Department spending due primarily to "delays in awarding law-enforcement assistance grants."

These decreases from earlier estimates more than offset increases in some other areas, including \$457 million more in interest payments on the public debt and a \$267 million increase over the budget estimate for the Post Office Department due to the postal pay raise.

REDUCTION IN RECEIPTS

The \$5.5 billion reduction in actual receipts from the February estimate was more than accounted for by shortfalls in income-tax receipts, the statement said. Individual income-tax payments ran \$1.8 billion below the estimate and corporate receipts were \$4.2 billion below.

About \$450 million of the shortfall in individual income-tax receipts reflected higher-than-expected refunds, the officials said. They said most of the remaining shortfall "represents payments of final taxes on calendar year 1969 liabilities and declaration payments on 1970 income that were substantially below the amounts estimated, largely reflecting lower-than-expected capital gains."

The smaller-than-anticipated corporate-tax revenues was accounted for by about \$300 million of "larger-than-expected" refunds and about \$3.9 billion of "shortfalls" in projected final payments of 1969 tax liabilities and declaration payments of 1970 liabilities.

Officials said it's still "too early" to revise the budget estimates for fiscal 1971, which currently put revenues at \$204.3 billion and outlays at \$205.6 billion for a projected deficit of \$1.3 billion, although Mr. Shultz said "it is clear enough that the situation has changed somewhat."

ESTIMATES TOO HIGH?

Other officials have privately suggested that the sluggish revenues in fiscal 1970 probably signified that the fiscal 1971 estimates are also a bit too high. But Mr. Shultz noted that there has been "a better-than-expected" performance of corporate profits in the second quarter that could point toward "a somewhat better picture" for this fiscal year's revenues.

Some Congressional sources have indicated it now appears the budget deficit this fiscal year will reach \$10 billion or even \$15 billion and a few Administration analysts have privately agreed this is a likelihood. But Mr. Shultz emphasized that "we're working for a much more moderate result," and Mr. Volcker declared: "We aren't ready to concede the kind of figure those people are talking about." The Treasury official said these figures are "sheer speculation at this point."

Mr. Shultz told reporters officials have been discussing the fiscal 1972 budget with the President, with the talks centering on the defense sector. But, he said, "We haven't tried to pin down any particular number" for either the budget generally or defense outlays. Total defense spending in fiscal 1970 was \$78.31 billion, down slightly from \$79.15 billion in fiscal 1969.

DEFICITS

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

Mr. GERALD R. FORD. Mr. Speaker, I doubt if I will take 1 minute at this point. I deplore the anticipated or the announced deficit of \$2.9 billion under the Nixon administration. Let me remind my friend from Louisiana that does not compare with the \$25 billion deficit of the last Democratic administration. I yield back the balance of my time.

TAFT SEES ECONOMIC IMPROVEMENTS—CITES RISE IN MACHINE TOOL ORDERS

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

Mr. TAFT. Mr. Speaker, a recent article in the New York Times reports an 11.4 percent increase in machine tool sales in June over May of this year.

I believe this is a most encouraging sign that the economy has bottomed out and we are now moving up again.

Machine tool orders, traditionally, have been closely watched as an indicator of economic conditions, since most machine tool orders represent an expansion of plant capacities.

Until now, however, machine tool orders have been significantly lower than last year, and, while the latest sales figures are still down, there was an 11.4 percent increase in June sales over May's.

I believe this is evidence that the Nixon administration's fiscal policies are taking hold.

Following is the article from the New York Times:

MACHINE-TOOL ORDERS ADVANCED A MODERATE 11.4 PERCENT LAST MONTH

(By Robert Walker)

New orders for machine tools, considered an important indicator of future business activity, increased by 11.4 per cent in June from the May total, but this moderate advance left the order books of the tool builders at extremely depressed levels.

Orders in June were down 52.7 per cent from those of the comparable 1969 month. For the first half of 1970, the total was \$537,650,000, slightly more than half the bookings in the first six months last year, when they came to \$1,031,850,000.

The National Machine Tool Builders Association reported yesterday in Washington that new orders in the latest month were \$76,850,000, an advance from \$60-million in May but a decline from \$162.4-million in June, 1969.

Of the June, 1970, bookings, \$57,350,000 came from domestic buyers and the remaining \$19.5-million represented foreign orders.

These orders for machine tools—the equipment used to build other equipment—are considered an extremely accurate indicator of how many assembly lines are being planned by industry in general.

Thus, they usually give analysts an early signal of major changes in capital-spending intentions. The figures compiled by the Washington-based association count only orders for new tools from domestic builders.

However, sales of foreign tools and used machines in this country are believed to be following a similar trend. The Machinery Dealers National Association has reported that sales of used machine tools in May, the latest available figure, were up about 2 per cent from the April level but were down 26 per cent from those of May, 1969.

As reported by the National Machine Tool Builders Association, orders for new, Ameri-

can-made tools are divided into those for metal-cutting and metal-forming machinery.

Orders for metal-cutting tools in June, 1970, were \$61.4-million, a gain of 16.4 per cent from the May level, but a drop of 45.4 per cent from the total in June, 1969.

Bookings for metal-forming machinery in the latest month were \$15,450,000, down only 4.9 per cent from the May level but off 68.9 per cent from orders in the year-earlier month.

In the first half of this year, metal-cutting orders were \$404,400,000, a decline of 42.9 per cent from the level in the 1969 first half. Metal-forming orders in the latest six months were \$133,250,000, a decline of 58.8 per cent from the 1969 level.

PACE COMPARED

Reflecting the fact that new orders were received at a much better pace near the end of last year, shipments of finished machines in the latest half were almost unchanged from those of the first six months of 1969.

Shipments in the 1970 period were \$805,050,000, down less than 1 per cent from \$806,850,000 in the 1969 first half.

Shipments in June, 1970, were \$143.4-million, an increase of 1 per cent from \$143.2-million in May. However, the figure was down 11.6 per cent from \$162.2-million in June, 1969.

PROF. HARDIN JONES, OF THE UNIVERSITY OF CALIFORNIA AT BERKELEY, ON CAMPUS VIOLENCE

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

Mr. SCHERLE. Mr. Speaker, the recently publicized memorandum sent by that expert on campus violence, Alexander Heard, to the President is deserving of reply for a number of reasons, chief of which is it served no useful purpose and offered no sound suggestions.

Fortunately, all members of the academic community do not feel as President Heard feels, either about violence on campus or about the ways to cope with it.

I have in my possession a wire sent to the President by Prof. Hardin Jones of the University of California at Berkeley and made public by him. Professor Jones is a different kind of academician from President Heard.

I insert Professor Jones' wire in the RECORD:

BERKELEY, CALIF.

DEAR MR. PRESIDENT: I am a professor at Berkeley. I know the subject of unrest on the campuses through 30 years of university teaching and administration. I have written extensively on this subject. The report to you by Alexander Heard is in my opinion, invalid because it is largely self-serving to the very political movement corrupting education and contributing to the student unrest. There is much evidence that this unrest results from use of the educational process to marshal students in a political force. The key issue allowing the corruption of education is that institutions so affected follow the example of Berkeley and allow advocacy of illegal activities using college facilities. Much of this is directed to influence students and to involve them in unlawful activities. The educational process has become a political force for illegal social change and to propagandize acceptance of social views not espoused by the people who support these institutions. I observe, too, that students are

idealistic. They can be idealistic and misled at the same time. Certainly violence is not a civilized display of idealism. Your advisor has not given weight to the awful evidence that there is a minority of organized Marxists in education who advocate revolution and other anti-social commitments. The evidence is that radical political pressures will continue to come from minorities of alienated students and their faculty sponsors. There will continue to be controversy as to whether they do or do not represent the majority of students. I believe that all evidence points to the likelihood that this disturbance will not stop with our withdrawal from Southeast Asia. I urge leadership to solve the real problem of students. They are miseducation and the problems and hazards created by the confrontation tactics of the activists. I hope that the Heard report justifying campus unrest will not be expanded by the Scranton Commission to the political benefits of the revolutionists. We should instead move to lessen the blight in education which is also a peril to our country.

HARDIN B. JONES,

Professor of Physiology, Professor of Medical Physics, Assistant Director, Donner Laboratory, University of California, Berkeley.

MISS KAREN BOLTON AND MISS LENNIE RADEMACHER, WISCONSIN REPRESENTATIVES TO GIRLS NATION

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

Mr. SCHADEBERG. Mr. Speaker, this morning I had a most memorable experience in meeting with the two State of Wisconsin representatives to Girls Nation, Miss Karen Bolton, age 17, who attends Beloit Memorial High School in Beloit, and Miss Lennie Rademacher, age 17, who attends St. Catherine's High School in Racine. It is a rare honor to be the Representative of both State choices to this program sponsored by the American Legion Auxiliary.

These two fine young women are here in Washington this week as a result of democratic elections made in Wisconsin Girls State. They were selected by their peers from the 503 representatives who went to Madison to participate in a program designed to promote an understanding of State government. They are now with us learning about National Government and practicing the procedures of democracy.

Mr. Speaker, I am sure that my colleagues join me in extending my appreciation to the American Legion Auxiliary for sponsoring this program in the National Capital since 1947, and my congratulations to the two refreshing representatives from my First District, Wisconsin, who are representing the great State of Wisconsin so well.

FRANK STEWART

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

Mr. LOWENSTEIN. Mr. Speaker, I am very concerned about the case of Frank Stewart, a young black man who is under indictment in Louisiana for conspiracy

to commit murder in Baton Rouge Parish. Stewart, a former Peace Corps and current VISTA volunteer, is being held in lieu of \$100,000 bond on a charge of plotting the assassination of the mayor-president of Baton Rouge. The indictment grew solely out of the testimony of a police informer. The mayor is alive and well; there has been no attempt on his life.

In his capacity as a VISTA volunteer, Mr. Stewart has been engaged in community organizing in Baton Rouge. He has earned the respect of his colleagues in VISTA and of the black community of Baton Rouge, so one inevitable effect of the indictment has been to exercise a chilling effect on VISTA and other Federal antipoverty activities in the Baton Rouge area.

If there has been such a conspiracy and Mr. Stewart is involved, he and any others who are involved must be brought to justice. But if local officials are harassing leaders or organizers of the black community—or if they are attempting to minimize the effectiveness of Federal programs or eliminate altogether programs or workers they do not happen to like—then such harassment cannot be tolerated. In any event, I am sure everyone will agree that the constitutional rights of all concerned must be rigorously protected.

But the events in East Baton Rouge have unusual national significance because the morale of VISTA workers all across the country will suffer severely if the constitutional rights of one VISTA worker—especially one as highly regarded as Frank Stewart—are denied, or if it turns out that a VISTA worker has been subjected to official harassment for doing his job effectively.

Anyone who knows many VISTA workers knows that they are generally a remarkable group. The American people can be proud that we have produced young people—and some not so young—who work gladly for subsistence pay in difficult circumstances with little or no recognition to try to help fellow citizens who live in social and economic adversity improve the conditions of their lives.

For these reasons, I will reopen this discussion tomorrow. I hope that many colleagues will join in an effort to establish what the facts are in this volatile situation, as a necessary step toward assuring justice and safety for everyone involved.

PANAMA CANAL

The SPEAKER pro tempore (Mr. STAGGERS). Under a previous order of the House, the gentleman from Florida (Mr. BURKE) is recognized for 10 minutes.

Mr. BURKE of Florida. Mr. Speaker, once again the Panama Canal has become the subject of dispute within the Halls of this Congress. This was brought about by the White House's recent designation of Daniel W. Hofgren, a 33-year-old former Wall Street investment manager, to take over negotiations with Panama for a new Atlantic-Pacific canal.

In 1967, I joined with Congressman DANIEL FLOOD, who has spearheaded Concurrent Resolution 592 in the House call-

ing for the United States to maintain and protect our sovereign rights and jurisdiction over the Panama Canal and insisting that we in no way forfeit, cede, negotiate, or transfer any of these sovereign rights or jurisdiction to any other nation or international organization. My action followed the unofficial announcement that the Johnson administration and the Republic of Panama had reached agreement on the contents of new treaties between the two nations pertaining to the control, construction, and defense of the Panama Canal.

I am unable to understand the thinking of those who would give away our rights to the Panama Canal. Recent testimony by military experts before the House Foreign Affairs Committee, of which I am a member, pointed out the necessity of our maintaining American armed forces in the Canal Zone. At the present time, we maintain in the Canal Zone an Army infantry brigade, two Air Force plane squadrons, six air transports, and a Navy-provided LST. The wave not too long ago of assassinations, kidnappings, riots, and other acts of violence pointed out the need when our military forces were called upon to support the civilian police during mass disturbances. I have little doubt that the activities of Communists and leftists operating in the Canal Zone stem directly from Soviet-dominated Communist Cuba. The Soviet has long considered the new and undeveloped nations of Latin America to be fertile ground for their doctrines and policies of economic and political penetration.

In 1967, under the Johnson administration, a three-man team was appointed from Panama to negotiate with the United States for the three unsigned canal treaties which would have recognized Panama's sovereignty over the canal area, allow the highly unstable and dubious Government of Panama to jointly administer and defend the canal along with the United States, increase the annual payments that the United States must make to Panama, increase the tolls on ships and cargoes using the canal, and which would have provided for the construction of a new sea-level canal which would have rendered the present lake and lock canal unnecessary.

As chief negotiator on the canal, Mr. Hofgren would be directly under the supervision of Ambassador Robert B. Anderson, Chairman of the Atlantic-Pacific Interoceanic Canal Study Commission, which is the organization that is leading the proposal for a new sea-level canal. The proponents of this new sea-level canal must, in my opinion, bear a large portion of the responsibility for the tenuous situation which now exists between the United States and Panama over the issue of the canal. It is the Commission which has steadfastly ignored the criticism that a new sea-level canal is economically and physically unfeasible. Despite the fact there is not one shred of substantive evidence to their arguments that the present canal is obsolete and subject to sabotage and nuclear attack, the Commission continues its relentless pursuit for the construction of a new canal. It chooses to ignore

the fact that the differences in the tidal range of the two sides of the Isthmus, measuring 22 inches on the Caribbean side and 22 feet on the Pacific side, present serious navigational hazards. It ignores the impossible engineering problems in connection with the terrain of Panama. And it completely ignores a report by the National Academy of Sciences that a serious ecological imbalance would result in both bodies of water if the present fresh water barrier in the present lock canal is abolished.

Now, having failed in their attempts to justify their obsession with a new canal, the Commission is trying other routes, some through dense jungle foliage so thick they are apparently unable to meet their 5-year deadline of December 1. The Commission has requested an extension for submitting its report on a new canal and has asked for an additional \$1.5 million to complete its survey. The total cost to the American taxpayer for these jungle peregrinations have totaled some \$24 million to date.

The Commission is apparently equally obsessed with the thought of using nuclear power to excavate their fanciful version of a new sea-level canal, despite the fact an atomic explosion within 10 miles of the present Canal Zone would most likely destroy the entire population by nuclear fallout. For this reason, the Atomic Energy Commission has declined to lend its support to the use of atomic power for the proposed digging of the new canal.

It is interesting to note that nowhere is there more than a vague estimate of the astronomical price of a new sea-level canal, although a 1960 estimate placed the amount at \$2,368,500,000, exclusive of any indemnity to Panama.

Mr. Speaker, I have not seen one shred of evidence that the United States should abandon the present Panama Canal. The Congress has already appropriated \$81 million for the widening and deepening of the summit channel of the canal and for new equipment and lighting. The existing dual locks can today be utilized for the construction of a third channel. The Terminal Lake-Third Locks modernization would not require any new treaties with Panama but could be carried out under existing treaties. Appropriations requests now before the Congress in the amount of \$850 million would allow sufficient improvement to the canal to serve all necessary sea traffic requirements well into the 21st century.

On two previous occasions—in 1962, under President Kennedy, and in 1964, under President Johnson—attempts by the executive branch to disclaim our Nation's sovereignty over the Panama Canal failed due to the outcry from some Members of Congress and an enraged American public who are aghast at the attempt by some to weaken our treaty position and surrender our historic rights to the canal.

The United States has had full sovereign rights, power, and authority over the Canal Zone territory and the canal since the Hay-Bunau-Varilla Treaty of 1903. Not only Colombia, the sovereign of the Isthmus before Panama's independence, but the world has long recog-

nized the right of the United States to the canal as "entirely and absolute." It is obvious that the United States would not have assumed the responsibility it has had since 1901 for the construction, operation, and defense of the Panama Canal without some legal title.

The two major issues, then, Mr. Speaker, are the retention by the United States of its unquestionable sovereign rights to the Canal Zone territory and the canal, and the modernization of the existing canal, which does not require any new treaty negotiations.

The Constitution gives to the Congress, and to the Congress alone, the sole authority to dispose of territory belonging to the United States and this is clearly outlined in article IV, section 3, clause 2 of that document. This provision vests the power to dispose of territory and other property of the United States in the entire Congress—House and Senate—and not in the treaty-making power of our Government—President and Senate.

The continuance of our foreign policy which dilutes or repudiates entirely our sovereign rights, power and authority with respect to the canal might lead eventually to the domination of the Republic of Panama by the Communists and thereby place this strategic waterway in the direct control of the Soviet Union. The consequences of such action would not only weaken the United States but the ultimate consequences would be staggering to the imagination.

Mr. Speaker, it is unthinkable that anyone in our Nation could honestly believe that the national security of the United States would be served in the surrendering of our rights to the Panama Canal, or that we should, with present world unrest, make Panama an equal partner with us in the present canal or in any future canal that might be built until perhaps some later time, which certainly is not now with world conditions as they are.

The Panama Canal is a priceless asset of the United States in both a military and an economic sense, and I, for one, will never be a party to any agreement which would authorize our surrender of our sovereign rights to the canal at the expense of our national security if I can prevent it.

CONGRESSMAN CRANE REPORTS ON CON SON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CRANE) is recognized for 45 minutes.

Mr. CRANE. Mr. Speaker, let me begin this discussion by disposing of two questions which were alluded to by several of my colleagues in yesterday's proceedings:

First. That I violated the standards of the House of Representatives and that I questioned the integrity of the distinguished gentleman from California (Mr. HAWKINS). To any of my colleagues who believe that I questioned the integrity of my colleague, I will simply and humbly repeat what I told that gentleman per-

sonally: that there was certainly no personal affront intended, and that I certainly do not question the motives or the integrity of the distinguished gentleman from California.

Second. That I singled out the distinguished gentleman from California for particularly harsh treatment, and that the gentleman from Tennessee (Mr. ANDERSON) was somehow—intentionally or inadvertently—ignored. My simple response is contained in the report of the Select Committee on U.S. Involvement in Southeast Asia. In his supplementary views in that document, the gentleman from Tennessee notes:

A detailed report of conditions is contained in the Supplementary Views of Congressman Hawkins.¹

In the effort by the Members of Congress to investigate the question of possible inhumane or brutal treatment of prisoners in the prison at Con Son Island, it is vitally important for all of us to make sure our attention is focused on that problem rather than on personalities.

In this connection, we have previously heard the testimony of these two of our colleagues who visited the prison on July 2. I visited the same prison 20 days later, and can only report what I saw.

Permit me to focus for a moment on the attitude with which I embarked upon my visit to Con Son. My expectations were to a large extent based on what I had read: no accounts in the media that I now know to have been somewhat less than accurate. For example, I had read in the *Economist* that the tiger cages were "pits dug by the French."² Imagine my surprise when the tiger cages turned out to be two-story, above-ground buildings—not pits at all.

I had also seen photographs like the pair on page 27 of *Life* magazine of July 17, 1970.³ Let me emphasize that this is a pair of photos—virtually everyone with whom I have discussed this article had assumed them to be a single picture of a single cell housing seven inmates. In fact, they are two photos of separate cells with three and four inmates, respectively.

Another example: my distinguished colleague (Mr. HAWKINS) has described the island as "remote."⁴ Actually, Con Son is a weekend retreat from Saigon for both Vietnamese and American citizens, who swim and fish off its lush, tropical shoreline, a mere 50 miles from the mainland.

The charges that have been made regarding conditions at Con Son prison can be considered in two groups: those pertaining to physical conditions, and those that have to do with the treatment of the prisoners. Let us examine them in turn.

¹ Select Committee on United States Involvement in Southeast Asia, *Report together with Supplemental Views* (91st Congress, Second Session, Report No. 91-1276), p. 52.

² *The Economist*, July 18, 1970, p. 42.

³ *Life* Magazine, July 17, 1970, p. 27.

⁴ *Op. cit.*, Select Committee, "Supplemental Views" of Augustus Hawkins, p. 33.

CONDITIONS AT CON SON

The "tiger cages" have been reported to be cells of inadequate size, filthy, stupefyingly hot, and lacking ventilation.⁵ The report of the five students who had been in the tiger cages at Con Son indicated that rain water poured into these cages through the tile roof.⁶

According to *Life* magazine, the July 2 visitors gained the impression that "all the prisoners were sick: with TB, open sores, eye diseases, and malnutrition."⁷ It was reported that lime dust was used to quell rebellion on the part of prisoners.⁸ The "Report of the Five Students" further tells us that they regularly sustained beatings, and were fed rice containing sand and pebbles.⁹ It has been further charged that the prisoners were so paralyzed from being shackled that few of them could stand.¹⁰ *Life* states that they were forced to eat insects and the like.¹¹

It is extraordinary how different were the conditions that I observed on my visit only 20 days later. I had the opportunity to inspect both the "tiger cages" and the "cow cages," which the earlier visitors admittedly did not see. Permit me to describe what I saw.

The tiger cages measure 5½ feet in width, 10½ feet in length, and 10 feet from floor to ceiling. One enters through a door at ground level. There are no windows in the walls, but the bars are at the ceiling of the cell. Two-thirds of the cell at ground level is elevated approximately 1 foot. It is on this platform that the prisoners sleep on straw mats. At the ground level in each cell is a small wooden box which serves as a latrine and is covered and is emptied once a day.¹²

Anchored in the cement of the elevated platform is a metal bar almost flush with the platform. This is for manaculating prisoners between the hours of 5 p.m. and 6 a.m.¹³ Colonel Ve indicated that this is necessary for security reasons. After inspecting the doors to most of the cells, I concluded his concern for security was valid since a solid kick on most of the doors would open them.

It should be pointed out that none of the guards at Con Son prison are armed and the prisoner-guard ratio is 100 to 1, in contrast to the Cook County, Ill., jail where the ratio is 7 to 1. The escape of these hard-core Vietcong prisoners from

⁵ *Op. cit.*, *Life*, p. 27.

⁶ Select Committee Report, p. 39 ("Report of 5 Students who have returned from Con Son Prison," Exhibit in Support of Views of Mr. Hawkins). In fact, as my photos clearly show, the roof was not tile, but sheet metal with an inside layer of wood.

⁷ *Op. cit.*, *Life*, p. 27.

⁸ *Ibid.*

⁹ *Op. cit.*, "Report of the 5 Students . . ." pp. 39, 41.

¹⁰ *Op. cit.*, *Life*, p. 27.

¹¹ *Ibid.*

¹² Don Luce, "The Tiger Cages of Con Son," *Congressional Record*, July 28, 1970, p. 26007.

¹³ The "Report of 5 Students . . ." states that the cage is about 3 meters (10 feet) long and 1½ meters (5 feet) wide. ". . . and that the prisoners' legs were shackled to a metal rod about 4 or 5 meters (14 to 17 feet) long." P. 38. Mathematically, it is impossible for the rod to be this long inside a single cell.

their cells could prove to be a very real security threat.

Each cell, in addition, contains a bucket of water for laundering articles and bathing. Clotheslines were strung in the cells where prisoners had laundered articles and they were hung to dry. Each prisoner had a flight bag containing personal belongings hanging from the walls, and there were other personal articles such as eating utensils, bowls, and embroidery work which is done by prisoners to sell to acquire money to buy special articles periodically from the prison canteen.¹⁴

The walls of the prison are concrete, approximately 1½ feet in thickness. Con Son Island is at 9° N. latitude. It is hot and humid most of the year. There is one rather large window at the second floor level for every two cells, and there are airspaces in the doors to the cells. At no place in the "tiger cages" does the sun hit the prisoners directly, although there is ample diffused light throughout. Since the concrete walls, 1½ feet thick, would act as insulation against the heat, one can readily see that for the cells to be "stupefyingly hot" that it would have to be even more "stupefyingly hot" outside.

I saw no evidence of filth on the floors of the cells. The walls had not been freshly repainted but were not particularly dirty, and there was even less foul odor than a westerner generally detects in the ricefields of the mainland.

PRISONER CONDITIONS

As for the condition of the prisoners themselves, I saw no evidence of malnutrition, no evidence of eye infections, no evidence of open sores with the exception of one male prisoner with a small bandaid on his cheek bone, and no evidence of paralysis of limbs except for one young girl who explained to me that her inability to use her limbs traced back to an incident antedating her arrival on the island of Con Son by 6 months. I saw all of the women prisoners—over 300 of them—and approximately 50 of the men. The latter are now all housed in the "cow cages." I saw no prisoners with any evidence of beatings, and none of the prisoners I spoke to mentioned anything about physical beatings. I saw no prisoners with evidence of bruises or abrasions on ankles or wrists from manacles.

The "cow cages" are so called because they are located in close proximity to a cattle feeding shed. They are square rooms measuring approximately 12 feet by 12 feet. There are no ceilings on these rooms but the ceiling space is covered with taut barbed wire at an elevation of approximately 8 feet. This is to permit maximum ventilation between ceiling level and the rafters. Each cell has one window near the ceiling measuring approximately 3 feet by 2 feet that is barred and looks out upon the yard in front of the building. These buildings are also of concrete.

There were eight prisoners in each of

¹⁴ Assorted eating utensils and bowls are clearly visible in the lower picture in *Life* (*op. cit.*) p. 27.

the cow cage cells I visited. All of the prisoners appeared to be in good health and not undernourished. In fact, clad as most of them were in undershorts, it was apparent that some of them carried excess weight. I have photographs available taken inside the cells of prisoners that will verify this point.

I am in no more position to comment on the alleged mistreatment of prisoners based upon hearsay than are those who visited the prison on July 2 of this year. I can, however, comment on both condition of the cells and condition of the prisoners which was, of course, observable to me.

COULD THE PRISONERS HAVE BEEN SWITCHED

The question arose in my mind during my visit as to the possibility that a different set of prisoners had been moved into the cells than those who had been there on July 2. There are approximately 9,500 prisoners on the island of Con Son, slightly over 300 of whom are women.

Since the U.S. Navy patrols the waters between Con Son Island and the mainland, a distance of approximately 50 miles; and since the island is dependent upon the U.S. Government for air transportation; and since the transportation of the 300 odd women from Chi Hoa prison to Con Son 8 months ago represented a rather major logistical problem; I cannot conceive that there has been a switch of the 300 odd women who were there on July 2 with 300 others during the time that elapsed between July 2 and July 22. In addition, our AID officials, Mr. Frank Walton and Mr. Randolph Berkeley, who accompanied my colleagues on their visit on July 2 and myself on July 22, and in the interim made another visit to the island to inspect the tiger cages and cow cages, testified to the fact that they recognized prisoners who were there during all three of their visits.

Mr. Donald Luce, the journalist who acted as translator to the two members of the select committee, has since written to my distinguished colleague from California. He very accurately states why it would have been very difficult for the South Vietnamese Government to change prisoners:

I think we can be sure that the press here will carefully watch prison conditions.¹⁵

With a vigilant press, and with a large logistic problem involved, and with the eyewitness accounts of various officials, I believe it highly unlikely that a change of prisoners could have taken place. If any suggestion is made that a change did take place, the burden of proof should fall on those who maintain that a switch was made.

Permit me to call to the attention of my colleagues the distinguished backgrounds of the two gentlemen who direct U.S. activity in this area:

FRANK E. WALTON

Mr. Frank E. Walton is serving his second tour of duty as the Chief Public Safety Advisor to Vietnam in the Agency

¹⁵ Letter from Don Luce to the Honorable Augustus M. Hawkins, CONGRESSIONAL RECORD, July 28, 1970, p. 26006.

for International Development, having served in that capacity from 1959 to 1964 and having returned to the post in April 1969, after an interim assignment as Chief of the Vietnam Division of the Office of Public Safety, AID, Washington, D.C.

Mr. Walton came to Federal Government service after serving for 23 years with the Los Angeles Police Department and the Los Angeles County Sheriff's Office as a law enforcement officer in all phases of police operations, supervision, administration, training, and corrections. He holds a B.S. in police science and administration and an M.S. in government.

His experience included 2 years in command of the Los Angeles Police Training Academy and a period as deputy chief in charge of corrections for Los Angeles County for a confinement system of 10 division jails, a main jail and a rehabilitation center.

RANDOLPH CARTER BERKELEY, JR.

Randolph C. Berkeley, Jr., the Chief of the Correction and Detention Branch and Division, Public Safety Directorate of the Agency for International Development in Saigon, is a retired career Marine Corps colonel who entered on active duty with the Marines directly upon his graduation from the U.S. Naval Academy in 1938. He served in increasingly responsible posts, being assigned to Cherry Point and Camp Lejeune, N.C., as chief of staff and commanding officer in 1958 and rising to the top Marine intelligence position at Marine Corps Headquarters, Washington, D.C., in 1961, which post he held at the time of his retirement from active duty in 1965.

His varied experience throughout his Marine Corps career, including command intelligence and counterintelligence assignments in the early 1960's and command aviation assignments throughout the 1950's, makes him uniquely qualified for the administrative duties involved in overseeing the prisoner detention program in South Vietnam.

A part of the debate on this issue apparently centers on the credibility of their testimony. It strikes me as not altogether proper to draw conclusions as to conditions at Con Son Island without having had the advantage of talking to these two gentlemen who were eyewitnesses during the July 2 visit as well as the July 22 visit. In addition to these gentlemen, three other Americans accompanied me on my visit to the prison: Mr. James Nach, embassy political officer, Lt. Carl Mallet, U.S. Navy, and Sp4c. A. Hill, who took photographs of the prison during my entire visit. These are unusually clear and detailed pictures of both the "tiger" and "cow" cages, and of other parts of the prison.

INTERVIEWS WITH PRISONERS

The prisoners in these cells at Con Son are there, according to the testimony of Lt. Col. Nguyen Van Ve, and by the admission of the 32 whom I interviewed, for two reasons:

First, they were imprisoned under the An Tri law of the Vietnamese Government, which enables the government of Saigon, working through provincial se-

curity committees at the local level, to jail Vietnamese citizens suspected of Vietcong—National Liberation Front—associations for a period of up to 2 years and reserves to the government the power to secure extensions at the convenience of the government.

Second, there is a rule at Con Son prison that all prisoners must salute the flag of the Government of South Vietnam. The prisoners in the "tiger cages" and "cow cages" had refused to do this.

There is a third point that should be mentioned about the women prisoners at Con Son: they had instigated a riot in the prison of Chi Hoa in Saigon 8 months earlier, which was the immediate cause of their transfer to Con Son.

I think it is important to realize in this context that I spent approximately 2½ hours talking to prisoners in the tiger cages and cow cages in contrast to the one-half hour spent by the earlier delegation. This means I had a five times greater period in which to interrogate prisoners. I indicated to the prisoners that I was not a representative of the American military but rather a representative of the U.S. Government. I encouraged them to talk but I did not ask specific questions that might be considered "loaded." I had the services of three interpreters—two American and two Vietnamese nationals—rather than a single source. All of those to whom I spoke acknowledged membership in the National Liberation Front and were proud of that fact. The major preoccupation of each of the 32 prisoners to whom I spoke was politics. All of them indicated their opposition to the Government of South Vietnam. They were also critical of the United States for providing military support to South Vietnam against both the National Liberation Front and the Government of North Vietnam. Several prisoners indicated their loyalty to the Government of North Vietnam.

On the second point, one may reasonably question Colonel Ve's insistence that all prisoners at Con Son salute the flag. Still, all prisons have their rules, and conformity to this rule by any prisoner would result in his transfer out of either the tiger cages or the cow cages. The action of defiance of this particular regulation at Con Son by prisoners in the isolation cells was a voluntary one. In the interviews I had with 20 women and 12 male prisoners, they took pride in their refusal to honor the flag that represents a government they view as iniquitous.

Specifically regarding the women prisoners, their attempts to generate a prison riot at Chi Hoa—near Saigon—provide yet another evidence of their commitment to offer as much resistance as a prisoner can to his captor. Resistance, of course, is the prerogative of any prisoner. But, as I said, it was for this action that the women were transferred to Con Son Island.

Some of the prisoners indicated their displeasure with the prison diet. The 18-year-old English-speaking girl showed me some dried fish she had in a small plastic bag as proof of the unpalatability of the prison fare. However, the dried fish she produced was the same type of

dried fish I saw prisoners in Camp 4, outside the tiger cage and cow cage areas, eating with their rice.

Some prisoners indicated that prior to 2 weeks before my visit they did not have enough water for bathing purposes. This has been corrected.

None of the prisoners mentioned an insufficiency of drinking water.

Quite significantly, I believe, not a single prisoner raised the question of the use of lime dust to quell unruly prisoners.

The use of lime dust, I have been informed, is not novel in that area of the world. It is, in fact, apparently a cheap substitute for tear gas such as we use in the United States and is considered preferable since it can be localized more effectively than can tear gas.

When I spoke to the attractive 18-year-old English-speaking woman previously mentioned, a self-admitted member of the National Liberation Front, she explained to me that she was an idealist, that she viewed the government in Saigon as oppressive, that she had been jailed without trial by that government and, therefore, would not honor the flag of that government. I explained to her that one must pay a price for such idealism and, in this instance, the price was confinement in her isolation cell. She acknowledged to me that she obeyed certain rules as a member of the National Liberation Front. I pointed out to her that we all live under rules, and that now she was in a position where she had to obey the rules of Con Son prison or else continue her defiance within the confines of her isolation cell. She indicated to me that she preferred to carry on her private war in this manner, which is her choice.

The question legitimately arises as to whether there was not an attempt by the prison authorities to clean conditions up between July 2 and July 22 when I visited. In response to that suggestion, let me offer the following: First, virtually the only physical change in the cells that could have occurred in that interim was that the floors could have been swept. There was no evidence, as I indicated earlier, of fresh paint or whitewash on the walls. The cells could not have been made noticeably cooler. Regarding the condition of the prisoners, their reported malnutrition could not be cured in less than 3 weeks. Open sores cannot be healed in less than 3 weeks and paralysis of limbs cannot be remedied in less than 3 weeks. As for the reported TB cases, I saw approximately 16 women in the dispensary across the yard from the barracks containing the tiger cages, all of whom were suffering from TB, all of whom are under treatment, and all of whom are seen by a doctor on a weekly basis. I examined the records of the orderly in charge of requisitioning and dispensing medicine for the tiger cages. His books are well kept and entries made every 10 days. I inspected entries for the last 8 months. He indicated that there are some shortages of medicines, particularly streptomycin and penicillin, but an examination of his books revealed that approximately 90 percent of needed supplies was routinely filled and the 10-

percent shortage, I suspect, is true throughout most of South Vietnam.

AN TRI LAW

The An Tri law offends the sensibilities of most Americans. But it must be recognized that every government reserves unto itself the right to protect itself against destruction.

In our own Constitution, under article 1, section 9, the denial of writ of habeas corpus is permitted in times of internal insurrection or external aggression.¹⁶ Under this provision of the U.S. Constitution, President Abraham Lincoln made thousands of political arrests without benefit of counsel and without benefit of trial during the Civil War.

More recently, in the memory of most of those here present, during a time of emergency, we arrested the entire Japanese population of our Nation not because of any suspicion of individuals, but simply because they were Japanese.

This is not to say that Americans look back on either one of these examples with pride; it does, however, suggest that during times of national emergency, when the Nation has been under attack, we have resorted to the exercise of this prerogative, which governments have always claimed, and we are not in a very good position to describe "actions of this sort (as) characteristic of totalitarian dictatorships, not democratic societies."¹⁷

No one denies that there were any number of innocent individuals who suffered in these United States by these actions, and there are undoubtedly instances in South Vietnam today where innocents have been jailed under the An Tri law. But when one considers that the Government of South Vietnam has been under consistent attack since 1956, and when one considers further that the people of South Vietnam have had 14 years' experience at self-government instead of several centuries, it is not reasonable to condemn the South Vietnamese Government for an action that has in our own recent past been exercised by a government "of the people, by the people, and for the people."

AN OFFER TO LIFE MAGAZINE

I will publicly state that if Life magazine is so inclined, it can pay me \$10,000, the sum reportedly paid to Mr. Tom Harkin, for my more distinct and superior photographs taken on July 22, and that I will in turn contribute that \$10,000 to the purchase of streptomycin and penicillin for the prisoners on Con Son Island. Mr. Harkin informed the congressional committee when they requested the photographs he took of the tiger cages that he would not give them up because he had "a higher obligation to those 500 human beings who are jammed in those cages."¹⁸ I submit Mr. Harkin's humanitarian instincts would find their greatest gratification in joining with me in this worthy effort by contrib-

¹⁶ Article 1, section 9 of the Constitution reads, in part: "The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it."

¹⁷ Joint statement of Messrs. Moss and Reid, July 23, 1970, page 1 (mimeo).

¹⁸ *Op. cit.*, Life, p. 2A.

uting his \$10,000 to the purchase of medicine and food for the prisoners. Surely, considering the fact that there is always suffering in any prison system, Con Son not excluded, no one would want to make pecuniary gain from the misfortune of others.

CONCLUSION

In conclusion, Mr. Speaker, permit me to make the following observations:

First. The An Tri law may be a serious restriction on individual rights as we in America know them, but the war in Vietnam is serious too. Clearly, this law has precedents throughout the history of democracies including our own.

Second. If conditions at the South Vietnamese prisons need improving, and I believe they do, let us constructively suggest how they might best be performed without indicting a whole government and a whole people who are trying, under very adverse circumstances, to build a viable democracy.

Third. Those who would encourage the United States to exercise still more influence over the South Vietnamese Government's action—such as my distinguished colleague from Tennessee does¹⁹—should realize that they cannot have it both ways. If the United States is to disengage and "Vietnamize" the war—as I believe it should—it will have less and less influence over the actions of the South Vietnamese Government. In other words, we cannot have a disengagement and a "puppet" government in Saigon—as some unfortunately describe the Thieu-Ky regime—at the same time.

I have not attempted to whitewash conditions at the Con Son prison. I went there, after hearing the reports made by earlier visitors, expecting the worst. I was most surprised at what I saw. In fact, it even caused me to consider the possibility of a rotation of prisoners for show. It was only after realizing that this would have been impossible with the female prisoners and at least unlikely with the men that I felt impelled to elaborate on the conditions I found. I do not presume to do so in any official capacity. I went to Con Son, and I have reported what I saw there, as an American citizen concerned that the cause of full information and of truth be served.

CORPS OF ENGINEERS SHOULD INFORM POLLUTERS OF REQUIREMENTS OF 1899 REFUSE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. Reuss) is recognized for 20 minutes.

Mr. REUSS. Mr. Speaker, recently the Corps of Engineers prepared a tabulation of existing corps permits for industrial waste discharges into the Nation's navigable waterways since enactment of the 1899 Rivers and Harbors Act. That study showed that there are no existing corps permits in 22 States. Also in all but three States, there are less than 25 existing permits for such discharges.

¹⁹ *Op. cit.*, "Supplementary Views of Repr. Wm. R. Anderson . . ." Report of the Select Committee, p. 52.

Yet we know that there are thousands of other industrial polluters discharging wastes into our waterways who have failed to obtain a corps permit and are violating the 1899 law. It is for this reason that I yesterday sent a letter to the corps urging it to begin now to conduct a program of notifying these polluters of their obligations under the 1899 law. This should be accomplished by the most expeditious means possible, "through the news media, correspondence with various industrial and trade associations, the Chambers of Commerce, the National Association of Manufacturers," and other equally effective means.

If the discharger complies with the 1899 law and applies for a permit, he will have to obtain a certificate from the appropriate State water pollution control agency pursuant to section 21(b), only this year added to the Federal Water Pollution Control Act. When a State grants a certificate, it certifies that the applicant's activity "will be conducted in a manner which will not violate" applicable Federal, State, or local water quality standards. No corps permit shall be granted until the certification is granted or waived. Without a permit, the discharger can no longer discharge his wastes and pollute our waterways.

I believe this little-used law will greatly complement our water pollution control laws and bring us much closer to the ultimate goal of clean water.

I append the text of the letter I sent to the Corps of Engineers on July 28, 1970:

JULY 28, 1970.

Lt. Gen. F. J. CLARKE,
Chief of Engineers, Department of the Army,
Washington, D.C.

DEAR GENERAL CLARKE: Your letter of June 24, 1970, enclosed at our request, data in tabular form on existing permits issued by the Corps of Engineers for industrial waste discharges into navigable waterways since enactment of the 1899 Refuse Act (Table A), and for dredged materials since January 1, 1965 (Table B).

Table A shows that there are no existing Corps permits for industrial wastes in 22 States (Arizona, Colorado, Connecticut, Iowa, Kansas, Maine, Maryland, Michigan, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Rhode Island, South Dakota, Utah, Virginia, West Virginia, and Wyoming). In Massachusetts, the only existing Corps permit was suspended on February 13, 1970, because of unspecified complaints by State officials. Except for New Jersey, California, and Louisiana, there are less than 25 existing Corps permits for industrial waste discharges in each of the remaining States and Puerto Rico. The dischargers covered include some of the Nation's producers of pulp and paper, synthetic fibers, chemicals, petroleum products, steel and aluminum.

This meager number of existing Corps permits issued for the discharge of industrial wastes is disgraceful, when one contemplates the numerous industries in each State that undoubtedly discharge pollutants into our waterways. The time has long passed for these industries to stop flouting the 1899 law and to either comply with it and the regulations issued thereunder, or to cease discharging their wastes into our waterways.

As we have said time and time again, the 1899 law affords an opportunity to determine whether these dischargers are, in fact, in compliance with applicable water pollution control laws. Section 21(b) of the Federal

Water Pollution Control Act, as amended by Public Law 91-224 of April 3, 1970, and the recently revised Corps regulations (Cong. Rec., p. 20252, June 17, 1970) require that an applicant for a Corps permit provide the Corps with a State certification. The State must certify "that there is reasonable assurance" that the applicant's activity "will be conducted in a manner which will not violate applicable water quality standards." No Corps permit "shall be granted" until such certification is obtained or waived. Presumably, a State will not issue a certification without careful review of the applicant's activity. But, unless the Corps requires discharges to comply with the 1899 law, section 21(b) will not become operative.

We therefore urge the Corps to begin now to notify all present and future dischargers of refuse materials into this Nation's waterways about the requirements of the 1899 law and section 21(b) of the FWPC Act. This notification should be done as expeditiously as possible, through the news media, correspondence with various industrial and trade associations, the Chambers of Commerce, the National Association of Manufacturers, and other appropriate means of disseminating this information.

Please advise us when you initiate such notification.

Recently, the following notice was brought to the Subcommittee's attention:

Corps of Engineers, Department of the Army, P.O. Box 1715, Baltimore, Maryland 21202, Telephone 962-4646.

Warning Notice.—Federal Acts Prohibit The Discharge Or Overflow Of Any Oil, Sludge, Bilge Oil, Dirt, Dredgings, Ashes, Cinders, Mud, And Refuse Of Any Kind Into Navigable Waters That Lie Within The Jurisdiction Of The United States.

Violation Of These Regulations May Result In A Penalty Of Not More Than \$10,000, Or Not More Than One Year Imprisonment Or Both.

Applicable United States Laws: The Oil Pollution Act of 1924, As Amended, The Act of 29 June 1888, River & Harbor Act of 3 March 1899.

The notice fails to advise the public that, under the 1899 law, one-half of the fine imposed by the court under that law shall "be paid to the person or persons giving information which shall lead to conviction." (33 U.S. Code 411). As the Committee on Government Operations said in its recent report (House Report No. 91-917, March 18, 1970, pp. 17-18):

"The informer payment provides a monetary incentive to citizens to furnish information to the Corps concerning violations of the Refuse Act."

Information supplied by citizens can aid the Corps, not only in the enforcement of the criminal provisions of the Act, but also in obtaining injunctions requiring a violator to cease future discharges or to apply for a Corps permit in the manner mentioned above. Further, such information can be useful to the Corps in requiring the discharger to remove pollutants already discharged. Informing the citizen about this little-used provision of the law will undoubtedly result in greater information being provided to the Corps or the U.S. attorneys and some savings to the Government of the cost of investigations of violations.

We therefore urge the Corps to revise the above notices by adding the following:

"One-Half of the Fine Imposed For Violation of the 1899 Act is Paid To Any Person or Persons Giving Information Leading To Conviction."

Since these notices must be revised anyway because the Oil Pollution Act of 1924 was repealed by section 108 of Public Law 91-224 on April 3, 1970, the addition of this language to the notices should not be too costly to the Corps.

Please advise us when the Corps revises these notices.

Sincerely,

HENRY S. REUSS,

Chairman, Conservation and Natural Resources Subcommittee.

TRIBUTE TO THE HONORABLE MARIO BIAGGI

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

Mr. LOWENSTEIN. Mr. Speaker, I think we all know by now that MARIO BIAGGI is one of the outstanding Members of this body. It is good to learn that the leading newspaper of a city he will soon represent here, the Herald-Statesman of Yonkers, N.Y., has already noted and praised him for the high quality of the service he renders his community and the Nation. I include in the RECORD at this point an unusually wise editorial from the Herald-Statesman:

BIAGGI SHOWS COURAGE, WISDOM IN ITALIAN RALLY REMARKS

Mario Biaggi, the Congressman who more than likely will be representing part of Yonkers next Jan. 1, appears to have an interesting combination of courage and common sense.

He showed both Monday in addressing thousands of demonstrating Italian-Americans in Manhattan.

The courage came when he spoke words of moderation to the up-tight crowd; the common sense resided in the words themselves.

He told them: "Of 22 million Italian-Americans in this country, only 5,000 were involved in organized crime.

"Because of the misconduct of a few, let us not use a wide, black brush on the FBI and let not the FBI, or any other law enforcement agency, use the same brush on us."

The Congressman from the 24th District is so right.

No one, to our knowledge, looks with jaundiced eye at any person simply because he is of Italian descent. The FBI does not thumb through an Italian "Who's Who" looking for people to arrest. They act on evidence painstakingly collected in the face of a growing legal hostility to law enforcement.

It appears to us that we are approaching a strange age of anti-heroes, where the bad guys are cheered and the good guys are hissed.

Joe Colombo, identified by the FBI as one of the biggest mobsters in the New York area, received what a reporter called "a tumultuous ovation" while the FBI, long one of the most loyal adherents to American democratic principles, was brought to task.

While we can understand the Italian-Americans' growing feeling of frustration as they read and hear constantly about a Mafia crack-down, we find it difficult to fathom how they can equate this with any anti-Italian feeling on the part of either the FBI, the government or the news media.

The word "Mafia" or its modern counterpart, "Cosa Nostra," perhaps have been overused by zealous reporters who assign them to any criminal suspect with an Italian surname. But there is too much evidence . . . too much data to simply deny the existence of this crime cartel.

That is why Rep. Biaggi is right when he says Americans should refrain from using a wide brush in appraising each other.

This advice holds true for more than the Italian-American issue. It can be applied to the way we assess today's youth and the way they assess adults; to the simplistic "get-a-job" approach to the welfare problem; to the

racial hangs-ups of many whites and blacks; and to the gross generalization of what is called "the news media."

We support the FBI in its fight against organized crime, regardless of who is arrested. We deplore the implication that any defamatory conspiracy exists. And we urge all Italian-Americans in Yonkers to back such law enforcement officials as District Attorney Carl Vergari, Yonkers Public Safety Commissioner Frank Vescio and the President of the Police Benevolent Association, Al Portanova.

If Rep. Biaggi, a highly decorated ex-policeman, wins as expected in November, Yonkers will inherit still another outstanding Italian-American.

No, we hardly think the actions and notoriety of a few bad men can tarnish the reputation of a happy, industrious people who not only helped build this country, but sent a man over to discover it and put it on the map.

The magnitude of the contribution made by Americans of Italian descent to the development of this country is self-evident to anyone who understands our history, our hopes, or even our name. MARIO BIAGGI is himself a significant addition to that contribution.

Millions of Americans who are not especially of Italian descent join in protesting broad-brush generalizations that denigrate Americans of Italian descent, as millions of Americans who are not black protest broad-brush generalizations that denigrate black Americans—as all Americans should, in fact, always protest any broad-brush generalizations that denigrate any other Americans because of their racial, religious, or ethnic background.

No doubt some people want to use protests against these stereotypes for improper purposes of their own. We will not be used for such purposes, but neither will we stop protesting against such stereotyping. The motives of some of the protesters may be self-serving, but wrongs are not made less wrong because some people protest the wrongs for unworthy purposes.

Many of us in the House of Representatives are proud to support Congressman BIAGGI in the fight to stop discrimination against Italian-Americans. His leadership means a great deal to all of us in this fight. His example of "courage and commonsense," as the Herald-Statesman put it, has inspired each of us to try to do more to end all such discrimination as soon as possible, and to prevent its ever recurring in this country again.

TELLER VOTING

(Mr. BOGGS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BOGGS. Mr. Speaker, yesterday, in a move which will have profound historic significance, this House of Representatives voted to remove secrecy from the procedure of teller voting.

It was, I think, a victory for democracy, for representative government, and for this body. No one can ever deny the accurate and memorable description of this House by Alexander Hamilton when he said, "Here, sir, the people govern."

The right of a free people to know how their representatives vote is as fun-

damental a right as the rights of free speech, of religion, and of voting.

This is the topic of editorials in newspapers around the country. I am inserting three in the RECORD and calling them to the attention of my colleagues:

[From the Washington Post, July 29, 1970]

OPEN HOUSE

Those cheers that echoed in the House of Representatives on Monday may have violated Cannon's Rules but they were nevertheless very much in order. They were cheers for democracy, for the basic idea of representative government, for the concept of government by the consent of the governed. They came in response to a historic House decision to put an end, at long last, to its ancient practice of voting in secret on amendments to pending legislation. By an almost unanimous voice vote, the members of the House approved an amendment to the congressional reorganization bill providing that in the future they shall be recorded by name as they pass up the aisle to vote on amendments.

The House, at the same time, approved some other exceedingly salutary changes in its procedures. It agreed to permit at least 10 minutes of debate on any amendment printed in advance in the Congressional Record. And it approved the installation of electronic voting equipment to speed up roll calls—provided that later on the House decides that it wishes to tally its divisions in this modern, efficient and sensible fashion. More's the pity that it did not decide also to make committee meetings open to the public as a general rule. All these changes are simply devices for transacting the public business in public. They will serve at once to help the representatives themselves to know what they are doing and to help their constituents to know what they have done.

Because in their present form the changes are amendments to a bill which must have the concurrence of the Senate before it can become law, one cannot yet regard them as *faits accomplis*. But the support for them in the House was so strong, so healthy and so overwhelming that one can reasonably suppose the House would adopt them as rules of its own if the Senate should fail to translate them into an act of Congress. They reflect great credit on the House and will surely enhance the confidence of the country in its government.

Secrecy in the House is one of those curious folkways perpetuated as tradition long after the purpose for which it was originally contrived has been forgotten. The House of Commons in England undertook to keep its proceedings secret in order to protect its members from reprisals by James I and Charles I in the 17th century. The practice, designed to offset despotism, soon proved itself despotic. It led to all sorts of abuses difficult to unmask and to rebuke because responsibility for them could not be discerned. "Next to the existence of open constituencies, and a fair mode of election," the historian Lecky wrote, "the best security a nation can possess for the fidelity of its representatives is to be found in the system of parliamentary reporting. But this was also wanting. The theory of the statesmen of the first half of the 18th century was that the electors had no right to know the proceedings of their representatives, and it was only after a long and dangerous struggle, which was not terminated until the reign of George III, that the right of printing debates was virtually conceded."

The right of a free people to know how their elected representatives vote is a right without which elections can be considered neither free nor meaningful. The House of Representatives honors its best values in joining them now as a genuinely representative body.

[From the Baltimore Sun, July 29, 1970]

IN THE HOUSE

The House of Representatives should have a much more important place than it has in the operation of the federal government in Washington, and its individual members, by and large, should figure more than they do in the public business of their home districts. Congressman Boggs of Louisiana, the Democratic whip, says he is concerned that "young people say this House has ceased to be relevant." Mr. Boggs has good reason to be concerned, for the fact is that the House of Representatives spends much of its time in its own world of prerogatives, procedures and seniorities, with the result that the people, whom it represents in Washington, pay little attention to it.

The political trend of recent years, in which the membership in the House has remained remarkably stable despite the ups and downs of party fortunes in presidential elections, may be caused more by indifference toward the House than to a general satisfaction with its work. Young people are not the only ones who think that the House, at least for a good bit of the time, has ceased to be relevant.

In the legislative reorganization bill it has been considering for the past week the House shows a recognition of some of its time-encrusted faults. Take the matter of teller votes, for example, in which the members walk up the center aisle to vote anonymously on important amendments to bills. The procedure, which is traced to the British House of Commons during the reign of Charles I, enables members to vote on major issues without going on record. * * *

[From the New York Times, July 29, 1970]

NEW DAY ON CAPITOL HILL

Those who were not quite convinced by the moon landings that this is an era of change should be persuaded by the recent behavior of the House of Representatives. A few days ago it agreed to reveal, on request, the way its members vote in committee and to allow hearings to be televised. Now it has decided, at least in a preliminary way, that if only 20 members object, the rest may no longer hide behind that monument of secrecy, the unrecorded teller vote. The amending process, in which the teller vote is used, may not much longer allow Representatives to vote on such vital matters as the Cooper-Church proposal, Federal outlays for pollution programs and controversial anticrime procedures without their constituents ever being able to tell how they stood.

This historic step, made in the Committee of the Whole, was not taken without a price. To get it this far along required a major concession by the main body of reformers. They made no effort to include in the bill any modification of their old target, seniority, nor did they encourage the vain moves to do so yesterday.

We expect that on another occasion they will tackle that fundamental evil—and soon. But because the bill as a whole involves the Senate and the executive branch as well, it has yet to be passed not only by the full House but by the Senate, and then be signed by the President. Overloading it now with antiseniority and other changes, however desirable they might be, would invite almost certain defeat for the entire measure—an excellent way for secret opponents of reform to cancel the gains already made and do it in the name of reform.

A NATIONAL BANK FOR PUBLIC AND PRIVATE PRIORITY PURPOSES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous material.)

Mr. PATMAN. Mr. Speaker, today, Senator SPARKMAN and I have jointly introduced legislation developed to meet what we are convinced is a rapidly growing financial crisis for the Nation's State and local governments and the Nation's businesses and industries.

Continuing inflation and tight-money, high-interest-rate conditions are making it increasingly impossible to achieve urgently required development of the Nation's communities.

By the same token, these conditions are strangling the Nation's businesses and industries.

Week by week and month by month, both the public and private capital needs for national priority purposes are increasingly unmet. The result is the steadily mounting failure of State and local governments to obtain the funds necessary for streets, water, sewers, schools, hospitals, airports, mass transit systems, and air and water pollution control facilities. It is also the rising inability of businesses and industries to acquire adequate capital at a cost they can afford in order to finance the expansion and development that is absolutely vital to remain competitive and to assure achievement of a full-employment economy.

THE ANSWER

The answer to these twin problems exists in the creation of a National Development Bank designed to make direct loans and to guarantee loans to State and local governments and to businesses and industries when adequate funds at reasonable rates cannot be obtained from conventional lending sources to provide vital public services and facilities and to bolster the economy and increase employment opportunities of our people, especially those of our citizens who are unemployed or who have a low income.

In effect, the answer is the creation of a bank for public and private priority purposes to help check our deteriorating economy and move the Nation toward full utilization of our resources—both human and material.

ESTABLISH A NATIONAL PRIORITY BANK

The Bank would be authorized to make loans to finance the construction of public facilities and public works for State and local governments at an effective interest rate which does not exceed 6 percent. In addition, the Bank could purchase obligations of State and local governments and guarantee loans from conventional lending institutions to provide capital for the same purposes.

Whenever possible, the public facilities and public works financed through the Bank are to be of direct, substantial benefit to residents of slum and depressed rural areas.

Loans carrying an interest rate no greater than 1.5 percent higher than the current Federal Reserve discount rate could be made by the Bank to businesses and industries to provide working capital and to assure that adequate funds are available to these enterprises so that they will have adequate skilled manpower, resources, technical and plant facilities to compete in the market place. Loan guarantees would be available too, and the

Bank could purchase obligations of business and industries for the same purposes.

The bill specifies that financial assistance to the private sector from the Bank is available on condition that borrowers agree to fill a specified number of job openings and to conduct training programs when these are considered necessary by the Bank Board of Directors to strengthen business and industries and to expand employment opportunities for those in greatest need of suitable work at adequate wages.

Direct loans, guaranteed loans and the purchase of obligations would apply to both existing and new industry and business.

CAPITALIZATION

Capitalization of the Development Bank would be achieved through issuance of up to \$500 million worth of stock which would be subject to call in whole or in part by the Board of Directors. The Secretary of the Treasury would be required upon request to purchase Bank stock in amounts up to the \$500 million total. In addition, the Bank would be authorized to issue notes, debentures, bonds, guarantees, and other debt instruments, the total of which would not exceed 20 times the paid in capital stock of the Bank at the time.

Designed in this way, Bank funding would have minimum impact on the Federal budget. Most of its capital would be raised in the open market where Bank obligations, by virtue of the fact that they would be fully guaranteed by the Government, would be able to successfully compete with other obligations which offer less security and have far less priority in terms of national need.

NOT COMPETITIVE

In no way is the National Development Bank meant to compete with conventional lending institutions. No loan may be made or guaranteed by the Bank if the borrower is otherwise able to obtain funds on reasonable terms, something which will be determined by the Bank's Board of Directors after considering the financial condition of the borrower and the borrower's ability to meet prevailing market loan costs.

The Bank's Board of Directors would be composed of the Secretaries of the Treasury, Commerce, Labor, and Agriculture, and seven other persons appointed by the President and representing private enterprise, organized labor, agriculture, and State and local governments.

The bill provides that the Development Bank is to have an adequate staff not only to investigate and process applications from borrowers, but to seek out and confer with leaders and officials in both the public and private sectors in order to provide information about the Bank and to lend necessary technical assistance to borrowers so that the full benefits of financial assistance from the Bank may be achieved.

Mr. Speaker, the proposed National Development Bank described here is similar in many respects to a bill which I introduced several months ago. That measure emphasized the need for such

a bank in terms of meeting the Nation's critical housing needs. Since that time the Senate and the House have passed the Emergency Home Finance Act of 1970 and benefits from that legislation are now available to the Nation's homeowners.

The National Development Bank bill which Senator SPARKMAN and I are now introducing goes to those sectors of the Nation's economy which continue to have enormous unmet financial requirements.

The need for such action is recognized by many Members of Congress, both in the House and the Senate, indicated by introduction of legislation during the past few days to provide loan guarantees to business and industry. Both Senator SPARKMAN and I think this measure has great merit but we also think that additional aid in the form of direct loans is necessary if the financial problems of State and local governments and business and industry are to be realistically approached.

IMPERATIVE NEED

Mr. Speaker, continuing inflation, tight money, high interest rates, and unemployment conditions make establishment of the National Development Bank absolutely imperative.

Financial market conditions during the past 18 months have forced thousands of communities across the Nation to curtail or completely delay financing of vital public facilities. When these communities are able to market obligations, the cost in terms of the yield demanded by purchasers has been intolerably exorbitant. Moreover, the high cost of money today greatly reduces the ability of our States, cities, and towns to obtain additional funds for still greater community investments that will be required in the near future.

The same basic situation confronts a large segment of the small and medium-size businesses and industries in the country. These firms are being strangled by the lack of available capital at reasonable cost on the one hand and the absolute need to expand, improve, and remain competitive on the other. The result can only be a mounting toll of business and industrial failures and a continuing climb in the unemployment rate. The pressures such conditions will inevitably produce in our urban centers and rural areas cannot be tolerated if democracy and the free enterprise system are to survive.

Mr. Speaker, I am inserting herewith the text of the National Development Bank bill to be printed in the Record.

H.R. 18701

A bill to establish a National Development Bank to provide loans to finance urgently needed public facilities for State and local governments and to help achieve a full employment economy by providing loans to business and industry when adequate loan funds at reasonable rates cannot be obtained from conventional lending sources, and to provide needed capital for other socially useful purposes

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

SHORT TITLE

SEC. 101. This Act may be cited as the National Development Bank Act of 1970.

FINDINGS AND DECLARATION OF PURPOSE

Sec. 102. (a) The Congress hereby makes the following findings:

(1) Inflation and tight money-high interest rate conditions make it impossible to achieve sound and orderly development of the Nation's communities to accommodate our growing population. Adequate and timely provision of a wide variety of public works and community facilities, such as streets, water, sewers, schools, hospitals, airports, mass transit, recreation as well as facilities to reduce and eliminate air and water pollution are immediately needed to provide required social services, safeguard the health and welfare of the population and halt rising unemployment.

(2) Tax and other financial sources currently available to State and local governments to finance such public works and facilities are strained beyond capacity yet the demand for such funds will multiply many times in the near future.

(3) Public investment in our Nation's communities, when efficiently planned and carried out, will add to the wealth of individual communities as well as the wealth of the Nation as a whole.

(4) It is absolutely necessary to provide an adequate source of loan funds at reasonable rates to help finance expansion and development of businesses and industries in order to achieve a full employment economy, especially for those Americans trapped in depressed urban and rural areas.

(b) It is the purpose of this Act to establish a National Development Bank to make and guarantee long term loans to State and local governments for public works and facilities and for business and industrial expansion and development to provide urgent, vital public services, safeguard the health and welfare of our people, and to achieve a full employment economy for our citizens.

DEFINITIONS AND RULES OF CONSTRUCTION

Sec. 103. (a) The definitions and rules of construction set forth in this section apply for the purposes of this Act.

(b) The term "public facility" means the structures and equipment owned and operated by State and local governments to provide medical, social, education, transportation, pollution control, and other services.

(c) The term "supporting public facilities" means those facilities which are usually publicly owned and are necessary for the operation of businesses and industries, such as roads and sewer and water systems.

(d) The term "effective interest rate" means the total amounts paid on a loan for interest, commission, bonuses, discounts, premiums, and other similar charges.

ESTABLISHMENT

Sec. 104. There is created a body corporate to be known as the National Development Bank (referred to in this Act as the Bank).

BOARD OF DIRECTORS

Sec. 105. The management of the Bank shall be vested in a Board of Directors consisting of the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Secretary of Agriculture, and seven other persons who shall be appointed by the President with the advice and consent of the Senate. Persons so appointed shall include representatives of State or local governments, private enterprise, organized labor, and rural organizations dealing with economic and social problems of depressed areas. In making such appointments the President shall (1) seek to achieve a balanced representation of the interests of urban and rural areas, and (2) select persons who, among other relevant considerations, are knowledgeable in the social and economic problems of low-income persons. The terms of directors appointed by the Pres-

ident shall be two years, commencing with the date of enactment of this Act. Any director appointed to fill a vacancy shall be appointed only for the unexpired portion of the term. Any director may continue to serve as such after the expiration of the term for which he was appointed until his successor has been appointed and has qualified.

APPOINTMENT OF OFFICERS AND EMPLOYEES

Sec. 106. The Board of Directors of the Bank shall appoint a president of the Bank and such other officers and employees as it deems necessary to carry out the functions of the Bank. Such appointments may be made without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and persons so appointed may be paid without regard to the provisions of chapter 51 of subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. The president of the Bank shall be an ex officio member of the Board of Directors and may participate in meetings of the board except that he shall have no vote except in case of an equal division. No individual other than a citizen of the United States may be an officer of the Bank. No officer of the Bank shall receive any salary or other remuneration from any source other than the Bank during the period of his employment by the Bank.

CONFLICT OF INTEREST

Sec. 107. (a) No director, officer, attorney, agent, or employee of the Bank shall in any manner, directly or indirectly, participate in the deliberations upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly personally interested.

(b) The Bank shall not engage in political activities nor provide financing for or assist in any manner any project or facility, involving political parties, nor shall the directors, officers, employees, or agents of the Bank in any way use their connection with the Bank for the purpose of influencing the outcome of any election.

GENERAL CORPORATE POWERS

Sec. 108. Except to the extent inconsistent with the provisions of this Act, the Bank shall have the general corporate powers of a corporation organized and existing under the laws of the District of Columbia.

PRINCIPAL OFFICE; BRANCHES

Sec. 109. The principal office of the Bank shall be located in the District of Columbia, and it may establish agencies or branch offices in any city of the United States.

CAPITAL STOCK

Sec. 110. (a) The Bank shall have capital stock of \$500,000,000 subscribed by the United States, payment for which shall be subject to call in whole or in part by the Board of Directors.

(b) The Secretary of the Treasury is authorized to, and upon request of the Board of Directors shall, purchase stock in amounts designated by the Board of Directors up to a total of \$500,000,000.

BORROWING AUTHORITY

Sec. 111. (a) The Bank may issue notes, debentures, bonds, guarantees, and other evidences of indebtedness in such amounts and on such terms and conditions as the corporation may determine subject to the limitations prescribed in this Act.

(b) The aggregate outstanding indebtedness of the Bank at any time, including contingent liabilities on outstanding guarantees, may not exceed twenty times the paid-in capital stock of the Bank at that time.

(c) The obligations of the Bank under this section shall be fully and unconditionally guaranteed both as to interest and prin-

cipal by the United States and such guarantee shall be expressed on the face thereof.

(d) In the event that the Bank is unable to pay upon demand, when due, any of its lawful obligations, the Secretary of the Treasury shall pay the amount thereof and thereupon to the extent of the amount so paid by the Secretary of the Treasury shall succeed to all the rights of the holder of the obligations.

PURCHASE OF ASSETS BY TREASURY

Sec. 112. The Secretary of the Treasury is authorized to purchase from the Bank any asset of the Bank at such price as may be agreed upon between the Secretary and the Bank.

INVESTMENT STATUS OF OBLIGATIONS OF BANK

Sec. 113. All obligations issued by the Bank shall be lawful investments for, and may be accepted as security for, all fiduciary, trust, and public funds the investment or deposit of which is under the authority or control of the United States or of any officer or officers thereof.

LIMITATIONS ON LOANS AND GUARANTEES

Sec. 114. (a) No loan may be made or guaranteed by the Bank if the borrower is otherwise able to obtain funds on reasonable terms.

(b) The Bank may not make or guarantee any loan to finance any enterprise or activity outside the United States, its territories and possessions.

LOANS FOR COMMUNITY DEVELOPMENT

Sec. 115. (a) The Bank may make or guarantee loans or purchase obligations to finance capital expenditures for comprehensive land use planning, public works, community facilities, land for housing development, public transportation, and similar community facilities, such projects and facilities to conform with comprehensive area land use plans. Whenever possible such facilities and projects are to be of direct and substantial benefit to residents of urban slum and depressed rural areas, or provide other benefits specified by the Bank to carry out the purposes of this Act.

LOANS TO COMMERCE AND INDUSTRY

Sec. 116. (a) The Bank may make or guarantee loans for the purchase of real and personal property, for working capital, and for training purposes to assure that existing businesses and industries have adequate funds and skilled manpower resources to compete in the market place for establishment of new businesses and industries. Any such loan shall be made upon such of the following conditions as the Bank may require:

(1) That the borrower agrees to fill a specified number of job openings to be determined by the Bank with people who, prior to such employment, were unemployed and underemployed.

(2) That the borrower agrees to conduct training courses for a specified number of unemployed and underemployed persons to be determined by the Bank with the result that these persons will, within a period of time to be determined by the Bank, be employed full time by the borrower.

(3) That the borrower agrees to any other requirements laid down by the Bank to carry out the purposes of this Act.

LOANS FOR SUPPORTING PUBLIC FACILITIES

Sec. 117. (a) To carry out the purposes of this Act, the Bank may make or guarantee loans or purchase obligations to finance the purchase or construction of roads, sewer and water systems, power and similar facilities necessary for the operation of businesses and industries or the operation of public facilities providing social, health, welfare, educational and other services to residents of urban slum and depressed rural areas.

(b) The effective interest rate for such loans shall not exceed the Federal Reserve discount rate.

TECHNICAL AND OTHER ASSISTANCE

SEC. 118. (a) The Bank may provide to borrowers whatever assistance, technical or otherwise, it considers necessary to protect its investment and to carry out the purposes of this Act.

(b) To assure fulfilling the purposes of this Act, the Bank shall direct an adequate number of staff members to seek out and confer with representatives of State and local governments, public agencies, non-profit private organizations, companies, corporations, partnerships and individuals, in order to provide information about the services furnished by the Bank and to provide whatever assistance is necessary for utilization of such services.

SECURITY REQUIRED

SEC. 119. The board of directors of the Bank shall when practicable make whatever arrangement it considers adequate to secure loans made by the Bank.

MAXIMUM MATURITY

SEC. 120. (a) Each loan made by the Bank to any State or local government may be made for a period not exceeding twenty years, and the Bank may from time to time extend the period of payment.

(b) Each loan made by the Bank to any private corporation, company or individual may be made for a period not exceeding ten years, and the Bank may from time to time extend the period of payment until the loan is retired or until the loan is refinanced through another lending institution and the borrower's obligation to the Bank is extinguished.

GUARANTEED LOANS

SEC. 121. The Bank may fully guarantee the entire principal of any loan made by any bank, savings bank, trust company, building and loan or savings and loan association, insurance company, mortgage loan company or credit union, if

(1) the loan is made to carry out the purposes of this Act; and

(2) the effective interest rate for the loan is not less than the Federal Reserve discount rate, or more than such rate plus 1½ per centum per annum.

DIRECT LOANS

SEC. 122. To carry out the purposes of this Act, the Bank may make direct loans to State and local governments, public agencies, non-profit private organizations, corporations, companies, partnerships and individuals. The effective interest rate for such loans, (1) in the case of state and local governments and public agencies shall not exceed the Federal Reserve discount rate; and, (2) in the case of other eligible entities and individuals, shall not be less than such discount rate, or more than such discount rate, plus 1½ per centum per annum.

TAXABLE STATUS

SEC. 123. The Bank, its property, its franchise, capital, reserves, surplus, security holdings, and other funds, and its income shall be exempt from all taxation now or hereafter imposed by the United States or by any State or local taxing authority; except that (1) any real property and any tangible personal property of the Bank shall be subject to Federal, State, and local taxation to the same extent according to its value as other such property is taxed, and (2) any and all obligations issued by the Bank shall be subject both as to principal and interest to Federal, State, and local taxation to the same extent as the obligations of private corporations are taxed.

AUDIT BY GENERAL ACCOUNTING OFFICE

SEC. 124. The General Accounting Office shall audit the financial transactions of the

Bank, and for this purpose shall have access to all its books, records, and accounts.

AUTHORIZATION OF APPROPRIATIONS

SEC. 125. (a) There is hereby authorized to be appropriated, to remain available without fiscal year limitation, the sum of \$500,000,000 for subscription to the capital stock of the Bank.

(b) There are authorized to be appropriated such sums as may be necessary to pay the difference, if any, between the interest paid by the Bank on its obligations and interest received by the Bank on its loans, and to reimburse the capital of the Bank to the extent of any defaults.

(c) There are authorized to be appropriated such sums as may be necessary for payment of \$125 a day to members of the board of directors for each day they are engaged in the performance of their duties to the Bank together with such sums required for travel expenses by members of the board of directors when the performance of their duties requires them to be away from home.

SINGLE TRANSPORTATION TRUST FUND

(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, the Congress is now considering what it shall do with the highway trust fund which is scheduled to terminate in 1974 with its revenue authority expiring on September 30, 1972. The fund was established in 1956 and is principally supported by a 4-cent Federal gasoline tax. That may sound like pennies but since the highway trust fund came into existence, it has spent over \$50 billion—50 times what the Federal Government has put into mass transit.

Mr. Speaker, the Congress must not allow the present imbalance of funding to go on, particularly when it is at the expense of mass transit. As we look around the country we see continual breakdowns in our inadequate and deteriorating mass transit facilities. Transit delays and accidents have become the rule rather than the exception. Just this week the New York Times reported that the city of New York has had more serious accidents in its subways in the last 10 years than any other major subway system in the world. Furthermore, in the last year there have been more accident injuries in the city's subways than on any other subway system. This year alone New York's transit system has had three crashes; two people have been killed and 107 injured.

The issue before the Congress now is whether highway and airport trust funds will continue without regard to the needs of urban mass transit and railroad passenger service. Surely, it makes sense to have a single transportation trust fund with the moneys used in accordance with a rational plan to provide a balanced transportation system. The bankruptcy of the Penn-Central and the inadequate service on the Long Island Railroad and other commuter railroads, the enormous need for more and better subway lines in the city of New York and elsewhere require that this Congress not permit the highway trust fund to be extended to 1977 as requested by Secretary of Transportation John A. Volpe.

The cities of this country are being strangled by traffic congestion and the automobiles piling into the cities are the major cause of air pollution. What we must have is a single transportation trust fund to provide the moneys needed for the kind of transportation that is best suited to do the job in a particular locality.

In today's New York Times, there is an excellent editorial on this subject which I know our colleagues will find of interest. The editorial follows:

NEW YORK TIMES' EDITORIAL

TOO MUCH FOR HIGHWAYS

Congress and the American people are hearing a fundamental decision on transportation policy revolving about the Highway Trust Fund, which is scheduled to go out of existence on Sept. 30, 1972. The Nixon Administration has asked Congress to extend it for another four years, and House and Senate committees have begun hearings.

Established in 1956 to finance the Interstate Highway System, the fund is fed by the Federal tax of four cents a gallon on gasoline and by lesser excise taxes. Since this money can only be used to build new highways and since the Federal Government pays 90 per cent of the construction, the mere existence of the fund is a self-perpetuating engine which generates tremendous pressure on the states to go ahead with ever more ambitious road projects. The fund's annual revenue now approximates \$5 billion and over the next several years will inexorably rise to \$6.5 billion. Is it really necessary to spend this vast sum each year on new highways?

By contrast, only \$156 million was spent in the last year in Federal aid for subways, buslines and other forms of urban mass transit. In the past dozen years, \$50 billion has been spent to build highways, fifty times as much as the Federal Government has devoted to mass transit. It is now expected that the Interstate Highway System will cost almost twice the original estimate by the time it is completed, i.e. \$75 billion instead of \$41 billion.

It is not sound public policy for Congress to freeze such large tax revenues in any fund devoted to a single narrow purpose. But Congress has become wedded to the trust fund concept, and private interest group pressures make its abolition highly unlikely. Indeed, a law enacted this year creates a new fund to finance airports.

As a practical matter, the issue before Congress is whether the highway and airport funds can be broadened into a single Transportation Trust Fund. Urban mass transit, railroad passenger service and other transport needs could then be considered and reconciled in accordance with a rational plan. The bankruptcy of the Penn Central, the inadequate service on the Long Island Rail Road and other commuter railroads, the headlong decline in railroad passenger service and its actual disappearance in many states, the ever-intensifying traffic jams in every city, and the shortage and unavailability of bus service in both cities and suburban towns are the exhausting evidence of the lack of a coherent policy.

The nation's governors and mayors are urging Congress to introduce flexibility into the operations of the highway fund. They want each state to have the option to use part of its Federal highway funds for mass transit. Representative Edward I. Koch of Manhattan and other members of Congress are pushing bills to allocate the 7 per cent auto excise tax, which now goes into the Treasury's general revenues, to a new Urban Mass Transportation Trust Fund as a transitional step toward a merger of all the transportation funds. Senator Jennings Randolph of West Virginia has introduced a

modest measure to permit the diversion of Federal highway funds for operation—but not construction—of mass transit in urban areas.

Secretary of Transportation John A. Volpe is well aware of these rising pressures. But he has been notably timid in offering any leadership for reform. In presenting the Administration recommendations for extension of the Highway Trust Fund, he recognized the desirability of balancing mass transit against the imperious demands of the truck and the private automobile but he ventured nothing more than a pious acknowledgement. He suggested no change except to make safety research and the pathetically starved program for removal of billboards eligible for comparatively small sums from the Highway Trust Fund.

Naturally this feeble proposal evoked ritualistic outcries from those well-known enemies of common sense, Representatives John C. Kluczynski, the Chicago Democrat who is chairman of the roads subcommittee, and William C. Cramer, the Florida Republican who is the ranking minority member. Messrs. Kluczynski and Cramer have been vocal and attentive servitors of the highway lobby for many years.

If Secretary Volpe defaults to the highway lobby, the nonpolicy of the last fifteen years will continue to prevail with increasingly disastrous consequences. The time of decision is rapidly approaching. Whenever it comes the battle for a rational, balanced transportation policy is sure to be hard and the longer Secretary Volpe is timid and evasive the less likely is a victory for the public good.

NOT ENOUGH FOR RAILS

"My God, my God, now I know what hell looks like," a dazed young woman gasped as she was led from a stalled train through the Penn Central Railroad's smoke-filled Park Avenue tunnel.

This commuter's vision of Hades was the result of what another Penn Central passenger grimly described as "our semimonthly Monday-morning fire," a blaze that flared up after a third-rail short circuit. It followed by just two weeks another fire on the Penn Central's tracks—at the Harlem River drawbridge—that also caused anguishing delays, though less discomfort and peril, for thousands of railroad patrons.

Rail commuters have been relatively lucky—so far. At least there have been no serious injuries in Penn Central's latest two major mishaps. Two weeks ago 37 subway passengers were injured in Brooklyn in an accident that also sent commuters groping their way through darkness in the Metropolitan Transportation Authority's own version of the netherworld. That was the second major subway accident in New York within two months, the fourth in seven months.

These ominous breakdowns in the metropolitan area's mass transit system have been met with bland assurances by transit authorities. "Believe it or not," a railway spokesman commented, "service on the Penn Central is getting a lot better." One thing is sure: it could hardly get worse. Dr. William J. Ronan, chairman of the the MTA, boasted after the latest subway accident: "The New York subway system is still the safest in the world."

A New York Times survey of the record of other major subway systems in the world casts doubt on the validity of that claim. At any rate, commuters who have experienced the dark in the tunnels are not going to be satisfied with such evident complacency, nor will anyone else who has watched the mounting record of mishaps.

It is time transportation authorities owned up more frankly in public to the gross and dangerous inadequacies of the neglected fa-

cilities they have inherited and more vigorously led the fight for the massive public investment that is essential to give this city and the nation the safe and reliable mass transit systems they urgently need.

RETIREMENT INCREASE FOR RAILROAD WORKERS

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HARSHA. Mr. Speaker, I appeal today to my colleagues for immediate approval of the House-Senate conference committee report on railroad retirement annuities. This legislation has been delayed for an extraordinary length of time while the meager retirement benefits of retired railroad workers and their survivors were eroded even further by inflation.

The committee report calls for a 15-percent increase in retirement benefits for railroad workers that will be retroactive to January 1, 1970. As we are all aware, the cost of living has continued to climb and retired workers depending on fixed incomes are suffering because of this. The 15-percent increase recommended in conference will offset some of these rising costs for retirees who have not had regular cost-of-living increases. Under the present law they must depend on Congress to improve their benefits, when economic conditions create hardships for them, and I feel Congress has delayed unnecessarily in fulfilling its obligation and responsibility.

I regret that this is so, for I feel that when employees have planned for the future by contributing to a retirement program, they should be able to receive equitable benefits from that program without being penalized. When social security amendments were enacted recently, railroad workers were not given equal consideration for benefit adjustments.

At this juncture, it is inexcusable to allow the thousands of retirees to suffer any longer because of inadequate benefits while Congress delays action. This bill only serves to provide these deserving people with the necessities of life at the level of decency and comfort they have worked so hard to obtain.

I strongly support this legislation and I call on Congress to expeditiously pass the House-Senate conference committee report on railroad retirement annuities.

COMMUNITY HEALTH ACT

(Mr. GALIFIANAKIS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GALIFIANAKIS. Mr. Speaker, this afternoon I introduced the Community Health Act of 1970, a bill to relieve the shortage of physicians, dentists, and other health personnel in our small communities and medically deprived areas.

This bill and two others with identical language have the sponsorship of more than 65 of my colleagues in the House—

Republican and Democratic, urban and rural.

It provides that the Government will repay in full the educational debt of any physician, dentist, optometrist, or other critically needed health specialist who signs a contract agreeing to practice for 3 years in a medically deprived area.

The bill will afford graduating doctors the chance to begin practice debt-free. And it should provide the incentive they need to go out into our communities and meet what President Nixon has called "a massive crisis" in health care.

Mr. Speaker, I include the text of the Community Health Act at this point in the RECORD:

H.R. 18689

A bill To amend the Public Health Service Act to encourage physicians, dentists, optometrists, and other medical personnel to practice in areas where shortages of such personnel exist, and for other purposes

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

(a) Section 741(f) of the Public Health Service Act (42 U.S.C. 294(f)) is amended by striking the second sentence thereof.

(b) Section 741 of such Act is amended by adding at the end thereof the following new subsection:

"(1) Any physician, dentist, or optometrist who practices his profession—

"(1) in an area in a State determined by the appropriate State health authority, pursuant to regulations provided by the Secretary, to have a shortage of and need for physicians, dentists, or optometrists; and

"(2) who signs a contract with the Secretary or his designee agreeing to practice in said area for a period of not less than three years;

"then the Secretary shall pay in full the principal and interest on any outstanding educational loan incurred by that physician, dentist, or optometrist during his professional-level training, including: tuition, fees, books, supplies, and other related costs as determined in accordance with regulations provided by the Secretary. As such need is established, the Secretary may add new categories of medical personnel to those incorporated in this subsection. This subsection applies to loans from both public and private sources."

Mr. Speaker, we are all familiar with the health care crisis facing the United States today. We all know of how America has a shortage of 48,000 physicians. We know that we are short 17,800 dentists today and will be nearly 57,000 short in 1980. We know that if present trends continue, we will be 210,000 nurses short in another 10 years, and 432,000 short in the allied health fields.

We all know the story. Yet, somehow, when these statistics are written down coldly on paper, they do not convey the personal effects of the health shortage—and the health misallocation—of physicians and other medical personnel in the United States.

These statistics do not show, for example, that in California, motorists involved in traffic accidents which occur on rural roads are four times as likely to die as those who have their wrecks in urban areas, even though the rural drivers have more survivable accidents. The difference is in emergency room facilities.

The statistics do not show that in Buf-

falo, nearly four times as many children from upper-income families are vaccinated against measles than are the children of the poor.

They do not show that there are towns in Utah where there are no physicians and none for a radius of 75 miles.

They do not show the many small towns in America which for months have been advertising for physicians without luck.

These conditions do not merely reflect a doctor shortage in the United States, they reflect a misallocation of the physicians we have.

The demands of a dispersed population heighten the burdens on the few doctors who do locate in our rural areas and make a rural practice into a grueling chore.

Because our rural areas tend to have low-family incomes, the financial rewards of a small town or rural practice may not be as great as the rewards of an urban specialty. Many of our smaller communities also lack the cultural diversions which make urban areas so attractive to the medical community. They may also lack adequate clinical and hospital facilities.

So the physicians set up practice elsewhere, or they go into research. This should not be surprising. But what does it do to our rural areas or to the pockets of urban poverty where there is a scarcity of health care?

The statistics are not encouraging. In 1964, the rate of maternal deaths in childbirth was 40.9 per 100,000 live births in our rural areas, as compared to a national average of 33.

For the same age groups, our rural citizens have nearly twice the amount of chronic illness than the residents of our large metropolitan areas.

In 1967, the Presidents National Advisory Commission on Rural Poverty reported that—

Because the rural poor do not have easy access to appropriate health services early in the illness, the result is much greater disability.

Conditions are little better among the urban poor. In a study conducted in New York City, researchers found that two-thirds more babies die at birth in 16 poverty areas than in the rest of the city. In these same 16 areas, more than twice as many mothers died in childbirth. Nearly three times as many mothers either received late prenatal care, or none at all. And the tuberculosis rate in these 16 areas was more than twice that of the city at large.

In fact, it is difficult to find a health statistic in which the urban and rural poor and the residents of our small communities rank better than the more affluent majority of the Nation.

As Drs. Bergner and Yerby concluded:

It appears that the people most in need of medical services are the ones who least often obtain them.

Mr. Speaker, I do not pretend that the bill we have introduced today is a palliative which will cure the shortage of medical personnel in America today. But it is an incentive for young physicians to begin reversing the misallocation of physicians in America.

Under the terms of this bill, graduating physicians, dentists, and optometrists would be offered the chance to begin practice debt free in exchange for 3 years' practice in a medically deprived area.

And as critical shortages in other health professions became apparent, the Secretary of Health, Education, and Welfare could add new categories to this original listing.

Frankly, I cannot give you an accurate estimate of the cost of this program. But if every student who graduated from medical, dental, and optometry school in 1969 were to enroll in the program, and if each of them owed the entire cost of his education, the cost would not exceed \$130 million each year.

And if we take a more realistic estimate of participation in such a program—with one out of every 10 graduating doctors signing contracts—then the cost would be nearer to \$10 million each year.

For that amount, with 10 percent of our graduating doctors participating, we could disperse nearly 3,500 doctors into medically deprived areas at the end of 3 years.

I think \$10 million each year is a sum we cannot afford to spend on less important programs while much of the Nation suffers from inadequate health care.

This would not be wasted money. We would not be subsidizing the purchase of new cars, or television sets, or luxury apartments. But we would offer the doctor who borrowed to get through school the opportunity to begin practice with no financial problems.

Mr. Speaker, the House may be aware of the fact that 15 other nations in the world rank ahead of the United States in life expectancy and infant mortality.

Much of the reason for the U.S. standing in these areas lies in the inadequate health care afforded to the rural and urban poor and to our small communities.

I think this bill will do much to improve that inadequate care. If it does not, if it proves to be too small an incentive to encourage doctors to move out into the community, then we should not hesitate to try another approach.

Perhaps we will have to make massive infusions of aid into our medical schools, with the stipulation that certain percentages of their new graduates will enter practice in medically deprived areas.

This bill would do much to meet our present need. I urge the rest of my colleagues to support it, and hope that others will add their names to the more than 65 sponsors of this legislation.

I AM THE NATION

(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, Mrs. Gershon Miller dramatized the attached reading at the B'nai B'rith Independence Day rally, Thursday, July 2, 1970, at the Miami Beach Auditorium, which is in my district.

Mrs. Miller, or Jeanette, as we all know her, is a graduate of Northwestern Uni-

versity School of speech. She had been in radio broadcasting for 13 years both in Miami Beach and Chicago, as director of women's and children's programs. She is a dramatist and storyteller and when performing for children she also uses her ability as a puppeteer.

Mr. Speaker, I include Mrs. Miller's ever beautiful and inspiring Independence Day reading in the RECORD immediately following these remarks:

I AM THE NATION

I was born on July 4, 1776, and the Declaration of Independence is my birth certificate. The bloodlines of the world run in my veins, because I offered freedom to the oppressed. I am many things, and many people. I am the Nation.

I am 200 million living souls—and the ghost of millions who have lived and died for me.

I am Nathan Hale and Paul Revere. I stood at Lexington and fired the shot heard around the world. I am Washington, Jefferson and Patrick Henry. I am John Paul Jones, the Green Mountain Boys and Davy Crockett. I am Lee and Grant and Abe Lincoln.

I remember the Alamo, the Maine and Pearl Harbor. When freedom called I answered and stayed until it was over—over there. I left my heroic dead at Valley Forge, Pearl Harbor and on the bleak slopes of Korea. . . . and in the steaming jungle of Vietnam.

I am the Brooklyn Bridge, the wheat lands of Kansas and the granite hills of Vermont. I am the coalfields of the Virginias and Pennsylvania, the fertile lands of the West, the Golden Gate and the Grand Canyon. I am Independence Hall, the Liberty Bell and the Statue of Liberty.

I am big. I sprawl from the Atlantic to the Pacific. . . . My arms reach out to embrace Alaska and Hawaii. . . . 3 million square miles throbbing with industry. I am more than 5 million farms. I am forest, field, mountain and desert. I am quiet villages, and cities that never sleep.

You can look at me and see Ben Franklin walking down the streets of Philadelphia. You can see Betsy Ross with her needle. You can hear the strains of "Auld Lang Syne" as the calendar turns.

I am Babe Ruth and the World Series. I am 130,000 schools and colleges, and 320,000 churches and synagogues where my people worship God as they think best. I am a ballot dropped in a box, the roar of a crowd in a stadium and the voice of a choir in a cathedral. I am an editorial in a newspaper, a letter to a Congressman, and the right to appeal.

I am Longfellow, Walt Whitman, Thomas Paine and Carl Sandburg. I am Eli Whitney and Stephen Foster. I am Tom Edison, Albert Einstein and Billy Graham. I am Horace Greeley, Will Rogers and the Wright brothers. I am Martin Luther King, John F. Kennedy and his brother, Robert. I am Jonas Salk and the American astronauts walking on the moon.

Yes, I am the Nation, and these are the things that I am. I was conceived in freedom and, God willing, in freedom I will spend the rest of my days.

NATIONAL AVIATION DAY

(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, Mr. R. Franklin Brown, Jr., executive secretary of Aviation Distributors and Manufacturers Association, has just written me a

letter advising that the association is making an effort to revive recognition and observance of National Aviation Day on August 19 and enclosing a brief history of how National Aviation Day came into being. I have responded to Mr. Brown's letter giving him further details of how I introduced Senate Joint Resolution 111, which made Orville Wright's birthday, August 19, National Aviation Day. I hope the Members of Congress will take note of National Aviation Day and will encourage observance of it in honor of American air heroes, particularly Orville and Wilbur Wright, and to reflect the development and progress of aviation as well as to further stimulate interest in aviation in the United States.

Mr. Speaker, I insert R. Franklin Brown's letter to me with the enclosed history of National Aviation Day and my letter in reply giving further details of how National Aviation Day came into being, in the RECORD immediately following my remarks in this part of the RECORD:

AVIATION DISTRIBUTORS AND
MANUFACTURERS' ASSOCIATION,
Philadelphia, Pa., July 17, 1970.

Representative CLAUDE PEPPER,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: Our Association is most interested in reviving recognition and observance of National Aviation Day, which you were instrumental in initiating in 1939.

Public awareness of the value of aviation is still limited primarily to military and commercial applications. Stimulating public interest in aviation in many other areas continues to be a worthwhile goal.

To this end, ADMA is embarking on a long-range campaign to build up greater observance of National Aviation Day. We are planning events at four airports across the country this year to use as demonstrations of techniques that can be used by other airports in the coming years. In this way we hope to expose the public to the role general aviation is playing and can play in improving our lives.

The enclosed Aviation Education News Bulletin, which is circulated among 1,800 educators and aviation officials, contains a news item regarding our plans. I have also enclosed a short history of the facts as we know them about the creation of National Aviation Day. I would greatly appreciate any amplification you can provide of how National Aviation Day came to be and what happened to it.

In addition, we would greatly appreciate if you could provide us with your current thinking on the value of commemorating National Aviation Day; we would be pleased to quote such a statement or message from you in our publicity efforts.

Sincerely,

R. FRANKLIN BROWN,
Executive Secretary.

NATIONAL AVIATION DAY

The idea apparently came from two identifiable sources; there are probably others, but these two are identifiable.

1. A January 1939 edition of the St. Petersburg Independent ran an editorial in that newspaper which proposed the creation of a National Aviation Day to honor American Aviation Heroes, particularly Orville and Wilbur Wright. (This information was obtained from January 28, 1939 Congressional Record)

2. A proposal read by Representative Jennings Randolph was contained in the Congressional Record of February 28, 1939 citing the appropriateness of Orville Wright's birthday (August 19) for designation as National Aviation Day.

Senate Joint Resolution #111 was introduced in the U.S. Senate on April 3, 1939 by Senator Claude Pepper of Florida. (The Senate sponsor of SJR-111 was Senator Claude Pepper of Florida, the House sponsor of SJR-111 was Representative Jennings Randolph of West Virginia—Representative Randolph is now a Senator).

The measure SJR-111 was approved by both houses of the 76th Congress on May 11, 1939 and was officially referred to as Public Resolution #14.

A Presidential Proclamation was provided for by Public Resolution #14.

National Aviation Day—August 19 was officially created by a proclamation signed by President Franklin D. Roosevelt and Secretary of State Cordell Hull on July 25, 1939.

A general statement of purpose is that Aviation Day was created to honor American Air Heroes, particularly Orville and Wilbur Wright, to reflect the development and progress of aviation, and to further and stimulate interest in aviation in the United States.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 29, 1970.

Mr. R. FRANKLIN BROWN, JR.,
Aviation Distributors & Manufacturers Association, Philadelphia, Pa.

DEAR MR. BROWN: Your letter of July 17th telling me that your association is most interested in reviving recognition and observance of National Aviation Day, which came into being by virtue of Senate Joint Resolution 111 introduced by me on April 3, 1939, and asking me for additional information I might have about the matter, has been received and I am very much pleased to have it.

I introduced S.J. Res. 111 upon the personal request of Orville Wright who came unannounced to my Senate office shortly before April 3, 1939 and said that friends of his had suggested that it would be a gracious thing if Congress passed a law making National Aviation Day August 19, his birthday, and saying further that friends had suggested that I might be willing to introduce such a resolution. I, of course, assured Mr. Wright that I would be delighted to introduce such a resolution. I had a very pleasant visit with Orville Wright on this occasion.

After my bill became law and President Roosevelt had issued the proclamation declaring August 19th National Aviation Day, July 25, 1939, Mr. Wright came back to my office and gave me a photograph of the first flight made by him at Kitty Hawk in 1903, signed "To Senator Claude Pepper" and underneath that "Orville Wright." I cherish this photograph which I keep on my office wall.

I am so pleased that your association is beginning to revive observance of National Aviation Day. I would like to participate in any helpful way I could. I hope you will make it an industry-wide event as it should be.

I am putting your letter to me, including your history of how National Aviation Day came about, together with this letter, in the CONGRESSIONAL RECORD in order to excite, I hope, interest on the part of members of congress in your celebration of National Aviation Day this year. I will send you a copy of it.

Kind regards, and
Believe me,

Very sincerely yours,
CLAUDE PEPPER,
Member of Congress.

BOYS BEHIND BARS

(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, one of the most significant aspects of crime in the United States today is the rate of recidivism in the commission of crime by those who are once adjudged guilty of crime and confined in correctional institutions. The Chief Justice of the United States has given the rate of recidivism from our correctional institutions as up to as high as 75 percent. We on the House Select Committee on Crime have visited many such institutions for young people and the rate of recidivism ran from one low of 19 percent to more than 70 percent. That is one of the principal concerns of the House Select Committee on Crime. I recently wrote an article in the Tropics section of the Miami Herald which appeared on July 19, 1970 as part of the Sunday paper. The article is entitled "Boys Behind Bars" and relates to the young people of Florida being confined in correctional institutions. Since it is a subject of concern to all of us I request that it be put in the RECORD immediately following these remarks:

BOYS BEHIND BARS

(By Representative CLAUDE PEPPER)

Among the most legendary and identifiable characterizations of youth to be found in American folklore are Tom Sawyer and Huck Finn. As reported by Mark Twain, that pair managed a good deal of boyhood mischief during their adventures.

Yet I imagine that only the most punctilious of readers would have thought to suggest a prison sentence as a price for such roguish behavior.

Perhaps it was an identification with such youthful misdeeds which caused so many Americans to react with outrage to the sentencing of two Florida boys to adult prison some months ago for several comparatively minor offenses.

The case of Richard Copas, 15, and Donald Douglas, 14, of Fort Pierce, Fla., led the State Pardon Board to nullify the three-year adult prison sentences imposed on the youths and to move jurisdiction to the state's juvenile correction agencies where, properly, it should have been all along.

The juvenile court judge who made the adult sentence mandatory by transferring the case to Circuit Court explained that he believed an adult prison facility offered a better place to rehabilitate "incorrigibles." Both boys had a history of truancy and running away and, the judge noted, the state's juvenile correctional institutions had long had a serious runaway problem.

To many, the action appeared to be an attempt to warehouse the boys, especially since Florida in recent years has moved to correct the deficiencies in its juvenile corrections programs through multi-purpose approaches to rehabilitation. Ironically, one yardstick for the success of this effort is evidenced by a drop in the rate of runaways from the state school at Marianna from 168 for the first three months of 1969 to 23 for the first three months of 1970.

One of the more enlightened men in the field of juvenile corrections is O. J. Keller, the director of Florida's Division of Youth Services, who has instituted many changes in the handling of young offenders. On the matter of jailing youthful offenders, Keller told our Select Committee on Crime at its Miami hearings:

"Children should not be sent to prison. Eventually, the young person will emerge from prison. What happens to him in an adult prison may well make him a sexual deviate, a career criminal, or a permanent welfare case. It is almost impossible to protect a young boy from that portion of the prison population seeking homosexual contacts."

Regrettably, however, the practice of sending juveniles to adult prisons is far from isolated.

During the past seven years, judges in Florida alone have sentenced two 13-year-olds; thirteen 14-year-olds; 73 fifteen-year-olds; and 283 sixteen-year-olds to adult prisons.

In many of these cases the action was taken because, like many other states, Florida does not have a necessary intermediate facility to house youths who are likely to run away but are not otherwise lost to society, and who might be helped by rehabilitation measures.

The controversy that surrounded the Copas-Douglas case—including the offer of movie actor Steve McQueen to find a home for the youngsters in California—revealed two significant facts concerning the state of juvenile corrections throughout the country.

Simply stated, these are that: (1) juvenile corrections are in dire need of higher-paid and better-trained staffs who can administer innovative and imaginative approaches in corrections, and (2) efforts to rehabilitate the youthful offender are a dismal failure in most parts of the United States.

This last point was dramatically portrayed in a series of articles on juvenile corrections by Pulitzer Prize-winning reporter Howard James of the *Christian Science Monitor*.

James concluded with the startling statement that "society would be better off if the youthful offender were never caught."

"Obviously," in the words of Dr. James Bax, secretary of Florida's Department of Health and Rehabilitative Services, "there is a failure in a system of 'corrections' which produces trained adult felons from juvenile delinquents."

In our hearings in Washington, D.C., and in other cities and towns across America, the Crime Committee has been told repeatedly by the most eminent authorities that if we are to make a real impact on crime, we must cut down on the rate of recidivism, or repeaters. This is especially true in the case of juvenile offenders.

I have seen, as have other members of the committee, fledgling, innovative programs in juvenile corrections which are achieving remarkable successes despite bush-league budgets and semi-trained personnel.

What is needed is a diversity of approaches toward rehabilitation rather than what Dr. Bax described as an all-too-frequent "im-personal crank-them-in and crank-them-out, next-case-please approach to youths."

As Bax explained further to our committee:

"We need imaginative programs to reach the downward-bound youngster the first time he gets into trouble and seems headed for the youth corrections program. The possibilities here are limitless. We think one such important step would be the starting of halfway-in houses. These would be in the community environment with the youth still attending public schools, but breaking the home or other neighborhood environments which often lead him into trouble.

"Here such techniques as group therapy and a form of discipline could be brought to bear on the youth without exposing him to the alienating effects of an institution and its repeaters with their hardened attitudes."

The matter of early detection of anti-social traits, I believe, is of critical importance. In Florida, for example, we do not

allow vocational education below the 10th grade. Yet a lot of youngsters, going down to fourth, fifth, sixth, and later grades, for some reason or another, cannot keep up with their classmates.

They feel frustrated and begin to have a sense of failure. Then they drop out and want to do something, to show that they can do something, and they often get in trouble.

HALF THE PEOPLE CHARGED WITH CRIMES IN 1969 WERE JUVENILES

We should start some kind of vocational training program as early as the elementary school years so that young persons will stay in school and feel real achievement.

Our school curriculums do not accentuate the talents of the low academic achiever but seem, rather, to create failure for some children. They foredoom social promotion by putting them in an environment where they cannot succeed.

It is here that the real roots of crime can be successfully removed.

Any effort to reach the potential youthful offender must entail a good deal more spending than this country has to date been willing to spend. Much of this reluctance is based on a sense of false economy and belief that such expenditures would be prohibitive. I submit that just the opposite is true.

One reputable study from the District of Columbia reveals that an average 25-year-old prisoner has already cost society more than \$30,000 in juvenile and adult court costs, probation, detention, and imprisonment.

During the course of a year, the prisons in the country have a total inmate population of more than 2.5 million, of whom 50 to 75 per cent are repeaters. There is no way to compute this loss to society both in terms of dollars and waste of human resources.

Yet programs for correction and rehabilitation of prisoners—both juvenile and adult—are treated as if they are among the lowest of our priorities.

The meager \$5 million budget of the Office of Juvenile Delinquency under the Department of Health, Education and Welfare was largely responsible for the resignation of director-designate Frank A. Orlando, an eminent juvenile court judge from Fort Lauderdale.

This allotment came despite the fact that last year nearly half of all persons charged with crime were juveniles, while adult arrests only increased four per cent.

This failure is also evident in the allocation of federal funds to local communities through the Law Enforcement Assistance Administration. Of a total budget for fiscal year 1969 of \$63 million, only 7 per cent of the total went for programs to prevent juvenile delinquency and 15.4 per cent for combined juvenile and adult programs for correction and rehabilitation.

The Administration's budget request for L.E.A.A. for fiscal year 1971 totals \$480 million, a great sum in isolation but little more than an opening salvo to attack a crime problem that costs society an estimated \$30 billion a year.

And there is no indication that the percentage of money diverted to corrections will appreciably increase in the coming months.

For this reason, I have proposed increasing the L.E.A.A. budget for 1971 to \$1 billion. I also advocate a substantial increase in the budget of HEW's Office of Juvenile Delinquency and encourage more federal investment in the training of correctional personnel and the improvement of techniques and facilities for the treatment and rehabilitation of young offenders.

There is no more important matter in the entire criminal justice system than the matter of corrections and rehabilitation. Yet un-

til recently, the problem was consistently ignored by the federal as well as state and local governments.

The price we have paid for this failure is reported daily in a spiraling crime rate.

We must dedicate our efforts to the task of breaking the crime cycle. Not by filling our prisons—but by rehabilitating our prisoners.

THE DISTRICT OF COLUMBIA CRIME BILL

(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, the passage of the District of Columbia Court Reform and Criminal Procedure Act of 1970 marks a significant step in this country's fight against the rising tide of crime. Although marked by strenuous debate and great divergence of opinion, everyone concerned agrees that something had to be done. This bill will hopefully serve as a meaningful response to a desperate situation.

The Select Committee on Crime held hearings in the District of Columbia this past February. Much of the testimony we received was shocking and disturbing. Small merchants have suffered immeasurably from crimes perpetrated against them and their business. Even the largest retail corporations have been gravely affected. However, we were most disturbed by the testimony of honest law-abiding citizens from all walks of life and from every segment of our community who movingly stated that they were afraid to walk the streets of their city, our Nation's Capital.

Police Chief Jerry Wilson recently stated that the crime rate in the District of Columbia has been increasing at a less rapid pace. Hopefully, this trend will continue. The District of Columbia crime bill will not be a panacea to cure all the crime in the District but it will be a beginning.

However, we cannot neglect the critical social problems which so often form the basis of an attitude of community lawlessness. Enforcement machinery alone will not abate the attitude of disenchantment of those who feel their Government has failed them.

The courts in the District will by virtue of this bill be reorganized into a system closely resembling one to be found in the States. This, coupled with an increase in the number of judges, will hasten the processes of the criminal justice field.

But the whole machinery of the administration of justice must be more efficiently and effectively coordinated and directed if we are to achieve the expedition which is essential to the proper administration of justice. Perhaps through the increased alacrity of the court system, the preventive detention service so strongly debated will not be used as much as it is feared by some critics.

The entire concept of preventive detention and the attendant possibility that such detention could be used to wrongfully detain an innocent man

causes me grave concern. I am not unmindful of the fact that certain criminal defendants in this District who have been admitted to bail have committed additional crimes while awaiting trial. Our committee has heard testimony about the problems of narcotic addicts who commit auxiliary crimes while on bail to support their habits. However, it is my considered judgment that we could have devised a more effective instrument to achieve the avowed objectives of the District of Columbia crime bill rather than depend upon the seemingly facile umbrella of preventive detention. The guarantee of a speedy trial, which is the right of a defendant, within 60 days of arrest appears to be a viable alternative and has the meritorious advantage of the noncircumvention of a cherished constitutional right.

Our committee has heard often, most recently and forcefully at our New York drug hearings, about the essential necessity of court-approved wiretapping to combat organized and syndicate crime. Now, in the District of Columbia, we will have an opportunity to observe just how effective this device can be.

The conversion of the Legal Aid Agency into a full-powered, fully complemented Public Defender's office is a most valuable and widely acclaimed action. Representation of the poor, defense of the indigent, adequate advocacy for all people is a concept which I unflinchingly endorse. The provisions of this bill bring to a culmination in the District of Columbia a trend begun by the Gideon against Wainwright.

The Select Committee on Crime has devoted a substantial amount of time and concern to the problems of juvenile crime and delinquency. Certain provisions in this bill provide for special attention and consideration of juvenile offenders. However, the bill falls short of an adequate treatment of this critical problem.

I deplore the absence of any provision in the final version of this bill providing for administrative changes in the district correctional system whereby persons properly adjudicated guilty would be confined in a system providing effective rehabilitation services. Recently the Chief Justice directed our attention to the shocking fact that there is a 75 percent recidivism rate in the District. As a result of our committee's recent investigations and public hearings we are exploring the possibility of future legislation, and are currently preparing a series of recommendations in this area.

Finally, the strengthening of the District of Columbia Bail Agency, an experiment started some years ago, can only lead to a strengthening of the entire juvenile justice system.

Once again, I must point out that passage of this bill is not a cure for the entire crime problem in the District. We in the Congress must be ever mindful of the multiple problems and continually searching for new and more creative and imaginative solutions and programs. The passage of this bill hopefully initiates the commencement of a vigorous and humane program to make our streets safe and temper justice with compassion.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The number of engineers and scientists coming to the United States from other nations increased from 5,345 in 1965 to 12,973 in 1968.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Bow (at the request of Mr. GERALD R. FORD), for from 5 o'clock today for a period of 24 hours, on account of official business in Ohio.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. REUSS (at the request of Mr. ANDERSON of California), for 20 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. LOWENSTEIN (at the request of Mr. ANDERSON of California), for 60 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. BURKE of Florida (at the request of Mr. HANSEN of Idaho), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. CRANE (at the request of Mr. ANDERSON of California), for 45 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. VANIK and to include extraneous matter.

Mr. CLEVELAND to include extraneous matter with his remarks made today in the Committee of the Whole on H.R. 17654.

(The following Members (at the request of Mr. HANSEN of Idaho) and to include extraneous matter:)

Mr. BUCHANAN in two instances.

Mr. LANGEN.

Mr. NELSEN.

Mr. MORSE.

Mr. TAFT.

Mr. WYMAN in two instances.

Mr. MIZE.

Mr. BOB WILSON.

Mr. SHRIVER.

Mr. WIDNALL in two instances.

Mr. WIGGINS.

Mr. SNYDER in three instances.

Mr. WOLD.

Mr. CONTE.

Mr. FOREMAN.

Mr. WHITEHURST.

Mr. BRAY in three instances.

Mr. SCHWENGEL.

(The following Members (at the request of Mr. ANDERSON of California) and to include extraneous matter:)

Mr. VANIK in two instances.

Mr. COHELAN in five instances.

Mr. BOGGS in three instances.

Mr. PICKLE in five instances.

Mr. DELANEY in two instances.

Mr. MOORHEAD in six instances.

Mr. HATHAWAY in two instances.

Mr. MARSH.

Mr. JONES of Tennessee.

Mr. DINGELL in two instances.

Mr. HAGAN in three instances.

Mr. RODINO in three instances.

Mr. ROSENTHAL in two instances.

Mr. DANIELS of New Jersey in two instances.

Mr. SATTERFIELD in two instances.

Mr. HUNGATE in two instances.

Mr. STEPHENS.

Mr. KLUCZYNSKI.

Mr. GONZALEZ in two instances.

Mr. FOUNTAIN in two instances.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 16916. An act making appropriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes.

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 10 minutes p.m.), the House adjourned until tomorrow, Thursday, July 30, 1970, 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:

2256. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of actual procurement receipts for the medical stockpile of civil defense emergency supplies and equipment for the quarter ended June 30, 1970, pursuant to subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

2257. A letter from the Assistant Administrator for Program and Policy, Agency for International Development, Department of State, transmitting copies of Presidential Determination 71-1; to the Committee on Foreign Affairs.

2258. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of June 30, 1970, pursuant to section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

2259. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Tariff Act of 1930 to grant to the transferee of merchandise in

bonded warehouse the right to administrative review of customs decisions; to the Committee on Ways and Means.

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. JOHNSON of California: Committee on Interior and Insular Affairs. H.R. 16987. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Minot extension of the Garrison diversion unit of the Missouri River Basin project in North Dakota, and for other purposes; with amendments (Rept. No. 91-1346). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 18434. A bill to revise the provisions of the Communications Act of 1934 which relate to political broadcasting (Rept. No. 91-1347). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 13434. A bill to provide for the disposition of judgment funds on deposit to the credit of the Hualapai Tribe of the Hualapai Reservation, Ariz., in Indian Claims Commission dockets Nos. 90 and 122, and for other purposes (Rept. No. 91-1348). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 14097. A bill to authorize the use of funds arising from a judgment in favor of the Citizen Band of Potawatomi Indians of Oklahoma, and for other purposes; with amendments (Rept. No. 91-1349). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 14827. A bill to provide for the disposition of funds to pay a judgment in favor of the Sac and Fox Tribes of Oklahoma in Indian Claims Commission docket No. 220, and for other purposes (Rept. No. 91-1350). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 1164. Resolution for consideration of H.R. 18275, a bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the disposal of surplus Federal property for park and recreational uses, and for other purposes (Rept. No. 91-1351). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 1165. Resolution for consideration of H.R. 18546, a bill to establish improved programs for the benefit of producers and consumers of dairy products, wool, wheat, feed grains, cotton, and other commodities, to extend the Agricultural Trade Development and Assistance Act of 1954, as amended, and for other purposes (Rept. No. 91-1352). Referred to the House Calendar.

Mr. KASTENMEIER: Committee on the Judiciary. H.R. 11032. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; with amendments (Rept. No. 91-1353). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDREWS of Alabama: Committee of conference. Conference report on H.R. 16915 (Rept. No. 91-1354). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GALIFIANAKIS (for himself, Mr. ADDABBO, Mr. ANDREWS of North Dakota, Mr. ASHLEY, Mr. BEVILL, Mr. BRADEMAS, Mr. BRASCO, Mr. BURKE, of Florida, Mr. BURKE of Massachusetts, Mr. BURTON of California, Mr. CEDERBERG, Mr. DON H. CLAUSEN, Mr. CLAY, Mr. COLLIER, Mr. CONTE, Mr. CORMAN, Mr. EDWARDS of Louisiana, Mr. EILBERG, Mr. FASCELL, Mr. FEIGHAN, Mr. FISH, Mr. FUQUA, Mr. GETTYS, Mr. GRIFFIN, and Mr. HALPERN):

H.R. 18689. A bill to amend the Public Health Service Act to encourage physicians, dentists, optometrists, and other medical personnel to practice in areas where shortages of such personnel exist, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GALIFIANAKIS (for himself, Mr. HAMILTON, Mr. HANLEY, Mr. HANNA, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. HENDERSON, Mr. HICKS, Mr. HOGAN, Mr. HUNT, Mr. JACOBS, Mr. JONES of Tennessee, Mr. JONES of North Carolina, Mr. LANGEN, Mr. LENNON, Mr. MCKNEALLY, Mr. MADDEN, Mr. MILLER of California, Mr. MONTGOMERY, Mr. MOORHEAD, Mr. MORSE, Mr. O'KONSKI, Mr. PEPPER, and Mr. POWELL):

H.R. 18690. A bill to amend the Public Health Service Act to encourage physicians, dentists, optometrists, and other medical personnel to practice in areas where shortages of such personnel exist, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GALIFIANAKIS (for himself, Mr. PRYOR of Arkansas, Mr. REES, Mr. RUPPE, Mr. SCHWENGL, Mr. STEPHENS, Mr. TAYLOR, Mr. PREYER of North Carolina, Mr. TEAGUE of California, Mr. THOMSON of Wisconsin, Mr. TIERNAN, Mr. VANDER JAGT, Mr. WALDIE, Mr. WHITE, Mr. DENT, Mr. BROWN of California, Mr. GILBERT, Mr. SCHNEEBELI, Mr. HAWKINS, and Mr. YATRON):

H.R. 18691. A bill to amend the Public Health Service Act to encourage physicians, dentists, optometrists, and other medical personnel to practice in areas where shortages of such personnel exist, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL of Massachusetts:
H.R. 18692. A bill to provide a program of national health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. PEPPER:
H.R. 18693. A bill to amend section 165(1) of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. PETTIS:
H.R. 18694. A bill to designate the third Sunday in October of each year, as "Foster Family Day", and for other purposes; to the Committee on the Judiciary.

By Mr. CAMP (for himself, Mr. ALBERT, Mr. BELCHER, Mr. EDMONDSON, Mr. JARMAN, and Mr. STEED):

H.R. 18695. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission docket No. 79A and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CEDERBERG:
H.R. 18696. A bill to amend title 13 of the United States Code to provide for a recount (by the State or locality involved) of the population of any State or locality which believes that its population was understated in the 1970 decennial census, and for Federal payment of the cost of the recount if such understatement is confirmed; to the Committee on Post Office and Civil Service.

By Mr. FRIEDEL:
H.R. 18697. A bill to amend the Railroad

Retirement Act of 1937 to provide a 5 percent and cost-of-living increases in annuities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GONZALEZ:
H.R. 18698. A bill to amend section 7275 of the Internal Revenue Code of 1954 (as added by the Airport and Airway Revenue Act of 1970) to require that airline tickets, with respect to the transportation of persons by air which is subject to Federal tax, show the amount of such tax separately from the cost of the transportation involved; to the Committee on Ways and Means.

By Mr. KYROS:
H.R. 18699. A bill to amend the Fish and Wildlife Coordination Act to assure adequate consideration of the views and recommendations of the Secretary of the Interior in connection with certain water modification projects, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LOWENSTEIN (for himself, Mr. STEIGER of Wisconsin, and Mr. HAWKINS):
H.R. 18700. A bill—Voluntary Military Manpower Procurement Act of 1970; to the Committee on Armed Services.

By Mr. PATMAN:
H.R. 18701. A bill to establish a National Development Bank to provide loans to finance urgently needed public facilities for State and local governments and to help achieve a full employment economy by providing loans to business and industry when adequate loan funds at reasonable rates cannot be obtained from conventional lending sources, and to provide needed capital for other socially useful purposes; to the Committee on Banking and Currency.

By Mr. PUCINSKI:
H.R. 18702. A bill to amend title 13 of the United States Code to provide for a recount (by the State or locality involved) of the population of any State or locality which believes that its population was understated in the 1970 decennial census, and for Federal payment of the cost of the recount if such understatement is confirmed; to the Committee on Post Office and Civil Service.

By Mr. PURCELL:
H.R. 18703. A bill to amend title 10 of the United States Code to establish an equitable survivors' annuity plan for the uniformed services; to the Committee on Armed Services.

H.R. 18704. A bill to amend section 117 of the Internal Revenue Code of 1954 to exclude from gross income up to \$300 per month of scholarships and fellowship grants for which the performance of services is required; to the Committee on Ways and Means.

By Mr. QUILLEN:
H.R. 18705. A bill to amend title 10 of the United States Code with respect to determining the eligibility of certain persons for retirement benefits; to the Committee on Armed Services.

By Mr. SISK (for himself, Mr. JOHNSON of California, Mr. LEGGETT, Mr. McFALL, Mr. MOSS, Mr. O'KONSKI, Mr. TALCOTT, Mr. ULLMAN, and Mr. WYATT):

H.R. 18706. A bill to create a National Agricultural Bargaining Board, to provide standards for the accreditation of associations of producers, to define the mutual obligation of handlers and associations of producers to negotiate regarding agricultural products; and for other purposes; to the Committee on Agriculture.

By Mr. WOLFF:
H.R. 18707. A bill for the relief of the city of Glen Cove, N.Y.; to the Committee on the Judiciary.

By Mr. EDMONDSON:
H.R. 18708. A bill to establish a Commission on Fuels and Energy to recommend programs and policies intended to insure,

through maximum use of indigenous resources, that the U.S. requirements for low-cost energy be met, and to reconcile environmental quality requirements with future energy needs; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California (for himself and Mr. KVL):

H.R. 18709. A bill to establish a Commission on Fuels and Energy to recommend programs and policies intended to insure, through maximum use of indigenous resources, that the U.S. requirements for low-cost energy be met, and to reconcile environmental quality requirements with future energy needs; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER of Ohio:

H.R. 18710. A bill to amend title 13 of the United States Code to provide for a recount (by the State or locality involved) of the population of any State or locality which believes that its population was understated in the 1970 decennial census, and for Federal payment of the cost of the recount if such understatement is confirmed; to the Committee on Post Office and Civil Service.

By Mr. DON H. CLAUSEN:

H.J. Res. 1334. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. JOHNSON of Pennsylvania:

H.J. Res. 1335. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. PATMAN:

H.J. Res. 1336. Joint resolution to extend the effectiveness of the Defense Production Act of 1950 to August 15, 1970; to the Committee on Banking and Currency.

By Mr. BOB WILSON (for himself and Mr. VAN DERLIND):

H.J. Res. 1337. Joint resolution to establish a national music of the United States; to the Committee on the Judiciary.

By Mr. HOWARD (for himself, Mr. BUTTON, Mr. CORBETT, Mr. DERWINSKI, Mr. DINGELL, Mr. FRIEDEL, Mr. HANNA, Mr. HELSTOSKI, Mr. HORTON, Mr. LEGGETT, Mr. MCKNEALLY, Mr. MIKVA, Mrs. MINK, and Mr. MOORHEAD):

H. Con. Res. 696. Concurrent resolution expressing the sense of the Congress with respect to an international conference on the creation of an International Environmental Agency; to the Committee on Foreign Affairs.

By Mr. HOWARD (for himself, Mr. OLSEN, Mr. OTTINGER, Mr. PIKE, Mr. PODELL, Mr. QUITE, Mr. ROSENTHAL, Mr. RYAN, Mr. SCHEUER, Mr. TIERNAN, Mr. TUNNEY, Mr. WHITE, Mr. WILLIAMS, Mr. WOLFF, and Mr. WRIGHT):

H. Con. Res. 694. Concurrent resolution expressing the sense of the Congress with respect to an international conference on the creation of an International Environmental Agency; to the Committee on Foreign Affairs.

By Mr. PURCELL:

H. Con. Res. 695. Concurrent resolution providing that the Chief Justice of the United States be invited to address a joint session of Congress on the state of the judiciary; to the Committee on Rules.

By Mr. DON H. CLAUSEN:

H. Res. 1166. Resolution to express the sense of the House of Representatives that the U.S. maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. MILLER of California:

H. Res. 1167. Resolution expressing the sense of the House of Representatives with

respect to the issuance of a commemorative postage stamp honoring the fifth anniversary of the U.S. participation in the International Biological Program; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONTE:

H.R. 18711. A bill for the relief of Michael P. Buckley; to the Committee on the Judiciary.

By Mr. DANIEL of Virginia:

H.R. 18712. A bill for the relief of Mr. and Mrs. Waverly E. Wilkerson; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 18713. A bill for the relief of David Capps, formerly a corporal in the U.S. Marine Corps.; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 18714. A bill to authorize the Secretary of the Interior to rectify a public land transaction; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 18715. A bill for the relief of Gheorghe Jucu and Aurelia Jucu; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

562. The SPEAKER presented a petition of Henry Stoner, York, Pa., relative to cataloging the statutory and treaty powers of the President of the United States, which was referred to the Committee on Government Operations.

EXTENSIONS OF REMARKS

THE THREE R'S OF LAW AND ORDER

HON. JACK R. MILLER

OF IOWA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 29, 1970

Mr. MILLER. Mr. President, recently a distinguished attorney from Cedar Falls, Iowa, Margaret E. Santee, delivered an address focusing on what she calls "The Three R's of Law and Order."

She reminded her listeners that since law is the relationship of man and men, it must be properly coordinated through a basic understanding of the three R's of reverence, rights, and responsibilities. Her speech offers a somewhat different perspective of this critical question. I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE THREE R'S OF LAW AND ORDER

(By Margaret E. Santee)

Years ago discussion centered on the 3 R's of readin', ritin', 'n' rithmetic as the basic for our learning. Today, as we face the issues of law and order, we focus our attention on the 3 R's of reverence, rights and responsibilities.

Albert Schweitzer once said the one thing man cannot live without is reverence. Christ explains basic law as the reverence of Creator, neighbor, and self as he summarizes law as the law of love.

Thou shalt love the Lord thy God with all

thy heart, with all thy mind, with all thy soul. Thou shalt love thy neighbor as thyself. If we substitute for the words of Christ the word "Creator" for God and "attachment" for love we discover this is a complete, yet succinct, summary of the law of artistry, of mechanics, of science, of sports—of every creative activity of any nature, including the law of MAN in a social world, in a world created by God in a spirit of love.

Law is the relationship of man and men—of unit and units—of all working parts of any creation—properly coordinated through the basic understanding of the 3 R's of—

Reverence: for the individual unit as it performs as part of the whole; for the individual unit in fulfillment of its particular function at its maximum usefulness; for the creator of the master plan for which and to fulfill the purpose of whom it was set up.

Responsibility: for performing in accordance with the needs of the entire creation; for permitting all other units the right to accept their responsibility of performance as they develop their abilities to perform with utmost skill; to accept the direction of the creator and coordinator of the creation;

Rights: merited by proper performance of the individual unit and all units as they perform to carry out the plan of their creator who has the right to coordinate the functioning of the units to secure that purpose for which he designed the creation.

The development of law and order comes through:

1. A study of the basic plan,
2. Through disciplined practice in the development of the individual unit,
3. Through coordination of performances or placement according to the plan of the creator, and under either the creator's direction, or under that of his chosen coordinator.

Mrs. Billy Graham, in her delightful book

"Our Christmas Story," writes that on Christmas Eve the Graham family read the story of the birth of the Saviour Jesus. The use of the word "saviour" challenges them to find the sin for which God sent His son Christ to the world. The Graham family return to the book of Genesis to seek the purposefulness of the creation of man, the story of the original sin. They decide that God made man with the power of choice because His creations which did His will without protest could not provide that companionship, that "give and take" of relationships which provide the incentive for sparkling the ingenuity of the human race in seeking new ways of fulfilling God's law of love. The original sin was not the choice of Adam and Eve in eating the apple. They had the right of choice. They lacked understanding of God's need for companionship, the purposefulness of their creation, when they ran from Him. Their sin was their failure to accept their responsibility in the building of that attachment of love for which they had been created, to provide companionship for their Creator.

God created human beings with the right of choice subject to the law of love which would satisfy His purpose of creation. God expects each human to accept his individual responsibilities in building a world of love as He gives men the blessings of His love. According to the family of Billy Graham, when God created men with the right of choice, He decided that He should send His son to clarify His plan of creation, to guide His loved ones in their search for a better understanding of their rights and responsibilities as part of God's world of love and companionship.

When God created man, He created the Judases, the bawdy fishermen, and the weak, vacillating Peters and Thomases. He also