Delbert G. Ranney
Bobby J. Ready
John E. Redelfs
Robert J. Reid
Richard D. Revie
Alvin F. Ribbeck, Jr.
Francis Riney
Robert O. Ritts
Robert P. Rose
Joseph S. Rosenthal
Eugene B. Russell
Gary L. Rutledge
Patrick J. Ryan
Paul M. Ryan
George W. Ryhanych
Glen Sanford
Patrick J. Saxton
Charles W. Schreiner, Jr.
Joseph A. Siler
George P. Slade
Alois A. Slepicka
Donald G. Smith
Lloyd W. Smith, Jr.
Roland E. Smith
Howard L. Snider
Louis G. Snyder
Richard L. Spreitzer
Cleo P. Stapleton, Jr.
Alfred E. Stark
Willard M. Stephens
William K. Stratford
William G. Swigert
Charles E. Thompson
William H. Tiernan
Jan P. Vandersluis
Donald L. Waldvogel
Edwin G. Weatherford
Robert D. White
Willis E. Wilson, Jr.
Robert C. Wise
Robert J. Woeckener
Fitz W. Woodrow, Jr.
Peter Yadlowsky
John R. Yates, Jr.
Hans A. Zander
Charels L. Zangas
James R. Ziemann

HOUSE OF REPRESENTATIVES—*Wednesday, September 16, 1970*

The House met at 12 o'clock noon.

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

He that dwelleth in the secret place of the Most High shall abide under the shadow of the Almighty. Psalm 91: 1.

O God of all grace and goodness, we thank Thee for this quiet moment of prayer when facing the duties that confront us and seeking to carry the heavy responsibilities committed to our care we can look from the seen to the unseen, from the temporal to the eternal, and in so doing gain courage for these minutes, wisdom for these hours, and strength for these days. In the secret place of the Most High may we tap the resources which make us adequate for our tasks, give us an unswerving devotion to the right, and keep us dedicated to the high purpose for which our Nation was founded.

Amid the confusion and chaos of this generation may we know that Thy truth is marching on and may we here highly resolve that we will walk with Thee and work for Thee in building a world where righteousness and justice and love shall reign and war shall be no more.

In the spirit of the Prince of Peace 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 without amendment a joint resolution of the House of the following title:

H.J. Res. 1247. Joint resolution to amend section 19(e) of the Securities Exchange Act of 1934.

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

H.R. 16542. An act to amend title 39, United States Code, to regulate the mailing of unsolicited credit cards, and for other purposes; and

H.R. 18546. An act 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.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 16542) entitled "An act to amend title 39, United States Code, to regulate the mailing of unsolicited credit cards, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPARKMAN, Mr. PROXMIRE, Mr. WILLIAMS of New Jersey, Mr. BENNETT, and Mr. TOWER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17123) entitled "An act to authorize appropriations during the fiscal year 1971 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. RUSSELL, Mr. SYMINGTON, Mr. JACKSON, Mr. CANNON, Mr. MCINTYRE, Mrs. SMITH of Maine, Mr. THURMOND, Mr. TOWER, and Mr. DOMINICK to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 18546) entitled "An act 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," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. HOLLAND, Mr. EASTLAND, Mr. TALMADGE, Mr. AIKEN, Mr. YOUNG of North Dakota, and Mr. MILLER to be the conferees on the part of the Senate.

TEMPORARY EXTENSION OF FEDERAL HOUSING ADMINISTRATION'S INSURANCE AUTHORITY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of the joint resolution (H.J. Res. 1366) to provide for the temporary extension of the Federal Housing Administration's insurance authority, and ask for the immediate consideration of the joint resolution.

The Clerk read the title of the joint resolution.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask the gentleman why this is necessary?

Mr. PATMAN. It is impossible to get the bill through before October 1, and the time expires then. It has been agreed by the committee members on both sides that we ask for a 30-day extension.

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

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

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 1366

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2(a) of the National Housing Act is amended by striking out "October 1, 1970" in the first sentence and inserting in lieu thereof "November 1, 1970".

(b) Section 217 of such Act is amended by striking out "October 1, 1970" and inserting in lieu thereof "November 1, 1970".

(c) Section 221(f) of such Act is amended by striking out "October 1, 1970" in the fifth sentence and inserting in lieu thereof "November 1, 1970".

(d) Section 809(f) of such Act is amended by striking out "October 1, 1970" in the second sentence and inserting in lieu thereof "November 1, 1970".

(e) Section 810(k) of such Act is amended by striking out "October 1, 1970" in the second sentence and inserting in lieu thereof "November 1, 1970".

(f) Section 1002(a) of such Act is amended by striking out "October 1, 1970" in the second sentence and inserting in lieu thereof "November 1, 1970".

(g) Section 1101(a) of such Act is amended by striking out "October 1, 1970" in the second sentence and inserting in lieu thereof "November 1, 1970".

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

NATIONAL COMMISSION ON FUELS AND ENERGY

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

Mr. KOCH. Mr. Speaker, those who live in New York City have just come through another power-crisis summer. The threat of blackouts and brownouts has left everyone rightfully distressed with the performance of Government and the utility industry. It is high time that rational planning replace crisis management. By 1990 we will have to triple our national power capacity to meet projected population and industrial demands.

Accordingly, I am introducing legislation to establish a National Commission on Fuels and Energy which will

recommend programs and policies capable of meeting future power demands and reconciling such demands with the protection of our health and environment.

I am pleased to join with the distinguished chairman of the House Committee on Interstate and Foreign Commerce the gentleman from West Virginia (Mr. STAGGERS) and a bipartisan group of our colleagues in sponsoring this important legislation.

My bill calls for the creation of a 21-member commission composed of six Members of both the House and Senate and nine public representatives who have particular knowledge and expertise with respect to fuels, energy, and the environment. In addition, one official from each of the 11 Federal departments and agencies concerned with fuel, energy, and the environment would serve as advisers to the Commission.

The Commission would submit a report to the President within 1 year after public hearings and a thorough investigation of our energy demands and resources.

With impending shortages of fuel oil, natural gas, coal, and electric power, we cannot afford to wait for new crises before getting down to the hard job of rational resource allocation. Therefore, Mr. Speaker, I urge prompt consideration and early enactment of this legislation.

SELECT SUBCOMMITTEE ON EDUCATION, COMMITTEE ON EDUCATION AND LABOR—REQUEST FOR PERMISSION TO SIT

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that the Select Subcommittee on Education of the Committee on Education and Labor be permitted to sit this afternoon.

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

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, this has not been cleared with me. I simply ask has it been cleared with the ranking Republican member, the gentleman from Ohio (Mr. AYRES)?

Mr. AYRES. If the gentleman will yield, we have no objection.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

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

Mr. HALL. Mr. Speaker, I object.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT

Mr. POAGE. I ask unanimous consent to take from the Speaker's table the bill (H.R. 18546) 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, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none and appoints the following conferees: Messrs. POAGE, ABERNETHY, PURCELL, SISK, BELCHER, TEAGUE of California, and Mrs. MAY.

BRINKS COURIER ROBERT DENISCO

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

Mr. ROSTENKOWSKI. Mr. Speaker, the action taken yesterday by Brinks' courier Robert DeNisco, in thwarting the hijacking of a Trans World Airline flight to North Korea should be commended. This is an instance where a private citizen chose to become involved and his involvement in this case may have saved the life of one or more of the 62 people on board.

Mr. DeNisco's action aboard the jet bound from New York to San Francisco was taken at great personal risk. It is very unfortunate that in this case, violence was necessary to prevent violence.

Danger is by no means a stranger to Mr. DeNisco. While a sergeant with the military police in Vietnam, he was credited with breaking up a powerful smuggling ring in Saigon.

The Brinks Corp. of Chicago should also be commended for its selection of such courageous young men to carry out its often dangerous assignments. Mr. DeNisco is one of approximately 28 couriers that Brinks has in the air every night guarding its shipments. In this case, Mr. DeNisco was escorting a packet of negotiable securities to San Francisco.

Although I deplore violence in any form, I frankly feel that the action taken in this instance was justified and is especially noteworthy at this time. The recent flurry of airline hijackings has been both alarming and frustrating. It is time that we take strong action to stop this air piracy. I heartily applaud the President's recent action in this regard. His decision to intensify security at major airports and employ Federal marshals on certain flights was a very good one. I only hope these measures will make events like the harrowing one of yesterday unnecessary.

THE DEMOCRATIC PARTY IS ALIENATING WORKINGMAN

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

Mr. AYRES. Mr. Speaker, the Democratic Party is alienating the working man by letting archliberals take over the leadership in Congress and in party affairs.

AFL–CIO President George Meany said in a recent interview that the Democratic Party has "disintegrated" and that its remnants are being taken over by extremists. Meany himself said the Democrats are alienating the 20 million union men and women in America by their encouragement of extremism.

The leadership of organized labor is just beginning to see what the rank and file have been expressing with their votes for some time. The working man and woman has recognized that the Republican Party speaks for the solid middle ground of Americans, those who want change through law, who abhor the anarchy, violence, and extreme tactics that have become the hallmark of the new left embraced by so many Democratic Party figures.

The archliberal influence can be seen in the Democrats' recent apology for their 1968 Chicago Convention, in their failure to pass strong anticrime laws and new measures to curb drug abuse and in their day-to-day statements backing dissenters and lawless actions.

Labor is swinging away from its traditional taken-for-granted allegiance to the Democratic Party because of this sharp left turn by its leadership. The Democratic Party is rapidly alienating the workingman by letting archliberals take over the leadership in Congress and in party affairs.

GYMNASTIC TALENTS OF CERTAIN DEMOCRATS

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

Mr. HUNT. Mr. Speaker, it has become increasingly evident that certain Democrats in the Congress possess a talent that few of us knew about before, that of gymnastics. On the issue of extremism, these Democrats are performing the acrobatic feats of trying to bend over backward and get out from under. Those who condoned and even applauded violent dissent in the past now find themselves faced with an electorate at home, sick of violence and ready to place blame on those who unwittingly brought it about. The tolerance of the new left is now something the ultraliberals would like to forget about and divorce themselves from. I am not sure it will be that easy.

People remember those Members of Congress who greeted dissenters when they flocked to the Capitol and accorded them undue dignity and status. Those who served on such unofficial welcoming committees have some explaining to do. And how do you explain desecration of the flag, obscene insults flung at public officials, and the mindless flouting of all authority—worst of all, the real dangers on the campus and on the streets.

The ultraliberals are now engaged in their knee jerk athletics, hoping that the voter will be diverted and forget. It is a sorry exercise. Some of those, whose blandishments led to riot and upheaval, even have the brass now to preach law and order. They must be counting on some very short memories.

Mr. Speaker, we will have law and order in this country, but not because a lot of archliberals suddenly remember it. It is because the people, and the responsible men and women they elect, want it so.

ELIMINATING AIR PIRACY

(Mr. ADAIR 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. ADAIR. Mr. Speaker, as one who has been concerned and, indeed, angered by the cruel, inhumane acts of air piracy that have occurred, I am today introducing a House concurrent resolution calling for the implementation of President Nixon's seven-point plan for eliminating air piracy.

The time has come for firm, decisive action to put an end to this breakdown of law and order, to this new form of gangsterism that has come to plague both domestic and international aviation.

These gangsters of the airways must be stopped from their terrorism of innocent men, women, and children. In the name of humanity, a stop must be put to the forced detention of innocent people as hostages in crowded and unsanitary conditions and in aircraft wired with dangerous explosives.

My resolution would call for the administration to take steps to implement President Nixon's seven-point program for eliminating air piracy as rapidly as possible and to act immediately in appropriate international organizations to obtain concerted action of the international community to suspend all international civil air transport services to and from nations refusing to permit passengers, crew, and aircraft to continue their journey when a hijacked aircraft lands in their territory or refusing to punish or extradite persons who engage in acts of hijacking for purposes of international blackmail.

It is my hope that this legislation will receive prompt and favorable consideration.

JOSEPH PARATORE, JR.—A GOOD SAMARITAN

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

Mr. ADDABBO. Mr. Speaker, recently the son of personal friends of mine was killed in a tragic accident while acting as a good samaritan. Joseph Paratore, Jr., a young man of 18 years of age, was bringing gasoline to a stranded motorist in Queens when he was caught between two cars struck by a third automobile.

It is ironic that this young man lost his life in the course of performing a good deed while millions of Americans were reading about other young men who have broken the law or shown no respect for the rights of others. There are many young men whose selfless actions go unnoticed or are taken for granted. In this particular case, I believe special attention should be given to the kind and good natured reaction of Joseph Paratore, Jr., to the sight of a stranded motorist. His parents, Mr. and Mrs. Joseph Paratore and his two sisters, Ramona and Annette, of South Ozone Park can be proud of their son and his attitude toward others and my regrets and prayers go to them and theirs.

The following article, describing the tragic incident, appeared in the August 31 edition of the Long Island Press:

GOOD SAMARITAN RUN DOWN BY CAR

Joseph Paratore Jr., an 18-year-old South Ozone Park youth who was crushed to death Monday morning while trying to be a good samaritan, will be buried Friday in Maple Grove Cemetery, Kew Gardens.

Mass will be offered Friday at 9:30 a.m. at St. Anthony's Catholic Church in South Ozone Park.

Mr. Paratore, who would have been an upper senior at Brooklyn Technical High School this fall, was on his way home Monday at 1:10 a.m. when he spotted motorist George McLaughlin of Rhode Island holding up a sign on South Conduit Avenue saying he was out of gas.

According to police, the Long Island youth arrived at his home at 124–15 152nd Ave., emptied his lawnmower of two gallons of gas and returned to the stranded Rhode Island motorist at the corner of South Conduit Avenue and Cohancy Street in Ozone Park.

Meanwhile, police said David Grayson, 18, of 110–29 164th St., Jamaica had parked his car in back of the vehicle driven by McLaughlin.

Police said Harold O'Connell, 31, of 153–34 129th St., South Ozone Park, going east on South Conduit Avenue then struck Grayson's auto, sending it into McLaughlin's vehicle. Mr. Paratore, Police said, was caught between the two cars and crushed to death.

O'Connell was questioned by police but released.

Mr. Paratore leaves his parents, Mr. and Mrs. Joseph Paratore, and two sisters, Ramona and Annette, all of South Ozone Park.

NEED FOR CRIME LEGISLATION

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

Mr. DEVINE. Mr. Speaker, I was happy to note that the gentleman from Oklahoma (Mr. EDMONDSON) yesterday took the floor and said that he deplored the inactivity of the Congress and of the administration in the fight against crime.

I am very happy to see that the gentleman from Oklahoma has joined with the administration and those of us who have been concerned about the number of crime bills that are resting and languishing in the Committee on the Judiciary and other committees of this Congress.

It is easy to try to blame the administration for everything that does not happen, but we must keep in mind that the Congress is controlled by the Democratic Party and it will be through the offices of the gentleman from Oklahoma (Mr. EDMONDSON) and others like him who join us in this fight to try to pry some of these bills loose for consideration.

WAR ON CRIME

(Mrs. MAY asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. MAY. Mr. Speaker, speaking as a woman Member of this body, I know that the women of America have perhaps the greatest stake of all in the success of President Nixon's war on crime. It is women who are the victims of many crimes. It is wives and mothers who endure social wrongs and suffering when loved ones are caught up in the web of drug abuse and crime. It is women who suffer the traumatic experiences of purse snatching and assault.

I note that there are major crime bills still before this Congress after a year of dillydallying and nonaction. May I warn my colleagues on the other side of the aisle that women in this land are recognizing that crime can be stopped if law enforcement agencies have the backing of the public, strong laws to work with and the training and equipment to do the job.

I might add that the women of America are on the warpath over the crime issue—and there will be a substantially greater number of women going to the polls this fall. I think it is time for the 91st Congress to buckle down and give our country the legal weapons to stamp out the menace of crime that overshadows our daliy lives.

DEVELOPMENT ASSISTANCE

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

Mr. ARENDS. Mr. Speaker, for 25 years, our foreign assistance programs have received bipartisan support. With changes to make them consistent with today's needs, they should again receive that kind of support.

We are no longer alone in the development assistance area. The countries which we helped in the post World War II years are now providing more total aid than the United States, much of it through international institutions, such as the World Bank Group. Mr. Speaker, it is time much greater emphasis were placed on this type of cooperation.

As the best way to obtain such cooperation, the President has recommended that international lending institutions become the major channels for development assistance.

The new institutional framework proposed by the President will provide for different agencies handling development loans, most technical assistance, and the promotion of private investment. As you know, this latter recommendation has already been accepted by the Congress with the establishment of the Overseas Private Investment Corporation, which is soon to open its doors for business.

Mr. Speaker, this new organization is the first step in making foreign aid meet the needs of today's world.

CALL OF THE HOUSE

Mr. ASHBROOK. 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. 298]

Abbitt	Baring	Blatnik
Adams	Beall, Md.	Bow
Anderson, Tenn.	Belcher	Brock
	Berry	Brooks

Burton, Utah
Bush
Button
Cabell
Celler
Clark
Clawson, Del
Collier
Conyers
Corman
Cowger
Dawson
Delaney
Derwinski
Dowdy
Edwards, Calif.
Edwards, La.
Eshleman
Fallon
Feighan
Flynt
Ford, William D.
Friedel
Fulton, Tenn.
Gallagher
Gaydos
Gettys
Gilbert
Gray
Hébert
Heckler, Mass.
Holifield
Horton
Karth
Kleppe
Long, Md.
Lowenstein
Lujan
McCulloch
McEwen
McMillan
MacGregor
Meskill
Michel
Mink
Mize
Morse
Murphy, N.Y.
Ottinger
Pelly
Philbin
Pollock
Powell
Price, Tex.
Pryor, Ark.
Purcell
Rhodes
Rogers, Colo.
Rosenthal
Roudebush
Roybal
Scherle
Scheuer
Schneebeli
Sebelius
Shriver
Skubitz
Staggers
Taft
Teague, Calif.
Thompson, N.J.
Tunney
Waggonner
Weicker
Wilson, Charles H.
Winn
Wold
Wolff

The SPEAKER. On this rollcall 340 Members have answered to their names, a quorum.

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

ARMED FORCES PROCUREMENT AUTHORIZATION AND PERSONNEL STRENGTH OF RESERVES—APPOINTMENT OF CONFEREES

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17123) to authorize appropriations during the fiscal year 1971 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the selected reserve of each reserve component of the Armed Forces, and for other purposes, with Senate amendments thereto, insist on disagreement, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and appoints the following conferees: Messrs. RIVERS, PHILBIN, HÉBERT, PRICE of Illinois, BENNETT, STRATTON, ARENDS, O'KONSKI, BRAY, BOB WILSON, and GUBSER.

TREASURY AND POST OFFICE APPROPRIATIONS, 1971

Mr. STEED. Mr. Speaker, I call up the conference report on the bill (H.R. 16900) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, 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 Oklahoma?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of September 14, 1970.)

The SPEAKER. The Chair recognizes the gentleman from Oklahoma.

Mr. STEED. Mr. Speaker, I yield myself such time as I may require. The committee brings this conference report today on one of the major appropriation bills. The final amount is $9,525,711,000, which is $363,174,000 more than was expended for these same Federal activities in the fiscal year ending June 30, 1970. It is still $41,982,000 under the President's budget.

There are mostly routine items of difference between the House and the Senate. I know of no particular difficulty or controversy that was involved.

However, there are two items that I would like to comment on. After the bill was passed by the House, and prior to its being acted upon by the other body, the Post Office Department was able to make arrangements to lease a building in Chicago that was immediately available, which eliminated the necessity for expending $17,605,000 from their public buildings account to construct a facility. The amount released has now been made available to provide for four new and badly needed postal building projects, one at Tucson, Ariz., one at Stamford, Conn., one at Salt Lake City, Utah, and one at Lexington, Ky.

These are very necessary and much-needed buildings, and I think the ability of the Department to include these in this year's construction is very important. The savings in building these projects at this time would be very considerable.

The other matter I want to refer to is a new title V that was added to the bill by the other body on a matter that came up after the bill had been acted on by the House. This is a matter of appropriating $1,650,000 for the protection of visiting foreign dignitaries attending the observance of the 25th anniversary of the United Nations. This is an item that will be needed to cover the expenses of the Secret Service agents and others who are assigned to protect the visitors while they are inside the United States. We are advised that there will be about 75 heads of foreign states with their delegations. At this time there is no way to know how many will be involved or how long they will remain here. We agreed to the request hoping that the amount provided will be sufficient to meet any contingencies.

I want to point out that if any of this money is not needed, it will revert to the Treasury. It is just an amount to enable the President to do something we feel is very necessary in this country while these foreign dignitaries are visiting.

Mr. Speaker, I am happy to yield to the gentleman from New York (Mr. ROBISON), such time as he may consume.

(Mr. ROBISON asked and was given permission to revise and extend his remarks.)

Mr. ROBISON. Mr. Speaker, the gentleman from Oklahoma (Mr. STEED) has carefully explained the few items that were at issue between this and the other body concerning this appropriation bill, and the disposition made of the same by the conferees.

Just to summarize, once again, the bill as passed by this House on April 9—well before the beginning of this fiscal year, it deserves to be noted, for the effort to do so each year has become a tradition with this particular subcommittee—carried a total of $9,492,702,000, which figure was $330,165,000 over the comparable appropriation for fiscal 1970, but was also $74,991,000 below the fiscal 1971 budget estimate. As subsequently considered and passed by the other body, the bill's total was increased to $9,539,079,000—thus standing at a preconference total of $46,377,000 over the figure approved by the House.

In conference, this increase was adjusted downward to a new, agreed total of $9,525,711,000—now $363,174,000 over fiscal 1970, but, still, $41,982,000 below the fiscal 1971 budget estimate. It is this latter figure that, I presume, will be of the most interest to those here in this Chamber who are worried—and quite properly so—about their votes on appropriation bills during this session that are above or below the budget request. So, Mr. Speaker, that there will then be no misunderstanding about the effect of this conference report, let me again just repeat that the new total we recommend to you is, in round figures, about $42 million below the budget.

I support the conference report—as do all members of the conference committee on the minority side; and we do so even though we managed less than an even split of our differences with the other body—our recommendation to you being $33,009,000 over the House figure, and only $13,368,000 under the Senate figure. One major reason we could not, with responsibility, do better in this regard relates to the continuing fiscal problems of the Post Office Department. These are problems with which we are all well familiar—as well as problems to which we have, with good intentions, contributed through our votes for postal pay increases larger than the Department had contemplated at the time of the budgetary submission and, though now with more questionable motivation, through our collective decision in an election year to let the blame for a necessary postal rate increase fall upon the "governors" of the newly created, semi-independent U.S. Postal Service instead of one of our own heads. Besides which, Mr. Speaker, all of us fully anticipate that the new Postal Service—we have got to try to remember to say that now instead of Post Office Department—will undoubtedly be up here sometime before this fiscal year ends with a supplemental request in amount yet to be determined, so that any "savings" we might attempt to make now would only be lost later, anyway.

To which prediction I would just like to add that, though I was, and am, a strong supporter of the kind of postal reform we finally got around to enacting none of us should expect any overnight miracles therefrom. Surely, the opportunity to make this reorganization of

one of our Government's most basic services work is now present, but only the first, tentative step in that direction has been taken. Countless numbers of hurdles lie ahead before, even under the best of circumstances, this Nation has the kind of prompt, reliable, and efficient postal service, at a reasonable cost, it ought to have, and as we all hope someday it will have. So, patience in this regard is very much required—both by the postal patron, by the taxpayers who will continue for a time to be required to subsidize the system, by those who work for the system and, most importantly, by those of us here in the Congress who must attempt, somehow, to represent the best interests of all these diverse groups. Just as one example of the uncertainties that pertain to all this, let it be noted—for the record—that, at the time of our hearings here on the House side, the Department anticipated a mail-volume increase of only 2.36 percent, while it now states that the anticipated increase in volume in this fiscal year looks more like 2.73 percent, instead. That may not sound like very much, Mr. Speaker, but in terms of actual pieces of mail it involves nearly a billion more pieces of mail, this year, than had originally been estimated; and, while that adds to the headaches the governors of the new Service may encounter in getting the old system for handling this flood of mail "unglued," if it at the same time indicates some improvement in our overall economic situation—as such increases generally have—it may be a blessing in disguise.

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

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

Mr. GROSS. Will the gentleman please restate how much this conference report will cause to be spent above the figure for last year?

Mr. STEED. It is $363,174,000.

Mr. GROSS. How does the gentleman account for that very substantial increase in spending?

Mr. STEED. Since these are the oldest agencies of the Government, most of the increase is accounted for in terms of increased volume of work.

For instance, in the Customs Service there is a very sizable increase in the number of people traveling in and out of the country, and in shipments in and out of the country, so the workload has been going up for several years by leaps and bounds.

There is a heavier workload in the Internal Revenue Service. In additicn to their regular work the Congress added several new functions in the crime activity program, which has made a heavy manpower demand on them.

Then of course we have the Executive Protective Service, which adds to the need for more funds for the Secret Service.

Almost all of this is accounted for in the normal growth and increase of the work that these old agencies of the Government are required to perform.

Mr. GROSS. This bill is $363 million above the spending for the same general purposes last year; is that correct?

Mr. STEED. That is right.

Mr. GROSS. Does the gentleman anticipate a supplemental appropriation before this session ends?

Mr. STEED. I am sure there will have to be a supplemental appropriation bill this fall or early next year to pick up the increased cost for wage increases granted by act of Congress and imposed on these agencies. There are close to 900,000 Federal employees funded in this particular bill. When pay increases are voted by Congress the need for additional moneys to meet those pay increases is considerable.

I should think it would probably require $300 million or $400 million of additional funds for these departments to be able to finish this fiscal year and pay the new wage rates Congress authorized.

Mr. GROSS. The gentleman does not anticipate that the Post Office Department will resort to the same old argument that the volume of mail has increased as a requisite for more hundreds of millions of dollars through a supplemental appropriation bill?

Mr. STEED. We checked with the Department just prior to the conference. As the gentleman knows, we are now virtually through the first quarter of the year. I do not believe we are going to be faced with a mail volume increase problem this year anywhere like it has been for the past several years. I believe we have leveled off, at least temporarily, on that score.

It would be my guess at this time that any supplemental they will be able to justify will have to be in terms of these pay increases.

Mr. GROSS. Are these four buildings that are to be constructed for postal facilities?

Mr. STEED. The only buildings we fund in this bill are those which are used exclusively by the Post Office Department. If they are the type of Federal building the Post Office Department now occupies with other Federal agencies, they would be funded in the independent offices appropriation bill through GSA. These are projects which are wholly owned and occupied as postal facilities.

They have many more projects besides these that are urgently needed. These are the ones which lend themselves to the biggest savings by providing the new facilities immediately. That is why these particular four were selected.

Mr. GROSS. That argument of savings works in some places and does not in others, as I am sure the gentleman well knows.

Let me ask the gentleman another question. Did the Senate have these four postal facilities in its bill?

Mr. STEED. No; the Senate cut the $17.6 million out because the Department had decided they would not spend the amount budgeted for that facility in Chicago.

Since the need for these buildings is so urgent and since the losses that we suffer in trying to do business in these places under present circumstances are so high, it just seems to make good sense to go ahead with them now. They are ready to proceed with them, and the sooner we can get them in operation the sooner we can eliminate a lot of unnecessary waste and cost.

Mr. GROSS. So it was at the instance of the House conferees that the four facilities were put into this bill in conference?

Mr. STEED. Yes. For the benefit of the gentleman from Iowa, I might say that in studying the situation throughout the 300 larger communities of the country we found the amounts of money here for new postal buildings are about one-tenth of what the Department could justify spending this year if we were able to make sufficient funds available to them.

Mr. GROSS. That leads to this question. Why, for instance, did the committee pick Tucson, Ariz.?

Mr. STEED. We did not pick the projects. The Department selects the projects. They keep us advised all the time of all of the projects that they are justifying to get the money to build. These are selected on the basis of criteria where the greatest saving in having the new facility results. We go down the list, and it is just automatic.

Mr. GROSS. Is that what the Department tells you?

Mr. STEED. These are the prospectuses that are submitted to us, and that is what they indicate.

Mr. GROSS. This would have no relation to the support given by any individual Member of Congress to the so-called postal reform bill, would it? I am referring to the location of a post office in Tucson, Ariz.

Mr. STEED. I have no way of knowing that, but I will say to the gentleman they can probably make a very compelling case for at least 50 or 100 more projects if we were just able to provide the funds for them.

Mr. GROSS. Of course, you have to draw the line somewhere, but I do not understand why these four sites were picked out to the exclusion of, as the gentleman admits, many others across this country. That is what I am trying to do—get the real answer to why the Post Office Department picked these four places for the construction of post offices.

Mr. STEED. They have always had the criteria to justify projects before the committe because they need so many and we are able to fund so few. We have always accepted their findings as to which ones will do them the most good and which we will go ahead with first. Most of the money goes into the large centers like New York, Chicago, or Los Angeles, but we do put many of these smaller projects into smaller towns. But these are cases where rather remarkable savings can be made by getting them out of their presently inadequate facilities into new and better ones. We would like to keep this up. We are so far behind in trying to give the Post Office Department the physical plant that they need,

where they can do their work efficiently, that it just gets to be a matter of more or less discretion as to which one to go ahead with first because there are so many of them that are highly qualified. It takes some criteria to decide which one will go first. These are buildings that can be put under construction immediately. There are some that are very badly needed that they can go ahead with right now, but there is difficulty in clearing the site or in getting title to the land in some of them. We have always insisted that they put the first priority on the buildings which they can go ahead with immediately. One of the problems they have had, which I believe they are now solving, has been the long timelag between the time we appropriate the funds for the buildings and the start of construction. We are trying to reduce the present 5-year timelag to a 3-year timelag. It is one of the criteria they have used in making selections on how they can use these resources to the best advantage of the Government. I believe that all the projects funded in this bill would receive the highest priority under any criteria you wanted to apply in respect to their having the Department make use of their full resources.

Mr. GROSS. Based on the information given by the Department and without any relationship to the support given to the passage of the so-called postal reform bill, the gentleman is saying that this criterion is strictly based upon the efficient operation of the Post Office Department and has no relationship to anything else; is that right?

Mr. STEED. I might say to the gentleman from Iowa that as we go over these projects I do not have any interest in knowing where any of these projects are located. We are more interested in how badly they are needed, and what kind of savings will result from their being built.

Mr. GROSS. I will say to the gentleman that there are a great many sectional postal centers in the country that need expanded facilities or new facilities that are a long way from getting them. And it seems strange to me that these four would be selected, the other body having dropped them out, and they were selected on the insistence of the House conferees.

Mr. STEED. I agree with the gentleman that we have a long list of projects that are highly desirable, and they are very definitely justified, but we just could not give them enough funds in a single year to build them all.

But with the 34 projects that we are funding in this bill, this is the greatest step so far toward getting these badly needed facilities constructed that we have been able to make since I have been associated with this bill.

And I can tell the gentleman now that if we could proceed immediately in building all the facilities we can justify, I believe that when they were in being and useful as against what we are now faced with and forced to work with, it could result in a net savings of about half a billion dollars a year. And so to me this is one place where by investing money we can actually save money.

I do not know of any other way we can eliminate some of these unnecessary costs until we get modern facilities.

Mr. GROSS. I thank the gentleman for his explanation, but——

Mr. STEED. In other words, to leave these projects out, or leave any of the 34 out, you are not reducing the problem, you are just delaying something that has to be done, and the longer you delay the more it will cost the people in terms of unnecessary costs.

If I had my way about it, I would be willing to go ahead now and build every project in this country immediately that can be justified, because they will more than pay for themselves in the next 4 or 5 or 6 years, if we could do it. To me it seems that this is a time when we can make an investment with some sound judgment that will pay for itself in a very limited period of time. With the mail volume we have, and in trying to process the volume of mail with some of the outmoded facilities we have, there are identifiable costs that are rather high that cannot be eliminated until we do get new facilities. And I am one who hopes we do not have to wait much longer until every section of the country that can justify a new project gets it.

Mr. GROSS. I am not sure whether, allegedly having taken politics out of the Post Office Department, cronyism has not been substituted.

Mr. STEED. I have no evidence of that, I will say to the gentleman. We studied these prospectuses carefully, and the factors that justified them were very high and very good. I am sorry we are only able to fund the 34 projects contained in this bill. I wish it were possible for it to be for 100 or 150, because they could all be justified.

Mr. GROSS. Ask the gentleman to bear with me for one more observation, and that is concerning the luxury of entertaining the United Nations in this country, because it is well pointed up in this bill.

In this bill the taxpayers will have the dubious pleasure of putting up $1,650,000 to protect the so-called visiting Poo-Bahs who come to this country this year, to visit the United Nations. How much more this outfit in New York is going to cost the country I do not know. The taxpayers ought to rebel against it and throw it out.

I thank the gentleman for yielding.

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

Mr. STEED. I yield to the gentleman.

Mr. ADDABBO. Mr. Speaker, I am glad to see we are finally going to have the people of the country paying a part of the bill which the people of the city of New York have been paying for these many, many years to give protection to the dignitaries coming into New York City.

The New York City police force has been overburdened. It finally may be that the burden will be borne by the entire Nation which we should not bear at all. But the people of the city of New York should not be entirely penalized for the United Nations.

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

Mr. STEED. I yield to the gentleman.

Mr. GROSS. The city of New York broke its figurative back to get this outfit there many years ago, and as far as I am concerned they can suffer with it now.

THE APPROPRIATIONS BILLS FOR FISCAL YEAR 1971

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

Mr. STEED. I yield to the gentleman from Texas, the chairman of the Committee on Appropriations.

Mr. MAHON. Mr. Speaker, I think it would be appropriate to make reference to the status of the overall appropriation business of the Congress relating to the current fiscal year 1971.

WHERE THE BILLS ARE

For the fiscal year 1971, the current fiscal year, we will be acting on 15 appropriation bills.

The pending bill makes the fifth appropriation bill to be sent to the President, not counting the vetoed independent offices-HUD bill. Therefore, 10 appropriation bills remain to be considered.

The five bills—including the pending bill—enacted are: Education, Interior, District of Columbia, legislative, and Treasury-Post Office, the pending bill.

Of the 10 remaining, there are three bills in conference between the House and Senate. They are: Public Works-AEC, State, Justice, Commerce, and the judiciary, and Agriculture.

The Agriculture appropriation bill passed both bodies quite some time ago, but action has been withheld pending a determination on the new farm bill. There is some indication that a new farm bill may be agreed upon in conference next week. If so, then we will be in position to go to conference on the Agriculture appropriation bill.

The Public Works-AEC bill will, I believe, be coming along quite soon. A conference is scheduled for tomorrow.

The State, Justice, Commerce, and judiciary bill should be coming along shortly. We have a conference scheduled on that bill next week.

There are four bills awaiting action by the Senate. They have, I believe, virtually concluded committee hearings, but they have not been considered by the Senate. They are: Transportation, Labor-HEW, foreign assistance, and military construction.

Waiting to be reported to the House is the Defense appropriation bill, which has not been brought forward because the related authorization bill only recently cleared the other body. The conference on that bill has not been completed and the Defense appropriation bill will not be presented until the conference undertakes to agree, or does agree, on the authorization bill.

The vetoed bill, the independent offices-HUD bill, involves some important questions. The veto was sustained. It will be necessary for us to scale down the overall amount when we bring in a new bill.

We see no real problem in bringing this bill in. I hope we will be able to move in that direction reasonably soon.

Finally, there will be a catchall sup-

plemental appropriation bill. The President has sent us a number of budget requests for the supplemental bill. Several others may soon be forthcoming.

Mr. Speaker, I thought this information would be appropriate for the RECORD at this time.

I shall revise my remarks and fill in more detail about the figures for these bills.

I want to thank the able chairman of the subcommittee, the gentleman from Oklahoma (Mr. STEED), for yielding to me and to commend him and all members of the conference committee for a good job on the pending Post Office and Treasury Department appropriation bill.

(Mr. MAHON asked and was given permission to revise and extend his remarks.)

APPROPRIATION BILL TOTALS

Mr. MAHON. Mr. Speaker, under leave granted, I am including certain summary figures of amounts involved in the appropriation bills dealing with fiscal 1971.

HOUSE TOTALS

Not counting the vetoed independent offices-HUD bill, the House has considered budget requests of $51.2 billion. It has approved a total of $50.4 billion, for a net reduction of about $0.8 billion. The precise reduction figure is $745,548,805. That is a net figure. Ten bills were under the budget; two were above.

SENATE TOTALS

Not counting the vetoed independent offices-HUD bill, the Senate has considered budget requests of $25.6 billion. It has approved a total of $27 billion, for a net increase of about $1.4 billion. The precise net increase figure is $1,368,843,754. Six bills were below the budget requests; two were above the requests.

ENACTED TOTALS

Including the pending conference report, five bills have cleared Congress. They involve budget requests of $9.4 billion, enacted amounts of $9.8 billion, for a net increase of about $0.4 billion. The precise net increase is $398,328,421. Four bills reflected a reduction; the education bill was above the budget.

TOTALS PENDING IN HOUSE COMMITTEE

The two regular bills in committee—yet to be reported to the House—involve budget requests of $86.2 billion—$68.7 billion in the Defense bill and $17.5 billion in the independent offices-HUD bill.

Budget requests presently in hand for the closing supplemental total $366 million. Other requests may be forthcoming.

The vetoed independent offices-HUD bill was $541 million above the budget. We shall have to accommodate the bill to the changed situation which will, of course, change the total.

TABLE BY BILLS

I include a table of the amounts of budget requests and the amounts approved for each of the regular bills for fiscal 1971. It does not include the closing supplemental bill because the amounts are, as of now, somewhat indeterminate:

NEW BUDGET (OBLIGATIONAL) AUTHORITY IN THE APPROPRIATIONS BILLS, FISCAL YEAR 1971

[As to fiscal year 1971 amounts only]

Bill	Budget requests considered	Approved	Change (+) or (−)
In the House:			
1. Legislative	$356,043,285	$346,649,230	−$9,394,055
2. Treasury-Post Office (net of estimated postal revenues appropriated)	3,044,755,000	2,971,702,000	−73,053,000
3. Education (veto overridden)	3,807,524,000	4,127,114,000	+319,590,000
4. Independent offices—HUD (veto sustained)	17,216,823,500	17,390,212,300	+173,388,800
5. State—Justice—Commerce—Judiciary	3,243,905,000	3,106,956,500	−136,948,500
6. Interior	1,610,757,600	1,610,026,700	−730,900
7. Transportation	2,465,814,937	2,429,579,937	−36,235,000
8. District of Columbia	109,088,000	108,938,000	−150,000
9. Foreign assistance	2,876,539,000	2,220,961,000	−655,578,000
10. Agriculture	7,531,775,500	7,450,188,150	−81,587,350
11. Military construction	2,134,800,000	1,997,037,000	−137,763,000
12. Public works—AEC	5,263,433,000	5,236,808,000	−26,625,000
13. Labor—HEW	18,731,737,000	18,824,663,000	+92,926,000
14. Defense	(68,745,666,000)		
Subtotal, House bills	68,392,995,822	67,820,835,817	−572,160,005
Deduct: Independent offices—HUD bill (veto sustained)	17,216,823,500	17,390,212,300	+173,388,800
Net total, House bills	51,176,172,322	50,430,623,517	−745,548,805
In the Senate:			
1. Legislative	421,414,899	413,889,653	−7,525,246
2. Education	3,966,824,000	4,782,871,000	+816,047,000
3. Independent offices-HUD	17,468,223,500	18,655,019,500	+1,186,796,000
4. Interior	1,839,974,600	1,835,337,500	−4,637,100
5. District of Columbia	109,088,000	108,938,000	−150,000
6. Agriculture	$7,748,354,500	$8,475,935,100	+$727,580,600
7. Public works-AEC	5,263,433,000	5,258,695,000	−4,738,000
8. State-Justice-Commerce-Judiciary	3,251,200,000	3,122,080,500	−129,119,500
9. Treasury-Post Office (net of estimated postal revenues appropriated)	3,046,693,000	3,018,079,000	−28,614,000
Subtotal, bills cleared Senate	43,115,205,499	45,670,845,253	+2,555,639,754
Deduct: Independent offices-HUD bill (Veto sustained by House)	17,468,223,500	18,655,019,500	+1,186,796,000
Net total, bills cleared Senate	25,646,981,999	27,015,825,753	+1,368,843,754
Enacted:			
1. Education (veto overriden by House)	3,966,824,000	4,420,145,000	+453,321,000
2. Interior	1,839,974,600	1,835,474,700	−4,499,900
3. District of Columbia	109,088,000	108,938,000	−150,000
4. Independent offices—HUD (veto sustained)	17,468,223,500	18,009,525,300	+541,301,800
5. Legislative	421,414,899	413,054,220	−8,360,679
6. Treasury-Post Office (net of estimated postal revenues appropriated	3,046,693,000	[1] 3,004,711,000	[1] −41,982,000
Subtotal, bills cleared Congress	26,852,217,999	27,791,848,220	+939,630,221
Deduct: Independent offices—HUD (veto sustained)	17,468,223,500	18,009,525,300	+541,301,800
Net total, bills enacted	9,383,994,499	9,782,322,920	+398,328,421

[1] Based on conference report agreed to by House today.

Note: Prepared Sept. 16, 1970, in the House Committee on Appropriations.

COMPREHENSIVE SCOREKEEPING REPORT

Mr. MAHON. Mr. Speaker, the figures I have used relate only to the appropriations bills for the current fiscal year 1971. And they refer to appropriations and budget requests for appropriations, not expenditures.

A more comprehensive report on congressional actions and impact on the President's budget, in terms of both appropriations and spending as well as revenues, and including various legislative bills that affect the situation, is reflected in the "scorekeeping" report issued by the staff of the Joint Committee on Reductions of Federal Expenditures. A résumé of the most recent report, as of September 10, is included in the RECORD of September 15, at page 31955.

Mr. STEED. I thank my distinguished chairman.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

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

Mr. FULTON of Pennsylvania. May I make a request of the gentleman from Texas that he include with his remarks the budget figures originally submitted by the Nixon administration and how they compare with the House figures?

Mr. MAHON. I will be delighted to do so.

Mr. FULTON of Pennsylvania. I do have a question as to procedures for Congressmen either to request or to object to post office construction in his district. What will the procedures be under the new Post Office Reorganization Act?

For example, in my own district I have felt that the local communities should do the constructing themselves on their own land, so that it would cost the U.S. Government very much less to have the post offices built, and then they would lease them to the Government for a period of 20 years. In fact, I am one of those people who thought there were no politics in the Post Office Department; so I objected to the expressed need for and the construction of a post office in my district. The post office was constructed over my strong objections. How can we consider that the budget is so tight when they are able to construct a post office that the local Congressman

says is not needed, he did not want it, and the local community was willing to construct the post office building that they might be able to use for some other local purpose, such as a library, and rent it to the Government for 20 years so there would not be an investment by the U.S. Government?

We do need post offices in certain areas in our district, and post offices have been denied, and then they put two post offices in one town. I think that is a little bit too much. What is the procedure now going to be for the average Congressman to talk with the new Post Office Corporation about post offices and what has it been? I certainly have been surprised at some of the actions that have occurred.

Mr. STEED. As the gentleman knows, there are three ways in which the Post Office Department can obtain a new facility. One is through the General Services Administration, through the construction of a Federal building in which the post office is one of the tenants.

The second way is through the appropriation, 100 percent, for the construction of a post office facility, fully federally financed as we have been discussing in this bill as postal public buildings.

The third way is under building occupancy, and this is the so-called lease program. We are funding only about 35 projects in the federally financed public buildings item. Under the lease program, where buildings are privately owned and rented to the Government, the Department has been building about 1,000 new facilities a year throughout the country. They have had a rule-of-thumb policy down there that, generally speaking, a facility of less than 50,000 square feet would be funded through the lease program. If it is more than that, generally speaking, they would seek Federal funds to build it. So what the new Board of Governors will do I do not know. The only way that any Member of Congress will have any opportunity to influence any project whatsoever would be to approach the managers of the post office under the new corporate structure and present the merits of the case to them and hope they would react to it, because when we created the Postal Corporation, we took postal service one step further from the ability of the Members of the Congress to influence their action.

Mr. FULTON of Pennsylvania. The question is, Would there be a difference in policy? Does the new corporation favor the lease form for post office construction over construction by the corporation itself and owning by the corporation, or what is the recommended policy?

Mr. STEED. Under the Postal Corporation Act passed by Congress, when the Governors are appointed, they will choose a new Postmaster General and his assistants, and all of these policies will be reviewed. As to what they will be, the gentleman's guess is as good as mine. I would suspect that for the time being, at least, they would go pretty much along with what is being done now until they have had an opportunity to find better ways to meet their problems. There are a great many projects needed. Even at the rate of building a thousand a year, it would take about 31 years to get all the postal facilities under a new roof.

So when we look at the mammoth job they have to do, the amount we are authorizing here is a very small part. So, hopefully, the corporation will develop some kind of policy to get on with these badly needed facilities and eliminate about a half billion dollars a year in waste.

Mr. FULTON of Pennsylvania. Will Congress itself have anything to say about determination of the type of policy there will be on construction of post offices or general service buildings by the Post Office Department?

Mr. STEED. I understand the Postal Service will now operate as an independent corporation. I do not think it will be consulting the Congress.

Mr. FULTON of Pennsylvania. There will be no general guidelines set by Congress in this respect?

Mr. STEED. Not other than what is contained in the act itself.

Mr. Speaker, I include a table reflecting details of the bill just passed:

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATIONS BILLS, 1971 (H.R. 16900)

[In thousands of dollars]

Agency and items	New budget (obligational) authority appropriated, fiscal year 1970 [1]	Budget estimates of new (obligational) authority, fiscal year 1971	Allowances			Conference allowance compared with—			
			House	Senate	Conference	New budget (obligational) authority appropriated, 1970	Budget estimate of new (obligational) authority, 1971	House allowance	Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
TITLE I									
TREASURY DEPARTMENT									
Office of the Secretary	9,828	9,660	9,500	9,660	9,660	−168		+160	
Federal Law Enforcement Training Center:									
Salaries and expenses	58	1,113	1,000	1,113	1,080	+1,022	−$33	+80	−$33
Construction	1,000	5,000	5,000	5,000	5,000	+4,000			
Total, Federal Law Enforcement Training Center	1,058	6,113	6,000	6,113	6,080	+5,022	−33	+80	−33
Bureau of Accounts	47,375	47,250	47,250	47,250	47,250	−125			
Government losses in shipment		400	400	400	400	+400			
Bureau of Customs	125,131	137,085	135,500	137,085	137,000	+11,869	−85	+1,500	−85
Bureau of the Mint	17,500	19,663	18,000	19,663	19,600	+2,100	−63	+1,600	−63
Construction of Mint facilities	1,770					−1,770			
Bureau of the Public Debt	65,414	66,792	66,792	66,792	66,792	+1,378			
Internal Revenue Service:									
Salaries and expenses	24,926	26,096	25,500	26,096	26,096	+1,170		+596	
Revenue accounting and processing	211,920	222,239	220,000	222,239	221,500	+9,580	−739	+1,500	−739
Compliance	623,006	664,473	645,000	660,000	655,000	+31,994	−9,473	+10,000	−5,000
Total Internal Revenue Service	859,852	912,808	890,500	908,335	902,596	+42,744	−10,212	+12,096	−5,739
Office of the Treasurer	7,773	8,180	8,180	8,180	8,180	+407			
Check forgery insurance fund	100					−100			
U.S. Secret Service:									
Salaries and expenses	32,811	44,600	40,000	44,600	42,300	+9,489	−2,300	+2,300	−2,300
Construction of Secret Service training facilities	700					−700			
Total U.S. Secret Service	33,511	44,600	40,000	44,600	42,300	+8,789	−2,300	+2,300	−2,300
Total title I Treasury Department new budget (obligational) authority	1,169,312	1,252,551	1,222,122	1,248,078	1,239,858	+70,546	−12,693	+17,736	−8,220

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATIONS BILLS, 1971 (H.R. 16900)—Continued

[In thousands of dollars]

Agency and items	New budget (obligational) authority appropriated, fiscal year 1970[1]	Budget estimates of new (obligational) authority, fiscal year 1971	Allowances: House	Allowances: Senate	Allowances: Conference	Conference allowance compared with—: New budget (obligational) authority appropriated, 1970	Budget estimate of new (obligational) authority, 1971	House allowance	Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
TITLE II									
POST OFFICE DEPARTMENT									
Authorizations and limitations on use of the Postal Fund:									
Administration and regional operation	(143, 784)	(163, 670)	(161, 000)	(163, 670)	(162, 335)	(+18, 551)	(−1, 335)	(+1, 335)	(−1, 335)
Research, development, and engineering	(49, 736)	(65, 675)	(60, 000)	(65, 675)	(62, 000)	(+12, 264)	(−3, 675)	(+2, 000	(−3, 675)
Operations	(6, 403, 667)	(6, 517, 138)	(6, 500, 000)	(6, 517, 138)	(6, 508, 000)	(+104, 333)	(−9, 138)	(+8, 000)	(−9, 138)
Transportation	(640, 060)	(661, 000)	(655, 000)	(659, 000)	(657, 000)	(+16, 400)	(−4, 000)	(+2, 000)	(−2, 000)
Building occupancy	(230, 000)	(260, 590)	(255, 000)	(259, 000)	255, 000))	(+25, 000)	(−5, 590)		(−4, 000)
Supplies and services	(115, 132)	(119, 203)	(118, 000)	(118, 000)	(118, 000)	(+2, 868)	(−1, 203)		
Plant and equipment	(210, 000)	(221, 158)	(217, 000)	(219, 000)	(217, 000)	(+7, 000)	(−4, 158)		(−2, 000)
Postal public buildings	(170, 000)	(269, 825)	(269, 825)	(252, 825)	(269, 825)	(+99, 825)			(+17, 000)
Total authorizations and limitations on use of the Postal Fund	(7, 962, 919)	(8, 278, 259)	(8, 235, 825)	(8, 254, 308)	(8, 249, 160)	(+286, 241)	(−29, 099)	(+13, 335)	(−5, 148)
Less net revenues (estimated)	(−6, 369, 000)	(−6, 521, 000)	(−6, 521, 000)	(−6, 521, 000)	(−6, 521, 000)	(−152, 000)			
Total, title II, Post Office Department new budget (obligational) authority (indefinite)	1, 593, 919	1, 757, 259	1, 714, 825	1, 733, 308	1, 728, 160	+134, 241	−29, 099	+13, 335	−5, 148
TITLE III									
EXECUTIVE OFFICE OF THE PRESIDENT									
Compensation of the President	250	250	250	250	250				
Operating expenses, Executive Residence	966	1, 100	1, 100	1, 100	1, 100	+134			
The White House Office	3, 940	8, 550	8, 550	8, 550	8, 550	+4, 610			
Special Assistants to the President		700	700	700	700	+700			
President's Advisory Council on Executive Organization	1, 000	500	500	500	500	−500			
Office of Intergovernmental Relations	120	300	300	300	300	+180			
Special projects	2, 500	1, 500	1, 500	1, 500	1, 500	−1, 000			
Expenses of management improvement	350	350	350	350	350				
Emergency fund for the President	1, 000	1, 000	1, 000	1, 000	1, 000				
Bureau of the Budget	12, 141	13, 290	13, 100	13, 100	13, 100	+959	−190		
Council of Economic Advisers	1, 187	1, 233	1, 233	1, 233	1, 233	+46			
National Security Council	1, 860	2, 182	2, 182	2, 182	2, 182	+322			
Total, title III, Executive Office of the President, new budget (obligational) authority	25, 314	30, 955	30, 765	30, 765	30, 765	+5, 451	−190		
TITLE IV									
INDEPENDENT AGENCIES									
Administrative Conference of the United States	250	380	380	380	380	+130			
Advisory Commission on Intergovernmental Relations	620	610	610	610	610	−10			
Commission on Obscenity and Pornography	1, 100					−1, 100			
United States Tax Court	3, 022	[2] 3, 288	3, 000	3, 288	3, 288	+266		+288	
Total, title IV, Independent agencies, new budget (obligational) authority	4, 992	4, 278	3, 990	4, 278	4, 278	−714		+288	
TITLE V									
FUNDS APPROPRIATED TO THE PRESIDENT									
Protection of visiting foreign dignitaries attending the observance of the 25th anniversary of the United Nations		[3] 1, 650		1, 650	1, 650	+1, 650		+1, 650	
Grand total, titles I, II, III, IV, and V, new budget (obligational) authority	2, 793, 537	3, 046, 693	2, 971, 702	3, 018, 079	3, 004, 711	+211, 174	−41, 982	+33, 009	−13, 368
Consisting of—									
Appropriations (definite)	1, 199, 618	1, 289, 434	1, 256, 877	1, 284, 771	1, 276, 551	+76, 933	−12, 883	+19, 674	−8, 220
Appropriations (indefinite)	1, 593, 919	1, 757, 259	1, 714, 825	1, 733, 308	1, 728, 160	+134, 241	−29, 099	+13, 335	−5, 148
Memoranda—									
Grand total, titles I, III, IV, and V, new budget (obligational) and title II, authorizations out of the Postal Fund	(9, 162, 537)	(9, 567, 693)	(9, 492, 702)	(9, 539, 079)	(9, 525, 711)	(+363, 174)	(−41, 982)	(+33, 009)	(−13, 368)

[1] Includes supplemental amounts contained in Second Supplemental Appropriations Act, 1970, (P.L. 91–305) approved July 6, 1970.

[2] Indexes revised estimate contained in H.Doc. 305, Apr. 13, 1970, not considered by House.

[3] Contained in Senate Document 91–100, Aug. 31, 1970, not considered by the House.

The SPEAKER. The question is on the conference report.

The question was taken.

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

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 342, nays 8, not voting 79, as follows:

[Roll No. 299]

YEAS—342

Abbitt
Abernethy
Adair
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baring
Barrett
Bell, Calif.
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blanton
Boggs
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Camp
Carey
Carter
Casey
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clay
Cleveland
Cohelan
Collins
Colmer
Conable
Conte
Corbett
Coughlin
Cramer
Crane
Culver
Cunningham
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.

de la Garza
Dellenback
Denney
Devine
Dickinson
Dingell
Donohue
Dorn
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Evans, Colo.
Evins, Tenn.
Farbstein
Fascell
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Goldwater
Gonzalez
Goodling
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Henderson
Hicks
Hogan
Holifield
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Langen
Latta
Leggett
Lennon
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McClure
McDade
McDonald, Mich.
McFall
McKneally
Macdonald, Mass
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Melcher
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Minshall
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Perkins
Pettis
Pickle
Pike
Pirnie
Poage
Podell
Poff
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Riegle
Rivers
Roberts
Robison
Rodino
Roe
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Ruppe
Ruth
Ryan
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scheuer
Schwengel
Scott
Shipley
Sikes
Sisk
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Wampler
Watson
Watts
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—8

Ashbrook
Bennett
Dennis
Gross
Hall
Rarick
Rousselot
Schmitz

NOT VOTING—79

Adams
Anderson, Tenn.
Beall, Md.
Belcher
Berry
Blatnik
Bow
Brock
Brooks
Burton, Utah
Bush
Button
Celler
Clawson, Del
Collier
Conyers
Corman
Cowger
Dawson
Delaney
Dent
Derwinski
Diggs
Dowdy
Edwards, La.
Eshleman
Fallon
Feighan
Flynt
Ford, William D.
Fraser
Friedel
Gaydos
Gettys
Gray
Hagan
Hansen, Wash.
Hébert
Heckler, Mass.
Horton
Kleppe
Lowenstein
Lujan
McCulloch
McEwen
McMillan
MacGregor
Meskill
Michel
Mink
Mize
Murphy, N.Y.
Ottinger
Pelly
Pepper
Philbin
Pollock
Powell
Purcell
Rees
Rhodes
Rogers, Colo.
Roudebush
Roybal
Scherle
Schneebeli
Sebelius
Shriver
Skubitz
Staggers
Taft
Thompson, N.J.
Tunney
Waggonner
Weicker
Wilson, Charles H.
Winn
Wold
Wolff

So the conference report was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Rhodes.
Mr. Brooks with Mr. Mize.
Mr. Murphy of New York with Mr. Bow.
Mr. Philbin with Mrs. Heckler of Massachusetts.
Mr. Fallon with Mr. Beall of Maryland.
Mr. Thompson of New Jersey with Mr. Cowger.
Mr. Wolff with Mr. Pelly.
Mr. Waggonner with Mr. Belcher.
Mr. Celler with Mr. Horton.
Mr. Delaney with Mr. Button.
Mr. Dent with Mr. Pollock.
Mr. Edwards of Louisiana with Mr. Berry.
Mr. Flynt with Mr. Brock.
Mr. Friedel with Mr. McEwen.
Mr. Gettys with Mr. Burton, of Utah.
Mr. Rogers, of Colorado with Mr. Bush.
Mr. Staggers with Mr. Kleppe.
Mr. Purcell with Mr. Collier.
Mr. Gaydos with Mr. McCulloch.
Mr. Gray with Mr. Lujan.
Mr. Charles H. Wilson with Mr. Del Clawson.
Mr. Blatnik with Mr. MacGregor.
Mr. Adams with Mr. Michel.
Mr. Corman with Mr. Meskill.
Mr. Dowdy with Mr. Derwinski.
Mr. Feighan with Mr. Eshleman.
Mr. Hagan with Mr. Roudebush.
Mr. McMillan with Mr. Scherle.
Mr. Anderson of Tennessee with Mr. Wold.
Mrs. Hansen of Washington with Mr. Taft.
Mr. Pepper with Mr. Weicker.
Mr. Tunney with Mr. Schneebeli.
Mr. Fraser with Mr. Sebelius.
Mr. William D. Ford with Mr. Winn.
Mr. Ottinger with Mr. Skubitz.
Mrs. Mink with Mr. Shriver.
Mr. Roybal with Mr. Conyers.
Mr. Lowenstein with Mr. Diggs.
Mr. Powell with Mr. Rees.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENT IN DISAGREEMENT

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

The Clerk read as follows:

Senate amendment No. 29: On page 16, line 13, insert:

"TITLE V—FUNDS APPROPRIATED TO THE PRESIDENT

"PROTECTION OF VISITING FOREIGN DIGNITARIES ATTENDING THE OBSERVANCE OF THE TWENTY-FIFTH ANNIVERSARY OF THE UNITED NATIONS

"For expenses necessary to enable the President, through such officers or agencies of the Government as he may designate, and without regard to such provisions of law regarding the expenditure of Government funds as he may specify, to provide adequate security protection to foreign heads of state and other foreign dignitaries while visiting in the United States during or in connection with the twenty-fifth anniversary of the founding of the United Nations, $1,650,000."

MOTION OFFERED BY MR. STEED

Mr. STEED. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 29 and concur therein.

The motion was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON S. 3637, POLITICAL BROADCASTING

Mr. MACDONALD of Massachusetts. Mr. Speaker, I call up the conference report on the bill (S. 3637) to amend section 315 of the Communications Act of 1934 with respect to equal-time requirements for candidates for public office, 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 pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of August 13, 1970.)

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. MACDONALD) is recognized for 1 hour.

Mr. MACDONALD of Massachusetts. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois (Mr. SPRINGER) pending which I yield myself such time as I may consume.

Mr. Speaker, I am very happy, on behalf of the conferees on the part of the House, to report back to the House this very important bill which we passed August 11. The bill went to conference, and it came back intact from the point of view of the Members of the House. The other body receded on each and every article contained in the House-passed bill.

There was some controversy about the effective date of this bill, but that now has become moot, and the House effective date is in effect now in the conference report for all practical purposes.

The Senate receded as to the coverage of primaries, the inclusion of Governors, Lieutenant Governors, and the inclusion of other State officers, as will be decided by the various State legislatures when they decide that a very important individual office in any given State should be included. This can be done by the States.

I believe it is rather unusual that the other body should recede on each and

every disagreement that we had in the conference. I believe this is a tribute to the statesmanship of their management leader, Senator PASTORE, and the other members of the Senate conference group.

This is not a bill that affects Republicans or affects Democrats. The main thrust of it is to the public interest. This bill, as we all know, which was supported here so handsomely on August 11, goes to the public interest and goes to the prevention of the purchase of seats in this House, the other body, and the statehouses throughout the country.

A custom seems to be getting more and more prevalent in the various 50 States, as to people who have a good deal of money—either inherited or made in private business or by virtue of becoming indebted to sources who have ever so much money—to put on TV "blitzes" and radio "blitzes." The political contest ends up in a contest where the merit is not as to the individual candidate and his stand on the issues but rather the question of financial resources—how much the candidate either personally has or becomes indebted to acquire.

Therefore, I say again to the Members things they all know. This affects each and every Member of the House, each and every statehouse of the 50 States, and affects every Member of the other body.

I believe we have done a great service. For the first time since the enactment of the Communications Act of 1934 we have met a problem head on and have brought forward with bipartisan support a way in which a serious and real problem shall be met.

I congratulate the gentlemen on the other side, from whom we will hear very soon, I am sure, on their conduct in our hearings. One type of bill went in. It was expanded and broadened. It came out of our subcommittee with unanimous support. It came out of our full committee with just one member voting against it. It now comes back to the House for confirmation of the fact that the House still feels responsible to the public, as evidenced on August 11 when the vote here was recorded to be 272 ayes and only 97 noes.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I want to commend the able gentleman who is handling this bill, the gentleman from Massachusetts (Mr. MACDONALD) and the other House conferees, for the masterful way in which they have handled this bill from the outset, the way in which they won the major points of controversy in the conference and for the forward step which this bill represents.

I personally am one who feels that there should be effective campaign spending limitations across the board affecting all of the media at the earliest possible date. I hope we will see those in the very near future. This is an important step forward in that direction, and I congratulate the gentleman for what has been accomplished.

Mr. MACDONALD of Massachusetts. I thank the very able gentleman.

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

May I say I would like to congratulate the gentleman from Massachusetts, the chairman of the Subcommittee on Communications and Federal Power for the fine job that he did together with the gentleman from North Carolina (Mr. BROYHILL), the ranking minority member of that committee.

When we came to the floor with this bill in its original form it was a fine bill. I felt that all together it was certainly in the public interest. It was a reform measure in order to limit the amount of money which could be spent either in the primary or in the general election. Maybe some of you have forgotten what was in the bill. I think I should take a minute to give you just a brief outline of a few things that the bill still does do.

First of all, the bill repeals section 315, which is the equal-time provision as to the President. In other words, it puts into effect a repeal of a section which demanded equal time for any party. You will recall that in the election of 1960 we had as many as 13 parties appearing on the presidential ballot in some States. It was impossible to give equal time. We suspended this section 315 in 1960 as to the Presidency. Under this act we permanently repeal section 315 for all presidential elections. That is a good step forward, in my opinion, which then gives the networks the judicious right to allot time to the two major parties so that they can be heard on TV.

Second, this bill requires for the first time that all candidates for office who are covered by this bill shall be charged no more by any television station or any radio station than the lowest broadcast rate that the station has for that time segment. That is the second provision.

The third provision deals with the coverage of this bill. The major officers are the President, the Vice President, U.S. Senators, and Members of the House of Representatives, Governors, and Lieutenant Governors. They are all covered under this bill.

The next provision is that the broadcast expenses for radio and television cannot exceed 7 cents per vote or a total of $20,000, whichever is the higher. So it is very easy for you to multiply the number of voters who voted in the last general election and multiply that by 7 cents. Then you can find out if it is more than $20,000 and, if it is, you can use that figure. If the $20,000 is the greater figure, you can use that.

Now about primaries. We do cover primaries in this. You can only spend one-half of that amount in primaries. So it is easy to multiply the number by 7 cents; that is, the number in the last election, and divide by 2 and then you have the amount of money that can be spent in a primary for television and radio.

Now we are not applying the Corrupt Practices Act as to the total expenditures. I want to indicate to you this applies only to TV and radio, because this committee has jurisdiction over only those two media by way of the Communications Act.

Now, how do you enforce this law? And that is very important. The responsibility is on the candidate and on the TV station. For instance, if you go to station KMOX, we will say, in your district, and you ask to sign a contract with that particular TV or radio outlet, then you have to certify to the station with a sworn statement that you are not exceeding the limit which is allowed under the law for your own district. So there are two requirements. First you have to certify you are not exceeding that amount; second, the station has to receive that and keep it so that there is a record of the fact that you have signed a certificate that you have not exceeded the limitation.

We have another provision in here for States. We merely say in the bill that if the States themselves want to make other offices of any kind or character come within the provisions of this law by action of the State legislature, and after being signed by the Governor, they may bring all of the offices within that State within the provisions of this act, and make it inclusive as well.

Those are the seven things which this bill does.

Now, what is the difference between the House bill and the bill that comes back here—and as you will note, the minority members did not sign this report. I do not know whether this is a major difference or not. I think we should explain why we did not sign it. There was some difficulty in arriving at what the effective date of this bill should be.

Now, on the House bill we made it effective January 1, 1971. It would not have been effective in this November election. In the Senate bill they made it effective 30 days after it was signed by the President. Well, trying to reach a compromise between the two is not an easy matter, and they did arrive at this kind of a compromise which is certainly very questionable in my mind, but you are the judges, so that it is up to you to make up your own minds as to whether or not you think this is such a major thing that you cannot vote for it.

Frankly, I am going to vote for the bill, because I am going to explain to you in a minute that this bill is not going to have application to this election anyway. But what happened was that they finally agreed that if one of the candidates, we will say, in your State, either the incumbent Senator or the person that is challenging him for the office, had signed a contract exceeding the figures in this bill before the effective date and his expenditure under that contract exceeded what is contained in this bill under either way you figure it, then the bill was not applicable to either one of the candidates.

Now, this raised a serious question in my mind because I happen to know of two Senators who, at least, I am so informed, had already executed contracts which exceeded the amount contained in this bill. I also know of another set of candidates who come from adjoining States adjoining one of these two I mentioned, and neither one of which has signed any contract exceeding the provisions of this bill, which simply means this: If we had passed this bill back in August before we adjourned for the re-

cess it probably would have been effective by the middle of about September.

The result would have been that in one State you would have had the incumbent Senator and his opponent with no application of this law at all. In an adjoining State where neither one of them had signed a contract, exceeding the provisions of this bill, this bill would have been applicable.

So it was possible in a good many States in this country that this law would not have been applicable and in a good many States it would have been applicable.

I think this was an inconsistency and I did not feel under those circumstances that I could sign the report because I felt that here was a discrimination as between the States where definitely in the bill it provided under some circumstances that candidates in those States would certainly not be applied to this bill and in other States they would be.

Now whether I have made this plain, I have tried to give you the picture of what could happen if we had passed this bill back before we adjourned.

Now what is the actual situation existing now? Under the provisions of this bill, it would go into effect 30 days after it becomes law, which means either the President signs it, does not sign it or vetoes it, but he probably is not going to veto it. If he signs it, and we will say we pass it today, you allow 10 days to pass for the President to sign the bill. This would bring it to about the 27th of September. At the end of 30 days, after he signs it, which would be the 27th of October, it would be the 27th of October that it would go into effect. That is 5 days before election day.

It is my understanding if we cannot get it passed before the end of next week, which is another 5 days—then election day being on November 3—you can see that as a practical matter the bill is not going to go into effect this year anyway.

So, as I have said, discrimination, probably as a matter of actual fact, is not going to take place. So probably this bill by the very operation of the signing of it by the President, after it is passed, plus the 30-day period, is going to throw it over somewhere into November—beyond the November 3 election day.

This inconsistency which I have pointed out to you here thus far is probably not going to apply. So under those circumstances, if it does not apply, then everybody in the country will be treated the same.

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

Mr. SPRINGER. I yield to the gentleman.

Mr. TIERNAN. We have no assurance that the time will expire. In other words, you say that the President can take 10 days to sign it. But what would happen if the other body passed it next week and the President acted on it when he picks up the bill rather than waiting 10 days?

Mr. SPRINGER. It would probably go into effect. So around the 23d of October, if it passed promptly next week, then it would probably go into effect on October 23.

I have a letter which was written by the FCC saying that if it was put into effect at these late dates, it cannot possibly, as I understand it, put into effect and put in any regulation in time to do any good in this election.

I will put that letter in the RECORD as a part of these proceedings so we will have the FCC on record saying that they cannot possibly do it if they only have 10 days.

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

Mr. SPRINGER. I yield to the gentleman.

Mr. PICKLE. When the bill was before the House, I offered an amendment relative to the equal time provision and I opposed the measure on final passage because of that and other matters that I thought were discrimination against the industry.

Can the gentleman tell me if the language is in the conference report now the same as passed the House with reference to equal time; namely, that the discretion is up to the broadcaster and he is not limited by any definition whether he would have to qualify under two-thirds of the laws of the various States.

Mr. SPRINGER. My understanding is that it is exactly the same as written in the House version. There has been no amendment to that effect.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. BYRNES of Wisconsin. Mr. Speaker, I would just like to understand how it works in terms of, let us say, this situation—let us say it becomes effective on October 23 and one of the candidates as of that date has contracted for more than is allowed? Then what happens?

Mr. SPRINGER. The law is not applicable.

Mr. BYRNES of Wisconsin. How does a candidate find out in that length of time whether the other candidate has a contract in terms of those amounts?

Mr. SPRINGER. The FCC would have to put regulations into effect which would compel each of the candidates to file regularly on certain dates exactly how much he has contracted for. The FCC has said it is impossible for them to do it for 435 candidates. It would be more than that. There would be 878 candidates for the House and 200 candidates for the Senate.

Mr. BYRNES of Wisconsin. Then we are today under this conference report passing a law that is meaningless in certain aspects because it could not even be enforced or administered.

Mr. SPRINGER. There is not time, according to the FCC, to put the regulations into effect and make this effective for the coming election. That is what they said. I did not say that. That is what they said.

Mr. MACDONALD of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the chairman of the committee.

Mr. MACDONALD of Massachusetts. I should like to make one point clear. The other body has said that they cannot possibly take up this conference report until at least September 23. Even if it was agreed to then, we all know the President would have 10 days after it reaches his desk to sign it. So I could not agree with the gentleman more than that, so far as the effective date of 1970 is concerned, it is a moot question. It is just past the essence of this bill.

The second point I would like to make, in answer to the question asked by the gentleman from Wisconsin, is that there is already on the books a law that makes it mandatory on demand to have the FCC make its records available to an opponent of a candidate who has spent that much money. I thank the gentleman for yielding.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

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

Mr. DE LA GARZA. I appreciate the gentleman yielding. He seems to be well informed on this legislation. I wonder if the gentleman can tell me if any position has been taken by members of the media, any association such as the Broadcasters Association, either in the hearings or in relation to the conference?

Mr. SPRINGER. I can state my impression. I do not know that anyone has written me a letter to this effect. But there are opposed to it, I would say, two sizable groups, the radio and TV stations and ownership thereof.

My answer to the ones who have approached me has been simple. This is a measure which I think is in the public interest. May I say to the distinguished gentleman from Texas that there was a great deal of sentiment over in the other body and also some on our side to compel the TV and radio stations to give free time—free time—so in effect I have told these people that this conference report is a compromise which we have arrived at so that the TV and radio stations can only charge the lowest commercial rate that they charge anyone else. Ordinarily, as the gentleman knows, the political rate on TV and radio broadcasting, just as it is in the newspaper fields, is the highest rate that they have on their schedule. What we have said to them is, "You cannot charge more than the minimum rate." Their opposition has been to that point.

But I think we have compromised this matter. We have not compelled them to give free time, but we have compelled them not to charge more than the minimum rate, the lowest commercial rate that they have on their schedule.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield further?

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

Mr. DE LA GARZA. What about the inclusion of all media in this type of legislation? Was any thought given to that subject?

Mr. SPRINGER. If the gentleman is talking about journals and newspapers, that is a subject, as I understand it, for consideration by the Committee on the Judiciary. We do not have jurisdiction over them. That is my informal understanding. I do not have any formal ruling on it. But I believe that is correct.

Therefore, we could not regulate in that field if we wished to do so.

Mr. DE LA GARZA. I appreciate the gentleman yielding.

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

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

Mr. WRIGHT. I thank the gentleman for yielding. I should like to congratulate the conferees on the part of the House on both sides of the aisle for having done a thoroughly workmanlike job in conference with the Senate. I should like to say further that I believe this is one of the most truly significant beginnings of real reform in the electoral process that could possibly be undertaken in the United States.

Is it not true, as I believe I understand the gentleman from Illinois and the gentleman from Massachusetts to have pointed out, that this bill in its present form and with the exception of its effective date is essentially the same bill now that approximately three-quarters of the Members of the House voted for and supported when it came before the House previously?

Mr. SPRINGER. This is the House bill, with the single exception as I said of the effective date.

Mr. WRIGHT. I thank the gentleman. I think many of us would like to see a broader bill that would be inclusive of all media, but for the reasons the gentleman has explained, this is a beginning, and I believe it is a very long overdue beginning. I congratulate the gentleman.

Mr. SPRINGER. May I say even though the minority Members did not sign the conference report, in view of the time that has taken place, we have come to the conclusion that the objections we had no longer would be effective anyway. I am going to vote for the bill.

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

Mr. SPRINGER. I yield to the gentleman from Indiana.

Mr. MYERS. Mr. Speaker, while on our recess it was implied to me by some broadcasters that should this bill be enacted into law, some broadcasters might retaliate by refusing to broadcast political advertising. It seems to me that may be possible. Has this been considered by the committee?

Mr. SPRINGER. Yes, and may I say I do not believe any radio or TV broadcasters, if the gentleman approaches them, will refuse to take the political advertisements. The FCC has made it clear that the primary purpose of radio and TV stations being licensed to use the public airways is that they have a public duty to hear candidates and also to advertise those candidates if they bring their money in and in reasonable competition with anybody else purchase time.

So I do not think the gentleman will have any trouble to obtain any reasonable time.

Mr. MYERS. But if any media in the past accepted political advertising, and if they now refuse to continue to take political advertising, it would be showing bad faith; would it not?

Mr. SPRINGER. It would. I hope the gentleman will let this committee know if he finds any such instance.

Mr. MACDONALD of Massachusetts. Mr. Speaker, if there are no more requests for time, I would like in closing to point out to the gentleman from Indiana that the broadcasters, small and big, all get their licenses in order to serve the public interest. I would think it very queer—and I would be glad to hear on behalf of our subcommittee and the full committee—if the gentleman has any communication citing threats made, either to the gentleman from Indiana or to others, saying if this bill were passed, the broadcasters will refuse to live up to the promises they subscribe to when they get their licenses to operate in the public interest. If there is anything more in the public interest than to permit the people of this country to see their presidential candidates or their senatorial candidates or their congressional candidates or their candidates for Governors and to hear what they stand for, as well as the other candidates, I would not know what it is, and the media certainly would not be operating in the public interest, to ignore this primary responsibility.

I, for one, have great confidence that the FCC will see that such abuses will not occur, and I guarantee that this committee, which has jurisdiction over the operations of the FCC, will see to it that any such veiled threats as the gentleman indicated he had will not be carried out.

Mr. MYERS. Mr. Speaker, if the gentleman will yield, I will say no station threatened me, but it was communicated to me that a station had heard discussions that this might be a retaliation.

Mr. MACDONALD of Massachusetts. I think this is one of the most solid arguments I have ever heard for having the policy of requiring the FCC to review the licenses of broadcasters every 3 years.

(Mr. SPRINGER asked and was given permission to revise and extend his remarks, and include a letter from the FCC to the Honorable GERALD R. FORD, dated September 9, signed by Dean Burch, Chairman.)

Mr. SPRINGER. Mr. Speaker, I would like to call the attention of the Members, if I may, to page 6 of this letter under "Conclusions" where these words are used:

> However, we would not have the resources to determine for the 1970 elections what amount of a candidate's total funds was expended after the effective date.

Mr. Speaker, the letter follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., September 9, 1970.

Hon. GERALD R. FORD,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FORD: This is in reply to the letter sent jointly by you and Senator Scott on August 20, 1970 requesting from the Commission (1) an analysis of the meaning and practical effect of S. 3637, the political broadcasting bill which would amend section 315 of the Communications Act, as reported by the conference committee, and (2) an assessment as to whether the Commission has the resources and manpower to enforce the provisions of this legislation during the 1970 Congressional and Gubernatorial elections. The bill would amend section 315 in three major areas. We shall discuss them in turn.

EQUAL OPPORTUNITIES

First, S. 3637 would amend section 315(a) to exempt the use of a broadcasting station by a legally qualified candidate for President or Vice President of the United States in a general election from the "equal opportunities" provision. Of course the fairness doctrine would remain applicable to broadcasts by such candidates. The effect of this amendment should be an increased use of broadcast facilities by the major presidential candidates and their running mates. Because the amendment would free licensees from the alleged inhibitions contained at present in the "equal opportunities" clause, more free time would probably be afforded to the major candidates for President. This provision becomes effective upon enactment but has no practical effect until the 1972 presidential elections.

LOWEST UNIT RATE

Second, the bill would amend section 315 (b) to limit charges made for the use of a broadcasting station by a legally qualified candidate for any public office to the "lowest unit charge of the station for the same amount of time in the same time period."[1] This amendment would result in varied reductions of costs for buying political broadcast time, since some broadcasters already have a policy of affording political candidates the lowest unit charge (or comparable reductions) while others give candidates no reductions at all. We expect this provision to be a significant step in reducing the costs of electronic campaigning in future elections. However, since the effective date is 30 days after enactment, the reduced rates could only be in effect for a few weeks, at most, for the 1970 elections. This would produce only moderate overall reductions in costs for 1970.

Under this provision the Commission would (1) inform licensees of their obligations under the new law to provide candidates with the "lowest unit rate" for broadcast time to be used after the effective date and (2) promulgate rules defining the method of computing the lowest unit rate for various time periods.

The Commission's staff is working on appropriate rules at the present time. We would expect to promulgate these rules in an expedited rule making proceeding with the rules to be effective concurrently with the effective date of the legislation. In view of the necessity of having the rules effective on the effective date of the legislation, the Commission would state at the time of promulgation that good cause existed for their promulgation without a notice of proposed rule making or participation by the public in the proceeding and without the lapse of 30 days before their effective date.[2]

SPENDING LIMITATION

The third change in section 315 is an amendment to impose a limitation on funds expended by or on behalf of certain politi-

[1] The lowest unit rate applies only to personal use by a candidate (including films). It does not apply to broadcasts on behalf of a candidate where he does not appear.

[2] U.S.C. § 553(b)(B) and (d) (3). We would of course give interested persons an opportunity to suggest revisions before the rules were applied to 1971 elections (e.g., by reconsideration, including an express invitation to do so in the Report published in the Federal Register). If the bill is inapplicable to the 1970 election, either because of the passage of time or a further amendment to that effect, we would follow the normal procedures set out in the Administrative Procedure Act (i.e., notice; effectiveness 30 days after publication in the Federal Register).

cal candidates for the use of broadcasting stations.[3] The limit would apply to candidates for the offices of President, United States Senator and Representative, and State Governor and Lieutenant-Governor. A State may, by law, include other state offices but, as a practical matter, it does not appear that any state could adopt legislation to this effect in time for the 1970 elections.

The amendment would impose a spending limit of 7 cents multiplied by the total number of votes cast for all candidates for the office in the preceding general election or $20,000, whichever is greater.[4] Funds spent by or on behalf of a vice presidential candidate are deemed spent on behalf of his presidential running mate.

A candidate could spend on each primary election no more than an amount equal to 50% of the above limit, with the exception of presidential elections. 1970 primaries, however, are not covered by the bill.

If S. 3637 is enacted in time for the 1970 general elections, the full spending limit would apply to the period from 30 days after enactment (the effective date) to the election. Thus a candidate who is limited to $20,000 for political broadcasts would be allowed to spend the full $20,000 after the effective date without violating the new law.

The bill provides that no station licensee may charge for the use of his station by or on behalf of a candidate covered by the section unless the candidate or his authorized representative certifies that the payment will not violate the applicable spending limit. Upon passage of the legislation the Commission will notify licensees of their obligations under this provision—that is, not to accept payment for political broadcasts without an authorized certification by the candidate that such payment does not exceed the limitation. Broadcasters who do not obtain written certifications would be subject to administrative sanctions including monetary forfeitures, cease and desist orders, and even loss of license. We are uncertain how this provision is to be enforced with respect to false certifications made by candidates.

Furthermore, the Commission will amend its questionnaires for its biennial political broadcast survey so that a licensee will report the amounts spent on his station by or on behalf of each candidate. This information will be coded and programmed into a computer so that we can furnish Congress with the total amount spent for broadcast time by each candidate.

We have already devised a new form for compilation of total spending by candidates for broadcast time during the campaign, but we would not have the resources to compute the total amount spent by each candidate for the short period of time when the law would be in effect for 1970. The results of our survey will not be available until the Spring of 1971. Furthermore, we do not have the facilities to keep a running account of the amounts spent for broadcast time by or on behalf of individual candidates during the campaign. This will be true of future elections as well as the immediate 1970 election.

In order to avoid disputes in the manner of computing the spending limit, we would advise candidates and licensees of the official sources to be used for arriving at the total number of votes cast for an office in the preceding election. The number of votes which would be necessary to exceed the $20,000 floor established in the bill is 285,715. Since the Congressional Director records that the votes cast in any single election for United States Representative in 1968 did not exceed that number, with the exception of the 35th District of California, it appears that no candidate for Representative, except in that District, would be entitled to spend more than $20,000 for broadcast time in 1970.

We would also instruct licensees to obtain written certificates from candidates or their authorized representatives for all time to be used after the effective date of the new legislation. If contracts have already been entered into for broadcast time after the effective date, licensees will still have to obtain certifications from the candidates for those broadcasts. At the same time, licensees would afford candidates the "lowest unit rate" for such time in accordance with new section 315(b).

SPENDING LIMIT EXEMPTION

Section 3 of the bill authorizes the Commission to exempt certain elections from the spending limitation. It provides, in part:

(2) If the Federal Communications Commission determines that—

(A) on August 12, 1970, a person is a legally qualified candidate for major elective office (or nomination thereto),

(B) there are in effect on such date one or more written agreements with station licensees for the purchase of broadcast time to be used after such thirtieth day on behalf of his candidacy for such office (or nomination thereto), and

(C) such agreements specify amounts to be paid for the purchase of such time to be used after such thirtieth day which, in the aggregate, exceed the limitation imposed by section 315(c)(2) of the Communications Act of 1934 with respect to the general election for such office,

then such amendments shall not apply to any of the candidates for election to such office in an election held before January 1, 1971.

The spending limit applies to all candidates unless the Commission determines that a race is exempt. If one candidate in an election qualifies for the exemption, then all candidates for that office are exempted. Thus all candidates for the same office are treated equally. If a candidate shows (1) that he was a legally qualified candidate on August 12, 1970 for one of the "major elective offices" listed in new section 315(c)(1); (2) that by August 12 he had entered into written agreements with broadcasting stations (including CATV) to buy time to be used after the law becomes effective, and (3) that the amounts to be paid under such agreements for time used after the effective date would exceed the new overall spending limitation, then all candidates for that office would be exempt.

In order to implement this provision if it becomes law, the Commission would, upon the President's signing of the bill, issue a public notice and promulgate rules concerning the provisions of the legislation. For example, we would—

a. Notify candidates and licensees that some elections may be exempted from the spending limit, and advise candidates that they have 15 days in which to file with the Commission certified copies of contracts entered into prior to August 12;

b. Notify licensees that the only candidates who are exempt from the spending limit will be listed (by office sought) by the Commission in a public notice to be issued prior to the effective date;

c. Warn licensees not to predate written contracts for political broadcast time under any circumstances, in order to avoid circumvention of the August 12 date in the law; and

d. Instruct licensees to place authorized certifications by candidates in their public files in order to facilitate checks by opposing candidates and other members of the public.

We anticipate a problem may arise where a candidate has contracted to spend more than his limit for broadcast time to be used during the effective period, has requested an exemption from the limit, and wants to purchase broadcast time before the Commission issues its public notice listing the exempt election contests. In this situation, the candidate cannot certify to the licensee that he would not be in violation of the spending limitation until we declare the candidates for that office are exempt from the spending limitation. Thus we would instruct licensees not to accept payments from or on behalf of such candidate for broadcast time during the effective period until we declare the contest exempt from the limitation. We will make every effort to publish a notification of exemptions as soon as possible, and in any event, no later than the effective date of the legislation.

Another problem arises where a candidate has entered into agreements prior to August 12 for broadcast time after the effective date, the cost of which, at the contract rates, totals more than his spending limit, but where the lowest unit rates would not qualify him for the exemption. At this point, we believe that we should accept the contract rates for the purposes of ascertaining whether the candidates for election to that office should be exempt from the spending limit.

CONCLUSIONS

As for the 1970 election campaign, we are able to implement the lowest unit rate provision and do not expect to encounter special difficulties if only a short time is involved. We also have the resources to determine exemptions from the spending limits pursuant to Section 3 of the bill. However, we would not have the resources to determine for the 1970 elections what amount of a candidate's total funds was expended after the effective date.

The Commission wishes to stress that in this and any subsequent election, the Commission would not be able to state at any time during the election process what amounts had been expended on behalf of any candidate coming within S. 3637; such information would become available only substantially after the election had ended. Further, since we anticipate the need to process additional complaints in view of the new substantive provisions, the Commission doubts that it has the resources and facilities to implement S. 3637 on a continuing basis for future elections without appropriations for additional personnel.

As a practical matter, if Congress does not pass this legislation by September 23, and if the President should not sign the bill until the tenth day of the ten-day period allowed, the provisions of the bill will not become effective before the November 3 elections.

This letter was adopted by the Commission on September 9, 1970.

By direction of the Commission,*

DEAN BURCH,
Chairman.

Mr. SPRINGER. Mr. Speaker, I also ask unanimous consent to insert in the RECORD a letter from the Federal Communications Commission to Mr. Robert F. Guthrie, counsel, Interstate and Foreign Commerce Committee, House of Representatives.

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

There was no objection.

The letter is as follows:

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[3] The bill defines "broadcasting station" for the purposes of section 315 to include cable television (CATV) systems.

[4] Proposed section 315(c)(2)(b) provides that for Senate elections where the last election for Senator had fewer total voters than a more recent statewide election, the limit is 7 cents times the total votes cast for the statewide office.

*Commissioner Johnson concurred in the result; Commissioner H. Rex Lee was absent.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C.

Mr. ROBERT F. GUTHRIE,
Counsel, Interstate and Foreign Commerce Committee, House of Representatives, Washington, D.C.

DEAR MR. GUTHRIE: This is in response to your telephone request for clarification of a portion of the Commission's letters of September 9, 1970 to Congressman Ford and Senator Scott on S. 3637. The portion involved occurs on page 3, and is as follows:

"Upon passage of the legislation the Commission will notify licensees of their obligations under this provision—that is, not to accept payment for political broadcasts without an authorized certification by the candidate that such payment does not exceed the limitation. Broadcasters who do not obtain written certifications would be subject to administrative sanctions including monetary forfeitures, cease and desist orders, and even loss of license. We are uncertain how this provision is to be enforced with respect to false certifications made by candidates."

Clarification is particularly sought as to the last sentence.

By the above passage, the Commission intended to convey that it would discharge fully its enforcement responsibilities under the Act—namely, that it would notify licensees of their obligation under the new law and, where appropriate in the event of licensee failure to meet that obligation, impose administrative sanctions. These sanctions do constitute an effective deterrent to licensee malfeasance or nonfeasance in this respect. There is, of course, another deterrent, i.e., criminal prosecution under section 501 of the Communications Act. Such criminal prosecution comes within the jurisdiction of the Department of Justice.

This brings us to the last sentence of the above quotation. What we intended here is to convey the Commission's uncertainty as to any *administrative* enforcement proceedings concerning false certifications made by candidates. There is not, we believe, any effective administrative sanction which would be available. On the other hand, the Commission certainly did not mean to indicate that criminal prosecution would be unavailable. While, as stated, this is a matter coming within the jurisdiction of the Department of Justice, and thus the Department is the source of definitive views concerning the whole range of possibilities of such prosecution (e.g., 18 U.S.C. 1001; 47 U.S.C. 501), there is no question but that there could be criminal prosecution for the wilful and knowing violation by a candidate of new sections 315(c)(2) and 315(c)(3), which forbid certain candidates from spending more than specified amounts on electronic media.

We are of course sending a copy of this letter to Congressman Ford and Senator Scott.

This letter was adopted by the Commission on September 15, 1970.

By direction of the Commission.

DEAN BURCH,
Chairman.

Mr. MACDONALD of Massachusetts. Mr. Speaker, in approving the conference report on S. 3637, the Political Broadcasting Act, the House will complete action on one of the most important campaign-reform measures of our time. The legislation embodied in the conference report has one overriding purpose—to break the grip of sky-high campaign financing requirements caused principally by the large and rising costs of using the electronic media.

Both radio, and especially television, are indispensable to modern campaigns for our most important elective offices, where it is necessary to reach and motivate large numbers of voters. Unfortunately, the cost to candidates for the use of television has escalated to beyond the reach of all but the rich. But because it is indispensable, candidates must either match the expenditures of their opponents or risk defeat, not on merit, but on financial grounds. The winners of such campaigns must be either wealthy by inheritance, success in financial enterprise, or come under heavy obligation to the wealth of others who can provide large sums. The so-called "TV blitz campaign" is becoming an all-too-common practice, and the necessity of waging such campaigns is distorting the American political process. Sums now are routinely spent for television that vastly overshadow the actual salaries for the offices being sought.

The legislation before us has been designed to stop the purchase of elective office—for that is what it amounts to. The legislation includes steps to increase free time given presidential candidates by the networks, and provides for the elimination of premium rates charged by broadcasters for political paid time—thus for the first time placing candidates for all offices on a par with commercial advertisers. The measure also sets overall spending limits on the use of radio and television by candidates for major office, so that the first two benefits do not result in a further escalation of spending.

The effort to bring workable legislation to the floor was bipartisan in subcommittee and in committee, and a number of changes were made to broaden and perfect legislation that had been passed in considerably more limited form by the Senate. Both sides working closely together brought forth a bill with improvements of a most substantive nature. In addition, the measure was completely redrafted to resolve a number of technical difficulties.

The House, on August 11, concurred in the committee's work and concurred in the bipartisan spirit of the committee, passing the measure, without amendment, by a record vote of 272 to 97. The measure then went to conference. And the agreement that emerged from the conference is now before us today.

That agreement—and I cannot stress this too strongly—that agreement accepts every change the House has made in the bill. Every word the House approved stands intact here. The Senate majority conferees, adamant that an attempt be made to apply the legislation to at least a part of the fall campaigns, acceded to the entire House bill in all particulars except the effective date.

As the House knows, the majority conferees agreed to a complex compromise on the effective date and a bonafide effort was made to seek adoption of that compromise in both bodies before the House last recessed. But the minority conferees would not sign the conference report because of the change in the effective date, and for my part I had great reluctance to proceed in a partisan spirit on what had been so sensibly a nonpartisan matter. Nevertheless, careful language was drafted that would have brought some limited control of campaign spending for at least the closing weeks of this fall's elections. That language would have proved workable, as the Federal Communications Commission has observed in correspondence with the minority leader of this body. But the need for a speedup in the enactment caused by the plans of the House to go into recess further increased attempts to have the report adopted in both the Senate and the House before or during the House recess were not successful.

That being the situation, I would hope that the House can proceed with its consideration of this important matter, in the light of the long-range problem and in terms of the workable reforms the House has already approved. On August 11 the House passed landmark legislation—the most thoroughgoing reform of the political uses of the broadcasting media since the enactment of the original Communications Act in 1934. It was a good bill in August; it remains a good and necessary bill in September. In fact, because of the passage of these last few weeks, the conference report before us today is in effect identical to the bill we passed last month. In actuality, nothing has been added, nothing has been subtracted, and nothing has been changed. It remains only for the House to finish its work with a final formality.

Mr. Speaker, I urge the adoption of that report.

Mr. STRATTON. Mr. Speaker, I support the conference report on this bill, but with some reservations.

I strongly support the idea of legislation to prevent people with unlimited wealth at their disposal to "buy" their way into office by virtue of their ability to flood the advertising media far beyond the ability of average, ordinary candidates who just do not have such unlimited resources at their disposal. We have already seen this happen on several occasions in the year 1970, and we shall probably see still other examples before the campaign is over.

American political life is already fast becoming a preserve reserved only for the wealthy, especially statewide races. This is a bad and dangerous trend, and should be arrested if we are to preserve our democratic system.

It is also true, Mr. Speaker, whether we like it or not, that by far the most effective medium for the use of this saturation technique is television. This bill is therefore primarily directed toward that medium; but it also affects radio broadcasting as well.

But what disturbs me greatly, Mr. Speaker, is that by this bill we are singling out radio and television for this limitation, without placing any similar limitation on newspaper advertising, billboards or direct mail advertising. While I am personally of the opinion that television has proved to be far more effective for political advertising purposes, as we have already seen this year in several contests, it is manifestly unfair for us to put a limit only on one medium. Some congressional districts do not even lend themselves to the use of political

television advertising, such as the present 35th District of New York. In addition, if limits are placed only on radio and broadcasting, then the same excessive sums could well be spent on other media instead. Therefore, I believe we need legislation to put similar limits on these other media too. I realize that such legislation needs to come out of another committee. But I do hope that such legislation will be considered and reported early in the new 92d Congress. This bill will not, as a practical matter, apply to more than the last week or so of the 1970 campaign. So before it goes into effect on a full scale we will have plenty of time to deal with the whole issue of campaign spending, via all media, and I sincerely hope that we will face up to that issue early next year, so that we do not long single out the broadcasting industry for this separate and discriminatory treatment we are undertaking today.

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

Mr. MACDONALD of Massachusetts. Mr. Speaker, I have no further requests for time on this side, and I move the previous question on the conference report.

The previous question was ordered.

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

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

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

The SPEAKER pro tempore. The Chair will count.

Does the gentleman from Wisconsin insist on his point of order?

Mr. STEIGER of Wisconsin. No, Mr. Speaker, I will not insist on my point of order.

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 246, nays 113, answered "present" 2, not voting 68, as follows:

[Roll No. 300]

YEAS—246

Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baring
Barrett
Bell, Calif.
Bennett
Betts
Bevill
Biaggi
Biester
Bingham
Blanton
Boggs
Boland
Bolling
Brademas
Brasco
Brinkley
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Byrne, Pa.
Carey
Casey
Cederberg
Celler
Chamberlain
Chisholm
Clancy
Clark
Clay
Cleveland
Cohelan
Colmer
Conte
Corbett
Coughlin
Cramer
Culver
Cunningham
Daddario
Daniels, N.J.
Davis, Ga.
Dellenback
Dent
Diggs
Dingell
Donohue
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Esch
Evans, Colo.
Farbstein
Fish
Flood
Flowers
Foley
Ford, Gerald R.
Fraser
Frelinghuysen
Frey
Fulton, Tenn.
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Gilbert
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gude
Hagan
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Hogan
Holifield
Howard
Hungate
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Kee
Keith
King
Kluczynski
Koch
Kyros
Landrum
Langen
Latta
Leggett
Long, Md.
McCarthy
McCloskey
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
Madden
Mailliard
Mathias
Matsunaga
Meeds
Mikva
Miller, Calif.
Minish
Minshall
Mizell
Mollohan
Monagan
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Myers
Nedzi
Nichols
Nix
Obey
O'Hara
O'Neal, Ga.
O'Neill, Mass.
Patman
Patten
Pepper
Perkins
Pike
Pirnie
Poage
Podell
Poff
Pollock
Preyer, N.C.
Price, Ill.
Pucinski
Purcell
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Riegle
Rivers
Robison
Rodino
Roe
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Ruth
Ryan
St Germain
Sandman
Scheuer
Schwengel
Scott
Shipley
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Stanton
Stephens
Stokes
Stratton
Stuckey
Sullivan
Symington
Taylor
Thompson, Ga.
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Wampler
Watts
Whitehurst
Whitten
Widnall
Williams
Wilson, Charles H.
Wolff
Wright
Wydler
Wyman
Yates
Yatron
Zablocki
Zwach

NAYS—113

Abbitt
Abernethy
Adair
Alexander
Ashbrook
Blackburn
Bray
Buchanan
Burke, Fla.
Burleson, Tex.
Byrnes, Wis.
Cabell
Caffery
Camp
Carter
Chappell
Clausen, Don H.
Collins
Conable
Crane
Daniel, Va.
Davis, Wis.
de la Garza
Denney
Dennis
Devine
Dickinson
Dorn
Duncan
Edwards, Ala.
Evins, Tenn.
Fascell
Findley
Foreman
Fulton, Pa.
Fuqua
Galifianakis
Goldwater
Gonzalez
Goodling
Gross
Gubser
Haley
Hall
Hammerschmidt
Harsha
Henderson
Hosmer
Hull
Hunt
Johnson, Pa.
Jonas
Jones, N.C.
Jones, Tenn.
Kazen
Kyl
Landgrebe
Lennon
Lloyd
Long, La.
Lukens
McClory
McClure
Mahon
Mann
Marsh
Martin
May
Mayne
Melcher
Miller, Ohio
Mills
Montgomery
Morton
Natcher
Nelsen
Olsen
Passman
Pettis
Pickle
Price, Tex.
Pryor, Ark.
Quie
Quillen
Railsback
Rarick
Roberts
Rousselot
Ruppe
Satterfield
Saylor
Schadeberg
Schmitz
Sikes
Smith, Calif.
Steed
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Talcott
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Watson
Whalen
Whalley
White
Wiggins
Wilson, Bob
Wyatt
Wylie
Young
Zion

ANSWERED "PRESENT"—2

Fountain
O'Konski

NOT VOTING—68

Adams
Anderson, Tenn.
Beall, Md.
Belcher
Berry
Blatnik
Bow
Brock
Brooks
Burton, Utah
Bush
Button
Clawson, Del
Collier
Conyers
Corman
Cowger
Dawson
Delaney
Derwinski
Dowdy
Edwards, La.
Eshleman
Fallon
Feighan
Fisher
Flynt
Ford, William D.
Friedel
Gettys
Gray
Hébert
Horton
Kleppe
Kuykendall
Lowenstein
Lujan
McCulloch
McKneally
McMillan
MacGregor
Meskill
Michel
Mink
Mize
Murphy, N.Y.
Ottinger
Pelly
Philbin
Powell
Reifel
Rhodes
Rogers, Colo.
Roudebush
Roybal
Scherle
Schneebeli
Sebelius
Shriver
Skubitz
Staggers
Taft
Thompson, N.J.
Tunney
Waggonner
Weicker
Winn
Wold

So the conference report was agreed to.

The clerk announced the following pairs:

On this vote:

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

Mr. Horton for, with Mr. Rhodes against.

Mr. Brooks for, with Mr. Waggonner against.

Mr. Adams for, with Mr. Dowdy against.

Mr. Gray for, with Mr. Fisher against.

Mr. Murphy of New York for, with Mr. Bow against.

Mr. Ottinger for, with Mr. Collier against.

Mr. Button for, with Mr. Scherle against.

Mr. Beall of Maryland for, with Mr. Skubitz against.

Mr. Staggers for, with Mr. Hébert against.

Until further notice:

Mr. Gettys with Mr. Bush.

Mr. Blatnik with Mr. Pelly.

Mr. Delaney with Mr. Berry.

Mr. Dawson with Mr. Powell.

Mrs. Mink with Mr. Conyers.

Mr. Lowenstein with Mr. Mize.

Mr. Corman with Mr. Brock.

Mr. Philbin with Mr. Reifel.

Mr. Fallon with Mr. Schneebeli.

Mr. Edwards of Louisiana with Mr. Burton of Utah.

Mr. Feighan with Mr. Cowger.

Mr. Rogers of Colorado with Mr. Taft.

Mr. Friedel with Mr. Eshleman.

Mr. Roybal with Mr. Weicker.

Mr. William D. Ford with Mr. Roudebush.

Mr. Flynt with Mr. Michel.

Mr. Anderson of Tennessee with Mr. Meskill.

Mr. Derwinski with Mr. Sebelius.

Mr. McKneally with Mr. Kleppe.

Mr. Kuykendall with Mr. Lujan.

Mr. McCulloch with Mr. MacGregor.

Mr. Del Clawson with Mr. Winn.

Mr. Tunney with Mr. Wold.

Messrs. WYATT and JOHNSON of Pennsylvania changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SISK. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days to revise and extend their remarks on the legislative reorganization bill.

The SPEAKER. 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. 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 it had agreed that part 5 of title II of the bill would be considered as read, printed in the RECORD, and open to amendment at any point.

If there are no amendments to part 5, the Clerk will read.

Mr. COHELAN. Mr. Chairman, I ask unanimous consent that the Committee return to page 54, line 3, so that I may be permitted to offer an amendment at that point.

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

Mr. HALL. Mr. Chairman, reserving the right to object, would this be reverting to a part of the bill that has previously been completed in its consideration as in the Committee of the Whole House on the State of the Union?

The CHAIRMAN. The gentleman is correct.

Mr. HALL. And this would be similar to the request that was made on yesterday on a similar request; and to which objection was heard?

The CHAIRMAN. The gentleman is correct.

Mr. HALL. Mr. Chairman, then I am constrained to object.

The CHAIRMAN. Objection is heard. The Clerk will read.

The Clerk read as follows:

TITLE III—SOURCES OF INFORMATION

PART 1—STAFFS OF SENATE AND HOUSE STANDING COMMITTEES

INCREASE IN PROFESSIONAL STAFFS OF SENATE STANDING COMMITTEES; SENATE MINORITY PROFESSIONAL AND CLERICAL STAFFS; FAIR TREATMENT FOR SENATE MINORITY STAFFS

Mr. SISK. Mr. Chairman, I ask unanimous consent that title III be read by parts.

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

Mr. GROSS. Mr. Chairman, reserving the right to object, if we consider this read, then where are we in the bill? Where does the next reading occur?

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

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

Mr. SISK. Mr. Chairman, I would state to the gentleman from Iowa that title III is divided into I believe five parts, in a similar fashion to title II, which yesterday the gentleman from Iowa will remember we did read by parts, and I am simply asking that this be read by parts, and to have the first part considered as read, open for amendment at any point, and printed in the RECORD. Of course, any Member could object if he wanted, so that a particular part would be read.

But the purpose of my unanimous-consent request here is to read it by part rather than by section.

Mr. GROSS. And that pertains to what title?

Mr. SISK. Title III.

Mr. GROSS. Title III?

Mr. SISK. Yes. The Clerk has started to read, and in fact has read the first part of title III, part 1, and I am merely asking now that it be read—that this title III be read by parts, as we did on title II yesterday.

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

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

There was no objection.

The Clerk read as follows:

SEC. 301. (a) Section 202(a) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(a)), is amended to read as follows:

"(a) Each standing committee of the Senate (other than the Committee on Appropriations) is authorized to appoint, by majority vote of the committee, not more than six professional staff members in addition to the clerical staffs. Such professional staff members shall be assigned to the chairman and the ranking minority member of such committee as the committee may deem advisable, except that whenever a majority of the minority members of such committee so request, two of such professional staff members may be selected for appointment by majority vote of the minority members and the committee shall appoint any staff members so selected. A staff member or members appointed pursuant to a request by the minority members of the committee shall be assigned to such committee business as such minority members deem advisable. Services of professional staff members appointed by majority vote of the committee may be terminated by a majority vote of the committee and services of professional staff members appointed pursuant to a request by the minority members of the committee shall be terminated by the committee when a majority of such minority members so request. Professional staff members authorized by this subsection shall be appointed on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of their respective positions. Such professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them.".

(b) Section 202(c) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(c)), is amended to read as follows:

"(c) The clerical staff of each standing committee of the Senate (other than the Committee on Apropriations), which shall be appointed by a majority vote of the committee, shall consist of not more than six clerks to be attached to the office of the chairman, to the ranking minority member, and to the professional staff, as the committee may deem advisable, except that whenever a majority of the minority members of such committee so requests, one of the members of the clerical staff may be selected for appointment by majority vote of such minority members and the committee shall appoint any staff member so selected. The clerical staff shall handle committee correspondence and stenographic work, both for the committee staff and for the chairman and ranking minority member on matters related to committee work, except that if a member of the clerical staff is appointed pursuant to a request by the minority members of the committee, such clerical staff member shall handle committee correspondence and stenographic work for the minority members of the committee and for any members of the committee staff appointed under subsection (a) pursuant to request by such minority members, on matters related to committee work. Services of clerical staff members appointed by majority vote of the committee may be terminated by majority vote of the committee and services of clerical staff members appointed pursuant to a request by the minority members of the committee shall be terminated by the committee when a majority of such minority members so request.".

(c) Section 202 of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a), is amended by striking out subsection (h) and by adding after subsection (f) the following new subsections:

"(g) In any case in which a request for the appointment of a minority staff member under subsection (a) or subsection (c) is made at any time when no vacancy exists to which the appointment requested may be made, the person appointed pursuant to such request may serve in addition to any other staff members authorized by such subsections and may be paid from the contingent fund of the Senate until such time as such a vacancy occurs, at which time such person shall be considered to have been appointed to such vacancy.

"(h) Staff members appointed pursuant to a request by minority members of a committee under subsection (a) or subsection (c), and staff members appointed to assist minority members of subcommittees pursuant to authority of Senate resolution, shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.".

(d) Nothing in the amendments made by subsections (a) and (b) of this section shall be construed—

(1) to require a reduction in—

(A) the number of staff members authorized prior to January 1, 1971, to be employed by any committee of the Senate, by statute or by annual or permanent resolution, or

(B) the number of such staff members on such date assigned to, or authorized to be selected for appointment by or with the approval of, the minority members of any such committee; or

(2) to authorize the selection for appointment of staff members by the minority members of a committee in any case in which two or more professional staff members or one or more clerical staff members, as the case may be, who are satisfactory to a majority of such minority members, are otherwise assigned to assist such minority members.

(e) The additional professional staff members authorized to be employed by a committee by the amendment made by subsection (a) of this section shall be in addition to any other additional staff members authorized prior to January 1, 1971, to be employed by any such committee.

COMMITTEES; HOUSE MINORITY PROFESSIONAL AND CLERICAL STAFFS; FAIR TREATMENT FOR HOUSE MINORITY STAFFS

SEC. 302. (a) This section is enacted as an exercise of the rulemaking power of the House of Representatives, subject to and with full recognition of the power of the House of Representatives to enact or change any Rule of the House at any time in its exercise of its constitutional right to determine the rules of its proceedings.

(b) Paragraphs (a) and (b) of clause 29 Rule XI of the Rules of the House of Representatives are amended to read as follows:

"(a)(1) Subject to subparagraph (2) of this paragraph and paragraph (f) of this clause, each standing committee may appoint, by majority vote of the committee, not more than six professional staff members. Each professional staff member appointed under this subparagraph shall be assigned to the chairman and the ranking minority party member of such committee, as the committee considers advisable.

"(2) Subject to paragraph (f) of this clause, whenever a majority of the minority party members of a standing committee (except the Committee on Standards of Official Conduct) so request, not more than two persons may be selected, by majority vote of the minority party members, for appointment by the committee as professional staff members from among the number authorized by subparagraph (1) of this paragraph. The committee shall appoint any persons so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of any person so selected are unacceptable to the committee, a majority of the minority party members may select other persons for appointment by the committee to the professional staff until such appointment is made. Each professional staff member appointed under this subparagraph shall be assigned to such committee business as the minority party members of the committee consider advisable.

"(3) The professional staff members of each standing committee—

"(A) shall be appointed on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of their respective positions;

"(B) shall not engage in any work other than committee business; and

"(C) shall not be assigned any duties other than those pertaining to committee business.

"(4) Services of the professional staff members of each standing committee may be terminated by majority vote of the committee.

"(5) The foregoing provisions of this paragraph do not apply to the Committee on Appropriations.

"(b)(1) The clerical staff of each standing committee shall consist of not more than six clerks, to be attached to the office of the chairman, to the ranking minority party member, and to the professional staff, as the committee considers advisable. Subject to subparagraph (2) of this paragraph and paragraph (f) of this clause, the clerical staff shall be appointed by majority vote of the committee. Except as provided by subparagraph (2) of this paragraph, the clerical staff shall handle committee correspondence and stenographic work both for the committee staff and for the chairman and the ranking minority party member on matters related to committee work.

"(2) Subject to paragraph (f) of this clause, whenever a majority of the minority party members of a standing committee (except the Committee on Standards of Official Conduct) so request, one person may be selected, by majority vote of the minority party members, for appointment by the committee to a position on the clerical staff from among the number of clerks authorized by subparagraph (1) of this paragraph. The committee shall appoint to that position any person so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of any person so selected are unacceptable to the committee, a majority of the minority party members may select other persons for appointment by the committee to that position on the clerical staff until such appointment is made. Each clerk appointed under this subparagraph shall handle committee correspondence and stenographic work for the minority party members of the committee and for any members of the professional staff appointed under subparagraph (2) of paragraph (a) of this clause on matters related to committee work.

"(3) Services of the clerical staff members of each standing committee may be terminated by majority vote of the committee.

"(4) The foregoing provisions of this paragraph do not apply to the Committee on Appropriations.".

(c) Clause 29 of Rule XI of the Rules of the House of Representatives, as amended by this Act, is further amended by adding at the end of such clause the following new paragraphs:

"(f) If a request for the appointment of a minority professional staff member under paragraph (a), or a minority clerical staff member under paragraph (b), of this clause, is made when no vacancy exists to which that appointment may be made, the committee nevertheless shall appoint, under paragraph (a) or paragraph (b), as applicable, the person selected by the minority and acceptable to the committee. The person so appointed shall serve as an additional member of the professional staff or the clerical staff, as the case may be, of the committee, and shall be paid from the contingent fund, until such time as such a vacancy (other than a vacancy in the position of head of the professional staff, by whatever title designated) occurs, at which time that person shall be deemed to have been appointed to that vacancy. If such vacancy occurs on the professional staff when two persons have been so appointed who are eligible to fill that vacancy, a majority of the minority party members shall designate which of those persons shall fill that vacancy.

"(g) Each staff member appointed pursuant to a request by minority party members under paragraph (a) or (b) of this clause, and each staff member appointed to assist minority party members of a committee pursuant to House resolution, shall be accorded equitable treatment with respect to the fixing of his rate of pay, the assignment to him of work facilities, and the accessibility to him of committee records.

"(h) Paragraphs (a) and (b) of this clause shall not be construed to authorize the appointment of additional professional or clerical staff members of a committee pursuant to request under either of such paragraphs by the minority party members of that committee if two or more professional staff members or one or more clerical staff members, provided for in paragraph (a)(1) or paragraph (b)(1) of this clause, as the case may be, who are satisfactory to a majority of the minority party members, are otherwise assigned to assist the minority party members.".

(d) Nothing in the amendments made by this section shall be construed to require a reduction in—

(1) the number of staff members otherwise authorized prior to January 1, 1971, to be employed by any committee of the House of Representatives by statute or by annual or permanent resolution, or

(2) the number of such staff members on such date assigned to, or authorized to be selected for appointment by or with the approval of, the minority members of any such committee.

(e) The additional professional staff members authorized to be employed by a committee by the amendment made by a subsection (a) of this section shall be in addition to any other additional staff members otherwise authorized prior to January 1, 1971, to be employed by any such committee.

PROCUREMENT OF TEMPORARY OR INTERMITTENT SERVICES OF CONSULTANTS FOR SENATE AND HOUSE STANDING COMMITTEES

SEC. 303. Section 202 of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a), as amended by this Act, is further amended by adding at the end thereof the following new subsection;

"(i)(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, or the Committee on House Administration in the case of standing committees of the House of Representatives, within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, to make studies or advise the committee with respect to any matter within its jurisdiction.

"(2) Such services in the case of individuals or organizations may be procured by contract as independent contractors, or in the case of individuals by employment at daily rates of compensation not in excess of the per diem equivalent of the highest gross rate of compensation which may be paid to a regular employee of the committee, including payment of such rates for necessary travel time. Such contracts shall not be subject to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring advertising.

"(3) With respect to the standing committees of the Senate, any such consultant or organization shall be selected by the chairman and ranking minority member of the committee, acting jointly. With respect to the standing committees of the House of Representatives, the standing committee concerned shall select any such consultant or organization. The committee shall submit to the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, information bearing on the qualifications of each consultant whose services are procured pursuant to this subsection, including organizations, and such information shall be retained by that committee and shall be made available for public inspection upon request.".

SPECIALIZED TRAINING FOR PROFESSIONAL STAFFS OF SENATE AND HOUSE STANDING COMMITTEES

SEC. 304. Section 202 of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a), as amended by this Act, is further amended by adding at the end thereof the following new subsection:

"(j)(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Aministration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, and within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to provide assistance for members of its professional staff in obtaining specialized training,

whenever that committee determines that such training will aid the committee in the discharge of its responsibilities.

"(2) Such assistance may be in the form of continuance of pay during periods of training or grants of funds to pay tuition, fees, or such other expenses of training, or both, as may be approved by the Committee on Rules and Administration or the Committee on House Administration, as the case may be.

"(3) A committee providing assistance under this subsection shall obtain from any employee receiving such assistance such agreement with respect to continued employment with the committee as the committee may deem necessary to assure that it will receive the benefits of such employee's services upon completion of his training.

"(4) During any period for which an employee is separated from employment with a committee for the purpose of undergoing training under this subsection, such employee shall be considered to have performed service (in a nonpay status) as an employee of the committee at the rate of compensation received immediately prior to commencing such training (inculding any increases in compensation provided by law during the period of training) for the purposes of—

"(A) subchapter III (relating to civil service retirement) of chapter 83 of title 5, United States Code,

"(B) chapter 87 (relating to Federal employees group life insurance) of title 5, United States Code, and

"(C) chapter 89 (relating to Federal employees group health insurance) of title 5, United States Code.".

COMPENSATION OF PROFESSIONAL AND CLERICAL STAFFS OF SENATE STANDING COMMITTEES

SEC. 305. Subsections (e) and (f) of section 105 of the Legislative Branch Appropriation Act, 1968 (81 Stat. 142–143; Public Law 90–57), as amended (2 U.S.C. 61–1), are amended to read as follows:

"(e) (1) Subject to the provisions of paragraph (3), the professional staff members of standing committees of the Senate shall receive gross annual compensation to be fixed by the chairman ranging from $17,301 to $30,897.

"(2) The rates of gross compensation of the clerical staff of each standing committee of the Senate shall be fixed by the chairman as follows:

"(A) for each committee (other than the Committee on Appropriations), one chief clerk and one assistant chief clerk at $7,446 to $30,879, and not to exceed four other clerical assistants at $7,446 to $12,921; and

"(B) for the Committee on Appropriations, one chief clerk and one assistant chief clerk and two assistant clerks at $19,272 to $30,879; such assistant clerks as may be necessary to at $13,140 to $19,053; and such other clerical assistants as may be necessary at $7,446 to $12,921.

"(3) No employee of any standing or select committee of the Senate (including the majority and minority policy committees and the conference majority and conference minority of the Senate), or of any joint committee the expenses of which are paid from the contingent fund of the Senate, shall be paid at a gross rate in excess of $30,879 per annum, except that—

"(A) four employees of any such committee (other than the Committee on Appropriations), who are otherwise authorized to be paid at such rate, may be paid at gross rates not in excess of $32,193 per annum, and two such employees may be paid at gross rates not in excess of $33,507 per annum; and

"(B) sixteen employees of the Committee on Appropriations who are otherwise authorized to be paid at such rate, may be paid at gross rates not in excess of $32,193 per annum, and two such employees may be paid at gross rates not in excess of $33,507 per annum.

For the purpose of this paragraph, an employee of a subcommittee shall be considered to be an employee of the full committee.

"(f) No officer or employee whose compensation is disbursed by the Secretary of the Senate shall be paid gross compensation at a rate less than $1,095 or in excess of $33,507, unless expressly authorized by law.".

Mr. SISK (during the reading.) Mr. Chairman, I ask unanimous consent that part 1 of title III be considered as read and open for amendment at any point.

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

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 84, line 6, strike out "to" and insert "at".

The committee amendment was agreed to.

The CHAIRMAN. Are there additional amendments at this point? If not, the Clerk will read.

The Clerk read as follows:

PART 2—CONGRESSIONAL RESEARCH SERVICE

IMPROVEMENT OF RESEARCH FACILITIES OF CONGRESS

SEC. 321. (a) Section 203 of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 166) is amended to read as follows:

"CONGRESSIONAL RESEARCH SERVICE

"SEC. 203. (a) The Legislative Reference Service in the Library of Congress is hereby continued as a separate department in the Library of Congress and is redesignated the 'Congressional Research Service'.

"(b) It is the policy of Congress that—

"(1) the Librarian of Congress shall, in every possible way, encourage, assist, and promote the Congressional Research Service in—

"(A) rendering to Congress the most effective and efficient service,

"(B) responding most expeditiously, effectively, and efficiently to the special needs of Congress, and

"(C) discharging its responsibilities to Congress;

and

"(2) the Librarian of Congress shall grant and accord to the Congressional Research Service complete research independence and the maximum practicable administrative independence consistent with these objectives.

"(c) (1) After consultation with the Joint Committee on the Library and Congressional Research, the Librarian of Congress shall appoint the Director of the Congressional Research Service. The basic pay of the Director shall be at a per annum rate equal to the rate of basic pay provided for level V of the Executive Schedule contained in section 5316 of title 5, United States Code.

"(2) The Librarian of Congress, upon the recommendation of the Director, shall appoint a Deputy Director of the Congressional Research Service and all other necessary personnel thereof. The basic pay of the Deputy Director shall be fixed in accordance with chapter 51 (relating to classification) and subchapter III (relating to General Schedule pay rates) of chapter 53 of title 5, United States Code, but without regard to section 5108(a) of such title. The basic pay of all other necessary personnel of the Congressional Research Service shall be fixed in accordance with chapter 51 (relating to classification) and subchapter III (relating to General Schedule pay rates) of chapter 53 of title 5, United States Code, except that—

"(A) the grade of Senior Specialist in each field within the purview of subsection (e) of this section shall not be less than the highest grade in the executive branch of the Government to which research analysts and consultants, without supervisory responsibility, are currently assigned; and

"(B) the positions of Specialist and Senior Specialist in the Congressional Research Service may be placed in GS–16, 17, and 18 of the General Schedule of section 5332 of title 5, United States Code, without regard to section 5108(a) of such title, subject to the prior approval of the Joint Committee on the Library and Congressional Research, of the placement of each such position in any of such grades.

"(3) Each appointment made under paragraphs (1) and (2) of this subsection and subsection (e) of this section shall be without regard to the civil service laws, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position.

"(d) It shall be the duty of the Congressional Research Service, without partisan bias—

"(1) upon request, to advise and assist any committee of the Senate or House of Representatives and any joint committee of Congress in the analysis, appraisal, and evaluation of legislative proposals within that committee's jurisdiction, or of recommendations submitted to Congress, by the President or any executive agency, so as to assist the committee in—

"(A) determining the advisability of enacting such proposals;

"(B) estimating the probable results of such proposals and alternative thereto; and

"(C) evaluating alternative methods for accomplishing those results;

and, by providing such other research and analytical services as the committee considers appropriate for these purposes, otherwise to assist in furnishing a basis for the proper evaluation and determination of legislative proposals and recommendations generally; and in the performance of this duty the Service shall have authority, when so authorized by a committee and acting as the agent of that committee, to request of any department or agency of the United States the production of such books, records, correspondence, memoranda, papers, and documents as the Service considers necessary, and such department or agency of the United States shall comply with such request; and, further, in the performance of this and any other relevant duty, the Service shall maintain continuous liaison with all committees;

"(2) to make available to each committee of the Senate and House of Representatives and each joint committee of the two Houses, at the opening of a new Congress, a list of programs and activities being carried out under existing law scheduled to terminate during the current Congress, which are within the jurisdiction of the committee;

"(3) to make available to each committee of the Senate and House of Representatives and each joint committee of the two Houses, at the opening of a new Congress, a list of subjects and policy areas which the committee might profitably analyze in depth;

"(4) upon request, or upon its own initiative in anticipation of requests, to collect, classify, and analyze in the form of studies, reports, compilations, digests, bulletins, indexes, translations, and otherwise, data having a bearing on legislation, and to make such data available and serviceable to committees and Members of the Senate and House of Representatives and joint committees of Congress;

"(5) upon request, or upon its own initiative in anticipation of requests, to prepare and provide information, research, and reference materials and services to committees and Members of the Senate and House of Representatives and joint committees of Congress to assist them in their legislative and representative functions;

"(6) to prepare summaries and digests of bills and resolutions of a public general nature introduced in the Senate or House of Representatives;

"(7) upon request made by any committee or Member of the Congress, to prepare and transmit to such committee or Member a concise memorandum with respect to one or more legislative measures upon which hearings by any committee of the Congress have been announced, which memorandum shall contain a statement of the purpose and effect of each such measure, a description of other relevant measures of similar purpose or effect previously introduced in the Congress, and a recitation of all action taken theretofore by or within the Congress with respect to each such other measure; and

"(8) to develop and maintain an information and research capability, to include Senior Specialists, Specialists, other employees, and consultants, as necessary, to perform the functions provided for in this subsection.

"(e) The Librarian of Congress is authorized to appoint in the Congressional Research Service, upon the recommendation of the Director, Specialists and Senior Specialists in the following broad fields:

"(1) agriculture;

"(2) American government and public administration;

"(3) American public law;

"(4) conservation;

"(5) education;

"(6) engineering and public works;

"(7) housing;

"(8) industrial organization and corporation finance;

"(9) international affairs;

"(10) international trade and economic geography;

"(11) labor and employment;

"(12) mineral economics;

"(13) money and banking;

"(14) national defense;

"(15) price economics;

"(16) science;

"(17) social welfare;

"(18) taxation and fiscal policy;

"(19) technology;

"(20) transportation and communications;

"(21) urban affairs;

"(22) veterans' affairs; and

"(23) such other broad fields as the Director may consider appropriate.

Such Specialists and Senior Specialists, together with such other employees of the Congressional Research Service as may be necessary, shall be available for special work with the committees and Members of the Senate and House of Representatives and the joint committees of Congress for any of the purposes of subsection (d) of this section.

"(f) The Director is authorized—

"(1) to classify, organize, arrange, group, and divide, from time to time, as he considers advisable, the requests for advice, assistance, and other services submitted to the Congressional Research Service by committees and Members of the Senate and House of Representatives and joint committees of Congress, into such classes and categories as he considers necessary to—

"(A) expedite and facilitate the handling of the individual requests submitted by Members of the Senate and House of Representatives,

"(B) promote efficiency in the performance of services for committees of the Senate and House of Representatives and joint committees of Congress; and

"(C) provide a basis for the efficient performance by the Congressional Research Service of its legislative research and related functions generally; and

"(2) to establish and change, from to time, as he considers advisable, within the Congressional Research Service, such research and reference divisions or other organizational units, or both, as he considers necessary to accomplish the purposes of this section.

(g) In order to facilitate the study, consideration, evaluation, and determination by the Congress of the budget requirements of the Congressional Research Service for each fiscal year, the Librarian of Congress shall receive from the Director and submit, for inclusion in the Budget of the United States Government, the budget estimates of the Congressional Research Service which shall be prepared separately by the Director in detail for each fiscal year as a separate item of the budget estimates of the Library of Congress for such fiscal year.

"(h) (1) The Director of the Congressional Research Service may procure the temporary or intermittent assistance of individual experts or consultants (including stenographic reporters) and of persons learned in particular fields of knowledge—

"(A) by nonpersonal service contract, without regard to any provision of law requiring advertising for contract bids, with the individual expert, consultant, or other person concerned, as an independent contractor, for the furnishing by him to the Congrssional Research Service of a written study, treatise, theme, discourse, dissertation, thesis, summary, advisory opinion, or other end product; or

"(B) by employment (for a period of not more than one year) in the Congressional Research Service of the individual expert, consultant, or other person concerned, by personal service contract or otherwise, without regard to the position classification laws, at a rate of pay not in excess of the per diem equivalent of the highest rate of basic pay then currently in effect for the General Schedule of section 5332 of title 5, United States Code, including payment of such rate for necessary travel time.

"(2) The Director of the Congressional Research Service may procure by contract, without regard to any provision of law requiring advertising for contract bids, the temporary (for respective periods not in excess of one year) or intermittent assistance of educational, research, or other organizations of experts and consultants (including stenographic reporters) and of educational, research, and other organizations of persons learned in particular or specialized fields of knowledge.

"(i) The Director of the Congressional Research Service shall prepare and file with the Joint Committee on the Library and Congressional Research at the beginning of each regular session of Congress a separate and special report covering, in summary and in detail, all phases of activity of the Congressional Research Service for the immediately preceding fiscal year.

"(j) There are hereby authorized to be appropriated to the Congressional Research Service each fiscal year such sums as may be necessary to carry on the work of the Service.".

(b) Title II of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 203. Legislative Reference Service."

and inserting in lieu thereof—

"Sec. 203. Congressional Research Service.".

REPEAL OF OBSOLETE LAW RELATING TO THE ABOLISHED OFFICE OF COORDINATOR OF INFORMATION

SEC. 322. House Resolution 183, Eightieth Congress, relating to the Office of the Coordinator of Information of the House of Representatives, as enacted into permanent law by section 105 of the Legislative Branch Appropriation Act, 1948 (1961 Stat. 377; Public Law 197, Eightieth Congress), is repealed.

Mr. SISK (during the reading). Mr. Chairman, I ask unanimous consent that part 2 of title III be considered as read and open for amendment.

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

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 87, line 23, strike out "this" and insert "the".

The committee amendment was agreed to.

AMENDMENTS OFFERED BY MR. DADDARIO

Mr. DADDARIO. Mr. Chairman, I offer three amendments, two of which are conforming amendments. I ask unanimous consent that they be considered en bloc.

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

Mr. GROSS. Mr. Chairman, reserving the right to object, I would suggest that we have the amendments read.

I would reserve the right to object pending the reading of the amendments.

The CHAIRMAN. The Clerk will read the amendments.

The Clerk read as follows:

Amendments offered by Mr. DADDARIO: Page 95, immediately before line 16, insert the following new section:

"OFFICE OF TECHNOLOGY ASSESSMENT

"SEC. 322. (a) The Congress hereby finds and declares that:

"(1) Emergent national problems, physical, biological, and social, are of such a nature and are developing at such an unprecedented rate as to constitute a major threat to the security and general welfare of the United States.

"(2) Such problems are largely the result of and are allied to—

"(A) the increasing pressures of population;

"(B) the rapid consumption of natural resources; and

"(C) the deterioration of the human environment, natural and social,

though not necessarily limited to or by these factors.

"(3) The growth in scale and extent of technological application is a crucial element in such problems and either is or can be a pivotal influence with respect both to their cause and to their solution.

"(4) The present mechanisms of the Congress do not provide the legislative branch with adequate independent and timely information concerning the potential application or impact of such technology, particularly in those instances where the Federal Government may be called upon to consider support, management, or regulation of technological applications.

"(5) It is therefore imperative that the Congress equip itself with new and effective means for securing competent, unbiased information concerning the effects, physical, economic, social, and political, of the applications of technology, and that such information be utilized whenever appropriate as one element in the legislative assessment of matters pending before the Congress.

"(b) (1) In accordance with the rationale enunciated in subsection (a), there is hereby created the Office of Technology Assessment (hereinafter in this section referred to as the 'Office') which shall be within and responsible to the legislative branch of the Government.

"(2) The Office shall consist of a Technology Assessment Board (hereinafter in this section referred to as the 'Board') which shall formulate and promulgate the policies of the Office, and a Director who shall carry out such policies and administer the operations of the Office.

"(3) The basic responsibilities and duties of the Office shall be to provide an early warning of the probable impacts, positive and negative, of the applications of technology and to develop other coordinate information which may assist the Congress in determining the relative priorities of programs before it. In carrying out such function, the Office shall—

"(A) identify existing or probable impacts of technology or technological programs;

"(B) where possible establish cause and effect relationships;

"(C) determine alternative technological methods of implementing specific programs;

"(D) determine alternative programs for achieving requisite goals;

"(E) make estimates and comparisons of the impacts of alternative methods and programs;

"(F) present findings of completed analyses to the appropriate legislative authorities;

"(G) identify areas where additional research or data collection is required to provide adequate support for the assessments and estimates described in subparagraphs (A) through (E); and

"(H) undertake such additional associated tasks as the appropriate authorities specified under paragraph (4) may direct.

"(4) Activities undertaken by the Office may be initiated by—

"(A) the chairman of any standing, special, select, or joint committee of the Congress;

"(B) the Board; or

"(C) the Director.

"(5) Information, surveys, studies, reports, and findings produced by the Office shall be made freely available to the public except where (A) to do so would violate security statutes, or (B) the information or other matter involved could be withheld from the public, notwithstanding subsection (a) of section 662 of title 5, United States Code, under one or more of the numbered paragraphs in subsection (b) of such section.

"(6) In undertaking the duties set out in paragraph (3), full use shall be made of competent personnel and organizations outside the Office, public or private; and special ad hoc task forces or other arrangements may be formed by the Director when appropriate.

"(c) (1) The Board shall consist of thirteen members as follows:

"(A) two Members of the Senate who shall not be members of the same political party, to be appointed by the President of the Senate;

"(B) two Members of the House of Representatives who shall not be members of the same political party, to be appointed by the Speaker of the House of Representatives;

"(C) the Comptroller General of the United States;

"(D) the Director of the Congressional Research Service of the Library of Congress;

"(E) six members from the public, appointed by the President, by and with the advice and consent of the Senate, who shall be persons eminent in one or more fields of science or engineering or experienced in the adminstration of technological activities, or who may be judged qualified on the basis of contributions made to educational or public activities; and

"(F) the Director (except that he shall not be considered a voting member for purposes of appointment or removal under the first sentence of subsection (d) (1)).

"(2) The Board, by majority vote, shall elect from among its members appointed under paragraph (1) (E) a Chairman and a Vice Chairman, who shall serve for such time and under such conditions as the Board may prescribe. In the absence of the Chairman, or in the event of his incapacity, the Vice Chairman shall fulfill the duties and functions of the Chairman.

"(3) The Board shall meet upon the call of the Chairman or upon the petition of five or more of its members, but it shall meet not less than twice a year.

"(4) Seven members of the Board shall constitute a quorum.

"(5) Any vacancy in the Board shall not affect its powers, but shall be filled in the manner in which the vacant position was originally filled.

"(6) The term of office of each member of the Board appointed under paragraph (1) (E) shall be six years, except that (A) any such member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; (B the terms of office of such members first taking office after the enactment of this Act shall expire, as designated by the President at the time of appointment, two at the end of two years, two at the end of four years, and two at the end of six years, after the date of the enactment of this Act. No person shall be appointed a member of the Board under paragraph (1) (E) more than twice.

"(7) (A) The members of the Board other than those appointed under paragraph (1) (E) shall receive no compensation for their services as members of the Board, but shall be allowed necessary travel expenses (or, in the alternative, mileage for use of privately owned vehicles and a per diem in lieu of subsistence not to exceed the rates prescribed in sections 5702 and 5704 of title 5, United States Code), and other necessary expenses incurred by them in the performance of duties vested in the Board, without regard to the provisions of subchapter I of chapter 57 of title 5, United States Code, the Standardized Government Travel Regulations, or section 5731 of title 5, United States Code.

"(B) The members of the Board appointed under paragraph (1) (E) shall each receive compensation at the rate of $100 for each day engaged in the actual performance of duties vested in the Board, and in addition shall be reimbursed for travel, subsistence, and other necessary expenses in the manner provided in subparagraph (A) of this paragraph.

"(d) (1) The Director of the Office of Technology Assessment shall be appointed by the Board and shall serve for a term of six years unless sooner removed by the Board. He shall receive basic pay at the rate provided for level II of the Executive Schedule under section 5313 of title 5, United States Code.

"(2) In addition to the powers and duties vested in him by this section, the Director shall exercise such powers and duties as may be delegated to him by the Board.

"(3) The Director may appoint, with the approval of the Board, a Deputy Director who shall perform such functions as the Director may prescribe and who shall be Acting Director during the absence or incapacity of the Director or in the event of a vacancy in the office of Director. The Deputy Director shall receive basic pay at the rate provided for level III of the Executive Schedule under section 5314 of title 5, United States Code.

"(4) Neither the Director nor the Deputy Director shall engage in any other business, vocation, or employment than that of serving as such Director or Deputy Director, as the case may be; nor shall the Director or Deputy Director, except with the approval of the Board, hold any office in, or act in any capacity for, any organization, agency, or institution with which the Office makes any contract or other arrangement under this section.

"(e) (1) The Office shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the provisions of this section, including, but without being limited to, the authority to—

"(A) prescribe such rules and regulations as it deems necessary governing the manner of its operation and its organization and personnel;

"(B) make such expenditures as may be necessary for administering the provisions of this section;

"(C) enter into contracts or other arrangements as may be necessary for the conduct of its work with any agency or instrumentality of the United States, with any foreign country or international agency, with any State, territory, or possession or any political subdivision thereof, or with any person, firm, association, corporation, or educational institution, with or without reimbursement, without performance or other bonds, and without regard to section 3709 of the Revised Statutes (41 U.S.C. 5);

"(D) make advance, progress, and other payments which relate to technology assessment without regard to the provisions of section 3648 oi the Revised Statutes (31 U.S.C. 529);

"(E) acquire by purchase, lease, loan, or gift, and hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this section; and

"(F) accept and utilize the services of voluntary and uncompensated personnel and provide transportation and subsistence as authorized by section 5703 of title 5, United States Code, for persons serving without compensation.

"(2) The Director shall, in accordance with such policies as the Board shall prescribe, appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this section. Such appointments shall be made and such compensation shall be fixed in accordance with the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates; except that the Director may, in accordance with such policies as the Board shall prescribe, employ such technical and professional personnel to fix their compensation without regard to such provisions as he may deem necessary for the discharge of the responsibilities of the Office under this section.

"(3) The Office shall not, itself, operate any laboratories, pilot plants, or test facilities in the pursuit of its mission.

"(4) (A) The Office or (on the authorization of the Office) any of its duly constituted officers may, for the purpose of carrying out the provisions of this section, hold such hearings, take such testimony, and sit and act at such times and places as the Office deems advisable. For this purpose the Office is authorized to require the attendance of such persons and the production of such books, records, documents, or data, by subpena or otherwise, and to take such testimony and records, as it deems necessary. Subpenas may be issued by the Director or by any person designated by him. If compliance with such a subpena by the person to whom it is issued or upon whom it is served would (in such person's judgment) require the disclosure of trade secrets or other commercial, financial, or proprietary information which is privi-

leged or confidential, or constitute a clearly unwarranted invasion of privacy, such person may petition the United States district court for the district in which he resides or has his principal place of business, or in which the books, records, documents, or data involved are situated, and such court (after inspecting such books, records, documents, or data in camera) may exercise and release from the subpena any portion thereof which it determines would require such disclosure or constitute such invasion. Where the subpena or such portion thereof would require such disclosure or constitute such invasion but the books, records, documents, or data involved are shown to be germane to the matters under consideration and necessary for the effective conduct by the Office of its proceedings or deliberations with respect thereto, the court may require that such books, records, documents, or data be produced or made available to the Office in accordance with the subpena but subject to such conditions and limitations of access as will prevent their public disclosure and protect their confidentiality.

"(B) In case of contumacy or disobedience to a subpena issued under subparagraph (A) the Attorney General, at the request of the Office shall invoke the aid of the United States district court for the district in which the person to whom the subpena was issued or upon whom it was served resides or has his principal place of business, or in which the books, records, documents, or data involved are situated, or the aid of any other United States district court within the jurisdiction to which the Office's proceedings are being carried on, in requiring the production of such books, records, documents, or data or the attendance and testimony of such person in accordance with the subpena (subject to any conditions or limitations of access which may have been imposed by such court or any other court under the last sentence of subparagraph (A). Such court may issue an order requiring the person to whom the subpena was issued or upon whom it was served to produce the books, records, documents, or data involved, or to appear and testify, or both, in accordance with the subpena (subject to any such conditions or limitations of access); and any failure to obey such order of the court may be punished by the court as a contempt thereof.

"(5) Each department, agency, or instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Office, upon request by the Director, such information as the Office deems necessary to carry out its functions under this section.

"(6) Contractors and other parties entering into contracts and other arrangements under this subsection which involve costs to the Government shall maintain such books and related records as will facilitate an effective audit in such detail and in such manner as shall be prescribed by the Director, and such books and records (and related documents and papers) shall be available to the Director and the Comptroller General or any of their duly authorized representatives for the purpose of audit and examination.

"(f) (1) Pursuant to the objectives of this section the Librarian of Congress is authorized to make available to the Office such services and assistance by the Congressional Research Service as may be appropriate and feasible.

"(2) The foregoing services and assistance to the Office shall include all of the services and assistance which the Congressional Research Service is presently authorized to provide to the Congress, and shall particularly include, without being limited to, the following:

"(A) maintaining a monitoring indicator system with respect to the natural and social environments which might reveal early impacts of technological change, but any such system shall be coordinated with other assessment activities which may exist in the departments and agencies of the executive branch of the Government;

"(B) making surveys of ongoing and proposed programs of government with a high or novel technology content, together with timetables of applied science showing promising developments;

"(C) publishing, from time to time, anticipatory reports and forecasts;

"(D) recording the activities and responsibilities of Federal agencies in affecting or being affected by technological change;

"(E) when warranted, recommending full-scale assessments;

"(F) preparing background reports to aid in receiving and using the assessments;

"(G) providing staff assistance in preparing for or holding committee hearings to consider the findings of the assessments;

"(H) reviewing the findings of any assessment made by or for the Office; and

"(I) assisting the Office in the maintenance of liaison with executive agencies involved in technology assessments.

"(3) Nothing in this subsection shall alter or modify any services or responsibilities other than those performed for the Office, which the Congressional Research Service under law performs for or on behalf of the Congress. The Librarian is, however, authorized to establish within the Congressional Research Service such additional divisions, groups, or other organizational entities as may be necessary to carry out the objectives of this section, including the functions enumerated in this subsection.

"(4) Services and assistance made available to the Office by the Congressional Research Service in accordance with this section may be provided with or without reimbursement from funds of the Office, as agreed upon by the Chairman of the Board and the Librarian of Congress.

"(g) (1) The Office shall maintain a continuing liaison with the National Science Foundation with respect to—

"(A) grants and contracts formulated or activated by the Foundation which are for purposes of technology assessment, and

"(B) the promotion of coordination in areas of technology assessment, and the avoidance of unnecessary duplication or overlapping of research activities in the development of technology assessment techniques and programs.

"(h) The Office shall submit to the Congress and to the President an annual report which shall, among other things, evaluate the existing state of the art with regard to technology assessment techniques and forecast, insofar as may be feasible, technological areas requiring future attention. The report shall be submitted not later than March 15 each year.

"(i) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Office by the General Accounting Office, with or without reimbursement from funds of the Office, as may be agreed upon by the Chairman of the Board and the Comptroller General of the United States. The regulations of the General Accounting Office for the collection of indebtedness of personnel resulting from erroneous payments (under section 5514(b) of title 5, United States Code) shall apply to the collection of erroneous payments made to or on behalf of an Office employee, and the regulations of the Comptroller General for the administrative control of funds (under section 3679(g) of the Revised Statutes (31 U.S.C. 665(g)) shall apply to appropriations of the Office; and the office shall not be required to prescribe such regulations.

"(j) There are hereby authorized to be appropriated to the Office of Technology Assessment each fiscal year such sums as may be necessary to carry on the work of the Office."

Redesignate the succeeding section accordingly.

Conform the table of contents and make the following conforming amendments: Page 95, after line 7, insert the following new subsection:

"(j) The duties, activities, and operations described in this section shall be coordinated with those of the Office of Technology Assessment."

Page 95, line 8, strike out "(j)" and insert in lieu thereof "(k)".

Page 90, line 21, strike out "and".

Page 90, line 25, strike out the period and insert in lieu thereof "; and".

Page 90, after line 25, add the following new paragraph:

"(9) to provide supportive services to the Office of Technology Assessment as described in section 322(f)."

Mr. SISK (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read.

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

Mr. GROSS. Mr. Chairman, reserving the right to object, how many pages are there of these amendments? I was handed this copy a few minutes ago and it looks to me as if there are 20 pages to this one amendment.

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

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

Mr. SISK. We were delivered a copy of the amendments some time ago and I had understood that various Members had been given copies of the amendments. This one amendment is quite lengthy, I agree with my friend and it is rather complex, I might say to my friend.

I had proposed making a point of order against the amendment. I have no idea as to whether it will be sustained or not, but at the appropriate time I expect to raise a point of order. I am trying to save a little time, if I may again say so to my friend, the gentleman from Iowa.

Mr. GROSS. Of course, if the point of order is not sustained, the gentleman will be unable to rescue the House from the situation of not having any knowledge of this 20-page amendment.

I do not know that we would be any better off having heard it read. As I stated previously, my hope is that this whole thing will be beaten. It ought never to have been resumed after the recess. We ought to have washed it out.

But it is not my desire to take time. I would do everything I could to kill the bill, but I do not know that that would do it. If somebody could assure me that reading the amendment would do it, I would be glad to insist upon the reservation of objection.

Mr. SISK. If the gentleman will yield further, the gentleman has the right to require that the amendment be read. I realize it is lengthy and is a rather complex amendment.

Mr. GROSS. Yes.

Mr. SISK. Of course, it is up to the gentleman. I was merely trying to save time. I do not know what the ruling would be on the point of order. I do intend to make such a point.

Mr. GROSS. Mr. Chairman, In order to give the gentleman an opportunity to get a ruling on his point of order immediately, if not sooner, I withdraw my reservation.

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

There was no objection.

Mr. SISK. Mr. Chairman, I make a point of order that this amendment is not germane to title III of this bill.

First, title III relates to existing congressional institutions—the existing standing committees, the existing Legislative Reference Service, and the existing Joint Committee on the Library, which will assist the Congress in obtaining information in all areas of subject matter.

The amendment proposes a new, additional institution for specific subject area. This establishment of a new institution for a specific purpose is not germane to the utilization of existing institutions for a variety of purposes.

Second, the amendment involves more than the legislative branch alone. The proposed Technology Assessment Board provides for six members from the general public appointed by the President of the United States. This involves in specific terms the executive branch and is far beyond the format and purpose of title III.

Therefore, Mr. Chairman, for these reasons I make a point of order against this amendment.

The CHAIRMAN. Does the gentleman from Connecticut (Mr. DADDARIO) desire to be heard on the point of order?

Mr. DADDARIO. If I may, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. DADDARIO. Mr. Chairman, I offered this amendment as a proper part of the reorganization bill. It really is an extension of something that the Reorganization Act attempts to do and that is to change the Legislative Reference Service into the Congressional Research Service. It takes from the General Accounting Office certain of its administrative functions. It adds to the ability of a Congress to have research done for it through the Congressional Research Service, which, as I said, is already an adjustment, a change from something we already have.

It appears to me that while we are talking about the reorganization of the Congress, that is an all-encompassing term, a term which certainly does a lot. This amendment, because it is a part of the reorganization, does give to the Congress strengths and abilities it does not have, and I believe it is germane.

The CHAIRMAN. The Chair is prepared to rule.

The amendment proposes the establishment of an Office of Technology Assessment, in the legislative branch of Government, responsible to the Congress.

The Office is to consist of a Technology Assessment Board and a Director. The Board is broadly constituted, drawing its membership from the Congress and including in addition to the Members of the House and Senate, the Comptroller General, the Director of the Congressional Research Service, and six public members, to be appointed by the President and confirmed by the Senate. The Board in turn appoints the Director.

All departments and agencies of the executive branch of the Government are directed to furnish the Office, upon the request of the Director, such information as the Office deems necessary. The Office is directed to maintain a continuing liaison with the National Science Foundation and to report to the President and the Congress annually on its findings and recommendations. It would also provide the Board with subpena powers, authority to hire consultants, and to contract for studies and research.

In both its organizational structure and in its powers the Office would be a departure from the concepts carried in the present bill.

The Chair feels that the creation of this new Office, with the broad authority conferred on it by this amendment, goes beyond the scope of the bill before the committee and is not germane.

The Chair sustains the point of order.

In both its organizational structure and in its powers, the office would be a departure from the concepts carried in the present bill. The Chair feels that the creation of this new office with the broad authority conferred on it by this amendment goes beyond the scope of the bill before the committee and is not germane. For this reason the Chair sustains the point of order raised by the gentleman from California (Mr. SISK).

The Chair is advised at this point that there is another committee amendment, which the Clerk will report.

COMMITTEE AMENDMENT

The Clerk read as follows:

Committee amendment: Page 93, line 23, after "particular" insert the words "or specialized".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PART 3—JOINT COMMITTEE ON THE LIBRARY AND CONGRESSIONAL RESEARCH

FUNCTIONS AND OPERATIONS OF JOINT COMMITTEE

SEC. 331. (a) Section 223 of the Legislative Reorganization Act of 1946 (2 U.S.C. 132b) is amended to read as follows:

"JOINT COMMITTEE ON THE LIBRARY AND CONGRESSIONAL RESEARCH

"SEC. 223. (a) There is hereby created a Joint Committee on the Library and Congressional Research (hereafter in this section referred to as the 'Joint Committee').

"(b) The Joint Committee shall be composed of twelve members, as follows:

"(1) six Members of the Senate, appointed by the President pro tempore of the Senate, including two from the Committee on Rules and Administration and four from among the remaining Members of the Senate (including but not limited to members of the Committee on Rules and Administration); and

"(2) six Members of the House of Representatives, appointed by the Speaker of the House, including two from the Committee on House Administration and four from among the remaining Members of the House (including but not limited to members of the Committee on House Administration).

"(c) Of each class of two members referred to in subsection (b), one shall be from the political party having the greatest number, and one shall be from the political party having the second greatest number, of Members of the Senate, or of the House of Representatives, as the case may be; and of each class of four members referred to in subsection (b), two shall be from the political party having the greatest number, and two shall be from the political party having the second greatest number, of Members of the Senate, or of the House of Representatives, as the case may be.

"(d) Any vacancy in the membership of the Joint Committee shall not affect the power of the remaining members to execute the functions of the Joint Committee and shall be filled in the same manner as the original appointment.

"(e) The Joint Committee shall select, in the manner provided by this subsection, a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship and the vice chairmanship shall alternate between the Senate and the House of Representatives with each Congress. The chairman during each even-numbered Congress shall be selected by the Members of the House of Representatives on the Joint Committee from among their number and the chairman during each odd-numbered Congress shall be selected by the Members of the Senate on the Joint Committee from among their number. The vice chairman during each Congress shall be chosen in the same manner from that House of Congress other than the House of Congress of which the chairman is a Member. The vice chairman shall not be of the same political party as the chairman.

"(f) In order to provide for the expeditious and efficient consideration of matters within the jurisdiction of the Joint Committee, including matters pertaining to the Library generally and its operations and to the review of the operations of the Congressional Research Service, the Joint Committee is authorized to employ one professional staff member and not to exceed two employees as members of the clerical staff of the Joint Committee. Such professional and clerical staff members shall be appointed by the Joint Committee, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of their positions. The staff, under the joint direction and supervision of the chairman and the vice chairman, shall assist the Joint Committee in the performance of its review functions with respect to matters within the jurisdiction of the Joint Committee and shall perform such other duties as may be prescribed by the Joint Committee. The chairman and the vice chairman jointly shall, with the approval of a majority of the members of the Joint Committee, fix the pay of the members of the professional and clerical staffs of the Joint Committee at respective per annum gross rates not in excess of the highest rate of basic pay, as in effect from time to time, of the General Schedule of section 5332(a) of title 5, United States Code. The Joint Committee may terminate the employment of the members of the professional and clerical staff as it considers appropriate.

"(g) The expenses of the Joint Committee shall be paid out of the contingent fund of the House of Representatives, from funds appropriated for the Joint Committee, upon vouchers signed by the chairman of the Joint Committee.

"(h) In order to provide the Congress with current information regarding the operation of the Congressional Research Service and regarding other matters within the jurisdiction of the Joint Committee, the Joint

Committee shall submit to the Senate and House of Representatives an annual report with respect to—

"(1) the activities of the Congressional Research Service, and

"(2) such other matters within its jurisdiction as it considers appropriate.".

(b) Title II of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 223. Joint Committee on the Library."

and inserting in lieu thereof—

"Sec. 223. Joint Committee on the Library and Congressional Research.".

RELATED CHANGES IN EXISTING LAW

SEC. 332. (a) The thirty-seventh paragraph under the heading "Miscellaneous" in the first section of the Act of March 3, 1875 (18 Stat. (Part 3) 376; 40 U.S.C. 190), relating to art exhibits in the Capitol, is amended to read as follows:

"No room in the Capitol shall be used for private studios or works of art without the permission in writing of the Joint Committee on the Library and Congressional Research. It shall be the duty of the Architect of the Capitol to enforce this provision.".

(b) Section 1827 of the Revised Statutes (40 U.S.C. 216), relating to the Botanic Garden, is amended by striking out "Joint Committee on the Library" and inserting in lieu thereof "Joint Committee on the Library and Congressional Research".

(c) Section 1831 of the Revised Statutes (40 U.S.C. 188), relating to acceptance of, assignment of space to, and supervision of works of art on behalf of the Congress, is amended by striking out "Joint Committee on the Library" and inserting in lieu thereof "Joint Committee on the Library and Congressional Research".

(d) The last paragraph under the heading "Senate" in section 2 of the Act of March 3, 1883 (22 Stat. 592; 2 U.S.C. 133), relating to the Joint Committee on the Library during recesses of the Congress, is repealed.

(e) The first section of the Act entitled "An Act to create a Library of Congress Trust Fund Board, and for other purposes", approved March 3, 1925 (43 Stat. 1107; 2 U.S.C. 154), is amended by striking out "the chairman of the Joint Committee on the Library" and inserting in lieu thereof "the chairman of the Joint Committee on the Library and Congressional Research". Section 2 of such Act of March 3, 1925, as amended by the Act of April 13, 1936 (49 Stat. 1205; 2 U.S.C. 156), is amended by striking out "Joint Committee on the Library" and inserting in lieu thereof "Joint Committee on the Library and Congressional Research".

(f) The reference to the Joint Committee on the Library in House Concurrent Resolution Numbered 47, Seventy-second Congress, passed on February 24, 1933 (47 Stat. (Part 2) 1784; 40 U.S.C. 187, note), relating to location of statutes within the Capitol, shall be deemed to refer to the Joint Committee on the Library and Congressional Research under this Part.

(g) Whenever reference to the Joint Committee on the Library is made in any other law of current application and effect, that reference shall be deemed to refer to the Joint Committee on the Library and Congressional Research under this Part.

Mr. SISK (during the reading). Mr. Chairman, I ask unanimous consent that part 3 of title III be considered as read and open to amendment 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 Clerk read as follows:

PART 4—PARLIAMENTARY PRECEDENTS OF THE HOUSE OF REPRESENTATIVES

PERIODIC COMPILATION OF PARLIAMENTARY PRECEDENTS OF THE HOUSE OF REPRESENTATIVES

SEC. 341. (a) The Parliamentarian of the House of Representatives, at the beginning of the fifth fiscal year following the completion and publication of the parliamentary precedents of the House authorized by the Legislative Branch Appropriation Act, 1966 (79 Stat. 270; Public Law 89–90), and at the beginning of each fifth fiscal year thereafter, shall commence the compilation and preparation for printing of the parliamentary precedents of the House of Representatives, together with such other materials as may be useful in connection therewith, and an index digest of such precedents and other materials. Each such compilation and preparation for printing of the parliamentary precedents of the House shall be completed by the close of the fiscal year immediately following the fiscal year in which such work is commenced.

(b) As so compiled and prepared, such precedents and other materials and index digest shall be printed on pages of such size, and in such type and format, as the Parliamentarian may determine and shall be printed in such numbers and for such distribution as may be provided by law enacted prior to printing.

(c) For the purpose of carrying out each such compilation and preparation, the Parliamentarian may—

(1) subject to the approval of the Speaker, appoint (as employees of the House of Representatives) clerical and other personnel and fix their respective rates of pay; and

(2) utilize the services of personnel of the Library of Congress and the Government Printing Office.

PERIODIC PREPARATION BY HOUSE PARLIAMENTARIAN OF CONDENSED AND SIMPLIFIED VERSIONS OF HOUSE PRECEDENTS

SEC. 342. The Parliamentarian of the House of Representatives shall prepare, compile, and maintain on a current basis and in cumulative form, for each Congress commencing with the Ninety-third Congress, a condensed and, insofar as practicable, up-to-date version of all of the parliamentary precedents of the House of Representatives which have current use and application in the House, together with informative text prepared by the Parliamentarian and other useful related material in summary form. The Parliamentarian shall have such matter printed for each Congress on pages of such size and in such type and format as he considers advisable to promote the usefulness of such matter to the Members of the House and shall provide a printed copy thereof to each Member in each Congress, including the Resident Commissioner from Puerto Rico, and may make such other distribution of such printed copies as he considers advisable. In carrying out this section, the Parliamentarian may appoint and fix the pay of personnel and utilize the services of personnel of the Library of Congress and the Government Printin Office.

Mr. SISK (during the reading). Mr. Chairman, I ask unanimous consent that part 4 of title III be considered as read and open to amendment at any point.

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

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 104, after line 10, add the following new section:

"SEC. 343. Any parliamentary precedent from any previous Congress which has not been printed, indexed, and distributed to all Members, as provided in either section 341 or section 342 of this title, shall be considered without effect as a precedent and may not be cited as the basis for any parliamentary ruling in the House of Representatives."

Mr. JACOBS. Mr. Chairman, the purpose of the amendment is self-evident. It is to accomplish that which all law is supposed to accomplish; namely, certainty in the anticipation of the affairs of whatever body is being governed. In the law it is called stare decisis. Whatever law is depended upon—and precedents in the House of Representatives certainly take on the very fundamental force of law—to govern any body should be a law that is written down and should be a law which is certain.

It should be law which can be determined by the governed; in this case the Members of the House of Representatives, governed by the rules.

I recall a few years ago our Governor in Indiana attended a dinner, and he was introduced to the then Chief Justice of the United States, Earl Warren. And in their discussion about "mice and men" the Governor said:

Well, I am not sure, but I think I just took an oath to uphold anything you have in your mind.

I do not believe we should proceed in the House of Representatives without the kind of certainty which I have suggested. Frankly, it is just that simple. I see no real reason for further explanation of it, although I shall be happy to respond to questions.

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

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

Mr. ICHORD. I do not quite understand the objective of the gentleman from Indiana. Would the gentleman require the rulings to be printed in a certain book? They are already printed in the CONGRESSIONAL RECORD.

Mr. JACOBS. Of course, the gentleman does not have a copy of the amendment, but the amendment says:

Any parliamentary precedent from any previous Congress which has not been printed, indexed, and distributed to all Members, as provided in either Sec. 341 or Sec. 342 of this Title, shall be considered without effect as a precedent and may not be cited as the basis for any parliamentary ruling in the House of Representatives.

Mr. ICHORD. Are they not available to all Members at the present time?

Mr. JACOBS. If they are they will be in compliance with this amendment, and no one should have any objection to it. If they are not, they should get in compliance with this amendment.

Certainly the amendment should be adopted. I am sure both gentlemen from California recognize this as a fundamental rule of fairness. I hope they can accept this amendment, which would bring my batting average on this bill up from zero to 0.0001.

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

Mr. Chairman, I was very much interested in the latter observation of my

friend from Indiana about his batting average being brought up from zero to 0.000—or a couple of zeros—1. I thought he had a good batting average. From what I have seen of my friend's batting average, it is at least 90 percent successful. I say that with in a complimentary angle.

I might say that the gentleman serves with great distinction in this body. He follows his father, who also served with great distinction in this body, who was also my dear and valued friend.

That observation does not need any reply. The gentleman's batting average, as I see it, is well over 90 percent. I would not want his observation to be caught by the people of his district, without having with it whatever value I might say as to his batting average, which is far above the batting average of the average Member of the House.

Mr. JACOBS. Mr. Chairman, will the distinguished Speaker yield?

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

Mr. JACOBS. Modesty forbids or almost forbids my agreeing with the Speaker and I return the compliment many times over. The Speaker knows the high esteem in which all Members of this body hold him. But I was referring to amendments I have offered thus far on this bill.

Mr. McCORMACK. Mr. Chairman, this amendment deals with a rather delicate situation. This book in my hands gives Members an idea of the precedents established. The important ones are carried in the manual every 2 years. Then every certain number of years—I believe about once every 8 or 10 years—there is a research job done. It is going on now, I might say. It has been authorized by this body and has been going on.

With all due respect to my dear friend from Indiana, I am not in opposition to him, because I would not want to be construed as opposing him on anything at any time, but I might not agree with him all the time.

However, without being put in the position of opposing my friend from Indiana, I think that having presided here or having been Speaker for a number of years, I think it would be unwise at this time to adopt the amendment.

I present my views to the Committee of the Whole House for whatever they might be worth based on experience.

In any event, there is a thorough research job going on now. I can assure the gentleman the results of that will be a marked contribution due to the fact that we will have a Democratic Speaker of the House next year, my very dear and valued friend from Oklahoma, Mr. ALBERT.

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

Mr. Chairman, I really do not think it is necessary for me to make a lengthy statement in view of the remarks of the distinguished Speaker, but if you remember, the bill on page 102 requires at the beginning of each fifth year thereafter the compilation, preparation, and printing of the precedents. Then on page 103 we require in the 93d Congress the printing of all presently applicable precedents. The precedents that occur during that 5-year period, before they are reprinted under section 341, if this amendment were adopted, could be completely nullified and could not be used. They will be printed every 5 years and, as the Speaker said, this is being worked on at the present time. I think this will be very bad and will throw out all of the precedents that were not printed in the 5 years or the 2 years before they were reviewed.

Mr. Chairman, again I object to the amendment and hope it is defeated.

Mr. REES. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, we have printed precedents up to 1936. These are the Cannon and Hinds precedents. If you wish to do any research in the precedents of the House of Representatives, you find that you have to go to Cannon and Hinds, but then you have an impossible task to research precedents between 1936 and 1970. They have not been kept up to date and have not been printed.

If you are doing research on the laws of the United States of America, you find that every year a pocket supplement will keep you up to date in U.S. law. But we have no such convenience in the House of Representatives on the precedents of the House of Representatives.

This is a good amendment; with this amendment it will mean that the office of the Parliamentarian will have to supply up-to-date printed precedents. This office has to be expanded so that every Member of this House can have at the beginning of every legislative session an up-to-date compilation of the precedents of the House. If the precedents are developed week by week, we can then be furnished pocket supplements or looseleaf supplements so that every Member will have in his own office this important and necessary tool if he is to be an effective Member of the House.

My constituent lawyers are amazed that the House of Representatives precedents are kept only up to 1936 and that we do not have anything from then on. We must go in to the office of the Parliamentarian to do our research. The Parliamentarian is very cordial and a very distinguished legal scholar, but we have nothing in our own congressional offices to develop an answer.

This amendment is necessary if we are to guarantee that every Member of this House has the tools that he must have if he is to be an effective Member, an up-to-date compilation of the precedents of the House of Representatives.

Mr. SISK. Mr. Chairman, I rise in vigorous opposition to the amendment.

I feel that the explanations already heretofore offered by the distinguished and able Speaker clearly show the impropriety of this amendment at this time.

There is a good deal of new language in the present bill which we have before us setting up procedures for bringing up to date the precedents of the House, and therefore I would urge the defeat of this amendment, Mr. Chairman.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to make known my full support of the amendments offered by the gentleman from Connecticut, Congressman DADDARIO, which has just been stricken down by a point of order. As the amendments have not been read, I believe the reasons should be made by me in my capacity as ranking minority member of the Science and Astronautics Committee. A strong bipartisan effort has gone into the development of this amendment by the Committee on Science and Astronautics. Our committee has held numerous hearings and has arranged for the conduct of three major studies on technology assessment. Frequent consultations have been held with interested specialists, including representatives of the executive branch of the U.S. Government.

The administration has no announced position on the amendment. It is apparent from these consultations, not only that the executive branch is aware of the technology assessment concept, but that it is sympathetic to the demonstrated need for implementation of that concept. As evidence, I should like to cite two reports, one made by the President's Task Force on Science Policy, in April 1970, and the other by the White House National Goals research staff, in July 1970.

The first report, entitled "Science and Technology—Tools for Progress," devoted a major part of its discussion to achieving more effective assessment in technology.

Indeed, this report states:

> Additional machinery for technology assessment is needed, and the base for developing such machinery now exists.

One of the report's concrete recommendations is—

> The Federal technology assessment structure should have components located strategically in both the executive and legislative branches to create a forum for responsible technological assessment activities not only in Government but also in the private sector.

Both reports mentioned were carried out under contract with the House Committee on Science and Astronautics and served as a partial basis for this legislation.

The report made by the White House National Goals staff, is "Toward Balanced Growth: Quantity with Quality." This report carries an entire chapter on technology assessment. It observes:

> The most comprehensive effort to pin down the complexity and range of elements identified with technology assessment is in the House-proposed bill to establish an Office of Technology Assessment for the Congress. * * * Since it is highly likely that some formal structure for technology assessment will be established, the implications for developing a national growth policy (must) be explored. * * * It would appear that the technology assessment movement not only as represented by congressional efforts but as expressed in the attitudes and behavior of the public at large—represents a turning point in our attitude toward technology about as profound as the change in our attitude toward the environment. * * * It is clear that in both the public and private sectors, assessments of the impact of technological advances are increasing.

In view of the vital importance of decisions on science, research, developpment, and technologly to the Congress, I strongly endorse the passage of the amendment under consideration.

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

(Mr. HOLIFIELD asked and was given permission to revise and extend his remarks.)

Mr. HOLIFIELD. Mr. Chairman, this is the first time I have spoken on this reorganization bill, and I am not in favor of the gentleman's amendment; I am against the amendment at this time. But I think the gentleman has rendered a service in bringing this matter to the attention of the House. It is almost unbelievable and, in my opinion, it is inexcusable that the Members of this House do not have access to a printed compilation of the rules and precedents since the year 1936. That is 34 years. Many of us who have handled bills on the floor and have been faced with parliamentary situations and questions as to whether what we were doing was contained in the rules and the precedents have been embarrassed many times. Our only recourse, of course, is to go to the Parliamentarian's office—and I will say that I have never had anything but the best of cooperation in the Parliamentarian's office. The very exhibition of that book of clippings that the Speaker had here today, how many of the Members have ever tried to go through a thing like that, or believe you could go through a thing like that. It is in such a condition that it is in inaccessible form, from a realistic standpoint, to the Members of the House.

I say that, regardless of what the cost would be—and there have been appropriations almost annually for the compilation of the rules and precedents of this House—I say that the leadership of this House, regardless of whether it is the gentleman from Oklahoma (Mr. ALBERT), next year, or the gentleman from Michigan (Mr. GERALD R. FORD) that they owe the Members of this House vigilant and determined action in printing the rules and precedents. And if they could only print up the first 25 years from 1936, and then print up the rest, volume by volume, later, they ought to do it because we simply do not know what we are doing from a parliamentary standpoint. We cannot refer or have available for reference to any compilation or annotated rules and precedents because there is none available.

I am heartily in favor of this matter being brought to the attention of the Members of the House. I believe that something should be done about it. I do not believe at this time, however, that this amendment should be passed.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield for a question?

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

Mr. FULTON of Pennsylvania. Mr. Chairman, my question is on the setting of the schedule of the House of Representatives. Is that a matter of the precedents of the House, or the rules of the House, that one Member can override the majority of the whole House by objecting to the time that the House meets, the time when the House opens or takes up each day.

Mr. HOLIFIELD. I think under certain circumstances a unanimous-consent request is necessary, but a motion would carry over an objection, in my opinion.

Mr. FULTON of Pennsylvania. But my point was, Is that a matter of the precedents of the House, or is that a matter of the rules of the House?

Mr. HOLIFIELD. It is a matter of the rules of the House, in my opinion. We meet at 12 o'clock normally; there is a permanent rule that we meet at 12 o'clock unless a unanimous-consent request is made to vary the time.

Mr. FULTON of Pennsylvania. But a unanimous consent is necessary to make the motion. My question is, Why is it that one Member objecting can prevent the House from meeting in the morning at 11 o'clock instead of the usual noon opening? What is the reason for that?

Mr. HOLIFIELD. I do not see any reason for one Member being able to control the business of the House. I believe that a great number of the quorum calls that are made are obstructive, and do not lend themselves to the efficient procedures of the House. I think they are made sometimes in a fit of pique, or because somebody wants to delay the proceeding, or some of those sort of things.

I think there are a number of rules of the House that need to be looked at and changed, and that is, of course, what we are doing in this bill.

There is some language in this bill that will affect the printing of the precedents. I believe, if I had been writing the bill, I might have written it a little bit different but I think we are going to have considerable trouble getting a bill like this passed and at this time I would not want to put so many controversial things in it so as to jeopardize the passage of the bill.

I think a motion was agreed to yesterday having to do with the germaneness of amendments of the other body. I think that was unwise to do that, but nevertheless the House did it and of course we abide by what the House does.

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

Mr. HOLIFIELD. I yield to the distinguished Speaker, the gentleman from Massachusetts (Mr. McCORMACK).

Mr. McCORMACK. Mr. Chairman, just for the purposes of the record, I would point out that a compilation of the precedents has been going on now for about 5 years and is underway at the present time. Several volumes have been pretty well completed and they involve about 30,000 precedents. They are going to be looked into very carefully and as I say may comprise several volumes. So I think the membership should be alerted to the fact that this matter has been considered and has been anticipated. It takes years to make a careful compilation of the precedents, and that has been underway for at least 5 years.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. JACOBS).

The amendment was rejected.

Mr. COHELAN. Mr. Chairman, I would renew my unanimous-consent request that the Committee return to page 54, line 3, and that I be permitted to offer an amendment at that point.

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

Mr. BOLLING. Mr. Chairman, reserving the right to object, I will not object to this request but I merely wish to serve notice that in the interest of orderly procedure in the future, I would expect to object to any similiar requests But this is an unusual circumstance, Mr. Chairman, and I withdraw my reservation of objection.

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

There was no objection.

AMENDMENT OFFERED BY MR. COHELAN

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

The Clerk read as follows:

Amendment offered by Mr. COHELAN: On page 54, after line 2 and before line 3, insert the following:

"ANNUAL GENERAL OUTLINES OF CURRENT FEDERAL BUDGETARY AND FISCAL SITUATIONS

"SEC. 222. (a) This section is enacted by the Congress—

"(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such the section is deemed a part of the rules of each House, respectively, insofar as applicable to that House; and

"(2) with full recognition of the constitutional right of either House to change the provisions of this section enacted a part of the rules of that House at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

"(b)(1) The Committee on Ways and Means of the House and the Committee on Finance of the Senate each shall, within the period beginning January 20 and ending March 1 of each calendar year, investigate, study, and hold hearings on the then current budgetary and fiscal situation of the Federal Government, and matters pertaining thereto, which will affect the fiscal, budgetary, and spending policies of the Federal Government for the following full fiscal year. On or before March 15 of the year in which such investigation, study, and hearings are conducted, the Committee on Ways and Means shall report to the House, and the Committee on Finance shall report to the Senate, a simple resolution of that House concerned, which shall be of high privilege and with respect to which not less than six hours of debate shall be allowed before final vote by that House on that resolution.

"(2) Each such resolution—

"(A) shall contain, on the basis of the investigation, study, and hearings conducted by the committee concerned, the determinations of that committee with respect to—

"(i) the anticipated gross national product in the following full fiscal year;

"(ii) the estimated national total of all personal income in that fiscal year;

"(iii) the estimated national total of all corporate and other business income in that fiscal year;

"(iv) the estimated situation of the United States with respect to its balance of payments with foreign nations in that fiscal year;

"(v) the estimated revenues of the Federal Government in that fiscal year under existing authority; and

"(vi) methods by which such estimated revenues may be increased or decreased, as necessary;

and

"(B) shall contain a provision to the effect that it is the sense of the Senate or the

House, as the case may be, that, at the time of the consideration of the resolution by that House concerned, the determinations of the committee concerned, as stated in the resolution, are substantially correct and generally reflect an accurate analysis of the estimated and anticipated budgetary and fiscal situation of the Federal Government for the first full fiscal year commencing after the date on which the resolution is adopted.

"(c)(1) The Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate each shall, within the period beginning January 20 and ending March 15 of each calendar year, investigate, study, and hold hearings on the entire appropriations program and policies of the Federal Government, and matters pertaining thereto, which will affect the specific appropriations program and policy of the Federal Government for the following full fiscal year. After March 20 and before April 1 of the year in which such investigation, study, and hearings are conducted, the House Committee on Appropriations shall report to the House, and the Senate Committee on Appropriations shall report to the Senate, a simple resolution of that House concerned which shall be of high privilege and with respect to which not less than six hours of debate shall be allowed before final vote by that House on that resolution.

"(2) Each such resolution—

"(A) shall contain, on the basis of the investigation, study, and hearings conducted by the committees concerned, the determinations of that committee with respect to—

"(i) the total anticipated appropriations objective, estimated in monetary terms, of the Congress and of the President in the following full fiscal year for which the Congress will provide appropriations for that year;

"(ii) the total anticipated objective, estimated in monetary terms, of the Congress and of the President in the following full fiscal year with respect to the provision of lending programs for which the Congress will provide appropriations for that year;

"(iii) the total anticipated allocations, estimated in monetary terms, of the Congress and of the President with respect to the costs of foreign exchange for programs in the following full fiscal year for which the Congress will provide appropriations in that year; and

"(iv) estimated monetary allocations of the Budget dollar, stated in aggregate dollar amounts, for the respective activities of the Federal Government listed in the principal categories of national defense, aid to education, urban renewal, social security, agriculture, and transportation, and such other categories as the committee concerned considers appropriate, in the following full fiscal year, for which the Congress will provide appropriations for that year;

and

"(B) shall contain a provision to the effect that it is the sense of the Senate or the House, as the case may be, that, at the time of the consideration of the resolution by that House concerned, the determinations of the committee concerned, as stated in the resolution, are substantially correct and generally reflect an accurate analysis of the estimated and anticipated conditions, problems, and limitations confronting the Congress in connection with the enactment of appropriations measures for the following full fiscal year and in the formulation of a specific Congressional appropriations policy and program for that year."

Mr. COHELAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

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

Mr. GROSS. Mr. Chairman, reserving the right to object, and I shall not object, I merely reserve the right to say to the gentleman I would hope he would explain in detail this reference to the anticipated gross national product and the full fiscal year and relate that to the title of this bill which is "To improve the operation of the legislative branch of the Federal Government, and for other purposes."

Mr. COHELAN. I propose to do that.

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

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. COHELAN) is recognized.

Mr. COHELAN. Mr. Chairman, I want to thank all members of the committee for the courtesy they have shown me in giving me the opportunity to offer my amendment.

Mr. Chairman, I rise to offer an amendment to the Legislative Reorganization Act. Knowing the pressure of time, I would not impose on the Chamber an amendment to this bill unless I thought it to be a significant contribution to the organization of Congress.

My amendment attempts to place the Congress in the center of the budgetary process by requiring that each Chamber establish a legislative budget that would guide the deliberations of each Chamber as it considers various appropriation and authorization measures. The effect of this amendment, if enacted, would be to strengthen the hand of the Congress in setting national priorities.

It is my opinion that the Congress can only forcefully exercise its constitutional prerogatives of realistic agenda-setting if it becomes involved in the establishment of its own spending priorities with a realistic revenue and expenditure budget. As it stands now, the Congress is relegated to the position of chipping away at the Executive budget requests without the overall perspective on reordering priorities.

The role of the Congress can only be changed when both the House and the Senate establish a legislative budget. Without this exercise the Congress will remain on the policy periphery.

Before I go into this amendment, Mr. Chairman, I want to say that this idea of a legislative budget has been around for years, but they were given their most impressive impetus in a thoughtful paper by the Hon. Joseph W. Barr, our former colleague and former Secretary of the Treasury.

How often during the course of a session of Congress are we confused by such questions as: "Is the defense appropriation realistic in terms of other domestic needs?"; "Is the educational budget too much?"; "What level of spending should be allowed for environmental pollution control?". These and other questions reoccur and the only answer that can usually be given in coherent, although not necessarily valid, terms is the impact on the President's budget. The President's budget request is the only budgetary document that the Congress has and there is no other form of reference.

When we move, correctly in my opinion, to increasing funds for education, housing, VA hospitals, and antipollution measures, we are subject to the charge that we have exceeded the President's budget, and, in terms of budgetary analysis, we have very little in the way of alternatives. But if the Congress had previously decided on a revenue pattern and had tentatively decided on the allocations of the budget, there would be the foreknowledge of whether there would be a deficit or a surplus.

The legislative budget is a partial answer to this dilemma. It might not be written to say whether or not there should be an SST, but it could be structured as to tell how much should be allocated for the problems of transportation.

I wish to emphasize that the legislative budget is essentially a working document, a financial plan, for each House. Hence it is composed of privileged but simple resolutions; it expresses the sense of each House about various items in the economy and in the allocation of the Federal budget. There is the possibility, in fact a distinct probability, that these resolutions will differ in each Chamber. But this fact would not diminish the advantages of having each House look both at the revenue anticipated and the allocation of this revenue in terms of Federal spending.

Essentially the legislative budget is a combination of four resolutions—two from each Chamber. It requires four committees to issue privileged resolutions. The first set of resolutions is drawn up by the House Ways and Means Committee and the Senate Finance Committee. After appropriate hearings, the respective committees issue a preferential resolution to the respective Chamber by March 15 of each year. These resolutions will be concerned with the general state of the economy and with the Federal revenue picture for the coming fiscal year. Included in this resolution will be, first, the estimated GNP; second, the estimated corporate income; third, the estimated personal income; and fourth, the estimated balance-of-payments situation. In addition, this resolution will specify (a) what are the estimates of Federal revenues for existing legislative authority for the coming fiscal year and (b) what proposals should be enacted to increase or decrease Federal revenue.

It should be pointed out that these committees are free to use any resources deemed appropriate in formulating its resolution. For example, the Joint Committee on the Internal Revenue Taxation could be used to formulate revenue estimates but the executive branch or, for that matter, private individuals could be utilized as well.

Thus, by the middle of March each Chamber would be studying, discussing, and voting on the economic and revenue prospects for the coming fiscal year. Each Member would have to understand how large the Federal "budgetary pie" will be. In addition there will be some preliminary votes on whether to raise

additional revenues or to end various forms of taxation. Each House would be in the possession of data to know what the revenue patterns will be based on various economic and revenue assumptions. Each House will then be prepared to decide how best to allocate the Federal budget which is the subject of the privileged resolution prepared by the House-Senate Appropriations Committee.

By April 1 the Appropriations Committees are required to submit a preferential resolution for action to their respective Chamber. This resolution will have been drawn up after appropriate hearings. Again, it should be pointed out that the Appropriations Committee can utilize the resources of other existing committees, executive branch, and private sources. For example, the information of the Joint Economic Committee might be relevant to some of the categories specified in the appropriations resolution. The resolutions will include the following information, first, the total congressional spending target, second, the total congressional lending target, third, the total Congressional target for foreign exchange on spending and lending which requires the use of foreign exchange is usually a hidden additional cost in the budget, fourth, most importantly, the committees will set up a tentative allocation for spending and lending in various budgetary categories—that is, defense, social security, education, agriculture, urban renewal, law enforcement, and so forth.

Since this resolution is preceded by consideration of the economy and the revenue, each House will have considered a revenue figure. The Appropriations Committee will then report its privileged resolution for deliberation. Debate and voting will take place on the various items. For example, Members will be able to see if the combined spending and lending figure is realistic with projected revenues. Or if one House desires a large surplus, it could decide if the surplus should be created at the expense of certain controllable items within the budget. Each House could decide if certain allocations be curtailed for example, agriculture, defense, education? If so, how much?

It has to be reemphasized that Appropriations Committee privileged resolutions are working documents. It is a legislative vehicle by which each House can express itself on a variety of budgetary topics.

I know that many Members will raise questions on using this procedure. "Do we not bind ourselves to a legislative budget?" The answer is "No." The budget is a working document subject to change, but at least each House will have some rudimentary conception of the limits of its own direction. We will not be faced with "add-ons" or "single shots" which bare no relation to the budgetary process.

I know that some Members will be concerned that the legislative budget will impose on the prerogatives of their committees. This will not be the case. First, it is important to remember that these resolutions that comprise the legislative budget are essentially simple but privileged resolutions—which will be used as working documents; hence they do not bind the Members to future action but they do provide an overall conception of the budgetary implications of legislative decisions. Second, each Member is given the opportunity to speak, amend, and vote on every section of the resolutions. Thus, the legislative budget becomes more widely deliberative.

Other Members will suggest that we already have the Joint Economic Committee and the Joint Committee on Internal Revenue Taxation to issue these types of facts and figures. I respectfully point out to each of these Members that the Joint Economic Committee and the Joint Committee on Internal Revenue Taxation do indeed issue a picture of the economy and a picture of the revenues anticipated. But what these Members fail to realize is that each of these committees first, issues its report usually at the sixth or eighth month of the new year, second, do not go into depth on the allocation of the Federal budget. In addition, the reports, however well written and researched, are often unread. The singular advantage of this legislative budget approach is that each Member is required to understand the implications of the budget because it is a voting matter.

Other Members will say "Yes," but we have two simple resolutions here albeit privileged. What if we have a disparity between the House and the Senate? How do we get together? To these questions there are no easy answers but it seems to me a step forward that each House is now considering the components of the budget and how the allocations should be made. If there is disparity between the two, so be it. At least each House will be thinking in terms of the total budgetary process financial plan and this I submit is a step forward from the ad hoc approach that usually characterizes so much legislative action.

My real reason for offering this amendment is that I respect both the House and the Senate. I have served 12 years in the House and have come to know and understand its processes. I am, however, troubled that the Federal legislature which contain equal branches are so often relegated to little more than rubber stamps operating at the periphery of policy setting. One way to remedy this I feel is to get Congress involved in setting up the budget. This is what I hope to do by this amendment.

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

Mr. Chairman, I commend my very able and distinguished colleague, the gentleman from California (Mr. COHELAN) for the work he has done and the efforts he has put in on this particular subject. I well know his knowledge and the time and effort he has spent on it. With some hesitancy I oppose the gentleman's amendment. I think frankly there are some worthy objectives involved in the effort he has made.

However, it is my position—and I believe it to be generally that of our committee—that this is a subject that requires additional study. It certainly is a subject that deals with the work of the Appropriations Committee and the Committee on Ways and Means. I do not mean to suggest there are any jurisdictional problems with this amendment, but I know certainly because of the implications involved in the amendment, there would be and there is considerable concern on the part of the chairmen of those committees and the members.

Therefore, Mr. Chairman, without taking additional time of the House, I would simply urge that for the time being this amendment be laid aside for further consideration. This is not in any way to take away from the work and the effort of my colleague, the gentleman from California. I simply feel it is not timely in nature to attempt to attach an amendment of this import to this bill at this time. Therefore, Mr. Chairman, I urge the defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. COHELAN).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 104, line 1——

Mr. SISK (during the reading). Mr. Chairman, I rise to make a unanimous-consent request. I ask unanimous consent that consideration of part 1 of title IV be temporarily set aside and the Clerk now read part 2 of title IV.

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

Mr. GIBBONS. Mr. Chairman, reserving the right to object, I do so only for the purpose of asking the gentleman from California to explain more fully his reason for his request at this time.

Mr. SISK. Mr. Chairman, if the gentleman will yield, I would say this is being done on behalf of a distinguished colleague of ours from Louisiana, who is serving as a pallbearer for a very dear friend today and who will not be able to return until tomorrow. It is the hope of this committee that this part 1 will be considered tomorrow.

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

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

There was no objection.

The CHAIRMAN. The Clerk will read, beginning on page 125.

The Clerk read as follows:

PART 2—ABOLISHMENT OF JOINT COMMITTEE ON IMMIGRATION AND NATIONALITY POLICY

ABOLISHMENT OF JOINT COMMITTEE ON IMMIGRATION AND NATIONALITY POLICY

SEC. 421. The Joint Committee on Immigration and Nationality Policy established by section 401(a) of the Immigration and Nationality Act (66 Stat. 274; Public Law 414, Eighty-second Congress; 8 U.S.C. 1106(a)) is hereby abolished.

CONFORMING CHANGES IN EXISTING LAW

SEC. 422. (a) Section 401 of the Immigration and Nationality Act (66 Stat. 274; Public Law 414, Eighty-second Congress; 8 U.S.C. 1106) is hereby repealed.

(b) Title IV of the table of contents of the Immigration and Nationality Act (66 Stat. 166; Public Law 414, Eighty-second Congress) is amended by striking out—

"Sec. 401. Joint Congressional Committee.".

PART 3—AUTHORITY OF OFFICERS OF THE CONGRESS OVER CONGRESSIONAL EMPLOYEES

AUTHORITY OVER CONGRESSIONAL EMPLOYEES

SEC. 431. (a) Each officer of the Congress having responsibility for the supervision of employees, including employees appointed upon recommendation of Members of Congress, shall have authority—

(1) to determine, before the appointment of any individual as an employee under the supervision of that officer of the Congress, whether that individual possesses the qualifications necessary for the satisfactory performance of the duties and responsibilities to be assigned to him; and

(2) to remove or otherwise discipline any employee under his supervision.

(b) As used in this section, the term "officer of the Congress" means—

(1) an elected officer of the Senate or House of Representatives who is not a Member of the Senate or House.

(2) the Architect of the Capitol; and

(3) the Postmaster of the Senate.

AMENDMENT OFFERED BY MR. BROYHILL OF VIRGINIA

Mr. BROYHILL of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROYHILL of Virginia: On page 126, after line 14 and before line 15, insert the following:

"PART 4—LIMITATIONS ON EMPLOYMENT IN THE HOUSE UNDER THE POLITICAL PATRONAGE SYSTEM

"LIMITATIONS ON EMPLOYMENT ON THE BASIS OF POLITICAL PATRONAGE IN THE HOUSE OF REPRESENTATIVES

"SEC. 463. (a) The Committee on House Administration of the House of Representatives is authorized and directed to—

"(1) review the application, operation, and administration of the system of appointment, employment, and removal, on the basis of political patronage, of employee of the House of Representatives, including pages of the House of Representatives and employees under the Architect of the Capitol performing services for the House, but excluding employees paid out of the clerk hire allowances of Representatives and the Resident Commissioner from Puerto Rico, employees on the professional and clerical staffs of the standing committees of the House, and officers and employees of the House whose positions, in the judgment of the Committee on House Administration, should be filled with regard to political affiliation because of the nature and implications of their duties and responsibilities or of their employment generally; and

"(2) prepare a plan to eliminate such political patronage system in the House of Representatives.

"(b) Such plan shall include—

"(1) a procedure for the appointment and employment, on and after the date such plan becomes effective, without regard to political affiliation and solely on the basis of fitness to perform the duties concerned, of persons to fill vacancies in positions within the purview of such political patronage system on the date of enactment of this Act, subject to the exceptions contained in subparagraph (1) of subsection (a) of this section;

"(2) a provision extending the appointment and employment procedure referred to in subparagraph (1) of this subsection to positions in categories similar to those included in subparagraph (1) of subsection (a) of this section which are created on or after the date of enactment of this Act; and

"(3) a provision for periodic review by appropriate authority of the application, operation, and administration, of such plan.

"(c) The Committee on House Administration is authorized and directed to submit such plan to the appropriate authority or authorities in the House of Representatives and place such plan in effect at the earliest practicable date not later than the beginning of the second session of the Ninety-second Congress."

Mr. BROYHILL of Virginia (during the reading). Mr. Chairman, in view of the fact that the majority has a copy of the amendment, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

The CHAIRMAN. The reservation is heard.

The gentleman from Virginia (Mr. BROYHILL) is recognized for 5 minutes in support of his amendment.

Mr. BROYHILL of Virginia. Mr. Chairman, Maj. Gen. Andrew Jackson, "Old Hickory," he was called, introduced the spoils system into the Federal Government in 1828. He fired 252 Federal employees to make room for members of his political party. His slogan was: "To the victor belongs the spoils."

The Whigs won in 1840 and threw out the Democratic appointees. Then the Democrats, under President Polk, fired the Whigs.

The savage spoils system led to the assassination of President James A. Garfield by a disappointed jobseeker and caused the enactment of the civil service reform law of 1883.

Almost a century has passed since the Congress took action to end the spoils system in the executive branch of the Federal Government.

The spoils system of the House of Representatives is still in effect.

There are approximately 1,300 so-called patronage employees of the House: elevator operators, policemen, doorkeepers, publication workers, pages, and so on. The party holding the majority appoints about 98 percent of these jobs.

The minority party is allotted a few pages and policemen, and a miscellaneous assortment of other positions.

Whenever the majority changes in the House of Representatives, even by one seat, a tremendous upheaval is created among the House patronage employees. During the month of January following the election, hundreds of competent, experienced people are fired. Applicants, endorsed by the new majority are hired in a mad scramble. Production dwindles with untrained employees and those discharged may lose their income for months during their search for new employment.

Mr. Chairman, I ask for an end to the patronage appointment system. I recommend that the House develop procedures of selecting the best qualified candidates instead of determining which congressional sponsor has the priority. I suggest that the House concern itself with the supervision of employees on our rolls so that visiting citizens are not shocked by bookreading, sloppily dressed elevator operators and other such sights. A department store makes a better impression in this aspect than does the seat of our Government.

In this great legislative body we study and puzzle, even sweat and toil, to devise laws to solve our problems in a manner which will be as fair as possible to all segments of our population. We demand that the executive branch appoint on the basis of impartial testing—we investigate even rumors of violations.

Yet, whenever the majority changes from one political party to the other in the House we fire many times more employees than did "Old Hickory." We replace them with new, inexperienced applicants, who have one attribute that outweighs all qualifications of their predecessors—a political clearance from the majority party patronage committee.

I do not have statistics on the number replaced when the Republicans took the majority in 1952, nor when the Democrats won it back in 1954. Such statistics are not published in the CONGRESSIONAL RECORD. I do know those listed as being charged to my patronage account in 1954: two doorkeepers, seven elevator operators, and 22 folding room employees. All were handed dismissal notices during the month of January 1955.

There are about 600 House positions specifically under control of the patronage committee. The will of this committee is executed by the various elected officials of the House who have these positions in their departments. The Architect of the Capitol adds his elevator operators to the list. There are about 700 other jobs subject in one way or another to majority party control.

I propose that all patronage positions be converted to appointment on a merit basis, with separations only for worthy causes.

I have not attempted to prepare a specific plan for the conversion from our present system to a merit system. However, I would like to offer an amendment to H.R. 17654 which would provide for an expression of the sense of the House that our spoils system be eliminated. My amendment directs the House Administration Committee to formulate and install a plan and insure compliance through periodic review.

There is no reason to summarily dismiss those appointed by the opposition party when the majority changes. These employees serve every Member who calls upon them diligently and faithfully. They serve the majority well, they serve the minority equally well. They are not in a position to influence the welfare of either party nor would they desire to do so. We do not ask their political affiliation when they are hired; only the affiliation of their sponsor is of interest. These employees are primarily interested in doing a good job and earning funds for the support of their families. It is indeed a great injustice to place such a person's livelihood on the ballot at each election.

Let me give you an example of our present archaic employee-employer relationship. A man on our rolls had worked at the same job for 10 years. He had a wife and seven children to support. In an election his congressional sponsor was

defeated. In January of the following year, he was told by the patronage committee that he would be separated at the end of the month unless another member of the majority party agreed that the position could be charged to his patronage account. After 2 weeks of worry and anxious requests, the man fortunately found a new sponsor.

I personally observed this man's work as have most Members and legislative employees. He serves the public in his position. I can certify he is a capable, efficient person—courteous to all he served.

If a new sponsor had not been found, the House would have lost the value of 10 years' experience and training of this man. We would have traded him for a raw recruit from another congressional district. If a sponsor had not been found this man would have been dismissed without consideration of his excellent record and his seniority.

It is not, therefore, to the gain of the present minority party that I speak, nor to the detriment of the present majority party. I speak to the betterment of the House of Representatives. I rise in sympathy for the hundreds whose livelihoods are at risk in November of each even-numbered year. I speak for those who are not even privileged to apply for a position with their Congress simply because their Representative is currently in the minority party. The balancing out of appointments between the parties over a hundred years may bring equality to the parties but during that period it will bring injustices to thousands of individuals.

I speak for the use of merit in our selections of House patronage employees as a good business practice. I speak against mass dismissals as a bad business practice and a grave injustice to the employees. I speak for merit hiring for the positions as it is an injustice to any American citizen to deny him the right to compete for these jobs solely because the Congressman who represents the district in which the applicant lives happens to be a member of the party currently in the minority.

One final word on elimination of the patronage spoils system.

I want the members of the majority to note that I am recommending that all current appointees remain in their present positions. Merit appointments would only apply to future vacancies. Thus, the present majority party would have for many years whatever extra benefit was derived from having appointed present employees.

To the members of the minority I will give assurance that, with rare exceptions, the patronage employees serve us all with equal zeal. They are devoted in their duties to the Members and the public. They are earning a living for their families—not serving a political cause. That is the reason it is a tragedy for them to lose their employment in an election in which they are not the candidates and they take no part in the campaign.

The CHAIRMAN. Does the gentleman from California insist on his point of order?

Mr. SISK. I do insist on it, Mr. Chairman.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. SISK. Mr. Chairman, the amendment is obviously in contravention of the rule under which we are operating and which rule, adopted back at the beginning of the debate, said on line 11 no amendment to this bill shall be in order which would have the effect of changing the jurisdiction of any committee of the House listed in rule XI.

In the very beginning of the proposed amendment it starts out with the House Committee on House Administration, and goes into a considerable amount of detail as to the jurisdiction and responsibilities of the committee, and, therefore, would be in violation of the rule under which this bill is being considered.

The CHAIRMAN. Does the gentleman from Virginia (Mr. BROYHILL) desire to be heard on the point of order?

Mr. BROYHILL of Virginia. Mr. Chairman, it is my understanding that the Chair has sustained a similar point of order on the bill prior to this, but I would say that the amendment does not change the jurisdiction of the House Committee on House Administration, but merely instructs the House Committee on House Administration to change the patronage procedures.

This is a committee that we organized in the House of Representatives, and this merely seeks to do just that.

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

House Resolution 1093, adopted on July 13, 1970, as the Members of the Committee will remember, provides in part as follows:

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.

It is the opinion of the Chair that the amendment offered by the gentleman from Virginia (Mr. BROYHILL) affects the jurisdiction of the Committee on House Administration, and, therefore, the point of order must be sustained.

The Chair therefore sustains the point of order.

The Clerk will read.

The Clerk read as follows:

PART 4—THE CAPITOL GUIDE SERVICE

ESTABLISHMENT AND OPERATION OF THE CAPITOL GUIDE SERVICE

SEC. 441. (a) There is hereby established an organization under the Congress of the United States, to be designated the "Capitol Guide Service", which shall be subject to the direction, supervision, and control of a Capitol Guide Board consisting of the Architect of the Capitol, the Sergeant at Arms of the Senate, the Sergeant at Arms of the House of Representatives, an employee under the Senate appointed by the minority leader of the Senate, and an employee under the House of Representatives appointed by the minority leader of the House.

(b) The Capitol Guide Service is authorized and directed to provide guided tours of the interior of the United States Capitol Building for the education and enlightenment of the general public, without charge for such tours. All such tours shall be conducted in compliance with regulations prescribed by the Capitol Guide Board.

(c) The Capitol Guide Board is authorized—

(1) with the prior approval of the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives, to establish and revise such number of positions of Guide in the Capitol Guide Service as the Board considers necessary to carry out effectively the activities of the Capitol Guide Service;

(2) to appoint, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform their duties, a Chief Guide and an Assistant Chief Guide, and, in addition, such number of Guides as may be authorized under subparagraph (1) of this subsection;

(3) to prescribe their duties and responsibilities;

(4) with the prior approval of the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives, to fix, and adjust from time to time, their respective rates of pay at single per annum (gross) rates; and

(5) to terminate their employment as the Board considers appropriate.

(d) The Capitol Guide Board shall—

(1) prescribe a uniform dress, including appropriate insignia, which shall be worn by personnel of the Capitol Guide Service when on duty; and

(2) from time to time, as may be necessary, procure and furnish such uniforms to such personnel without charge to such personnel.

(e) An employee of the Capitol Guide Service shall not charge or accept any fee, or accept any gratuity, for or on account of his official services.

(f) The Capitol Guide Board may detail personnel of the Capitol Guide Service to assist the United States Capitol Police by providing ushering and informational services, and other services not directly involving law enforcement, in connection with the inauguration of the President and Vice President of the United States, the official reception of representatives of foreign nations and other persons by the Senate or House of Representatives, and other special or ceremonial occasions in the United States Capitol Building or on the United States Capitol Grounds which require the presence of additional Government personnel and which cause the temporary suspension of the performance of the regular duties of the Capitol Guide Service.

(g) The Capitol Guide Board may receive and consider advice and information from any private historical or educational organization, association, or society with respect to those operations of the Capitol Guide Service which involve the furnishing of historical and educational information to the general public.

(h) With the prior approval of the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives, the Capitol Guide Board shall prescribe such regulations as the Board considers necessary and appropriate for the operation of the Capitol Guide Service.

(i) The Capitol Guide Board may take appropriate disciplinary action, including, when circumstances warrant, suspension from duty without pay, reduction in pay, demotion, or removal from employment with the Capitol Guide Service, against any employee who violates any provision of this section or any regulation prescribed by the Board pursuant to this section.

(j) The expenses of the Capitol Guide Service shall be paid from the contingent fund of the House of Representatives, until appropriations are available for the payment of such expenses.

COVERAGE OF EMPLOYEES OF THE CAPITOL GUIDE SERVICE UNDER THE FEDERAL CIVIL SERVICE RETIREMENT PROGRAM WITH RESULTANT COVERAGE UNDER FEDERAL LIFE INSURANCE AND HEALTH BENEFITS PROGRAMS

SEC. 442. (a) Section 2107 of title 5, United States Code, relating to the definition of "Congressional employee", is amended—

(1) by striking out the word "and" at the end of paragraph (7);

(2) by striking out the period at the end of paragraph (8) and inserting in lieu thereof a semicolon and the word "and"; and

(3) by adding at the end thereof the following paragraph:

"(9) an employee of the Capitol Guide Service.".

(b) Section 8332(b) of title 5, United States Code, relating to creditable service for retirement purposes, is amended—

(1) by striking out the word "and" at the end of paragraph (5);

(2) by striking out the period at the end of paragraph (6) and inserting in lieu thereof a semicolon and the word "and";

(3) by adding immediately below paragraph (6) the following paragraph:

"(7) subject to sections 8334(c) and 8339 (h) of this title, service performed on and after February 19, 1929, and prior to the effective date of section 442 of the Legislative Reorganization Act of 1970, as a United States Capitol Guide."; and

(4) by inserting immediately after the fourth sentence thereof the following sentence: "The Civil Service Commission shall accept the certification of the Capitol Guide Board concerning service for the purpose of this subchapter of the type described in paragraph (7) of this subsection and performed by an employee.".

TRANSITIONAL PROVISIONS RELATING TO THE ESTABLISHMENT OF THE CAPITOL GUIDE SERVICE AND THE CONCLUSION OF THE OPERATIONS OF THE EXISTING UNITED STATES CAPITOL GUIDES ORGANIZATION

SEC. 443. (a) The initial appointments, under section 441(c)(2) of this Act, of personnel of the Capitol Guide Service shall be effective on the effective date of this section. The Capitol Guide Board shall afford, to each person who is a member of the United States Capitol Guides immediately prior to such effective date, the opportunity to be appointed to a comparable position in the Capitol Guide Service without reduction in level of rank and seniority. For the purposes of the initial appointments of such persons, the number of such persons shall be considered to have been authorized for the Capitol Guide Service under section 441(c)(1) of this Act. The per annum (gross) rate of pay of each such person so initially appointed shall be a rate equal to the per annum rate of pay received by the United States Capitol Guides, who worked full tours of duty, averaged over the last five calendar years (excluding 1968) ending prior to the date of enactment of this Act. Subject to section 441(i) of this Act, the rate of each such person so initially appointed shall not, at any time after such initial appointment, be less than the rate at which he was initially appointed so long as he remains in the same position; but, when such position becomes vacant, the rate of pay of any subsequent appointee thereto shall be fixed in accordance with section 441 of this Act.

(b) The United States Capitol Police Board shall transfer, on the effective date of this section, to the Capitol Guide Board, all personnel records, financial records, assets, and other property of the United States Capitol Guides, which exist immediately prior to such effective date.

(c) As soon as practicable after the effective date of this section but not later than the close of the sixtieth day after such effective date, the Capitol Guide Board shall, out of the assets and property transferred under subsection (b) of this section, on the basis of a special audit which shall be conducted by the General Accounting Office—

(1) settle and pay any outstanding accounts payable of the United States Capitol Guides,

(2) discharge the financial and other obligations of the United States Capitol Guides (including reimbursement to purchasers of tickets for guided tours which are purchased and paid for in advance of intended use and are unused), and

(3) otherwise wind up the affairs of the United States Capitol Guides,

which exist immediately prior to such effective date. The Capitol Guide Board shall dispose of any net monetary amounts remaining after the winding up of the affairs of the United States Capitol Guides, in accordance with the practices and procedures of the United States Capitol Guides, existing immediately prior to the effective date of this section, with respect to disposal of monetary surpluses.

Mr. SISK (during the reading). Mr. Chairman, I ask unanimous consent that part 4 of title IV be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 130, lines 23, strike out "(5)" and insert in lieu thereof "(6)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 130, line 25, strike out "(6)" insert in lieu thereof "(7)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 131, line 1, strike out "(6)" and insert in lieu thereof "(7)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 131, line 3, strike out "(7)" and insert in lieu thereof "(8)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 131, line 12, strike out "(7)" and insert in lieu thereof "(8)".

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. DINGELL

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

The Clerk read as follows:

Amendment offered by Mr. DINGELL: On page 133, after line 18, insert the following:

"PROVIDING FOR AN AUDIT FOR ORGANIZATIONS CONDUCTING ACTIVITIES OR PERFORMING SERVICES IN OR ON THE UNITED STATES CAPITOL BUILDINGS OR GROUNDS

"SEC. 444(a) Any private organization, except political parties and committees constituted for election of Federal officials, whether or not organized for profit and whether or not any of its income inures to the benefit of any person, which performs services or conducts activities in or on the United States Capitol Buildings or Grounds, as defined by or pursuant to law, shall be subject, for each year in which it performs such services or conducts such activities, to a special audit of its accounts which shall be conducted by the General Accounting Office. The results of such audit shall be reported by the Comptroller General to the Senate and House of Representatives."

And renumber succeeding parts accordingly.

The CHAIRMAN. The gentleman from Michigan (Mr. DINGELL) is recognized in support of his amendment.

Mr. SMITH of California. Mr. Chairman, I reserve a point of order against the amendment. I have not seen this amendment and I am not certain which amendment the gentleman is offering. I discussed with the gentleman the amendment on page 135, but I have not seen this amendment at all.

Mr. DINGELL. I must confess, I will say to my good friend, that I had this amendment drawn up in the last day or so.

Mr. SMITH of California. Mr. Chairman, I make a point of order against this amendment.

The CHAIRMAN. The gentleman from California (Mr. SMITH) reserves a point of order against the amendment.

The gentleman from Michigan (Mr. DINGELL) is recognized.

Mr. DINGELL. Mr. Chairman, it has come to my attention that there are a large number of business activities conducted in or upon the Capitol Grounds. These businesses run all the way from contract businesses for the providing of services to the Architect of the Capitol, to the construction of large office buildings. They involve the operation of services upon the Capitol Grounds like lunchrooms, and they include concessionaires involving the providing of food services in the other body. They involve the operation of car washing services and other things in the garages in the House of Representatives and of the Senate.

These, I believe, are services and businesses on the Capitol Grounds and under the Congress of the United States that should be open to the public.

We should know who conducts this business and how, and this information should be made available to the people. We should know what the expenses are and what the contracts are and how the contracts are derived and carried out.

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

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

Mr. HOLIFIELD. What is the gentleman referring to? I assume he is re-

ferring to these different kinds of vending machines that are operated?

Mr. DINGELL. Included in this amendment, are the vending machines to which my friend refers.

Mr. HOLIFIELD. How about the souvenir stands and the bookselling stands in the Capitol?

Mr. DINGELL. Those would be included.

Mr. HOLIFIELD. Are you telling the Members of the House that these are not audited by the General Accounting Office and not within the knowledge of the House?

Mr. DINGELL. I tried to find out whether any of these organizations doing business in the Capitol, garages, souvenir stands, vending machines, restaurants, and so forth, are audited and I can find no evidence that they are. This amendment would cover those and the extension of the east front down to that to which the gentlemen refers and the vending machines in the basement and the restaurants run by concession. None are now subject to audit. Nobody knows what the expenses are or how the money is spent or how it is derived or anything else.

Mr. HOLIFIELD. It seems to me that the gentleman is calling the attention of the House to something that I was not aware of. I assumed that all of these matters were under the administration of the Committee on House Administration and they had regular audits and they were a matter of public record.

Mr. DINGELL. To the best of my knowledge there is no audit and no public scrutiny and no overview by any arm of the Congress.

Mr. HOLIFIELD. Who grants these vendors the right to put these cigarette machines and candy machines in the hallways of the House buildings?

Mr. DINGELL. I must confess to my friend, I do not know who does this or who gives the authority.

Mr. HOLIFIELD. I wonder if any member of the committee may supply us with that information?

Mr. DINGELL. I know of no information on these things, and it occurred to me since we are trying to open up the functions of the Congress for the benefit of the Congress and to give the people a full knowledge of what goes on here at the Capitol and how affairs involving the expenditures of oftentimes many millions of dollars are conducted, then the information should be made available. It occurred to me that the fairest and the best way to do that was to have an audit by the General Accounting Office.

I would say that this amendment is offered in that spirit to provide for an audit by the General Accounting Office of all of these facilities which do business in or on the Capitol Grounds.

I would note, because they are covered by the laws, everyone here will know first hand what the amendment says:

Any private organization except political parties and those instituted for the election of federal officials, whether or not organized for profit, and whether or not any of its income inures to the benefit of any person.

These are covered and we exclude committees, and Members of Congress.

The amendment carefully excludes the activities of political parties and committees to support election campaigns of Federal officials since they are covered by activities elsewhere.

Trying to cover the activities of political parties and campaign committees it would involve, I think, grave questions of germaneness that might probably render the amendment subject to a point of order.

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

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

Mr. SCHWENGEL. I am glad the gentleman in the well has taken this matter up. I can speak only for the Historical Society. If you will recall, an amendment was passed by the House authorizing and directing the Architect of the Capitol to negotiate with the Historical Society. One provision in the agreement provides for regular audits. They are on file on time, and they are available to the public. If you want a further audit, I have no objection, because our operations are completely an open book. Yesterday we had our annual meeting.

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

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

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

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

Mr. REES. Would the amendment include the majority and the minority printers?

Mr. DINGELL. I have every reason to believe it would.

Mr. REES. It would?

Mr. DINGELL Yes, indeed. They are businesses which are conducted here on the Capitol Grounds.

Mr. REES. That is the intent of the amendment?

Mr. DINGELL. Yes; it would include the majority and the minority rooms and their earnings.

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

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

Mr. SCHWENGEL. I should like further to state that the Historical Society is pretty much managed by Members of the Congress. You will notice that Members are on the board of directors. Furthermore, I invite any Members of Congress and any member of the society anywhere to inspect our books and operation at any time. I have no opposition to this amendment. I merely wish to make clear that what the gentleman is aiming at has already been arranged for and probably is fully protected under the present arrangement.

The CHAIRMAN. Does the gentleman from California (Mr. SMITH) insist upon his point of order?

Mr. SMITH of California. Yes, I do.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. SMITH of California. As I have said, I have not seen the amendment before. As I now read it, I see that it refers to "any private organization except a political party and committee," and it goes on to say, "which performs services on the Capitol Grounds," and so forth. The activities shall be subject to an audit of its accounts, which will be conducted by the General Accounting Office.

Pursuant to the resolution which we adopted at the beginning of the consideration of this bill, H.R. 1093, we could not change the jurisdiction of any committee. If the gentleman will refer to page 340 of the rules, under "Committee on House Administration," under article (1), he will note that the committee has jurisdiction of "measures relating to services in the House, including the House restaurant, and administration of the House Office Building and the House wing of the Capitol." It also has jurisdiction of "measures relating to accounts generally."

Mr. Chairman, it would seem to me that this does to some extent change the jurisdiction of the Committee on House Administration. For that reason I would urge that my point of order be sustained.

The CHAIRMAN. Does the gentleman from Michigan (Mr. DINGELL) desire to be heard on the point of order?

Mr. DINGELL. Very briefly.

The CHAIRMAN. The Chair is prepared to hear the gentleman.

Mr. DINGELL. Mr. Chairman, my very good friend from California, for whom I express the most high regard, has read the first two or three lines of the amendment. I have excepted political parties and I have excepted committees, but they are committees which are constituted for the election of Federal officials. This does not refer to the committees of the Congress.

With regard to the jurisdiction of the Committee on House Administration, I am somewhat aware of the jurisdiction of that committee, but I would like to point out to my friend that this neither expands, defines, nor does it in any way diminish the jurisdiction and powers of the Committee on House Administration. Indeed, the language of the amendment does not in any fashion mention or refer to the Committee on House Administration, nor does it in any fact either expand or contract the jurisdiction of the great Committee on House Administration.

In fact, I was aware of the point my friend from California made with regard to the jurisdiction of committees at the time the amendment was drawn, and I must confess that the amendment was drawn expressly to avoid imposing new responsibilities or duties upon any of the sitting committees of Congress, with specific reference to not changing or altering the responsibilities of the great Committee on House Administration of the House of Representatives.

The CHAIRMAN. The Chair is prepared to rule.

The amendment offered by the gentleman from Michigan (Mr. DINGELL) provides for an annual audit by the General Accounting Office of the accounts of any private organization which performs

services or conducts activities in the Capitol Building. The amendment follows part 4 of the pending title of the bill. Part 4 establishes and provides for the operation of the Capitol Guide Service. This service would supersede an existing organization, the Capitol Guides, and the bill provides, on page 133, for an audit to be conducted by the General Accounting Office of that organization.

Since the amendment is similar to this provision of the bill and is applicable only to organizations conducting activities in the Capitol, the Chair holds that the amendment is germane and overrules the point of order.

The question is on the amendment offered by the gentleman from Michigan (Mr. DINGELL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SCHEUER

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

The Clerk read as follows:

Amendment offered by Mr. SCHEUER:

On page 133, after line 18 and before line 19, insert the following:

PART —— CONGRESSIONAL ADJOURNMENT

CONGRESSIONAL ADJOURNMENT

SEC. —. (a) This section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it shall be considered as part of the rules of each House, respectively; and such rule shall supersede other rules only to the extent inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

(b) Section 132 of the Legislative Reorganization Act of 1946 (2 U.S.C. 198) is amended to read as follows:

"CONGRESSIONAL ADJOURNMENT

"SEC. 132. (a) Unless otherwise provided by the Congress, the two Houses not later than July 31 of each year—

"(1) shall adjourn sine die; or

"(2) shall provide, by concurrent resolution adopted in each House by roll call vote, for the adjournment of the two Houses from that Friday in August which occurs at least thirty days before the first Monday in September (Labor Day) to the second day after Labor Day.

"(b) This section shall not be applicable in any year if on July 31 of such year a state of war exists pursuant to a declaration of war by the Congress.".

Mr. SCHEUER. Mr. Chairman, I am offering a simple but important amendment this afternoon that I believe will serve the convenience of House Members by providing for a regular annual recess. All too often the Members of this Chamber have been unnecessarily inconvenienced, and in some cases, their health impaired, by the uncertainty surrounding the scheduling of adjournment or of the fall recess. This amendment would provide that under normal circumstances, a period of about 30 days in August would be set aside for such a recess if the legislative schedule prevented adjournment. Not later than July 31 of each year, both Houses would either adjourn "sine die" or provide by concurrent resolution adopted by a rollcall vote in each House for an August recess from the first Friday in August to the second day after Labor Day. This recess would resemble the House of Representatives recent recess.

The amendment also provides that this period could be changed if otherwise provided by Congress, giving us the necessary flexibility in setting the time of adjournment or the dates of the recess that we do not now have. The amendment would not apply to a state of war formally declared by the Congress.

Similar provisions have been incorporated into almost every one of the proposals for legislative reorganization introduced in the last 20 years, including the version now pending in the Senate, but were inexplicably omitted from the present bill. An August recess was also recommended by the 1967 Joint Committee on the Organization of Congress.

These are sensible and necessary provisions providing a minimum of respite from the tensions and pressures of the responsibilities. No private corporation treats its senior executives the way the House treats its Members in this respect, keeping them guessing, often until the closing days of a session, about when Congress will adjourn and whether or not there will be a fall recess. Instead, these corporations guarantee their executives specified periods of time every year for vacations to maintain "mens sana in corpore sano." We should be able to count on being free during the month of August to pursue our affairs away from Washington, free to unwind for a few weeks away from the pressure of legislative affairs.

I urge my colleagues to join me in supporting this amendment.

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

Mr. SCHEUER. I yield to the gentleman from California, the distinguished chairman of the committee.

Mr. SISK. Mr. Chairman, I appreciate the gentleman yielding. In the interest of saving a few minutes here, as this Member understands the amendment, it would provide for a recess of approximately 4 weeks, or the month of August, unless the Congress otherwise saw fit not to take a recess.

Mr. SCHEUER. Yes, it does provide that flexibility, which the Senate bill does not provide. The Senate bill includes specific language for an August recess. I suppose the Congress could act in any event, but the language I am proposing provides a flexibility that the Senate provision does not provide.

Mr. SISK. I appreciate the gentleman clarifying it, because in my opinion this is actually better language then the other bill had. As far as this Member is concerned, with the flexibility I understand to be contained in the language, personally I would have no objection to the amendment.

Mr. SCHEUER. Mr. Chairman, I thank the gentleman from California.

Mr. SMITH of California. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I yield to the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Chairman, I find myself in agreement with the gentleman from California (Mr. SISK). I see no opposition to the amendment. It is agreeable to me.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. SCHEUER).

The amendment was agreed to.

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

Mr. Chairman, I take this time to ask the gentleman from California (Mr. SISK) or some other manager of the bill, whether it is contemplated that there be a substantial staff with respect to the newly established Capitol Guide Service if this bill is passed?

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

Mr. GROSS. I am glad to yield to the gentleman from California.

Mr. SISK. This was a subject, I might say to my good friend from Iowa, which was gone into rather thoroughly by our staff people. A study was made of cost and so on.

It is not anticipated that the present staff be enlarged. Of course, as I am sure my friend understands, these employees will be made employees of the Congress, rather than being independent as they are at the present time. Of course they charge 25 cents per person for furnishing guide service.

As I am sure the gentleman knows, there have long been questions raised about the propriety of charging visitors to the Capitol 25 cents for guide service. This would eliminate the 25 cents and would make these people employees and would provide for the normal benefits and so on that other congressional employees would have.

Mr. GROSS. There would be no charge under this newly established Capitol Guide Service for these tours, I take it?

Mr. SISK. The gentleman is correct.

Mr. GROSS. What kind of a staff will it take to administer the affairs of this new Capitol Guide Service? Is this going to result in another addition of Federal employees?

Mr. SISK. Let me say to my colleague from Iowa that there is no increase in the present staff, administrative, clerical, or otherwise over the present operation.

Mr. GROSS. Let me get at it this way: Who is going to administer this new guide service?

Mr. SISK. It will be administered by a board which is set up, as the gentleman will note in the language.

Mr. GROSS. Will the board have a staff?

Mr. SISK. No, it is not contemplated that there be any substantial staff for the board. In fact, I do not believe that there is any staff provided for the board itself.

Mr. GROSS. I never heard of a board or a council or a commission in Washington, D.C., that did not have a staff.

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

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

Mr. HAYS. I will say to the gentleman I believe the gentleman from California,

with all due respect, is a little bit in error. The Committee on House Administration, on which I happen to be the ranking Member, studied this for some time. The Rules Committee decided we did not do it to suit them, and they moved in and took it over.

There will be a staff. The present guide staff will probably be doubled. There will be a staff for the board, and the gentleman can bet his bottom dollar on that. Did the gentleman ever see another board or commission in this town which did not have a staff?

Mr. GROSS. I never heard of one.

Mr. HAYS. This will be no exception. The first thing we will hear is that due to the fact that they are not charging a fee there are a lot more people going on the tours and they need more guides, and the whole thing will mushroom, and we will have another young empire around here.

That is the reason why the Committee on House Administration never really saw fit to do this.

Does the gentleman have anything to say?

Mr. GROSS. I was going to extend the invitation. I am glad the gentleman did.

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

Mr. GROSS. Of course I yield to the gentleman from California.

Mr. SISK. I thought the gentleman had finished, but, if the gentleman will yield, I have great admiration for my good friend from Ohio, and I always enjoy his comments.

Let me say that in no way, at no time, did the subcommittee or the Committee on Rules have any intent of getting into any problem with the Committee on House Administration, for whom we have the highest respect. I am not even aware of this situation.

Mr. HAYS. If the gentleman will yield, I should like to comment.

Mr. SISK. Would the gentleman permit me to complete my statement?

Mr. HAYS. Of course.

Mr. SISK. I am not aware that the Committee on House Administration ever has been involved in this subject. That does not mean they have not, but this Member was not aware they had been involved in it.

There was a request made by a number of Members to our subcommittee. Also there was interest expressed on the part of the guide service itself.

Mr. HAYS. I agree.

Mr. SISK. The language then was put together as you see it here in the bill.

Mr. HAYS. Would the gentleman yield?

Mr. GROSS. Yes. I yield to the gentleman.

Mr. HAYS. I will say to the distinguished gentleman from California—and I consider him one of my friends—that he has a short memory. I told him about this a long time ago, that it was before the Committee on House Administration, and I told him who was behind it. Certainly the guide service wanted it, because they are all getting a fat increase. Why would they not want it? Who picked these guides in the first place?

This is one of the things that have grown up around here. They picked each other. That is how they got where they are. Somebody quit and some relative picked another relative. This is the most incestuous outfit around this Capitol.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. GROSS. I think I should remind the House at this point that one of the real crosses the gentleman from California (Mr. SISK) has to bear is the fact that he is the chairman of the House Parking Committee. The gentleman from Ohio (Mr. HAYS) and the gentleman from Iowa presently speaking are the other two members of that committee.

Mr. HAYS. I would like to comment on that if the gentleman will yield.

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

Mr. HAYS. I remember when that committee was set up that somebody commiserated with the gentleman from California and said, "I cannot imagine being the chairman of a committee the other two members of which are the gentleman from Iowa (Mr. GROSS) and the gentleman from Ohio (Mr. HAYS)."

Now, to show you how easy it has been and how much younger he looks, that committee has not even met this session of the Congress. We run the thing by itself without even meeting.

Mr. GIBBONS. Do you have a staff?

Mr. HAYS. One person. Of course. Do you know of any committee or commission or board around here that does not have a staff? Of course we have a staff. But it is a staff of one only, and we have not really tried to build an empire. Maybe we should.

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

Mr. Chairman, I appreciate very much the colloquy of my two good friends.

Mr. Chairman, I might say in fairness to my good friend from Ohio (Mr. HAYS), I do recall the gentleman speaking to me about a year ago on this. Unfortunately, we have been involved in this bill for a period of about 2 years or thereabouts, so I guess I do have a rather short memory.

Mr. HAYS. Will the gentleman yield?

Mr. SISK. Yes. I yield to the gentleman.

Mr. HAYS. The only comment I would have there is it has been a long gestation period, and it is just too bad it was not a lot longer.

Mr. SISK. I appreciate the comment of my friend. I know there are few who share it.

At the same time, seriously, we are attempting here to try to improve the procedures of the House. For a long time there has been concern among Members of Congress and comments by many of the visitors about the matter of charging for tours within the Capitol. We all understand that a visitor can come into the building and wander around on his own and he does not necessarily have to pay for the guide service. I think frankly that the guides are rendering a service that is worthwhile and which tends to improve the quality of the person's visit. I think the tour lasts 20 or 25 minutes.

With reference to the cost involved, let me say that the committee went to considerable lengths to try to stabilize the salaries or make a determination on them in line with their existing income. For example, I might cite the fact that in averaging out the salaries we did note, of course, 1 year in which actually their income went way down. In fact, I think it was only about half of what it was normally. That was, of course, 1968, the year that I suppose we refer to as the year of the riots. As a result of that, we eliminated that year in attempting to develop an average.

We did set up a salary schedule pretty much on the basis as I understand of the income they have earned over a period of the last several years, or the board, of course, is authorized to establish such a salary. There is no question but what this is going to cost additional money because they are going to be paid rather than collect their income 25 cents by 25 cents from the visitors. As far as this Member is concerned, and as far as the committee is concerned, it is up to the House, if the Members believe that this is the type of service that they would like to have furnished.

This was a rather time-consuming effort on the part of our committee. Let me say that I, of course, have felt that we were improving the service to the visitors, and that is the sole point of the legislation.

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

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

Mr. KAZEN. My understanding is that the guides here now are paid solely from what comes in from the quarters that they charge the tourists. Is that correct?

Mr. SISK. That is exactly correct.

Mr. KAZEN. So they are self-sufficient?

Mr. SISK. That is correct.

Mr. KAZEN. How many guides are there?

Mr. SISK. If the gentleman will give me just a moment, I think we have some figures on that. I believe that there are some 25 or 30 guides, as I recall.

Mr. KAZEN. What is the salary of each guide?

Mr. SISK. It varies some, of course; at the present time it varies based on their income from year to year. For example, I will say that about an average year, as I recall from our examination, was about $11,000 a year. Now, during the year of the riots, so to speak, it dropped down, I believe, to $5,000 or $6,000.

Mr. KAZEN. What will it be under the provisions of this bill?

Mr. SISK. It will be comparable, or approximately $11,000. And that, of course, will be determined by the board that is created in the legislation.

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

Mr. Chariman and colleagues, I could not feel more deeply about what I think is a need here, and that is to make this Capitol better known and appreciated. Mr. Adams, the first President to speak here, declared in 1800 to be "The temple of liberty for us and the world."

And it has been that, and the millions who come here and just wander around with no guide because of the fee to better understand this institution.

You and I have appropriated millions of dollars to help people understand our history in the Archives Building and through our park services. The Ford Theater is free, the White House is a free tour. It does not cost you anything to go through the Library of Congress, and it does not cost you anything to go through the Supreme Court. And there is no good reason to charge to see the Capitol.

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

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

Mr. HAYS. Mr. Chairman, you do not have any guides down at the White House, you just walk through; is that right?

Mr. SCHWENGEL. You do have guide service for the special groups you and I and all of us send there, periodically sometimes in numbers that reaches 3,000 people a day—as many as six or seven tours of the White House are conducted tours at no cost.

Mr. HAYS. I am talking about the general public.

Mr. SCHWENGEL. The general public, no.

Mr. HAYS. They walk through free, and that is it.

Mr. SCHWENGEL. That is right.

Mr. HAYS. I thank the gentleman.

Mr. SCHWENGEL. But it still costs some money to provide all these services, and remember that in many, many of the park areas the guide service is free.

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

Mr. SCHWENGEL. I yield to the gentleman from Minnesota.

Mr. FRASER. Is there an amendment to strike this from the bill?

Mr. SCHWENGEL. No; the provision for the guide service is in the bill.

Mr. FRASER. It is in the bill?

Mr. SCHWENGEL. That is right, and I hope it stays there.

And, Mr. Chairman, I want to speak in behalf of the people who are the guides. We are fortunate that we have the type of person, or the kind that becomes the type of person that they do when they become a guide, because they somehow become wrapped up in the history of our Capitol Building, and they are doing generally speaking an excellent job.

Now, the question of the salary has been raised here, and the salary that is provided is probably about the average of what you pay in the congressional offices, and it is about comparable to the doorkeepers here.

I do not know of any finer public service we could give to the public than to say "Come and visit your Capitol, and do it at no cost to you, and we will furnish you a guide. The bill protects the public interest in that the bill creates a board to properly direct the service. It is going to cost a little money, but I do not see any need for any great staff.

I see a need for improvement, for instance, for people who speak the principal foreign languages on the guide service so that when people come here from Germany, Japan, Spain, France, Italy, and Sweden, they can get adequate guide service. It would be very much in the interest of our Government to respect the foreigners who come here to visit.

I think this bill and especially this section is very, very much in the public interest. The amount of money that would be spent here just for educational purposes would be far greater than the benefits we get from many of our public schools all over the Nation.

I hope the amendment stays in the bill.

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

Mr. SCHWENGEL. I yield to the gentleman.

Mr. GROSS. Is a charge made for tours, for sightseeing tours at the United Nations?

Mr. SCHWENGEL. I think they do.

Mr. GROSS. Yes, I thought so too. Do they have people who speak Swahili up there?

Mr. SCHWENGEL. Yes, I understand they have people who speak all the languages.

Mr. GROSS. All of the languages?

Mr. SCHWENGEL. I guess so—I do not know.

Mr. GROSS. If the gentleman has his way with respect to the tour guides here, we are going to have to spend some money; are we not—some real money?

Mr. SCHWENGEL. Yes, it is going to cost some money, but I think it would be the best money ever spent.

Mr. GROSS. Does the gentleman from Iowa think this is the time to be increasing the outlay of money on the part of the taxpayers of this country?

Mr. SCHWENGEL. Guides here do not have adequate protection and this provides while they are employed that they will get hospital care and all the fringe benefits we give our employees.

Let me cite a very tragic case of a lady who worked for 14 years and she had no hospital benefits. Her friends had to take up a collection to pay her hospital bill for the last 3 weeks before she passed away. These things will be taken care of here and I think these people deserve this kind of protection.

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

Mr. SCHWENGEL. I yield to the gentleman.

Mr. CONABLE. Mr. Chairman, I would like to associate myself with the remarks of the gentleman in the well.

We would be pennywise and pound foolish if we did not try to put the best foot on representative government forward and do a better job in welcoming people here to their Capitol Building, the seat of our representative government. The public should feel at home here rather than having in effect to pay an admission charge for an informed visit. We should spend a little money on public relations for the Congress in this respect rather than charging people to see the site of representative government while the executive branch spends literally millions of dollars in more questionable public relations of one sort or another almost daily.

Mr. HAYS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am not going to take the 5 minutes, I hope. I do not want to make a big issue out of this. But this thing has been painted all one hue.

I would say to you that I do not know of any great institution in the world where you get free guide service furnished. At St. Peter's in Rome you do not. If you want to see it in detail, you pay for a guide.

Here at the National Capitol, if you want to see it, you can walk through it and take as much time as you want. If you want to know anything in detail and have it explained to you, then you pay a quarter.

Certainly, I understand that these people want this and they have been lobbying for it. Certainly, they want free insurance.

You know, you can get pretty worked up about a poor lady who made $12,000 a year for 10 years and she did not buy herself any hospitalization insurance. But she could have. You can get pretty emotional about this.

But I would invite some of you to come to the Committee on House Administration and find out how many rackets there are run around here like numbers selling and bookselling and the guides being picked by God knows who. Nobody has ever been able to find out how these people get their jobs. I never have and I have been here for 22 years, and I suppose all of them who are on now are going to inherit their job and be frozen on the tax rolls.

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

Mr. HAYS. I yield to the gentleman.

Mr. GROSS. I assume from what I am hearing that all of these people will be getting all the benefits of Federal employees—insurance, retirement and everything else.

Mr. HAYS. That is correct.

Mr. GROSS. I wish somebody would tell us more about these staffers who will take care of the administration of this board or whatever it is.

Mr. HAYS. The next thing you know, the next amendment we will be getting will be to pay these people sitting around at the various doors selling books and they will be on the taxpayers' backs, so they can get all the fringe benefits. I assume they are working on commission now, but I really do not know. Maybe the Dingell amendment will enable us to find out.

Mr. GROSS. That is one more good reason for voting against the gentleman's amendment.

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

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

Mr. CONABLE. It seems to me that we cannot have it both ways. Either they will be employees of the Congress and we shall have some control over them, or this sort of semidetached or, to use the gentleman's word, "incestuous" relationship will continue. I think it is desirable to get some control.

Mr. HAYS. But, as I understand it, the people that you would freeze in there under the bill are those who are there now; maybe we would have some control over them from now on.

Mr. CONABLE. It seems to me that control would be desirable, although I certainly have no objection to the present quality of the guide service.

Mr. HAYS. If it had been my decision, I would have preferred to start over brand new and not freeze anybody on the payroll. That is my objection to it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PART 5—ADMINISTRATIVE ASSISTANTS FOR HOUSE MEMBERS

ADMINISTRATIVE ASSISTANTS FOR MEMBERS OF THE HOUSE

SEC. 451. Each Member of the House of Representatives and the Resident Commissioner from Puerto Rico may designate, if he so elects, one of the number of employees authorized to be paid from his clerk hire allowance as "Administrative Assistant" by written notice to that effect to the Clerk of the House. The basic rate of clerk hire allowance of each Member of the House and the Resident Commissioner in effect immediately before the effective date of this section is increased by the additional basic amount of $1,455 per annum. Notwithstanding any other provision of law, no person shall be paid from the clerk hire allowance of a Member or the Resident Commissioner at a basic rate in excess of $8,955 per annum and not more than one person shall be paid at any one time from such allowance at a basic rate of $8,955 per annum. Sums necessary to carry out the purposes of this section with respect to the increase in the clerk hire allowance of each Member and the Resident Commissioner by the additional basic amount of $1,455 may be paid out of the contingent fund of the House until appropriations are available for such purposes.

AMENDMENT OFFERED BY MR. JACOBS

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

The Clerk read as follows:

Amendment offered by Mr. JACOBS: On pages 133 and 134, strike section 451.

The CHAIRMAN. The gentleman from Indiana (Mr. JACOBS) is recognized for 5 minutes in support of his amendment.

(By unanimous consent, Mr. JACOBS was permitted to proceed for an additional 5 minutes.)

Mr. JACOBS. Mr. Chairman, I should like to introduce to the Committee a friend of ours, Mr. John Q. Camel. You may recall he is the backup man for this operation in Washington.

Mr. SISK. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. SISK. It is my understanding that under the normal procedures of the House, the gentleman in the well would be addressing the Chair. I was curious to know if the Chair can observe the matter under discussion and whether the language in the statement of the gentleman could be understood without the Chair being able to observe the illustration.

The CHAIRMAN. The gentleman may proceed.

Mr. JACOBS. I would say to the gentleman I am proceeding in the normal way of visual aids. I have no objection at all to the Chairman, as well as all Members, having a good look at the illustration on the easel. As I said, he is the backup man for this operation. Some say he is beginning to get his back up about legislation such as is embodied in section 451 of the bill.

I understand this would raise the salaries of administrative assistance to slightly higher than the salaries of the Members of Congress ought to be right now. John Q. has borne up under many straws in recent years.

The first straw was put on in 1966. It was a 3.6-percent pay increase, which amounted to $1,300,000.

The next one was in 1967, when there was a 4.5-percent increase in the pay budget for staffers on Capitol Hill, which was $1,900,000.

In 1968, it was $4,260,000.

In 1969, there was a 9.1-percent pay increase, which was $3 million.

In 1969 again there was an additional clerk-hire which amounted to $3,784,500.

In 1970, there was a 6-percent pay increase, which came to $6,800,000.

In 1970, there was an addition to basic allowance of $1,853,012.

Mr. Chairman, this one might just be the one to break the camel's back. Let us see if it does.

I was afraid it might, Mr. Chairman.

It is not necessary to walk a mile for this camel. It is only necessary when the vote is taken to stand up and to walk just a few feet for this camel, because it has had a long dry spell for him. He thirsts for your votes.

PARLIAMENTARY INQUIRY

Mr. BROYHILL of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BROYHILL of Virginia. Mr. Chairman, when the amendment offered by the gentleman from Indiana has been disposed of, will it still be in order to offer an amendment to this section of the bill?

The CHAIRMAN. The gentleman is correct.

Mr. BOLLING. Mr. Chairman, I rise in opposition to the amendment. I will not take the 5 minutes, Mr. Chairman.

This proposition which the gentleman from Indiana moves to strike would merely put the Members of the House of Representatives on a parity with the Senators in regard to what they could pay a top assistant. It limits the increase to one top assistant who would come to the level of a Senator's administrative assistant.

The Member who offered it felt very strongly that there were a number of reasons why this should be done. The primary reason was that there have been cases of Members of the House losing administrative assistants to Senators who could pay a higher salary.

There is nothing mandatory about this. No Member need pay an administrative assistant a higher salary. No Member at any time need pay any member of his staff the salary approved by a pay increase. There are many Members who return to the fund a substantial amount of their clerk-hire. A Member can have one clerk or the authorized number. This is entirely at the discretion of the individual Members.

While I have the deepest sympathy for John Q. Camel, and the position of my friend, the gentleman from Indiana, and his interest in saving John Q. Camel from breaking his back, it seems to me the matter is a significant one, and a matter that should be given serious consideration.

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

Mr. BOLLING. I yield to the gentleman from Indiana.

Mr. JACOBS. Mr. Chairman, I just point out to the gentleman the probabilities that present themselves to the Congress. I realize that one of the burning issues of our time is that administrative assistants in this body should earn the same salary as administrative assistants in the other body.

There are two ways to correct the disparity. The first way is to raise the salaries of the administrative assistants in this body. The other way would be to lower the salaries of the administrative assistants in the other body.

Mr. BOLLING. I have no argument with the gentleman's point, and I should like to comment on it.

The point remains it is still entirely permissive. No Member need add a nickel to the pay of anyone. If a Member does not feel that his employees are worth a particular amount, he should not pay it, and I assume that he would not.

I repeat that many Members return funds. They do not use all of the funds allotted to them under clerk hire.

I do not consider it a great issue. I am not the Member who offered the amendment. It is of very little consequence to me as an individual. It is not of any importance compared to other issues confronting the Congress, nor is the opposition to it any more important than the issue.

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

Mr. BOLLING. I am glad to yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I should like to pose a question and ask the gentleman if this was considered when the amendment was adopted?

Most Senate offices cover an entire State, as compared to a congressional office covering a district. There are some exceptions, as to one-Congressman States. Most Senate offices are substantially larger and more complicated than a Representative's office.

If we adopt this committee amendment and bring our top person up to parity with the Senator's top person, was there any discussion as to the obvious reaction which might occur in the Senate, that they would again raise the ante?

Mr. BOLLING. The next step in that process, if one wants to be logical, is that we should have a differential between the Members of the House and of the Senate because the Senators have a larger job. I do not believe the logic fits.

Mr. CLEVELAND. That logic does not follow, because the Senator works full

time, presumably, and so does the Congressman, presumably.

Mr. BOLLING. So does the AA.

Mr. CLEVELAND. The type of skill and experience needed to run a senatorial shop for one of the larger States obviously must be more demanding than for the average congressional district. I think Mr. JACOBS' amendment has merit and I support it.

Mr. BOLLING. They have a substantially larger clerk-hire allowance and they have a substantially larger number of employees, it is my understanding, although I am no expert on Senate pay. It does seem to me that to operate an office for a Member of the House or for a Member of the Senate requires equal good judgment, equal capacity, and equal ability. It does not seem that 12 or 24 makes that much difference.

Mr. SMITH of California. Mr. Chairman, I rise in support of the amendment.

Yesterday the distinguished gentleman from Missouri mentioned that some of us had reserved objection to certain parts of the bill. He mentioned the one he had.

This happens to be one of the points in the final bill which I reserved objection to. It does not seem to me that this belongs in a reorganization bill. It seems to me this should come under the jurisdiction of the Committee on House Administration. If that committee believes this should be done, they can bring in a resolution and bring it to the floor of the House, where Members can consider it.

We have less than a quorum here today on this measure. I realize that every Member does not pay his administrative assistant the top salary. In fact, I do not have one. I have only six employees.

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

Mr. SMITH of California. I am happy to yield to the gentleman from Ohio.

Mr. HAYS. I am in a rather anomalous position here. I really do not oppose the amendment very much. On the other hand, the gentleman says that if the Committee on House Administration feels they ought to do this they can bring in a resolution. There is only one drawback, if the gentleman will recall what happened. I recall this with some distress mentally.

I brought in a resolution the other day from the Committee on House Administration to raise one man's salary to this figure. I did not consider it a personal defeat but, anyway, the resolution was defeated by a vote of 270 to 90.

I will throw this out for whatever it is worth. If we are going to do this we had better slide it through with this bill. If we bring it in as a separate measure—pardon the grammar—"It ain't going to go nowhere."

Mr. SMITH of California. Mr. Chairman, I am not interested in sliding anything through in this reorganization bill. In fact, that is one of the objections I have to this particular provision in the bill. I realize that every Member does not pay top salary, but if every Member did, as I understand, the increase could be as much as $2.65 million. It seems to me that we spend enough money around here and have raised enough salaries during this session of Congress. I for one am opposed to this increase being placed in this bill or it being passed at this time, prior to November 3, 1970. I support the amendment.

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

Mr. SMITH of California. I am happy to yield to the gentleman from New York.

Mr. CONABLE. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from California.

It seems to me this provision does not belong in a reorganization bill. It will distract not only the Members' attention but also the attention of the press and the public from the true nature of this bill.

The gentleman has made some very telling points in support of the amendment, which I intend to support, also.

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

Mr. SMITH of California. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

On the basis that the House Post Office and Civil Service Committee has handled these pay increases for administrative assistants and their staffs and congressional offices in the other pay bills, I join with the gentleman from California in questioning the jurisdiction in this matter. I do not know when the Committee on Rules, through a process of this kind, was given the jurisdiction to handle pay increases.

Mr. SMITH of California. I appreciate the gentleman's remarks.

Mr. JACOBS. Will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. JACOBS. The gentleman from Missouri said that if the pay increase goes through, it is entirely permissive for every Member to do as his conscience dictates. I submit that the vote on this amendment is exactly the same. It is entirely permissive and every Member can vote on this amendment as his conscience dictates.

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

Mr. SMITH of California. I yield to the gentleman.

Mr. HAYS. I do not like to have legislative history made here which may be incorrect. I believe the Committee on House Administration handles the pay scale of employees and Members of Congress if there is an increase. We regulate how many they can have and how much money can be expended all together. What the Committee on Post Office and Civil Service does is blanket them in if there is a general white collar increase in the whole Government. Is that correct?

Mr. GROSS. That is correct.

Mr. SMITH of California. Mr. Chairman, then I have not only one committee but two committees that are anxious to have jurisdiction of this. I think they should have an opportunity to work on it. I support the amendment, and I should like to see the language stricken.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. JACOBS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BROYHILL OF VIRGINIA

Mr. BROYHILL of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROYHILL of Virginia: On page 134, immediately below line 16, insert the following:

"PART 5—PAYROLL ADMINISTRATION IN THE HOUSE OF REPRESENTATIVES

"SINGLE PER ANNUM GROSS RATES OF PAY FOR EMPLOYEES UNDER THE HOUSE OF REPRESENTATIVES

"SEC. 451. Whenever the rate of pay of an employee whose pay is disbursed by the Clerk of the House of Representatives is fixed or adjusted on or after the effective date of this section, that rate, as so fixed or adjusted, shall be a single per annum gross rate."

Mr. BROYHILL of Virginia. Mr. Chairman, this is a simple amendment. It merely converts the basic salary of all employees to a gross amount.

Mr. HAYS. Mr. Chairman, a point of order. The amendment has not been read. I do not see how the gentleman can make a speech on it before it has been read.

Mr. BROYHILL of Virginia. Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

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

Mr. HAYS. Mr. Chairman, I object.

The CHAIRMAN. The Clerk will report the balance of the amendment.

The Clerk read as follows:

"SINGLE PER ANNUM GROSS RATES OF CLERK HIRE ALLOWANCES OF MEMBERS RELATED MATTERS

"SEC. 452. (a) The clerk hire allowance of each Member of the House of Representatives and the Resident Commissioner from Puerto Rico shall be at a single per annum gross rate, determined on the basis of the population, as currently estimated by the Bureau of the Census, of the constituency of that Member or the Resident Commissioner within one of the following categories, as applicable—

"(1) a population of less than 500,000, with respect to which the single per annum gross rate of clerk hire allowance is $133,500; or

"(2) a population of 500,000 or more, with respect to which the single per annum gross rate of clerk hire allowance is $140,500.

"(b) The aggregate of the payments of pay, for each monthly pay period, to employees, out of the clerk hire allowance of a Member or the Resident Commissioner, shall not be at a rate greater than the single per annum gross rate of clerk hire allowance of that Member or the Resident Commissioner, divided by twelve and adjusted to the nearest lower whole dollar figure, not counting any remaining portion of a dollar.

"(c) An employee is not entitled to pay, out of the clerk hire allowance of a Member or the Resident Commissioner, at a single per annum gross rate in excess of the rate of basic pay, as in effect from time to time, for step 2 of GS-17 of the General Schedule of section 5332(a) of title 5, United States Code.

"(d) Each Member and the Resident Commissioner shall certify any rearrangements or changes of salary schedules of employees paid out of his clerk hire allowance, in writing to the Clerk of the House, on or before such day of any month, in which such rearrangements or changes of salary schedules are to become effective, as the Clerk, with the approval of the Committee on House Administration, may designate from

time to time. The Clerk shall disburse the pay of those employees in accordance with the certification of that Member or the Resident Commissioner.

"(e) Each Member and the Resident Commissioner may, by written notice to the Clerk of the House, establish such titles for positions in his office as he may desire to designate.

"SINGLE PER ANNUM GROSS RATES OF ALLOWANCES FOR PERSONAL SERVICES IN THE OFFICES OF THE SPEAKER, MAJORITY LEADER, MINORITY LEADER, MAJORITY WHIP, AND MINORITY WHIP

"SEC. 453. The allowance for additional office personnel in the office of each of the following officials of the House of Representatives shall be at a single per annum gross rate, as follows:

"(1) the Speaker, $110,000.

"(2) the Majority Leader, $90,000.

"(3) the Minority Leader, $55,000.

"(4) the Majority Whip, $55,000.

"(5) the Minority Whip, $55,000.

"CONVERSION BY CLERK OF THE HOUSE OF EXISTING BASIC PAY RATES TO PER ANNUM GROSS PAY RATES

"SEC. 454. The Clerk of the House of Representatives shall convert, as of the effective date of this section, to a single per annum gross rate, the rate of pay of each employee whose pay—

"(1) is disbursed by the Clerk; and

"(2) immediately prior to such effective date, was fixed at a basic rate with respect to which additional pay was payable by law.

"OBSOLETE REFERENCES IN EXISTING LAW TO BASIC PAY RATES

"SEC. 455. In any case in which—

"(1) the rate of pay of any employee or position, or class of employees or positions, the pay for whom or for which is disbursed by the Clerk of the House of Representatives, or any maximum or minimum rate with respect to any such employee, position, or class, is referred to in or provided by statute or House resolution; and

"(2) the rate so referred to or provided is a basic rate with respect to which additional pay is provided by law;

such statutory provision or resolution shall be deemed to refer, in lieu of such basic rate, to the per annum gross rate which an employee receiving such basic rate immediately prior to the effective date of this section would receive, without regard to such statutory provision or resolution, under section 454 of this Part on and after such date.

"SAVING PROVISION

"SEC. 456. The provisions of this Part shall not be construed to—

"(1) limit or otherwise affect any authority for the making of any appointment to, or for fixing or adjusting the pay for, any position for which the pay is disbursed by the Clerk of the House of Representatives; or

"(2) affect the continuity of employment of, or reduce the pay of, any employee whose pay is disbursed by the Clerk of the House.

"CHANGES IN EXISTING LAW; RELATED PROVISIONS

"SEC. 457. (a) There are hereby repealed—

"(1) the first section of the Act entitled 'An Act to increase clerk hire, and for other purposes', approved December 20, 1944 (58 Stat. 831; Public Law 512, Seventy-eighth Congress; 2 U.S.C. 60g);

"(2) section 11(a) of the Legislative Branch Appropriation Act, 1956 (2 U.S.C. 60g-1); and

"(3) section 202(e) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a-(e)).

"(b) All provisions of law inconsistent with any provision of this Part are hereby superseded to the extent of the inconsistency.

"(c)(1) This subsection is enacted as an exercise of the rulemaking power of the House of Representatives subject to and with full recognition of the power of the House of Representatives to enact or change any Rule of the House at any time in its exercise of its constitutional right to determine the rules of its proceedings.

"(2) Clause 29(c) of Rule XI of the Rules of the House of Representatives is amended to read as follows:

"'(c) Each employee on the professional staff, and each employee on the clerical staff, of each standing committee, is entitled to pay at a single per annum gross rate, to be fixed by the chairman, which does not exceed the highest rate of basic pay, as in effect from time to time, of the General Schedule of section 5332(a) of title 5, United States Code.'.

"(d) Section 5533(c) of title 5, United States Code, is amended to read as follows:

"'(c)(1) Unless otherwise authorized by law and except as otherwise provided by paragraph (2) of this subsection, appropriated funds are not available for payment to an individual of pay from more than one position if the pay of one of the positions is paid by the Secretary of the Senate or the Clerk of the House of Representatives, or one of the positions is under the Office of the Architect of the Capitol, and if the aggregate gross pay from the positions exceeds $7,724 a year.

"'(2) Notwithstanding paragraph (1) of this subsection, appropriated funds are not available for payment to an individual of pay from more than one position, for each of which the pay is disbursed by the Clerk of the House of Representatives, if the aggregate gross pay from those positions exceeds the maximum per annum gross rate of pay authorized to be paid to an employee out of the clerk hire allowance of a Member of the House.

"'(3) For the purposes of this subsection, "gross pay" means the annual rate of pay (or equivalent thereof in the case of an individual paid on other than an annual basis) received by an individual.'.

"PART 6—PER ANNUM GROSS PAY RATES OF EMPLOYEES OF THE OFFICE OF THE ARCHITECT OF THE CAPITOL

"SINGLE PER ANNUM GROSS RATES OF PAY FOR EMPLOYEES UNDER THE ARCHITECT OF THE CAPITOL

"SEC. 461. Whenever the rate of pay of—

"(1) an employee of the Office of the Architect of the Capitol; or

"(2) an employee of the House Restaurant, or of the Senate Restaurant, under the supervision of the Architect of the Capitol as an agent of the House or Senate, respectively, as the case may be;

is fixed or adjusted on or after the effective date of this section, that rate, as so fixed and adjusted, shall be a single per annum gross rate.

"CONVERSION BY THE ARCHITECT OF THE CAPITOL OF EXISTING BASIC PAY RATES TO PER ANNUM GROSS PAY RATES

"SEC. 462. The Architect of the Capitol shall convert, as of the effective date of this section, to a single per annum gross rate, the rate of pay of each employee described in subparagraph (1) or subparagraph (2) of section 461 of this part, whose pay immediately prior to such effective date was fixed at a basic rate with respect to which additional pay was payable by law.

"OBSOLETE REFERENCES IN EXISTING LAW TO BASIC PAY RATES OF EMPLOYEES UNDER THE ARCHITECT OF THE CAPITOL

"SEC. 463. In any case in which—

"(1) the rate of pay of, or any maximum or minimum rate of pay with respect to—

"(A) any employee described in subparagraph (1) or subparagraph (2) of section 461 of this part, or

"(B) the position of such employee, or

"(C) any class or group of such employees or positions,

is referred to in or provided by statute or other authority; and

"(2) the rate so referred to or provided is a basic rate with respect to which additional pay is provided by law;

such statutory provision or authority shall be deemed to refer, in lieu of such basic rate, to the per annum gross rate which an employee receiving such basic rate immediately prior to the effective date of this section would receive, without regard to such statutory provision or authority, under section 462 of this Part on and after such date.

"SAVING PROVISION

"SEC. 464. The provisions of this Part shall not be construed to—

"(1) limit or otherwise affect any authority for the making of any appointment to, or for fixing or adjusting the pay for, the position of any employee described in subparagraph (1) or subparagraph (2) of section 461 of this Part;

"(2) affect the continuity of employment of, or reduce the pay of, any employee holding any position referred to in subparagraph (1) of this section; or

"(3) modify, change, supersede, or otherwise affect the provisions of sections 5504 and 6101(a)(5) of title 5, United States Code, insofar as such sections relate to the Office of the Architect of the Capitol.

"EFFECT ON EXISTING LAW

"SEC. 465. (a) All provisions of law inconsistent with this part are hereby superseded to the extent of the inconsistency.

"(b) Sections 5504 and 6101(a)(5) of title 5, United States Code, shall apply to employees of the House and Senate Restaurants who are paid at per annum rates of pay as long as such employees are under the supervision of the Architect of the Capitol as an agent of the House or Senate, respectively, as the case may be.

"EXEMPTIONS

"SEC. 466. Notwithstanding any other provision of this part, the foregoing provisions of this part do not apply to any employee described in section 461 of this part whose pay is fixed and adjusted—

"(1) in accordance with chapter 51, and subchapter III of chapter 53, of title 5, United States Code, relating to classification and General Schedule pay rates;

"(2) in accordance with subchapter IV of chapter 53 of title 5, United States Code, relating to prevailing rate pay systems;

"(3) at per hour or per diem rates in accordance with section 3 of the Legislative Pay Act of 1929, as amended (46 Stat. 38; 55 Stat. 615), relating to employees performing professional and technical services for the Architect of the Capitol in connection with construction projects and employees under the Office of the Architect of the Capitol whose tenure of employment is temporary or of uncertain duration; or

"(4) in accordance with prevailing rates under authority of the Joint Resolution entitled 'Joint Resolution transferring the management of the Senate Restaurants to the Architect of the Capitol, and for other purposes', approved July 6, 1961 (75 Stat. 199; Public Law 87-82), or section 208 of the First Supplemental Civil Functions Appropriation Act, 1941 (54 Stat. 1056; Public Law No. 812, Seventy-sixth Congress), relating to the duties of the Architect of the Capitol with respect to the House of Representatives Restaurant."

Mr. HAYS (during the reading). Mr. Chairman, I have heard enough of the amendment to get some idea of what it is about, and therefore if it is in order I will withdraw my objection.

The CHAIRMAN. Is there objection to

the request of the gentleman from Virginia that the amendment be considered as read and printed in the RECORD?

There was no objection.

Mr. BOLLING. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BOLLING. Mr. Chairman, if I am correctly informed, on page 2 of the amendment, section (c), it says:

An employee is not entitled to pay, out of the clerk hire allowance of a Member or the Resident Commissioner, at a single per annum gross rate in excess of the rate of basic pay, as in effect from time to time, for step 2 of GS-17 of the General Schedule of section 5332(a) of title 5, United States Code.

Mr. Chairman, perfectly frankly, I have had to examine this matter very quickly, but my impression is that the amendment offered by the gentleman from Virginia (Mr. BROYHILL) undoes the action of the House in adopting the amendment offered by the gentleman from Indiana (Mr. JACOBS) and, therefore, makes the whole section subject to a point of order. I, therefore, make the point of order that this amendment offered by the gentleman from Virginia (Mr. BROYHILL) is not in order, because it reverses an action just taken by the House.

The CHAIRMAN. Does the gentleman from Virginia (Mr. BROYHILL) desire to be heard on the point of order?

Mr. BROYHILL of Virginia. Yes, Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BROYHILL of Virginia. Mr. Chairman, this amendment was drafted in anticipation that the amendment offered by the gentleman from Indiana (Mr. JACOBS) would be adopted. What this section, to which the gentleman from Missouri (Mr. BOLLING) referred, does is to set a maximum. Since the purpose of the whole amendment is to convert from the basic schedule to the gross schedule it will set a maximum that any individual can receive if he is on the payroll of several Members. Under the basic schedule you could put an individual on the payroll of a Member of Congress at a $5 per year basic, and he can be on the payroll of several Members, up to, under the basic schedule, up to the $2,000 per year basic limit. The gross salary could amount to several thousand dollars per year. By converting from a basic schedule to a gross schedule the intent of this section of the amendment was to still preserve for the individual Member the right to share the work of an employee and put him on several payrolls. But the maximum that that employee can receive is the maximum that one individual can receive on the payroll of a Member.

I feel, Mr. Chairman, that the point of order should be overruled.

The CHAIRMAN. Does the gentleman from Ohio (Mr. HAYS) desire to be heard on the point of order?

Mr. HAYS. Yes, Mr. Chairman.

I just want to say that the gentleman's argument seems to be completely specious when he says that this was drafted in anticipation of the fact that the Jacobs amendment was not going to pass. The Jacobs amendment did pass and this amendment will undo what the Jacobs amendment does. For that reason, Mr. Chairman, I maintain that it is subject to a point of order.

The CHAIRMAN. The Chair is prepared to rule.

Under the amendment offered by the gentleman from Indiana (Mr. JACOBS), part V was stricken.

The amendment offered by the gentleman from Virginia (Mr. BROYHILL) adds a new part V with additional provisions.

The committee at this point may add new germane sections if it so desires.

Therefore, the Chair overrules the point of order.

The gentleman from Virginia (Mr. BROYHILL) is recognized for 5 minutes in support of his amendment.

Mr. BROYHILL of Virginia. Mr. Chairman, as has already been stated, the purpose of this amendment is to convert the present basic salary structure from which we pay our employees in our offices and employees of the committees to a gross pay structure.

In other words, it eliminates this complicated confusing silly, and ridiculous pay structure which we are dealing with now and tells it like it is and states the pay of every employee of the Congress, as it should be stated.

There is no earthly reason why we should be stuck with a system that is 25 years old—a basic pay structure on which we would have to apply a 17-step formula in order to determine what the gross pay of an individual employee happened to be.

The only thing that has been accomplished as a result of this system, if you want to call it an accomplishment, is to conceal from the public the pay of the employees of the House of Representatives.

Mr. HAYS. The gentleman knows that that is not so.

Mr. BROYHILL of Virginia. That is sufficient reason within itself to abolish the system. I submit that the public has the right to know the salaries of our staff employees.

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

Mr. BROYHILL of Virginia. The gentleman will let me complete my statement, then I will be delighted to yield to the gentleman.

Mr. Chairman, we are not fooling anyone but ourselves.

As Lincoln once said:

If you call a tail a leg, then how many legs has a dog? Five? No—by calling a tail a leg, don't make it a leg.

The people, in the final analysis really know what we are paying our employees. Any cub reporter can go over to the Disbursing Office and determine the salary of any employee of the Congress.

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

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. HAYS. The reporter does not have to be a cub reporter. I think the gentleman made a mistake when he said it is concealed from the public, because every year when the Congress is in recess they are short of stories and the wire service sends out a list of staff members of every Congressman and what they get. All they have to do is to get the base pay and they can figure out the total pay and see what they get.

I am not against that part of the gentleman's amendment. But I am against the fact that the gentleman's amendment raises the top salary that you can pay by $3,000 or $4,000. That is what it does and it does not provide the money to do it with.

Mr. BROYHILL of Virginia. The gentleman has a misunderstanding.

Mr. HAYS. No; I do not have any misunderstanding about that.

Mr. BROYHILL of Virginia. I say abolish the system. It serves no useful purpose whatsoever.

What the amendment does do is to provide the same gross pay for every Member and every committee.

The pay of no individual employee or no employee of a committee staff will be changed as a result of this amendment. What the amendment does do, and that may be what the gentleman from Ohio was referring to.

It takes the present basic system and converts it to the maximum gross and provides a savings clause so that no individual employee's salary will be reduced as a result of the adoption of this amendment. It converts what is now a $34,500 basic salary for Members that have less than 500,000 constituents to a gross of $133,500. That is approximately what the Members that represent less than 500,000 people would pay their staff if they utilized the entire basic allowance, and if you represent more than 500,000 people, in instances in which the basic allowance is now $37,000, the amendment would provide for a gross of $140,500. It makes no change whatsoever in any other part of the system. It does not change the number of employees. It does make the change I referred to a moment ago, where under the present system several Members can hire an employee on a $5 per year basic and he will receive a gross of something like $1,200 per year and he can be on the payroll of enough Members of Congress to have a $2,000 basic with around $12,000 gross.

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

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

Mr. BROYHILL of Virginia. Obviously when we convert this system from a basic system to a gross system we must make provision for more than one Member of Congress who wants to share the services of some individual. But you cannot permit a gross salary of $200,000. It merely provides in this amendment that the maximum salary that any individual can receive if he works for a number of Members of Congress is the maximum amount that one staff member can make as an employee of a single Member of Congress.

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

Mr. BROYHILL of Virginia. I yield to the gentleman from Texas.

Mr. KAZEN. Though I have not seen a copy of the amendment, I have followed what the gentleman has said very closely, and I am very interested in this one point: My understanding was that under the present system no person working for more than one Member, or being on more than one Member's payroll, could make over $5,000; is that correct?

Mr. BROYHILL of Virginia. The gentleman is incorrect. He can make a total of $2,000 basic, and if he is not working for a Member of the other body, he can make something in the neighborhood of $12,000 gross. There is a ceiling there, if you work for one Member of the other body, the maximum amount that can be paid one individual is $7,700.

Mr. KAZEN. You are bringing in the other body. I thought you were speaking of only this body.

Mr. BROYHILL of Virginia. It contains that provision. It makes no change for employees working for Members of the other body and Members of this body at the same time.

Mr. KAZEN. Is it true that under the present system any employee working for more than one Member of this body can make not more than $5,000?

Mr. BROYHILL of Virginia. That is not correct. He can make up to a total basic of $2,000, and whatever that gross amounts to.

Another advantage of this particular amendment is that in the future, when you add to the pay of our staff members, it could just be added to the gross salary allowance of each individual Member, automatically added to the pay of individual employees, and we will leave it up to the discretion of the individual Members to allocate the salaries.

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

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. HAYS. Mr. Chairman, I oppose this amendment, not because I think the main thrust of it, as I understand it, is bad, but because the gentleman from Virginia has not done his homework and has a lot of extraordinary provisions in the amendment that do a lot of things that I do not think the House wants done.

In the first place, he is as wrong as he can be about anybody making $200,000. We went into that in the House Administration Committee, and we have rules and regulations about how many payrolls a person can be on and what they can be put on for, and the gentleman's statement is completely and entirely inaccurate.

The second thing that it does is to raise the permissible maximum for employees of Members to, I believe the gentleman's figure was $34,000 a year, which is a $6,000 increase over the present permissible maximum. Now he wants to do all of this to gain what he says is a right for the public to know. What we have—and I admit it is an archaic system, but there are some other inequities in this that I propose to explain—but all you have to do now, if somebody is on for $2,000 base, is to get the Clerk's sheet and find out how much the gross is. Any newspaperman can do it and they do it.

What else does the gentleman do? By setting this kind of maximum, he puts a hardship on the Member who wants to be his own administrative assistant and do the administrative assistant work himself, and not have one high-paid person but have maybe several secretarial-type persons who would have a lower base, and, therefore, lower gross. When we set an arbitrary figure, we have let the fellow with the high-paid work home free, but we have let down the fellow who has a lot of secretarial help and who has to have many people to help him do his work.

I have been dealing with these matters on the House Administration Committee for 21 of the 22 years I have been here. I think I know what I am talking about. When we start tampering with this system by an amendment that apparently even the author of it, himself, does not know what it will do, we will raise many difficulties.

If the House does want to raise the pay of the top person in each office to $31,700 a year, do not vote for this amendment, but if you do for heaven's sake let me come back to my bill that we beat the other day by a vote of 270 to 90 and pass a pay increase for the staff of this hard-working person, if that is what Members want to do. I do not think that is what they want to do. I think the amendment should be defeated without much more argument.

Mr. SMITH of California. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Chairman, I concur with the remarks of the gentleman from Ohio.

I would like to make one more statement about this. On page 2, the amendment talks about the employee. It says the annual gross rate shall not be in excess of step 2 of GS-17. Step 2 of GS-17 is $31,738 at the present time. Today, the ceiling is $27,000 or a little over, so it is an increase almost in the same amount as we had in the bill and which we struck down in accordance with the amendment offered by the gentleman from Indiana. There is definitely an increase contained in the amendment.

Mr. HAYS. That is correct. The gentleman from Virginia said he wanted to make everything clear, so why did he not put in what the gross salary would be? But no, he put in step so-and-so of grade so-and-so—and we have to get out another piece of paper to see what it is all about.

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

Mr. Chairman, I just want to point out that it is rather frustrating to have an amendment like this introduced, which I must call "The-more-things-change—the - more - they - remain - the - same" amendment.

It seems to me incredible that an amendment purporting to uncomplicate the pay system should go through the double talk about step 2 of GS-17, which is much more difficult to master than the Greek I took in college. In plain English it is a pay raise to $31,738.

I compliment the gentleman from California (Mr. SMITH) for pointing out that step 2 of GS-17 is $31,738, which, by the way, is $1,738 higher than Members of Congress ought to be making right now.

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

Mr. JACOBS. I yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Chairman, if the proposal of the gentleman from Virginia were amended to set the limitation at that which is currently authorized, would it, in the opinion of the gentleman, improve the amendment?

Mr. JACOBS. I think it would improve it.

Mr. FRASER. It would make clear and understandable the salary system for clerk-hire?

Mr. JACOBS. I would think it might, but I feel like a country boy at a carnival. I am not quite sure. There is too much fancy talk in this amendment. I cannot tell which shell the pea is under. I think it should be struck down.

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

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

Mr. HAYS. May I say, in answer to the gentleman from Minnesota, I attempted to explain that setting a bald formula without any study can do damage to some Members and perhaps would help others.

At the present time the staff of the Subcommittee on Accounts is studying this matter with the idea of doing just this, but trying to find out what would be an equitable figure to set as the top limit, which would not hurt any Member and still not cause a lot more money to be spent. This might in effect cause more money to be spent.

I would ask the gentleman about that. If we can defeat this amendment I can almost give my word we are going to come out with a proposal to simplify this and at the same time protect the Members who are in the position of having not too many high paid people on their staff but several in the medium range.

Mr. JACOBS. The gentleman's word is good enough for me.

Let me say that just a few minutes ago I thought all the king's horses and all the king's men in this body had put poor old John Q back together again. Do not let him fall again.

AMENDMENT OFFERED BY MR. GIBBONS TO THE AMENDMENT OFFERED BY MR. BROYHILL OF VIRGINIA

Mr. GIBBONS. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Virginia (Mr. BROYHILL).

The Clerk read as follows:

Amendment offered by Mr. GIBBONS to the amendment offered by Mr. BROYHILL of Virginia: Amend section (c) on page 2 of the amendment offered by Mr. BROYHILL of Virginia to read as follows:

"(c) an employee is not entitled to pay, out of clerk hire allowance of a Member of

the Resident Commissioner at a single per annum gross rate in excess of $27,000."

Mr. GIBBONS. Mr. Chairman, I am just attempting to do by my amendment here what I believe the Members of the House clearly want to do, judging from the discussion we have just had on the floor; that is, to limit the top pay to what it now is. I believe that is what the gentleman from Virginia (Mr. BROYHILL) was trying to do when he had the legislative counsel's office help him draft this amendment.

That is all my amendment would do. If my amendment is adopted, then all reasonable objection to the amendment of the gentleman from Virginia (Mr. BROYHILL) would be dispersed and dispensed with, and we could go on and adopt that amendment.

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

Mr. GIBBONS. I am glad to yield to the gentleman from Missouri.

Mr. BOLLING. I am afraid the gentleman has an imperfect amendment, because I believe the present scale provides for $27,000 plus. I cannot remember the exact figure, but I believe it is around $27,600 or $27,700.

The gentleman, in effect, would be cutting the pay of those whose employers give them the top pay. I am quite sure I am correct on that.

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

Mr. GIBBONS. I am glad to yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. There should not be any confusion about this amendment. There was a problem in the drafting of the amendment, some technical difficulty. We all know what we are talking about.

We are talking about more than one Member hiring the same individual, who is working for several Members of Congress. Under the present structure, he can get a greater amount than one individual working for one Member of the House. We want an abundance of protection. We were saying what we meant in this amendment is that he would not receive more than one employee working for one Member would receive.

I see no difficulty in understanding this amendment. I hope that the amendment to the amendment will be adopted.

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

Mr. GIBBONS. I am glad to yield to the gentleman from Ohio.

Mr. HAYS. Specifically, on the gentleman's amendment, if it were adopted, it would cut some of the people around here by $343.27 a year.

Mr. GIBBONS. Mr. Chairman, I ask unanimous consent that my amendment then be amended so that we could include that figure of $343.27.

The CHAIRMAN. The Clerk will re-report the amendment with the corrected figure.

The Clerk read as follows:

Amendment offered by Mr. GIBBONS, to the amendment offered by Mr. BROYHILL of Virginia: Amend subsection (c) on page 2 of the amendment offered by Mr. BROYHILL of Virginia to read as follows:

"(c) An employee is not entitled to pay out of the clerk hire allowance of a Member or the Resident Commissioner at a single per annum gross rate in excess of $27,343.27."

The CHAIRMAN. Is there objection to the request of the gentleman from Florida to modify his amendment?

There was no objection.

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

Mr. GIBBONS. Mr. Chairman, I will try not to take that whole minute.

Mr. Chairman, we are simply seeking here to bring the Broyhill amendment in line with what the existing situation is today—not to increase anybody's pay and not to decrease anybody's pay. Other than that, the Broyhill amendment is a good amendment. It would eliminate quite a bit of the complicated procedure that you have to go through here to figure pay, and it will help the whole House.

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

Mr. GIBBONS. I yield to the gentleman.

Mr. CLEVELAND. I think the House should know before they vote on the Broyhill amendment that this was a proposal which was unanimously adopted by the Joint Committee on the Organization of the Congress. It was in the Legislative Reorganization Act of 1967, which did pass the Senate.

I might also inform the House that the gentleman from Virginia (Mr. BROYHILL) wrote a chapter in the book on congressional reform, "We Propose a Modern Congress," which sets out this proposal in some detail.

As I recall it—and I may be wrong—the Committee on House Administration has several times considered the possibility of doing away with the base pay system which is so complicated and causes so much misunderstanding.

I think both the amendments should be adopted.

Mr. GIBBONS. I thank the gentleman and I agree with him.

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

Mr. Chairman, the hour grows late. I would simply and briefly like to say that your committee has been up and down the hill a number of times in the last 18 months on this subject. I think something needs to be done. It is my understanding of the statement by the gentleman from Ohio, on the Committee on House Administration, that that committee has studied this matter. I simply believe now, in view of our experience in working with this, that it would be a good thing to defeat the existing amendment and any amendment thereto and let the Committee on House Administration go ahead and see what they can come up with on it.

Frankly, I am in favor of going to a gross pay. I recognize the problems of this house of cards that we have built up. It is a complicated problem in figuring it out. For example, I know the problem of the Clerk of the House in dealing with it. But again we have had a demonstration this afternoon of trying to arrive at the exact figure. As I note the total figures outlined, they could represent a cut in some cases, depending on the level of the employees you may have, and in others you may have an increase.

It seems to me, Mr. Chairman, that the best procedure at this point is to vote down these amendments and leave this in the hands of the Committee on House Administration.

Mr. HAYS. Will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. HAYS. I agree with the gentleman 100 percent.

Let me say this to you: I have no personal ax to grind.

But the danger is, as the gentleman from California has pointed out, due to the intricate arrangements of the various individual Members' offices, this thing could give some Members more money than they are now getting, and restrict others to where they would either have to cut their own staff or cut off a person.

What we are trying to do in the Committee on House Administration—and this belongs in that committee—is to find some kind of an equitable formula to replace the aggregate system. And whatever we get, if we take the gentleman's figure, it can be antiquated in 5 years because each time there is an increase there will be a percentage increase, and you get five increases and you will have to have another chart and another table.

But that is beside the point. What I am saying is that if you do it here with a figure picked out of the air you are going to have a lot of squawking from a lot of Members who are going to get hurt without knowing what happened to them.

So I think the amendment offered by the gentleman from Florida ought to be agreed to, and then the whole thing ought to be defeated.

Mr. SISK. Mr. Chairman, in closing I would hope that this amendment and the other amendment will be voted down.

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

Mr. Chairman, I will certainly not take the entire 5 minutes. However, I want to state that I do appreciate what the gentleman from Ohio has said, and I also appreciate his assurances that the Committee on House Administration would look into this matter further, and I do not question the gentleman's good faith or his word on this matter.

But I received a similar assurance from the chairman of the Committee on House Administration when a similar amendment was offered to a staff pay bill a number of years ago, and nothing ever happened. The Committee on House Administration is a very busy committee, and they have a lot of squeaky axles on their hands, and it is very difficult to get to this problem.

It is not a complicated problem. The gentleman from California pointed out that some of the Members would perhaps lose some staff allowance as a result of this. That is not so. This has been worked out in great detail by the House Disbursing Office, so as to be assured that the gross amount would be practically identical with what is now provided under the present system. I think, in any type of formula you might come up with to determine what the new gross amount

would be, there would be some variance between Members' salary allowance. Therefore, in an abundance of caution that no Member would lose any of his staff allowance and that no employees would receive any reduction; there is a saving clause in the amendment.

I think the colloquy here on the maximum that could be paid to an individual only further serves to bring up a good example as to the complexities and the confusion in the present basic structure, and that would be eliminated by this amendment.

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

Mr. Chairman, I just want to say that the amendment offered by the gentleman from Florida (Mr. GIBBONS) is a useful amendment to attach to the amendment offered by the gentleman from Virginia (Mr. BROYHILL). I think that the gross amount that is provided here does cover any existing payroll. I hope that the Committee on House Administration will continue to take an interest in this subject, as they have in the past, and work out any further problems. But I do believe this system has been running so long that it is good to make a change.

I think the adoption of this amendment would be a very constructive and forward step. I hope it will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. GIBBONS) to the amendment offered by the gentleman from Virginia (Mr. BROYHILL).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. BROYHILL), as amended.

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 20, noes 26.

Mr. BROYHILL of Virginia. Mr. Chairman, I ask for tellers.

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

The CHAIRMAN. The Chair will count.

Mr. HAYS. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order of no quorum is withdrawn.

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

The CHAIRMAN. The Chair will count. [After counting.] Forty-five Members are present, not a quorum. The Clerk will call the roll.

Mr. SISK. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The Chair would like to inform the gentleman from California (Mr. SISK) that upon the request of the gentleman from Virginia (Mr. BROYHILL) a count was made and it was determined that a quorum was not present and the Chair had instructed the Clerk to call the roll. Therefore, the motion of the gentleman from California (Mr. SISK) comes too late.

The Clerk will call the roll.

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

[Roll No. 301]

Abbitt	Edmondson	Michel
Adams	Edwards, La.	Miller, Calif.
Alexander	Esch	Mizell
Anderson,	Eshleman	Murphy, Ill.
Tenn.	Fallon	Murphy, N.Y.
Ashbrook	Farbstein	Myers
Ashley	Feighan	Nix
Aspinall	Findley	Ottinger
Baring	Flynt	Patman
Barrett	Ford, Gerald R.	Patten
Beall, Md.	Ford,	Pelly
Belcher	William D.	Philbin
Berry	Frelinghuysen	Pike
Betts	Friedel	Pollock
Blackburn	Garmatz	Powell
Blatnik	Gettys	Price, Tex.
Boggs	Gilbert	Reid, N.Y.
Boland	Gubser	Reifel
Bow	Hanley	Rivers
Brock	Hansen, Wash.	Roberts
Brooks	Harsha	Rogers, Colo.
Broomfield	Harvey	Rooney, N.Y.
Brown, Calif.	Hawkins	Rooney, Pa.
Burton, Utah	Hébert	Roudebush
Bush	Hogan	Roybal
Button	Horton	Satterfield
Cabell	Howard	Scherle
Camp	Hungate	Scheuer
Celler	Hunt	Schneebeli
Clancy	Johnson, Calif.	Shriver
Clark	Jonas	Sikes
Clawson, Del	King	Staggers
Clay	Kleppe	Stephens
Collier	Kluczynski	Stokes
Conyers	Kuykendall	Stratton
Corbett	Leggett	Symington
Corman	Long, Md.	Taft
Cowger	Lowenstein	Teague, Calif.
Cramer	Lujan	Teague, Tex.
Cunningham	Lukens	Thompson, N.J.
Daddario	McCulloch	Tunney
Daniels, N.J.	McKneally	Waggonner
Dawson	McMillan	Weicker
Delaney	MacGregor	Whitten
Derwinski	Martin	Widnall
Diggs	May	Wilson, Bob
Dowdy	Meskill	Wold

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MILLS) having assumed 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 290 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 question is on the motion of the gentleman from Virginia (Mr. BROYHILL) to take a vote by tellers on his amendment as amended.

Tellers were ordered, and the Chairman appointed as tellers Mr. SISK and Mr. BROYHILL of Virginia.

The Committee divided, and the tellers reported that there were—ayes 84, noes 73.

So the amendment, as amended, was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PART 6—SENATE AND HOUSE PAGES

SENATE AND HOUSE PAGES

SEC. 461. (a) A person shall not be appointed as a page of the Senate or House of Representatives—

(1) unless he agrees that, in the absence of unforeseen circumstances preventing his service as a page after his appointment, he will continue to serve as a page for a period of not less than two months; and

(2) until complete information in writing is transmitted to his parent or parents, his legal guardian, or other appropriate person or persons acting as his parent or parents, with respect to the nature of the work of pages, their pay, their working conditions (including hours and scheduling of work), and the housing accommodations available to pages.

(b) A person shall not serve as a page of the Senate or House of Representatives—

(1) before he has completed the twelfth grade of his secondary school education; or

(2) except in the case of a chief page, telephone page, or riding page, during any session of the Congress which begins after he has attained the age of twenty-two years.

(c) The pay of pages of the Senate shall begin not more than five days before the convening of a session of the Congress or of the Senate and shall continue until the end of the month during which the Congress or the Senate adjourns or recesses, or until the fourteenth day after such adjournment or recess, whichever is the later date, except that, in any case in which the Congress or the Senate adjourns or recesses on or before the last day of July for a period of at least thirty days but not more than forty-five days, such pay shall continue until the end of such period of adjournment or recess.

(d) The pay of pages of the House of Representatives shall begin not more than five days before the convening of a session of the Congress and shall continue until the end of the month during which the Congress adjourns sine die or recesses or until the fourteenth day after such adjournment or recess, whichever is the later date, except that, in any case in which the House adjourns or recesses on or before the last day of July in any year for a period of at least thirty days but not more than forty-five days, such pay shall continue until the end of such period of adjournment or recess.

(e) (1) There are hereby repealed—

(A) section 243 of the Legislative Reorganization Act of 1946 (2 U.S.C. 88a);

(B) the proviso in the paragraph under the heading "Education of Senate and House Pages" in title I of the Urgent Deficiency Appropriation Act, 1947 (2 U.S.C. 88b):

(C) the proviso under the heading "Senate" and under the caption "Office of Sergeant at Arms and Doorkeeper", which relates to the pay of pages of the Senate, in the Legislative Branch Appropriation Act, 1952 (65 Stat. 390; Public Law 168, Eighty-second Congress; 2 U.S.C. 88c); and

(D) the proviso under the heading "House of Representatives" and under the caption "Office of the Doorkeeper", which relates to the pay of pages of the House of Representatives, in the Legislative Branch Appropriation Act, 1949, as amended (62 Stat. 426, 78 Stat. 1084; Public Law 641, Eightieth Congress, Public Law 88–652; 2 U.S.C. 88c).

(2) Title II of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 243. Senate and House pages.".

(f) (1) Subsection (b) of this section shall become effective on January 3, 1971, but the provisions of such subsection limiting service as a page to persons who have completed the twelfth grade of secondary school education shall not be construed to prohibit the continued service of any page appointed prior to the date of enactment of this Act.

(2) The repeal of existing law by subsection (e) (1) (A) and (B), and the amendment made by subsection (e) (2), of this section shall become effective at the end of the 1970–1971 school year.

Mr. SISK (during the reading). Mr. Chairman, I ask unanimous consent that part 6 of title IV be considered as read and open to amendment at any point.

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

There was no objection.

AMENDMENTS OFFERED BY MR. DINGELL

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

Mr. Chairman, I actually have a series of amendments to offer at this time, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan that his amendments be considered en bloc?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. DINGELL: Page 135, strike out lines 9 and 10 and insert in lieu thereof the following:

"(1) before he has attained the age of sixteen years; or".

Page 135, beginning in line 13, strike out "twenty-two years" and insert in lieu thereof "eighteen years".

Page 136, strike out lines 13 through 18, and redesignate the following subparagraphs accordingly.

Page 137, strike out line 7 and all that follows down to but not including line 10.

Page 137, line 10, strike out "(1)".

Page 137, beginning in line 12, strike out "completed the twelfth grade of secondary school education" and insert in lieu thereof "attained the age of sixteen years".

Page 137, strike out lines 16 through 19.

Mr. DINGELL. Mr. Chairman, as one who has had the privilege of serving in this body for more than 15 years now, and as one who had the privilege of serving in this youth as a page in the House of Representatives, I rise to offer this amendment. My good friend, the gentleman from Arkansas (Mr. PRYOR) joins me in our offering this amendment.

Mr. Chairman, it is very simple. It keeps our system of having pages as it is now rather than as the committee bill would change it. The committee bill would require that pages have completed high school and be in age in excess of 18 years, but not older than 22. The amendment would provide that the pages, with few exceptions, should be not older than age 18 and that they should be not younger in any instance than age 16.

It is my experience, Mr. Chairman, having served as a page, that this is one of the rich and excellent experiences which can be afforded to a young man.

Having had the privilege of sponsoring pages here now for several years, I can report to the body that the young men I have had the privilege of sponsoring have profited educationally, have profited in maturity and experience, and they have gone home richer and wiser in experience and knowledge and in their understanding of the system we have.

I am informed by those who have the responsibility for the page system that never were they consulted with regard to the change. Indeed, it is my experience, based on discussions with personnel here in the Congress, that those who are responsible for the page system unanimously prefer the system of sponsoring pages as it is done today, and that without exception they oppose the idea of changing pages from the youth we have today to young adults.

I would point out that we have achieved excellent service from our young pages, and I would point out that in instance after instance the Members with whom I have discussed this amendment have indicated to me their feelings as sponsors of pages.

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

Mr. DINGELL. I yield to my good friend from Tennessee.

Mr. EVINS of Tennessee. In support of what the distinguished gentleman has said regarding the support for the present system, there were at one time pages 12 and 13 years old, who were too young, and the Committee on House Administration set the age at 16 to 18, juniors and seniors in high school. Some prefer college age. There was a time when they were too young.

I believe the Committee on House Administration has set this at the right level, for juniors and seniors in high school. The Committee on House Administration supports the gentleman's amendment, and certainly the patronage committee, which handles this matter, is unanimous in supporting the gentleman's amendment.

I hope the amendment will be adopted.

Mr. DINGELL. I thank my good friend.

I believe we can say that we have seen scores of young men who have had the privilege of serving here, and none has gotten into trouble and all have profited from their experience. All have gone home better citizens, richer in their affection not only for their country but also for the great institution in which they and we serve the people of this Nation together.

It is my hope that this body will adopt this amendment and keep the situation as it is and continue to afford to the young men of this Nation an opportunity to participate in the lawmaking function during their youthful informative years rather than after they become young adults.

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

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

Mr. DENT. I rise in support of the amendment. I do not know when I have ever met, in my 39 years as a legislator, a cleaner cut bunch of boys than those we have had serving here during the years I have been a Member of Congress.

I believe the service equips them with an understanding that goes very well with their future. Many page boys have come back here and served, and some have come back as Congressmen, as the Member before us today.

I do not believe one can gather together a group to serve this Congress in the capacity that they serve so willingly, to do the things that have to be done, so obedient to the rules of this House and so clean-cut and neat that would exceed this group.

I hope the amendment will be agreed to.

Mr. DINGELL. I thank my friend.

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

Mr. DINGELL. I yield to the distinguished majority leader.

Mr. ALBERT. I wish to associate myself with the gentleman. It is my judgment that this type of job which the pages perform can better be performed by juniors and seniors in high school than by college boys. I support the amendment.

Mr. DINGELL. I thoroughly agree.

I would tell my colleagues I have been informed by the leadership on the page bench that it is their opinion there would be a substantial increase in the number of pages needed if we made the changes suggested in the committee bill.

Mr. PRYOR of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to my friend from Arkansas, who joins me in sponsorship of this amendment.

Mr. PRYOR of Arkansas. I appreciate the gentleman's yielding.

I should like to say to the chairman and to the gentleman that some 19 years ago it was my very high honor and privilege to serve in this body as a page for former Congressman Oren Harris, whom I later succeeded.

I think the page system, I would say to the gentleman, that we have at this time—although I concede the sincerity of the committee in trying to bring about an even better system—I think that the page system we have now is the best of the two alternatives.

I concur in the remarks of the gentleman from Michigan, I say to my friend, but I also believe the system we have now, bringing 16- and 18-year-old young men into the Congress and letting them serve on the floor of this Congress, is a very good system because it sends them back into their communities better acquainted with democracy and more inspired to serve in positions of leadership and community responsibility within their various communities and States all across America.

I think if we could trace the history of those pages who graduated from this school and ultimately going back into their communities, we would see almost without exception that they have assumed roles of leadership because of the service that they have had and the opportunity to get an education here in the House of Representatives.

Mr. Chairman, there is one more fact that I would like to mention. If I interpret correctly what the committee's bill would do, the net result of the committee bill as it is written—and I stand to be corrected—is it would result in the abolition of the page school itself by raising the age to 18. I think we would ultimately see this school abolished. I frankly think it has done a remarkable job and has produced some remarkable graduates, and therefore I strongly support the gentleman's amendment.

Mr. DINGELL. I thank the gentleman from Arkansas for his remarks.

Mr. BOLLING. Mr. Chairman, I rise to oppose the amendment.

Mr. Chairman, it is no pleasure to oppose an amendment with so much sentimental value. Let us face the situation as it is. The last information I have is that there were 51 pages in the House and 26 in the Senate and four in the Supreme Court. Clearly the people who get to appoint these pages are the senior Members. I am authorized a page, which I do not use. The problem is a good deal larger than the one that has been stated here. The page school has been ac-

credited in the last 3 years only because of the necessary intervention of the Speaker. If we continue with high-school-age pages, we will have to set up a dormitory and we will have to do certain things about the school in order to keep it accredited. The only purpose of the proposition in the committee bill is to avoid that problem by making the pages college age so that we will not have the problem of the dormitory and the expense and so that we will not have the problem of the accreditation of the page school.

Frankly, it seems to me a reasonable solution, but, as is clear from what I have already said, I have no very strong personal involvement in it. I just felt that the House should understand it is talking about a substantial amount of money and a very limited privilege of appointment which falls to the senior members of the majority party in large part.

Mr. Chairman, I hope the amendment will be defeated so that we can get to a more rational approach.

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

Mr. Chairman, back some years ago there was a committee which happened to be set up on my side of the aisle for just one reason, and that was that we had some recommendations for reform. I happened to be assigned congressional pages, their work and schooling. It is contained in this chapter. I would like to read to you just the first page or two of the chapter.

The gentleman from Michigan, my very good friend on my own committee, has proposed a minimum age of 16. I do not care whether it is 16 or lower or higher.

I said this:

Imagine in this year of 1966 an employer who—

Hires 14- and 15-year-old boys.

Brings them from distant homes to a big city.

Limits their schooling to three hours a day.

Makes them work a minimum of eight, and occasionally 12 or even 14 hours a day.

And leaves them unsupervised the rest of the time, free to sleep where they can find a room, eat what they please, and study whenever they can find time; free also, should they desire, to roam a crime-infested metropolis.

Impossible, you say, in this age of child labor laws? Perhaps in the 19th century London that Charles Dickens wrote about, but not in modern Washington?

Unfortunately, it is not at all impossible when the employer is the Congress of the United States and the employees are pages of the Senate and House of Representatives.

It's true that the average congressional page bears scant resemblance to Dickens's Oliver Twist. Oliver was very poor. By comparison our pages are well-heeled members of the affluent society. Beginning pages are paid at the annual rate of $4,766, are stepped up to $5,077 after one year, and to $5,232 after two years. Not bad for teen-agers, particularly when it is considered that 34.1 million Americans are estimated to live in families with poverty-level incomes—less than $3,100 a year for a family of four.

Nevertheless, despite its generosity as a paymaster, Congress is a hard taskmaster. It makes demands on these boys that federal law and the laws of most states wouldn't countenance from a private employer.

Most pages work from 10 a.m. to 5 p.m. Monday through Friday and from 9 a.m. until noon on Saturday. When a session lasts until past 5 o'clock, the pages stay until the House adjourns. The House Select Committee on the Education and Welfare of Congressional Pages, created by the 88th Congress, found that pages average 40 or more hours of work a week.[1] Senate pages work longer hours than House pages because of the more numerous night sessions.

The pages' school day begins at 6:30 a.m. and for most of them is over at 9:45. Most pages have classes in four subjects. A few have a fifth classroom period which lasts until 10:30. Classes are held in makeshift quarters on the third floor of the Library of Congress. There is a 15-minute break at 8 o'clock each morning, presumably for breakfast. It has been noted, however, that for many of the boys it is more a coke-and-candy break than anything else.

The Federal Fair Labor Standards Act prohibits the employment of 14- and 15-year-old children for more than three hours on a school day, for more than 18 hours during any school week, and for night work after 7 p.m.

These limitations on child labor imposed on employers engaged in interstate commerce do not apply to Congress. But surely Congress has a moral obligation to maintain standards at least as high as those it prescribed for private industry almost 30 years ago.

May I say on that that we recommended some changes, and let me just come to those changes, they are over on page 187:

1. Congress should no longer be in a position of condoning its own use of child labor while condemning it for everyone else.

2. Mature college students would not require after-hours supervision.

3. There would be no need to build a costly school and residence.

4. The experience of being a page should prove more valuable to college students, particularly those majoring in government.

5. Meritorious students from all parts of the country can be helped to finance their college costs.

Those are the recommendations that we made because we felt that actually, if this were known generally as to what we do with pages, you would not get a vote for this in my district if I explained it in the language that I have told you right here. I do not think you would get 10 percent of the people that would back you up because it would be in violation of the Fair Labor Standards and the child labor laws of Illinois overwhelmingly.

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

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

Mr. HAYS. Mr. Chairman, did I understand the gentleman to say something about 13- and 14-year-olds?

Mr. SPRINGER. No; I said 14- and 15-year-olds, but let us amend it and say 16- and 17-year-olds.

Mr. HAYS. I just wanted that correction. I do not really have very strong feelings about this, but the Committee on House Administration, I might say, did raise it to 16-year-olds. In other words, you cannot employ anyone under 16 years of age?

Mr. SPRINGER. You could in 1966, and you cannot now. The gentleman is correct.

Mr. HAYS. You cannot now?

Mr. SPRINGER. That is correct.

Mr. HAYS. I thank the gentleman.

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

Mr. Chairman, this is the one area in which I reserve the privilege to depart from the position of the committee. I am going to support the amendment offered by the gentleman from Michigan (Mr. DINGELL).

Mr. Chairman, the only reason this matter, I think, is before us tonight is the fact that some of us proposed the construction of a dormitory and a proper chaperoning of the pages in line with certain requirements in connection with accreditation. That language at one time at least was tentatively in the bill and was considered, and I think after consideration it was stricken out and the idea of college students was inserted.

I will simply say, I appreciate the comments of the gentleman from Illinois (Mr. SPRINGER). But he made the best possible case for the fact that college students simply will not work in connection with the services we expect here. I think there is no question but that it will prove to be a complete fiasco.

In the first place, they cannot carry the load and expect to carry a full workload in college.

It is my opinion that the proper way to handle this matter is to proceed as we originally proposed, to have a properly chaperoned dormitory for these young men.

I realize that the amendment offered by the gentleman from Michigan simply provides to restore it to the present situation, of 16- and 17-year-olds. Of course, I am sure that he hopes, as I do, that we will proceed before too long to construct adequate dormitory facilities and take care of the situation.

But from the standpoint of the services of these young men, any of you who have had any experience know that generally there is a long line of young men who desire this opportunity to come here to Washington. You can call it child labor. You can call it what you will, but I can assure you there is no drought of young men or parents who would like to have their sons have an opportunity to come here whether it be for a month or two or an entire school year.

Therefore, I feel this is a wonderful opportunity.

I agree with the gentleman from Arkansas and the gentleman from Michigan both as to the great opportunities that this has offered to young men, and I would hope, Mr. Chairman, that the amendment offered by the gentleman from Michigan is adopted.

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

Mr. Chairman, I will not take the 5 minutes, but I think the House should know before they vote on this amendment that my position follows the unanimous recommendations made by the Joint Committee on the Reorganization of the Congress. This was in the bill which we drafted and which passed the Senate by a vote of 75 to 9 in 1967.

The reasons for our recommendation have already been adequately stated by other Members in previous remarks, and I will not repeat them.

There is one aspect of this, however, which I think will interest the House. There was a good deal of talk even back in 1967 that perhaps we should consider hiring young women as well as young men as pages.

It became clear as we considered this in the joint committee that it would be more difficult to do this at the then prevailing ages. We felt that college students, however, would be old enough and mature enough so that the problem of whether or not we should have young women pages as well as young men pages, would thus be resolved.

That is another aspect of the legislative history of the proposal as it came before the Joint Committee on the Reorganization of the Congress. I just want to share it with the Members before they vote on the amendment.

Mr. HECHLER of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Chairman, I think the current system has worked extremely well. I strongly support the Dingell amendment and I hope that it is adopted.

Mr. Chairman, I have appointed a large number of high-school-age page boys to work in the House of Representatives. They have been carefully selected by screening committees in the high schools they attend, and they are all top students before they come to Washington. All of them have grown by the experience, and have also contributed to the beter functioning of the House of Representatives.

I would hope that the present system of selection of House pages be retained, because I believe the system works very well. I support the Dingell amendment, because college-age pages would have neither the interest nor the enthusiasm to perform the assigned work. There are many other opportunities for college-age young men to work in conjunction with Congress, such as our summer internships, elevator operators, and some policemen.

Mr. Chairman, I recognize that there are some very legitimate supervisory, educational, and housing problems associated with high-school-age pages. From time to time there has been talk of the building of a dormitory for the pages, and I believe this is a necessary step which must be taken. All in all, however, I would support the amendment of my good friend from Michigan (Mr. DINGELL) because the present system works the best of any system yet suggested.

Mr. ANDREWS of Alabama. Mr. Chairman, I rise in support of the amendment, and move to strike the necessary number of words.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. ANDREWS of Alabama. At this hour I shall not use 5 minutes, but I do want to say a good word for the page school and for the page institution that we have had here. We speak of page boys. When have you ever heard of a page man or a page woman? If you get college students, you are bound to get men, and God help us if they should act in Congress as they have on many campuses of this country.

As chairman of the subcommittee of the Appropriations Committee, I have been closely associated with the page school for page boys for many years, and I want to tell you it is a good school. My son finished there in the class of 1964. The members of his class, with whom I was closely associated, went to Princeton, Harvard, Brown, Dartmouth, and MIT. My son went to Emory, a good school.

The page school has a wonderful reputation throughout America, and the byproducts of that school have been great assets to the United States of America. I have had a page for 10 or 12 years. Some of them went to college, made Phi Beta Kappa, entered the medical profession, the legal profession. They have held their heads high in all areas of this land.

Members of this House are graduates of the page school.

I say we have done enough to upset old traditions that have existed in this House. I know that some of you want to get rid of this establishment. I am proud to say that I am a member of this establishment, and having been here for 27 years, I am chairman of the subcommittee that handles appropriations for your salary, the most important bill that comes before this House. It took me 27 years to become chairman of that little committee, so those of you who are impatient with the establishment, just let me ask you to have a little patience, be patient.

When I think about what you are proposing in connection with the page school; that is, abolishing page boys, I think about what Maurice Chevalier said when a reporter asked him on his 70th birthday, "How do you feel?" He said, "Well, considering the alternative, I feel fine."

We have a bunch of young page boys, and there have been page boys since we have had pages. They cut their hair. They shave. You had better stop, look, and listen before you supplant this group of fine young men. God knows what you will get if you get them from the college campuses.

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

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. McCORMACK. Mr. Chairman, I did not intend to get into this debate. Who could resist the dramatic appeal of my friend from Alabama, particularly when he talked about campus unrest, and so forth?

I have had a little practical experience with the page school. Personally, I favor the present system. But I want to call to the attention of Members that if the present system is carried on, which I expect it will be by a vote of the Members, you have got to build a dormitory. You have got to face the practicalities of life. These boys are doing a grand job. They are very cooperative. But for the last 3 years, at least, I have had confronting me the problem of the accreditation being taken away from the page school. That is something that lands in the Speaker's ashcan. If it should happen, it would be a disgrace to the Congress of the United States, that the accreditation of the Capitol Page School should be taken away.

The reason for it is the living conditions of the boys. They want the boys to have good living conditions. We hoped we had solved it a couple of years ago or 3 years ago. The gentleman from Texas (Mr. BURLESON) and I had a very difficult problem in connection with those who accredit the schools, asking them to give us a little more time in which to meet the conditions under which the pages live, and the supervision. They did. Then the question arose again this year. We have been able to get a little additional time.

So my only purpose in rising—and it is pretty hard to get an appropriation from the Subcommittee on Appropriations, I realize that, I have tried it—is to say with the preservation of the present system, which I think has been working very well, we will not have the final answer. We have to go ahead next year and face the realities of life and build a dormitory.

If the accreditation is taken away, it is going to be an act of humiliation upon the entire Congress of the United States, and while I will not be here nex year, I wanted to give the Members a little of the benefit of my experience of the past 3 years. It has taken many hours of my time any many hours of worry, because I realize that if the school were not accredited, it would have a serious impact upon the people of the United States. Fortunately, to date that has been averted

So when Members vote to keep this system, which I think has been a very satisfactory one, by all means next year they should take the necessary step to build a dormitory.

Mr. QUIE. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, I think we ought to bear in mind that the young men who have been appointed, have been appointed, as the gentleman from Missouri has said, by the leadership on the majority side. They were screened and picked because they were ideal individuals. Now if the committee provision prevails, as I hope it will prevail, these same gentlemen will be picking some young men and maybe some young women from colleges. They will be screened, and they will be the best we can have.

So if we are worried about the long hair and the rebellious students in the colleges, and if we think all of the young men in high school are angels, perhaps we have not visited the high schools lately. The drug problems and juvenile delinquency problems are as great in the high schools as in the colleges. We have the long hair and the dissension and the disruptions.

We will not be bringing in a pack of people who are undesirables by bringing in college students. When we look at most of the college students today, we will find the finest young men and women this

country has ever produced. They are going to college today, and they need to know the establishment. I think it would be better if some of the young men and women were in the colleges who are here as pages and who are here as pages right now, and in the colleges right now. If they were in the colleges and universities of the Washington area, they would be speaking for us and about us. They would be talking about the present time and their present experiences rather than saying, "When I was a 14- or 15-year-old, I served as a page in the House." Then when they go to college, their peers think of them as having been children when they served here.

I think this would be a great advantage to the Congress of the United States, if we can have the young men who are of college age, those over 18, and permit them to be pages. They have as strong a desire as any of these younger young men have now, and they could fit it immediately into their courses on government or political science that they are taking. Here we would have the influence of ourselves on the young men in the colleges at this time. I think we could see a change for the betterment if that occurred.

It would save us money. We would not have to build a dormitory. I, for one, even if we were in the majority, would not want to recommend any young person who had not finished high school to come to Washington in order to be of service here.

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

Mr. Chairman, I rise in support of the amendments.

Mr. Chairman, the arguments are persuasive on both sides, but I think in the final analysis, we would have to recognize the fact that we extend opportunities to college students in many ways, but we extend opportunities only in a very limited number of ways to the young men of high school age.

One of the finest is being a page boy. I would hate to see us change that system.

Mrs. CHISHOLM. Mr. Chairman, I rise in opposition to the amendment.

I think it is wonderful to recognize that perhaps there is no finer experience for young men and hopefully, some day, young women to come to the Capitol of the United States of America and actually participate by being pages in this great body.

However, I think we must not overlook some of the human values and some of the real social factors we have to consider with respect to these young people.

These young people are unsupervised.

I had felt that perhaps I should not take the floor this evening, but because I do have some close contacts with some of the young men here in the Congress, and because they have spoken to me about many things concerning them, I thought, for what it might be worth, I would share with you the benefit of experiences shared with me.

Some of the gentlemen have indicated that for quite some time they have come here as pages; they have seen some of these fine young men who went on to college; and so forth. This is a different age in which we live. The young people are being exposed to many elements in our society today that were not present years ago and I feel that we as Members of Congress must share a tremendous responsibility when their parents send them here to become pages in this House.

I should like to see that we have a continuation of having young fellows 16 years of age or over serve, but at the same time we must assume the responsibility and know that we have the authorization and the money which is necessary to build a dormitory in order that these young men can have the supervision so very necessary and so vital to their general welfare.

It is one thing for us to come here and stand before the body and talk in most patriotic terms as to the glowing privileges and benefits of young men who come here and work, but it is another thing to be very responsible for the education and supervision of these young men who serve us here.

This is one reason why I feel, with respect to women pages, so far as I am personally concerned, although I should like to see young women come here and also have this opportunity, until we are able to do something as to the housing and supervision of pages it would be a most dangerous thing to bring young women here and expose them without supervision.

I am speaking on the basis of many things which some of the pages have discussed with me.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Michigan (Mr. DINGELL).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 53, noes 33.

So the amendments were agreed to.

Mr. SISK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed 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.

LOWERING OF THE PRIME INTEREST RATE

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

Mr. WIDNALL. Mr. Speaker, I should like to call to the attention of my colleagues a heartening development in the state of the Nation's economy—the lowering of the prime interest rate from 8 percent to 7½ percent by the First Pennsylvania Bank & Trust Co. on Monday. Although First Pennsylvania was the first major banking institution to take this step, I believe that it can be interpreted as a reassuring sign that the Nixon administration's efforts to halt the rampant inflation inherited from the previous administration are taking hold.

The prime interest rate, as I am sure you know, is the interest rate charged the most favored customers of a bank—those with the best credit ratings. Other borrowers must pay even higher rates, thus making the prime rate a highly important influence on and measure of the business and economic situation.

Actually, this was the second decrease in the prime rate this year. In March, the prime rate was reduced from a record high of 8½ percent to 8 percent by New York's large Irving Trust Co. At that time, many other banks were reluctant to follow suit, saying that Irving Trust had moved prematurely because the economic situation did not justify such a reduction at that time. Yet subsequent events bore out the correctness of Irving Trust's judgment in lowering the prime interest rate, and other banks slowly but surely followed its lead.

I am not surprised, therefore, that I hear similar comments today. At present, First Pennsylvania Banking & Trust is alone in its action, but I would not be surprised to see other banks follow its lead before long.

There are a number of other signs that inflation is ebbing. In the financial area, several smaller banks preceded First Pennsylvania in reducing their prime rates. State and local government bond rates have declined, in some States by as much as 1½ percentage points below peak May rates.

Other economic indicators are showing encouraging signs as well. Housing starts have increased significantly since January. The wholesale price index declined in August for the first time in 2 years; signaling a break in the rising cost of living spiral. The balance of trade is in a very healthy condition. Federal Reserve policies are moderately expansionist. And rising orders for durable goods dispel recessionary fears.

We all know that rising interest rates are a result rather than a cause of inflation. Inflation, in turn, is the end result of inadequate fiscal and monetary policies in the past—policies implemented, I might add, during the Democratic decade of the 1960's. These policies are still reflected today by the actions of the Democratic controlled Congress which must now bear the burden of responsibility for budgetary deficits stemming from overspending as well as tax measures which cut revenues.

But as inflation responds to the balancing of the Federal budget and the avoidance of deficits, interest rates will automatically decline. There is, simply, less competition for money to borrow and supply and demand works in the money market as it does elsewhere. Alone, the drop in the prime interest rate has limited but vital significance. Tied to the other generally hopeful signs we have seen in the past few weeks, it stands as a further indication that the Nixon approach to dealing with inflation is bearing fruit.

A SATURDAY REVIEW MAGAZINE ARTICLE PROVIDES A DISPASSIONATE ANALYSIS OF THE SUPERSONIC TRANSPORT

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

Mr. WHALEN. Mr. Speaker, the supersonic transport issue has raised a furor within the Congress and throughout the Nation that seems to escalate daily.

The voices of those opposed to the project appear to be louder than those who support the effort, at least at the present time. Many valid questions have been put forth in the dialog that has surrounded the aircraft. We are all familiar with the central points that have been aired.

However, the intensity of feeling against this program has generated no small amount of emotion in the process. Indeed, it seems to me, the emotion has begun to replace logic, hardly a plus in a consideration as serious at this one.

Thus, Mr. Speaker, I was pleasantly surprised to find an extensive, dispassionate analysis of the supersonic transport in the August 15 issue of the Saturday Review. The writer, Horace Sutton, has done an excellent job in putting the piece together. The magazine is to be commended for its timeliness in publishing the piece, particularly in view of the conclusion the writer reaches.

Mr. Speaker, I urge all Members of the House and also those in the other body to take the time to read carefully Mr. Sutton's article, titled "Is the SST Really Necessary?" which I insert herewith:

IS THE SST REALLY NECESSARY?

(By Horace Sutton)

Few other means of transport, when first proposed, have created as much partisan fervor in the United States as the proposal to build a commercial airplane that can travel faster than the speed of sound.

Not since the first attempted introduction of the horseless carriage—which was to bring, with its conveniences, a major source of pollution and fatal accidents—has such a shrill cry of outrage swept the land.

It is a widely held opinion, and one widely trumpeted, that the noise of the supersonic airplane, or SST, is deafening; that the sonic boom is unbearable; that a fleet of supersonic planes, flying in the upper levels of the atmosphere at 60,000 feet, could change the climate. Testimony has been given the Congress by public persons, private citizens, and scientists in and out of government referring to ultraviolet radiation capable of stripping all life from the planet. Jet contrails, it has been suggested, could leave a permanent cloud cover, heating the earth, melting the polar icecaps, and flooding the continents. Less dramatically, there are those who are against it because the government is a partner in the project with the Boeing Company. Some consider government participation as a move toward socialism; others insist that the public money will never be recovered; still others, that the terms of the contract between Boeing and the government will never be met and the taxpayer will be paying for a highly sophisticated commercial airplane to be used by the privileged few. Prospective passengers aboard such aircraft, so some have warned, could suffer radiation exposure, or, in the event of a loss of pressure at the 60,000-foot level, suffer a boiling of blood and be rendered unconscious within a minute.

These pitfalls, dangers, annoyances, and disadvantages have been given wide public circulation by bands of outraged citizens, by conservation groups, by environmentalists, by academicians, by lawmakers, and by scientists of varying stripe. Full-page ads have appeared in the nation's newspapers. Mail campaigns have been organized in the schools. Quickie books have appeared. Hearings have been held in the Congress. Competing governments have allegedly essayed subtle intelligence techniques. Congressmen have waved smuggled "secret reports" in front of the press. As the summer matures, the fever has heightened. The bill to provide the funds to build a prototype of the American supersonic transport has already passed the House. This month it is expected to come before the Senate. On the other side of the ocean, a joint British-French supersonic plane called the Concorde, already built, is undergoing critical trials that may decide its future. The Soviet Union is eager to trade permission to fly the short route from Europe across Siberia to Asia for the purchase of its TU-144, an SST that it has already tested. In its waning weeks this is becoming the fateful summer of the SST, a plane which in its American version would carry 273 passengers in first and tourist class at a speed of 1,800 miles an hour.

A panel on the SST, organized by Dr. Lee DuBridge, President Nixon's science adviser, had as its chairman Dr. Richard Garwin, a forty-two-year-old IBM physicist and one of the most articulate and energetic opponents of the SST. The report submitted by the panel, while not made public, was widely held to be adverse, but the President elected to proceed with the SST program anyway. Dr. DuBridge, who had originally written a letter indicating his opposition to the SST, then wrote a second letter in which he reconsidered his opinion and came out in favor of the program. Congressman Henry Reuss, a vigorous opponent of the SST, sought to have the panel's report made public, but John Ehrlichman, the President's administrative assistant, invoked Presidential privilege. Dr. Garwin, although differing with DuBridge, who is chairman of the President's Science Advisory Board, remained on the committee, but aired his views through television to the editors of newspapers. "I'm not a full-time member of the administration," says Garwin, "and I feel myself in the same position as a lawyer who has many clients. The fact that he deals with one doesn't prevent him from dealing with another so long as he doesn't use the information he obtains from the first in dealing with the second. Since there are so few people familiar with these programs, it is important for me to give the Congress, as well as the administration, the benefit of my experience."

NOISE

The most effective argument being used against the SST in this Year of the Environment, as it is being called, is noise. A popular term of reference that has been given wide display is that an American SST would, on the runway, sound like fifty subsonic jets taking off at the same time. This comparison, which was devised by Garwin, has been both supported and hotly contested by scientists and aeronautical engineers in and out of the SST program. It has become the touchstone of the great supersonic debate, a passionate dialogue that has inspired lay persons to learn the language of the scientists, and engineers to reduce their heady techniques to the sill of common understanding. One must first understand, for example, that noise is energy or pressure waves in the air, and a decibel, as a unit for measuring sound pressure level, was named for Alexander Graham Bell, and was established soon after 1900.

But it was reasoned, half a century later, that some kinds of noise can be more annoying than others. A fingernail running down a blackboard does not create many decibels, but it sends shivers down the backs of some people. Hi-fi sets, turned up loud, register many decibels, but young people find that sound enjoyable. In 1959, Dr. Karl Kryter of the Stanford Research Institute created a new measurement that included sound pressure level as well as frequency. A measure of both noise and annoyance, it is called Perceived Noise-level in decibels, or PNdB. Acoustic engineers realized that high tones or, more particularly, the high whines of certain aircraft engines, for example, persisting for longer or shorter periods, can alter the PNdB. Therefore, in 1966, a new measure, EPNdB or Effective Perceived Noise-level, was created by the Aircraft Exterior Noise Committee of the Society of Automotive Engineers. The Federal Aviation Agency, in order to denote the annoyance factor, has adopted EPNdB, and uses it to measure the noise of all subsonic airplanes.

Airplane noise is measured at three places: one mile from the threshold of the runway; about three-and-a-half miles from the start of the take-off run (for climb-out noise); and about 1,500 feet from the side of the runway. Experiments on the American SST engine, which is to be built by General Electric, indicate that the airplane is already within the FAA's acceptable noise limits when landing and on takeoff. Indeed, since an SST takes off at a higher and faster climb-out rate, it is more quiet than existing jets when flying over the community. On sideline noise—at the runway—it registers about 124 PNdB, whereas present jets register 108 PNdB. William Magruder, the forty-seven-year-old former test pilot who designed Lockheed's new jumbo, the L-1011, and who is in charge of the SST project for the Department of Transportation, concedes that the sideline noise of the SST is now three to four times as annoying as the noise produced by current jets. But there are still eight years to go in which to correct the sideline noise, he adds, before a production model of the American SST might appear.

"People like Garwin," says Magruder, "are creating technical mischief. He is playing on the difference between sound and annoyance." Garwin is quick with an answer. In his cluttered office on West 115th Street in New York City between Columbia University and the Hudson River, he told me, "When Magruder says I am in error in equating fifty subsonic jets taking off simultaneously with one SST, he is absolutely wrong. Whether disingenuous or ignorant is hard to tell, but I'm sure it's ignorant. All I want him to do is get the Department of Transportation to get one of their consultants, or Karl Kryter at Stanford Research Institute, who invented PNdB, to say I'm wrong, and I will be satisfied, but they don't."

Confronted with this challenge, the Department of Transportation, at *SR's* request, convened a panel of consultants. They included Dr. John Powers, director of the Office of Noise Abatement, Federal Aviation Administration; Harvey Hubbard, director, Acoustics Branch, NASA, Langley Research Center, Virginia; Charles Foster, director, Office of Noise Abatement, Office of the Secretary, Department of Transportation; Newton Lieurance, director of Aviation Affairs, Environmental Sciences Services Administration, Department of Commerce; and George Chatham, aeronautics and space specialist, Legislative Reference Service, Library of Congress, who was formerly with NASA's Office of Advanced Research Technology.

Referring to Dr. Garwin's widely quoted statement that one SST sounds like fifty subsonic jets at take-off, the panel members concerned with sound had the following comments:

Dr. Powers: "Technically, it is an accurate statement. It is a logarithmic ratio, but obvi-

ously you can't put fifty aircraft together, because the sound sources would cancel. The thing that is important is the manner in which the airport neighbor perceives the noise."

Mr. Chatham: "The statement from a technical point of view is correct. I've had to explain that statement many times, but it is a propaganda-type statement because it has a direct interpretation in terms of annoyance or perceived level. While it is technically correct, and the Bureau of Standards will say that it is correct, it is very misleading. It sounds as though an SST is fifty times as loud. That is the interpretation that everyone gives that statement. But it doesn't mean that at all. It appears as if you'll hear something with fifty times the loudness and you don't."

Mr. Hubbard: "Say you had a four-engine airplane and you were running just one engine. There is a certain loudness associated with that one engine. Then you turn on the second engine. With two engines running it isn't twice as loud on any scale. If you turn on all four engines, it isn't four times as loud. Four engines make four times as much acoustic power, but the sound is not four times as loud to a person."

Mr. Chatham: "If you had an airplane with ten engines and you were to overfly with one engine going and hear that noise, and then overfly again with all ten engines going, the effect you would receive would be double."

Pursuing Garwin's suggestion further, *SR* reached Dr. Karl Kryter, director of the Sensory Sciences Research Center at Stanford Research Institute. Dr. Kryter cautions that decibel measurements are preferred by engineers, but the "annoyance scale in your head doesn't go up as the physical noise increases in the air." Both Garwin and Magruder, as they state in their respective cases, are correct, according to Kryter. However, he says, "I don't think Garwin needs to use this example of one to fifty, because it overstates the case. While Garwin is absolutely correct, I think he is overkilling by using a technical fact that would mislead some people. On the other hand, I think a three hundred to four hundred per cent increase in noisiness to something that is already intolerable to some people is beyond acceptable limits."

As an experiment, Kryter says, a person might put his hand on a counter and put a one-ounce weight on it. By adding another ounce does he feel twice the amount of pressure? If four more ounces are added, does it feel like six times as much pressure? Kryter thinks not. The same is true in noise. As you increase the noise level measured in EPNdB, the subjective scale grows in such a way that every time ten EPNdB is added, it seems twice as bad as before.

THE BOOM

Quite apart from the noise created by the engines of the SST is the presence of the much-discussed sonic boom. Although some persons in the arena of the debate, among them Secretary of Transportation John Volpe and former FAA director Lt. Gen. Elwood Quesada (a vigorous opponent of SST), are confident the boom will ultimately be licked, the boom, or *le bang sonique* as the French call it, is there and it won't go away. The FAA established a rule this year forbidding SSTs to fly over land, thus the British-French Concorde, the Soviet TU-144, and the American SST, if it is eventually put in production, will, as far as the United States is concerned, be over-ocean planes only.

The opponents of the SST would like to see the FAA rule become a law. Should the SST not find a market in transoceanic flight, economic pressures might force the government to relax its rule, they argue. As Representative Sidney Yates (Democrat-Ill.) has said tartly, "Someday they'll say that the sonic boom is the voice of progress."

An elaborate system of world routes for planes flying at supersonic speeds has been planned, all of it over water. The New York-to-Paris flight profile, for example, calls for a southern track with supersonic speeds commencing twenty-five minutes out, or well after the plane has departed the southern tip of Long Island. The southern track would keep it below Newfoundland. The most intense part of the boom, known as the super-boom, occurs just after transonic acceleration. The boom creates a carpet fifty miles wide, decreases as it spreads to the sides, and changes with the atmosphere.

The effect on sea birds is undetermined, but movies made of minks experimentally boomed in cages show a mother sniffing for danger and finding none, returning to her chore, washing her offspring. It is argued that the effect to passengers and crew on passenger liners and modern freighters and tankers will be minimal because ships are air conditioned and built to withstand heavy storms. The boom noise is expected to be attenuated by ocean waves and sounds of the ship itself. Those on sailboats and sports fishermen will not fare as well. Harvey Hubbard, director of NASA's acoustic branch, says, "There may be some cases where the noise will not be as sharp as a boom, but there will always be some disturbance there. In twenty thousand measurements, never once have we failed to get a signal. Our aerodynamics people feel it is pretty much the same as a boat going through water. It's pretty hard to eliminate the wake." While the sonic booms created by the SST flying at 60,000 feet should not be equated with military supersonics breaking windows while practicing evading techniques at low levels, about all science can do is to try to change the shape of the sound wave. These attempts are being called, in the elaborate argot of science, a "finite rise time pressure signature."

POLLUTION

Testifying before Senator William Proxmire's Joint Economic Committee studying the efficiency of the government, Russell Train, chairman of the Council on Environmental Quality, expressed doubt that a lowering of noise level can be made without cutting down the payload. Though building new airports would require enormous investment, some new airports will have to be built with or without an SST, and Dr. Train has acknowledged that "adequate land planning in such cases could minimize the effects of sideline noise."

While reaffirming the necessity of controlling the noise environment at the nation's airports, Train seemed more concerned with the problems that the airplane may create in the upper atmosphere. Accompanied by Dr. Gordon MacDonald, a member of the council, Train said, "The supersonic transport will fly at an altitude of between sixty thousand and seventy thousand feet. It will place into this part of the atmosphere large quantities of water, carbon dioxide, nitrogen oxides, and particulate matter. . . . A fleet of five hundred American SSTs and Concordes flying in this region of the atmosphere could, over a period of years, increase the water content by as much as fifty to one hundred percent. This could be very significant, because observations indicate that the water vapor content of the stratosphere has already increased about fifty per cent over the last five years, due presumably to natural processes. There is a possibility, which should be researched, that subsonic jets have been contributing to this increase."

Train has indicated that the water in the atmosphere might warm the average surface temperature by two-tenths to three-tenths of a degree Fahrenheit. The water vapor could destroy "some fraction" of the ozone, exposing the Earth to ultraviolet radiation. Train called his evaluations "speculative," making the further point that the development of a prototype does not in itself have environmental consequences. Ultimately, Train, a lawyer, stepped aside in favor of Dr. MacDonald, a scientist who told the committee that the area in which supersonics plan to fly is ordinarily a dry part of the atmosphere, containing about two parts per million of water vapor. In the last four or five years, for reasons yet unfathomed by scientists, it has increased to three parts per million. Water vapor stays in the atmosphere for eighteen months, affecting the amount of heat that reaches the lower atmosphere. "If the concentration is increased sufficiently," MacDonald testified, "it could form high, thin layers of cloud that could persist for a long time and potentially could have a very large effect on climate."

MacDonald described the sun's radiation, and told about ultraviolet or hard radiation, which destroys cells. Ultraviolet radiation causes sunburn—"the fraction that does reach the surface"—and the ozone acts as a shield. As ozone is decreased in the upper atmosphere, "we *might* have *some* effect at ground level." If the ozone were to be stripped from the atmosphere, MacDonald said, and the surface of the Earth exposed to the full force of solar radiation, "it would wipe out all life except in the oceans." Twice in his testimony MacDonald stopped to say, "But I must emphasize we are just beginning to understand these consequences. It is a very iffy subject," and later, "It would be my judgment as one who has worked in the field that the effects probably would be minor." But, he added, he would not want to take the risk of tinkering with the upper air without more information.

It has been claimed, in a so-called domino theory of the upper air, that the change of a few tenths of a degree could set off a chain reaction that might produce an ice age, or conversely, as others say, start a warming trend that would melt the polar icecaps. Yet, the National Center for Atmospheric Research records significant temperature declines because of volcanic activity in 1816, 1837, 1884, and 1912. "The year without a summer," was the term for 1816, but as the chemicals and the water were cleansed from the air in a natural cycle, the earth found its mean temperature again.

William Magruder, who has recently announced a $27.6-million research program for the SST, questions the effects that the aircraft may have on the stratospheric pollution or weather change. He has said, "There is no evidence of any kind to verify that the temperature of the atmosphere will rise because of the water vapor in it. It's true that it's increasing, and we should know more about why it is increasing. We do have large research and development programs looking into it and not just because of the SST. There is just as much evidence to say it's good as it's bad, but if you've made up your mind to shoot at the SST, you can turn all your ifs against it. You can say *if* the water vapor were to get too high and destroyed the ozone, *all* of it, then the ultraviolet rays would descend on Earth and strip it of all life. Now, the total amount of ozone that is going to be destroyed is about five or six per cent."

Many scientists agree that the amount of water placed in the atmosphere by a fleet of 400 SSTs in a day is the same amount injected into the upper atmosphere by one thunderstorm. There are about 3,000 to 6,000 thunderstorms exploding around the Earth every day.

"At one time," Magruder said, "the opponents in the scientific community wrote me a little paper that said the upper atmosphere went up nine degrees. From 1940 to 1955, it went down one degree. With the water being put out by the SST fleet in the atmosphere it *could* change the temperature one to three-tenths of a degree. However, if it changed it five degrees, it would melt the

polar icecap. We went to them and said, 'From 1880 to 1940 when it went up nine degrees, no ice melted.' Back in 1883 when Krakatoa blew up and put a cubic *mile* of sea water way into the upper atmosphere, the explosion was heard three thousand miles away, and for one whole year the world had green sunsets. And nothing happened. The world temperature didn't change. The icecaps didn't melt. Isn't what's going on with natural evolution and what man is doing up there with a couple of airplanes pathetically tiny?

"We all agree we'd better do some research. But Garwin, who is predisposed one way and who has outlets through Reuss, Yates and Proxmire, takes liberties with ifs and coulds and changes them to will and shall. There is nothing wrong with raising questions, but I very much disapprove of this approach people have that the end justifies the means. If I want the SST killed, it's okay for me to say it's going to melt the polar icecap, it's okay for me to play the sound game and make the housewife think it's fifty times as annoying while forgetting to say that out over the community it is half as annoying and it meets the best standards the FAA has set up to date. Only there on the runway do we have a problem, and we have eight years to work on it." Such attacks are very effective.

So, too, is the release of so-called secret reports attributed to the government in alleged collusion with the Boeing Company. Sometime this spring Congressman Henry Reuss received a page and a half of notes about the SST from an informant that were said to have been extracted from secret Boeing memos. "The uncertainties seem to surround nitrogen oxide enhancement and ozone deficiency in the stratosphere," said the report, a copy of which has come into the hands of SR. "You better check with some chemists or atmospheric scientists to see what effect this has on the environment. I think a stronger and possibly more politically powerful environmental argument can be made on jet engine noise level, particularly around the airports," the informant's note said.

A letter requesting a copy of the so-called Boeing report on which the informant's notes were based was sent by Reuss to Secretary of Transportation Volpe. The Secretary forwarded it immediately to Magruder, who had it by 5:30 Friday afternoon, June 5. Magruder ran a search of his organization, called Boeing in Seattle, and asked them to do the same. At 6:30 he called Reuss, who was on the floor and unreachable. Magruder left a message with his administrative assistant, James Verdier, offering to open his files and give the Congressman access to any material he had. Reuss's office declined the invitation.

Over the weekend Magruder did turn up a Boeing scientist who had been working in a laboratory environment employing a computer synthesis model. Using a hypothetical fleet of 500 SST's, he fed equations into the computer to determine the effects on the upper air. In the experiment, the answer came out showing that moisture could cause a temperature change of ten degrees. When the report was examined, it was found that the computer programming was off by an order of magnitude. What should have been a tenth of a degree was shown as ten degrees, and the direction was wrong.

Magruder then called Reuss's office back to say he had found an interoffice memo in the Boeing scientific research laboratory. He asked for a copy of the notes given to Reuss in order to correct the error. Verdier refused on the grounds that Reuss's notes were secret. Magruder told Verdier, "If some evidence comes up that we ought to stop the SST, my voice is to be the first one that says so, and everybody in the administration will back me up. So I don't understand how you can have documents that are secret from me."

At 6 o'clock Sunday night, June 7, Reuss's office released a report to the press. The headline read: SECRET BOEING STUDY PREDICTS SST WILL INCREASE POLLUTANTS IN STRATOSPHERE. The text of the report implied that Boeing had discovered that water vapor in the upper atmosphere will be doubled and the protective ozone layer thinned by 10 to 30 percent in areas where the SST's travel; alongside these projections it juxtaposed Dr. Gordon MacDonald's claim that "if all ozone were stripped from the atmosphere, this would effectively wipe out all life." Oddly, in the press release, as in the report sent to Reuss by his informant the temperature was going the wrong way to produce the effect that was claimed.

THE ECONOMICS

Beyond all the threats to environment are the further twin detergents of national priorities and economic doubt. Should the monies that the government is investing in the SST program (and that, according to its contract with Boeing, it hopes to redeem as planes are sold to airlines) be put in medicine, education, and environmental control? Richard Ottinger, the New York Representative who is running for the U.S. Senate, has called the "funding bill for fiscal 1970 a gross distortion of our national priorities." Representative Reuss thinks Boeing ought to be making a mass transit vehicle and GE a pollution-free engine for it instead of making the SST, which he has called "an environment-despoiling superplane for the jet set."

"Instead of building pyramids, they ought to be doing something that benefits large numbers of people," Reuss says. "Putting $290-million into the SST and one-third of that into fighting air pollution—that's not a good allocation of priorities. This administration is unusually ga-ga about subsidizing business and banking, but it's very niggardly about appropriating funds for education, which it vetoes, or hospitals, which it vetoes, or the environment, which it underfunds. I think this is part of the administration syndrome of siphoning off as much as possible of the taxpayers' money and shoveling it out to their pals in the banks or large defense plants. I think it would be good elementary morality to stop all these Teapot Domes that have been going on for the last five or six years. The SST doesn't have real scientific or human aspirations to it. It is wicked and obscene to defend as job-creating anything under the sun. It's undignified to ask human beings to work at something that is useless. Even the Treasury Department itself—until it got suppressed—said there would be a negative balance of payments from the SST. That is, more Americans would be encouraged to go to Europe, and that would take the advantage out of what we got for selling the plane to foreign airlines."

Far from being muzzled, the Treasury Department in a letter from Paul Volcher, Undersecretary for Monetary Affairs, to Senator William Proxmire, stated on May 1:

"On the balance of payments aspects of this question [the SST], we have no reason to alter our view that the potentially adverse impact on our travel account from the development of a U.S. SST could equal or outweigh the positive impact on the aircraft sales account. . . . If one were fairly sure that a foreign SST would become a viable commercial proposition within the foreseeable future, then the balance of payments arguments against proceeding with a U.S. SST would lose force."

Four days later Rocco Siciliano, the Undersecretary of the Department of Commerce, wrote to Proxmire:

"We continue to believe that only the effect of sales of aircraft and equipment can be taken into account in any meaningful way in evaluating the impact of the U.S. SST program on the balance of payments."

Siciliano noted that the travel deficit has long endured and that the era of the wide-bodied airplanes (747s, L-10-11s, DC-10s) as well as the introduction of the Concorde in 1973 would already have increased international travel growth by the time an American SST would appear. But more international travel, he argued, increased the need for additional travel within foreign countries, thus requiring more short-range aircraft "predominantly of American manufacture." Most importantly, perhaps, Siciliano noted that further delay in a U.S. commitment to the SST would encourage substantial orders for the Concorde and "provide greater incentive to develop a second-generation Concorde, which would be more competitive with the U.S. SST."

There is reason to believe that during the Congressional hearings on the funding for the U.S. SST some efforts were made to leave an impression with the American side—deliberately erroneous—that the Concorde was in trouble. By use of this propaganda ploy, it was hoped to gain for the Concorde even more lead time over the U.S. entry.

Information available to the State Department by the end of the first week of May indicates the Concorde is proceeding so well that the construction of twelve aircraft has been ordered, including six production models, two prototypes, two preproduction models, one model for static testing, and one for thermal testing.

The Concorde has still to test—as it will this summer—its performances at Mach 2, or roughly 1,400 miles an hour, for payload, fuel, maintenance, and, of course, noise and boom, especially to meet restraints that might be placed on it in the United States or other foreign countries. Asked in Congressional hearings at Washington whether the United States and Britain couldn't jointly ban supersonic aircraft on the basis of noise alone, Mary Goldring of the London *Economist* thought not. "Britain is not a very noise-sensitive country," she said. "And we would not have a great deal of sympathy with what we thought was a deliberate American move to try and keep the Concorde out." Nor could she see at the present stage how Britain and France "could gracefully fade out." She expressed doubts whether the United States can offer a "spectacularly better supersonic aircraft than we can, in which case our reaction will be that we are simply giving away the market to big bad Boeing again."

There seems little chance of that. The State Department information further states that consideration is being given to a second-generation Concorde, which would compete in size with the American plane. It would cost half a billion, a financial consideration that might force an invitation to Germany to join a consortium to build Concorde II

"The trouble with our opponents," says Senator Henry Jackson, who with his fellow Washingtonian Senator Magnuson, is leading the floor fight for the SST in the Senate, "is that they only talk about an American SST which is not even yet flying. Let us address ourselves to an international SST. It is a fact of life that the SST is here. The question is whether America is going to participate in this technology."

While Senator Jackson is faulted because he represents the state of Washington, home of the Boeing Company, he is one of the leading environmentalists in the Congress, having been chairman of the Interior Committee of the Senate since 1963. He worked for four years on the National Environmental Policy Act, which passed the Senate a year ago and was signed by President Nixon on January 1 of this year.

Under the act, there is specific authority delegated to the President to enter into negotiations with other countries to deal with environmental problems that transcend national barriers. "I have strongly urged the White House to act under the authority of my bill to bring together the British and

the French and the Russians so we can undertake an honest analysis of this problem," Jackson says.

"The whole fight over environment in the Seventies, forgetting for a moment the SST, will revolve around this question of trying to provide a balance in our society between our social and economic goals and objectives and quality life, a good environment." As one who has labored for environment since the early Sixties, the Senator decries what he calls "these people who discovered the environment a few months ago, these instant environmentalists." They worry about the poor among us, he says, while forgetting that to aid the poor we have to allow for economic growth.

"Any economic growth has an impact on the environment," says Jackson. "The question is how much of an impact and what can you do to lessen the impact. You can't talk about twenty-six million new homes by 1978, which is a minimal goal, without talking about how many trees you are going to cut. This, too, has an impact on the environment. People in the Congress, in the White House, and in the State Houses will be trying to reconcile this conflict between proper social and economic goals and a good environment. It is simple to say we'll just shut down this operation and we'll solve it. It's much more difficult to be given the charter to go ahead and say we want to fulfill the proper national goals—and do it under a mandate that it provide for quality life at the same time."

Echoing Jackson's Senatorial statement is Paul Charrington, James J. Hill Professor of Transportation at Harvard Business School, who has been observing the SST since 1958. "Clearly," says Charrington, "this is a research and development project at this juncture. The two regimes that offer real promise are supersonics and some kind of V-STOL (vertical short takeoff and landing, i.e., helicopters). We have probably put more in V-STOL in dribs and drabs than we have put into the SST. If we abandon the project and gave the market to the Concorde and the Russians, we would damage our balance of payments by somewhere in the range of twenty-five to forty-five billion dollars over a fifteen-year period, so this would put us further under water than we are now. The fact that we go forward is no guarantee we are going to bring this home, but we surer than hell aren't going to bring it home if we haven't got an airplane. If there were an assurance that the dough would be returned, then I would not be in favor of the government's being in it, because then it would be merely a bankroll proposition; just find a friendly banker—big as the number is—to put up the dough. So, I look at it as an R-and-D project, and maybe the first of a series of advanced technology projects where there are a lot of chips and the government goes so far and then gets out."

While the Concorde might very well prove to be potent competition, there are those in aviation circles who say the Russians have never built a plane that makes any sense in a Western free enterprise market. Secor Browne, head of the Civil Aeronautics Board, who taught air transportation at MIT and who negotiated the delicate Soviet and American agreements that established regular flights between New York and Moscow, thinks the Russians are capable of developing a machine that could be sold on the world market. They could also hold out the bonus of a favorable route across the vast expanse of the Soviet Union. "If you are Japan Air Lines and you are offered a Concorde and a TU-144 and if the Russians can sweeten the arrangement by awarding favorable routes, what are you going to do? Then Mr. Halaby (president of Pan American) looks out the window while a TU-144 streaks past his 747, and he doesn't have much choice either."

Browne finds the Russians highly pragmatic, possessed of an infinite power to allocate men and resources. Skill is the one element they know is in short supply. "To the Russians, the SST is primarily an internal machine. It's a long, crummy ride from Moscow to Vladivostok or Novosibirsk, and if you can get your skilled people there in a half or a third of the time, you get more out of them. To move people who have the skills faster and get more productivity out of them—that's why they are interested."

The capability of moving skilled people around the world faster is a far different theory than calling the SST a fast plane for the jet set. Instead of seven hours to Europe it will fly in two-and-a-half, instead of fourteen hours to Asia, it will be five. These are the advantages to man. The continuity of an aircraft industry that provided $30-billion to the economy is among the advantages to the nation. Somehow along the way, the building of an SST became, in the minds of its detractors, a product of the military-industrial complex, the bogeyman of the Seventies. As Senator Jackson has said, "If the Ford Foundation were building this plane, I don't think there would be this opposition." Nor, had it surfaced in some other season, would the possible environmental dangers have provided such a fat target. Those who ask now whether we need the SST might well have asked similar questions at the onset of the steam-powered locomotive, of the electric trolley car, of the horseless carriage, and of the airplane itself. No nation that has placed a man on the moon needs to worry about national pride, and surely the American SST must not be built for reasons of national honor. But national economics is a vital issue, and employment is a vital issue, especially if we are to improve the lot of twenty-six million citizens who exist below the poverty level. If we are capable of producing a functional technology that will not despoil the planet, then the SST should be considered with favor.

It might be well to recall the Red Flag Act, a piece of British legislation passed in 1865 that required all steam carriages to carry a crew of three, one of whom was to walk not less than sixty yards in front of the vehicle and carry a red flag. The act, which diminished speeds of steampowered cars to two miles an hour in cities and four miles an hour in the country, was not repealed for thirty years. By that time, road travel had been effectively muffled in Britain.

Given today's concern for the environment and the authority which the President holds in the National Environment Policy Act, the time to seek international and reciprocal research and development is now. Whether we build one or not, the age of supersonic transport has arrived. Discovering its environmental offenses and working cooperatively with other governments to correct and control them will protect us from these environmental indignities similarly inflicted by the automobile, which are only now becoming apparent. Stifling the SST with a Red Flag Act of 1970 is not going to make supersonic travel go away.

INTERNATIONAL SUPERSONIC LINEUP

	U.S. SST	Concorde	TU-144
Maximum takeoff weight (pounds)	750,000	385,000	330,000
Length (feet)	298	193	188.5
Wing span (feet)	143	84	72
Height (feet)	52	38	34.5
Cruise speed:			
Mach number	2.7	2.05	2.35
Miles per hour	1,786	1,350	1,550
Passengers	298	128	120

AMENDMENT TO S. 30, ORGANIZED CRIME CONTROL ACT OF 1969

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

Mr. ROTH. Mr. Speaker, today I am introducing an amendment to S. 30, the Organized Crime Control Act of 1969. This amendment will establish a commission to review the effect of laws recently enacted as a means of combating crime and practices of the executive branch and their impact on the individual rights of the people of the United States. It is to be known as the National Commission on Individual Rights.

It will be the duty of this Commission to determine: First, whether in fact these measures are effective in their fight against crime; second, whether these tools when used result in an infringement of individual rights; and third, to recommend changes, if any, which should be made in light of its findings. Specifically, the measures to which I refer are the laws and practices relating to the control of organized crime, wiretapping and preventive detention, no-knock search warrants, and the accumulation of data on individuals by Federal agencies as authorized by law or acquired by Executive action. While new tools are necessary in the fight against crime, it should also be made certain that they are not individually or collectively used in such a manner as to unnecessarily result in an infringement upon our basic freedoms. It is for that reason that I have authored this amendment.

I do not view this Commission as just another commission, but rather, one that will in some way affect every man, woman, and child in the country. I feel that such a commission is necessary to take an overview of the recent legislation we have enacted to arm our law-enforcement agencies with new tools to fight th eincreasingly sophisticated criminal elements of our society. To review each piece of legislation individually we would miss the impact that an overall study would provide. In taking an overview of the area, the Commission will be able to study the interrelation of these laws to determine how each affects the use of the other and whether there is a resulting violation of rights.

Not only will this Commission aid the Congress in reviewing the effect of the legislation which it has provided for the control of crime, but it is important for two other reasons.

This Commission will be of immense aid to the courts who will have to rule on the validity of these laws and the practices which the police will establish in their use. The Commission will provide a body of trained experts neutral in their approach to the problem and able to point out to our judicial officers what effect their rulings will have in the broad spectrum on other laws and practices as they affect the individual rights of the people. I do not believe that such matters should be within the province of the courts as the factfinders, since the facts that are brought out in one case cannot be broad enough to adequately review the interrelation and effect of such diverse laws.

Second, the Commission will be important in bringing to light intrusions upon our individual rights which al-

though protected by the Constitution have been violated seemingly without our knowledge, but violated all the same. For example, how many of us in public life were amazed to learn that the Department of the Army, on its own initiative, has been collecting and data banking personal information about civilians who are active in politics or who belong to organizations which are or might be active. Although such data banks have supposedly been destroyed, how could such information have been anything but an intrusion upon the personal lives of certain individuals.

Yet, as Senator ERVIN has pointed out, little is known about Government data gathering and its effect on constitutional rights. Further, there have been no congressional guidelines determined by Congress on how the executive may keep records and statistics on individuals. Congress, and not the executive branch, should establish basic policies on these matters.

I believe that the answer to this area is first to find out what types of information is being stored, then to determine the relative necessity of its being maintained and the way it could be used to subvert the individual. At that point, I believe definite guidelines could be determined. It is my belief that the Commission on Individual Rights is the proper vehicle to make this inquiry and to furnish recommended guidelines. Since the Commission is taking an overall approach to the subject, it cannot only report to the Congress the context in which such data keeping is obtained, but also how it is used in relation to the other laws we have enacted.

Finally, I note that section 804 of the Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, established a National Commission on Wiretapping and Electronic Surveillance. In order to avoid a multiplicity of such commissions, I propose that that Commission be repealed since the Commission I now propose would be serving the same function, but in a broader area. Further, I propose that the Commission on Individual Rights begin in office as of January 1, 1972, rather than wait until 1974 as is contemplated for the Commission on Wiretapping, and it should terminate 6 years later.

Under unanimous consent I include my amendment, as follows:

AMENDMENT OFFERED BY MR. ROTH TO S. 30

(Page 75, after line 9, insert the following)

TITLE XI—NATIONAL COMMISSION ON INDIVIDUAL RIGHTS

SEC. 1101. There is hereby established the National Commission on Individual Rights (hereinafter in this title referred to as the "Commission").

SEC. 1102. The Commission shall be composed of fifteen members appointed as follows:

(1) Four appointed by the President of the Senate from Members of the Senate;

(2) Four appointed by the Speaker of the House of Representatives from Members of the House of Representatives; and

(3) Seven appointed by the President of the United States from all segments of life in the United States, including lawyers, teachers, artists, businessmen, newspapermen, jurists, policemen, and community leaders, none of whom shall be officers of the executive branch of the Government.

SEC. 1103. The President of the United States shall designate a Chairman from among the members of the Commission. Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

SEC. 1104. It shall be the duty of the Commission to conduct a comprehensive study and review of Federal laws and practices relating to special grand juries authorized under chapter 216 of title 18, United States Code, dangerous special offender sentencing under section 3575 of title 18, United States Code, wiretapping and electronic surveillance, bail reform and preventive detention, no-knock search warrants, and the accumulation of data on individuals by Federal agencies as authorized by law or acquired by executive action. The Commission may also consider other Federal laws and practices which in its opinion may infringe upon the individual rights of the people of the United States. The Commission shall determine which laws and practices are needed, which are effective, and whether they infringe upon the individual rights of the people of the United States.

SEC. 1105. (a) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power to—

(1) appoint and fix the compensation of an Executive Director, and such additional staff personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of such title; and

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $100 a day for individuals.

(b) In making appointments pursuant to subsection (a) of this section, the Chairman shall include among his appointment individuals determined by the Chairman to be competent social scientists, lawyers, and law enforcement officers.

SEC. 1106. (a) A member of the Commission who is a Member of Congress shall serve without additional compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of duties vested in the Commission.

(b) A member of the Commission from private life shall receive $100 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of such duties.

SEC. 1107. Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman, such statistical data, reports, and other information as the Commission deems necessary to carry out its functions under this title. The Chairman is further authorized to call upon the departments, agencies, and other offices of the several States to furnish such statistical data, reports, and other information as the Commission deems necessary to carry out its functions under this title.

SEC. 1108. The Commission shall make interim reports and recommendations as it deems advisable, but at least every two years, and it shall make a final report of its findings and recommendations to the President of the United States and to the Congress at the end of six years following the effective date of this section. Sixty days after the submission of the final report, the Commission shall cease to exist.

SEC. 1109. (a) Except as provided in subsection (b) of this section, any member of the Commission is exempted, with respect to his appointment, from the operation of sections 203, 205, 207, and 209 of title 18, United States Code.

(b) The exemption granted by subsection (a) of this section shall not extend—

(1) to the receipt of payment of salary in connection with the appointee's Government service from any source other than the private employer of the appointee at the time of his appointment, or

(2) during the period of such appointment, to the prosecution, by any person so appointed, of any claim against the Government involving any matter with which such person, during such period, is or was directly connected by reason of such appointment.

SEC. 1110. The foregoing provisions of this title shall take effect on January 1, 1972.

SEC. 1111. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

SEC. 1112. Section 804 of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351; 18 U.S.C. 2510 Note) is repealed.

Redesignate title XI as title XII, and redesignate section 1101 as section 1201.

ARABS, UNITED STATES PEACE GROUPS SHARE A COMMON BURDEN: VIOLENCE-PRONE ALLIES

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

Mr. ERLENBORN. Mr. Speaker, the Arab States would like to have Israel dry up and blow away; and three of them, Syria, Jordan, and the United Arab Republic, fought a 6-day war in 1967. The intent then was to hasten the drying up process, but the result was quite opposite.

In recent days, the Arabs have been greatly embarrassed by the Palestinian guerillas whose aerial piracy has left the whole Arab cause looking bad in the eyes of the world. Jordan has been the most embarrassed, for the guerillas landed the aircraft on Jordanian soil, and dared the Jordanian Army to do something about it.

Heads of all the Arab States have publicly criticized the guerrillas, and that is commendable; but the world may be excused for asking, "What took you so long?"

Suppose you have a neighbor you do not like. And suppose you find a small poisonous snake. There is little wisdom in petting, feeding, and sheltering the snake in the hope it will obey your instructions to bite the people next door. With such treatment, the snake is likely to grow bigger and deadlier. Eventually, it will be too big to control.

This has happened between the Arabs and the Palestinian guerrillas. The Palestinians claim to have been dispossessed of their homeland by the Jews, and they have been feeling sorry for themselves for a quarter century. The Arabs do not like the Jews very well, either; so they took the Palestinians in. Now, they have a sizable guerrilla force, have become almost independent of the Governments of Jordan, Syria, and Lebanon, and now have embarrassed them mightily.

There has been a parallel development in the United States.

Opponents of the war in Vietnam—not all of them but some—have condoned or ignored violations of the law by so-called activists who also oppose the war. There has been a disposition to look the other way when buildings were occupied, draft offices ransacked, records were burned.

When minor lawlessness was condoned by people who should know better, some radicals have progressed to bombing and arson. Those who accepted the law violations and the minor violence as legitimate attempts to change our country's course now profess to be appalled by this latter, more virulent fury.

Their condemnations are, in most cases, sincere, but I wonder why they are so tardy. Why has it taken so long?

In a society such as ours, one may not choose the laws he will obey. The sooner everybody realizes this, the better it will be for all of us, including those who insist upon the need for change.

The Palestinian guerrillas could not have gotten strong enough to embarrass their hosts if they had not been encouraged by their hosts. The college "crazies" could not have gotten strong enough to close Columbia University and to threaten the existence of the University of Wisconsin except for the connivance of moderate students—and faculty members and laymen.

INSURANCE SITUATION HAS BECOME CHAOTIC

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

Mr. MOORHEAD. Mr. Speaker, the insurance situation in this country is chaotic. By this I mean what traditionally has been a rather simple acquisition, purchasing insurance for your home, automobile, or business, has suddenly become an expensive, involved, and many times fruitless endeavor.

This situation prevails not only in the volatile auto insurance area but in the homeowner's and commercial property area as well. And crime insurance just cannot be purchased unless the likelihood of a crime occurring in the neighborhood where you seek crime coverage is next to impossible. And those neighborhoods rapidly are ceasing to exist.

Insurance companies are reacting to the squeeze by raising rates, insisting on very high deductibles, and in many cases just refusing to write insurance for classes of people, properties, and neighborhoods.

My Banking and Currency Committee began its executive session on the 1970 Housing Act which contains an innovative proposal, which I support, to have the Government offer property and crime insurance where it is not available or available only at exorbitant rates.

This approach may seem radical to some but in regards to the current mess in the insurance industry, it is warranted and possibly overdue.

Today, I plan to introduce another set of unique and far-reaching insurance proposals, this time aimed at the problems consumers encounter trying to secure, maintain, and receive the benefits of automobile insurance coverage.

Included in this number is the much discussed no-fault provision, which would discount whose fault an accident was and have the individual's insurance company pick up his losses. This would, at one and the same time, be a more equitable way of compensation and free our clogged court system from hundreds of minor damage suits.

These three bills represent an effort to reform the archaic insurance system which has failed to keep pace with this Nation's insurance needs, but in failing the public has succeeded in reaping millions of dollars in profits for the industry itself.

As a recent article in the Pittsburgh Post-Gazette pointed out:

> In some families, auto insurance alone—not to mention what the car costs itself—is a $1,600-a-year payout.

The article goes on to state that what is helping push up costs is the number of traffic accidents and the size of medical and auto body damage claims stemming from the accidents.

As Senator HART so accurately put it:

> The social benefit we seek from insurance today is not protection from the other fellow's losses, but compensation for our own. The present auto liability insurance-fault system is not giving us that.

The person with automobile insurance today, if he can get it at prices he can afford, seldom gets totally compensated for the full extent of his losses, including personal physical damage, loss of his earning power, and whatever property damage is incurred also.

These three bills will lower the cost of insurance and increase the compensation to those victims of accidents and they represent a genuine step toward reforming the insurance delivery and payment system.

REDUCTION IN CRIME RATE NOTED

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

Mr. BROWN of Ohio. Mr. Speaker, I note that my colleagues on the other side of the aisle are desperately attempting to "unload" their record of failure on the crime issue by delving into extensive statistical lore.

I can simplify the record for them. During the last year of the Johnson administration, crime went up 17 percent. Last year, it went up 12 percent—a 5-percent reduction in the rate of increase. This reduction was accomplished under the same laws the Democrats had to work with when they were in office—and a lot of them are not so hot.

Some of these laws should have been changed or strengthened years ago. Others are not really such bad legislation, but judges appointed to the courts by Democratic administrations in the past have bent them all out of shape with undesirable interpretations.

That is why the Republican administration of President Nixon has been trying to get some new laws passed to control crime in this country. The thing many people do not understand is why it is so difficult to get these crime control proposals through a Democratic Congress.

It is time for the Members of the opposite party, to use an old colloquialism, to "put up or shut up" on the issue of crime. There are 12 major anticrime bills before Congress. Law-enforcement officers need legal tools to work with—and they are not getting them from the party that suddenly has become concerned about crime.

The statistics are simple. Crime rose more than 100 percent between 1960 and 1969, when the opposition party had complete control of the machinery of Government—White House, the Congress, and the power to appoint and confirm Federal judges. They even had a wiretapping law, which has been used with devastating effect by Attorney General John Mitchell, but which was spurned by his predecessor.

The record of the Democratic Party on crime is clearly one of inaction. And they are continuing this sorry saga of playing pattycake in the war on crime in this Congress.

CONVERSION RESEARCH AND EDUCATION ACT OF 1970

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

Mr. GIAIMO. Mr. Speaker, 54 of my colleagues and I have introduced the Conversion Research and Education Act of 1970. We believe that the time has come to protect this Nation's investment in thousands of scientists, engineers, technicians, and skilled workmen who are losing their jobs in the defense and space industries. We believe that the time has come to save our invaluable scientific and technological resources from neglect and dissipation. We believe that this priceless talent must be used to solve many of the domestic problems which confront us. Above all, we believe that the time has come for America to stop talking about conversion and start doing something about it.

All of us have heard the stories about scientists driving taxicabs, engineers pumping gas, and skilled technicians collecting unemployment compensation. Tragically, these examples of wasted talent are neither exaggerated nor isolated; on the contrary, they are becoming more and more frequent throughout the United States. The following developments are testimony to this situation:

First. For the third consecutive month, the June demand for engineers and scientists hit a record low for the 10-year history of the Deutsch, Shea & Evans Index. According to the index, the demand was barely a quarter of that recorded for June 1966, just 4 years ago.

Second. A spokesman for the American Institute of Physics describes an atmosphere of emergency in the physics

community because of the employment situation.

Third. The Engineering Manpower Commission reports that hiring goals for many technological industries are down sharply from last year. In the aerospace industry, for instance, hiring is down to 62 percent of last year's job openings.

Fourth. The Commission warns that enrollments in many engineering and scientific fields continue to decline and that there are signs of disenchantment with and outright opposition to advanced education and academic research in fields which were popular just a few years ago.

As this Nation continues to disengage from the Vietnam war and reduce space expenditures, it is obvious that these conditions will grow worse. To fully comprehend the impact of defense and space spending cuts on our scientific and technological community, we must remember that—

First, approximately 83 percent of all federally funded research and development is carried out by the Department of Defense, Atomic Energy Commission, and the National Aeronautics and Space Administration. Over $14 billion is being spent on R. & D. by these three agencies alone;

Second, more than 2 million scientists, engineers, and technicians are currently employed by industry and Government. Of those in industry, one in every four is engaged in defense related work. Of those in Government, one in every two is employed by DOD, NASA, or the AEC.

Third, in 1969, the aircraft-missile and electronics industries employed 51 percent of all scientists and engineers working in the research and development field. They accounted for 55 percent of the total funding for R. & D. and 79 percent of the Federal funding. These industries are, of course, particularly susceptible to reductions in defense and space spending.

I submit, Mr. Speaker, that we are doing a grave disservice to our scientific community and to this Nation if we fail to plan for further reductions in defense and space research and development. As was pointed out clearly in the March issue of Scientific, Engineering and Technical Manpower Comments, we have made this mistake before:

Periodically, we desperately seek professional talent to meet urgent national needs and then callously dump these highly trained people out onto a depressed job market again a few years later, wasting one of our most valuable national resources. Each time this happens—and it has occurred several times during the past two decades—more and more technical people become disillusioned and leave the technical field to work in other, non-professional jobs. And, year after year, our pool of engineering and science graduates grows relatively smaller.

I cannot stress strongly enough, Mr. Speaker, that our failure to convert our vast research and development effort to peacetime pursuits will do far more than put a few scientists out of work. In fact, it will endanger this Nation's leadership in science and technology, make more difficult our efforts to solve critical domestic problems, and adversely affect the entire economy.

THE TECHNOLOGY GAP IS CLOSING

The danger to our leadership role in science and technology was stressed recently by Dr. James Killian, Jr., former president of MIT and former science adviser to President Eisenhower. In testimony before the Subcommittee on Science, Research, and Development, chaired by my friend and colleague, the gentleman from Connecticut (Mr. DADDARIO), Dr. Killian warned of the effects of present Government policies on the scientific and technological community:

Taken together, these actions may curtail the amount and quality of basic research. They may diminish our capacity to educate scientists and engineers. They threaten to discourage young people from selecting science and engineering as fields of study. They threaten the breakup of experienced teams of talented scientists and the closing of facilities. They threaten to erode the pre-eminent position of the United States in science and technology. They provide a telling example of the need for new policies which can help to reduce uncoordinated Federal decision.

The fact is, Mr. Speaker, that we live in a competitive world, a world in which the comfortable technology gap that we have enjoyed for so long is being closed by the other industrial nations of the world. Are we to close it further by dismantling our vast research and development effort instead of finding new uses for it? Are we to lose our lead in science and technology because we lack the initiative and foresight to sustain it? My colleagues and I do not want to lose that lead; the Conversion Research and Education Act is a product of our concern.

TECHNOLOGY AND THE BALANCE OF TRADE

The majority of this Nation's technological activity takes place in Connecticut, Massachusetts, New York, New Jersey, California, Texas, Florida, Missouri, and Maryland. These and surrounding States are already feeling the adverse effects of cutbacks in defense and space spending; a loss of 150,000 jobs is predicted in the New England area alone, for instance, as we disengage from the Vietnam war. Yet the need for conversion is far from parochial. The failure of the United States to sustain its scientific and technological community will influence the balance of trade and, subsequently, our entire national economy.

Soon we will be considering major foreign trade legislation. We will be reminded of the sad state of American foreign trade. We will be told that many of the products we are now importing were once produced by skilled workers in American industries. We will discover that of all the items produced in this country, only machinery, certain electronic equipment, chemicals, and aircraft remain important surplus items for export. We will realize that these are products which depend on a high degree of technology for their production. Then we will see the importance of technology to our economy.

The fact is, Mr. Speaker, that without high-technology products, we will lose our favorable balance of trade and our position of leadership in the international marketplace. As an example, let us look at the statistics for American foreign trade in 1968. In that year our favorable balance of trade for all exports and imports came to $1 billion. The balance of trade for high-technology products, however, was $9 billion. Without the export of high-technology products, therefore, the United States would have lost $8 billion in foreign trade in 1968 instead of gaining $1 billion.

The story was the same in previous years—the export of high-technology products made the difference between a favorable balance of trade and a loss of money. I wish to place in the RECORD at this point a table which gives these import-export statistics for the years 1962 through 1968:

SELECTIVE WORLD TRADE DATA 1962–68

[In billions of dollars]

	1962	1963	1964	1965	1966	1967	1968
All commodities:							
U.S. exports	21.4	23.1	26.2	27.2	30.0	31.2	34.2
U.S. imports	16.4	17.2	18.7	21.4	25.6	26.9	33.2
Balance	5.0	5.9	7.5	5.8	4.4	4.3	1.0
High-technology products:							
U.S. exports	10.2	10.6	12.1	13.0	14.4	16.0	18.4
U.S. imports	2.5	2.6	3.1	3.9	6.0	7.0	9.4
Balance	7.7	8.0	9.0	9.1	8.4	9.0	9.0
Net balance for other than high-technology products	2.7	2.1	1.5	3.3	4.0	4.6	8.0

The importance of high-technology products to our economy cannot be underestimated. Since the design and production of these products depend primarily upon the research and development efforts of highly trained technicians, and since the rate of technological obsolescence of such products demands sustained research, it is obvious that we must have more scientists, engineers, and technicians engaged in commerce and industry. Those put out of work because of defense and space spending cutbacks must be reoriented and retrained so that they may contribute to other areas of our economy. We believe that our proposal is an important first step toward protecting our leadership position in foreign trade circles and revitalizing our economy. Commonsense dictates that we take this step, both in the interest of our scientific and technological community and for the benefit of the entire Nation.

A WASTE OF TALENT

All of us in Congress have firsthand knowledge of the severity and complexity of the major domestic problems which confront this Nation. We realize, more than most, that these problems cannot be wished away. We know that it will take dedication, initiative and all the resources at our command to provide adequate housing, health care, education, employment, food, and transportation for all of our citizens. We know that it will take a massive effort to rid our streets of crime and our water and air of pollution. Yet, today we watch helplessly as thousands of our most talented, dedicated, and resourceful citizens are unable to find work and unable to contribute to the solution of these problems.

This is disgraceful, Mr. Speaker; it is a shocking waste of talent. We cannot afford to dissipate our precious scientific resources at a time when the need for new technology is greater than ever before. The scientists, engineers, and technicians who are now losing their jobs could be developing new methods of housing construction. They could be discovering cures for diseases and providing improved medical care. They could be testing new approaches in education. They could be devising new systems of mass transit while making our present transportation safer and more efficient. They could be developing new crime fighting techniques and better training procedures for law-enforcement personnel. They could be creating new methods of keeping our air and water clean and otherwise preserving our environment. They could be doing all of these things, but they are not.

Many small business firms once engaged in defense-related work are now facing bankruptcy because of Defense budget cuts. These businesses could be providing us with new goods and services to help meet our domestic needs. They could be, but they are not.

With the experiences of World War II and Korea in mind, the United States should have planned long ago for conversion. It should have retrained its unemployed scientists, assisted small businesses in conversion, and sustained the proper atmosphere for technological growth. It should have, but it did not.

For these reasons, we must begin to plan for conversion now.

THE CONSERVATION RESEARCH AND EDUCATION ACT OF 1970

The Conservation Research and Education Act is based on the principle that reductions in defense and space research and development must be met by corresponding increases in civilian, socially oriented research and development.

The bill authorizes $450 million over a 3-year period for specific programs of education, research, and assistance to small business firms, in order to aid in the conversion of defense research and development to civilian research and development.

It authorizes the National Science Foundation to sponsor research on conversion and to develop and administer retraining programs for scientists, engineers, and technicians.

It authorizes the Department of Commerce, through the Economic Development Administration, to sponsor conversion retraining programs for management personnel presently engaged in defense-related research and development.

It authorizes the Small Business Administration to assist small business firms in achieving conversion by providing technical grants, loan guarantees, and interest assistance payments.

It creates an advisory committee of industrialists, scientists, and educators to help shape and guide these programs.

A NEW ORDER OF RESPONSIBILITY

In 1962, with the encouragement of President Kennedy, the National Academy of Sciences appointed a Committee on Utilization of Scientific and Engineering Manpower. In its report 2 years later, the Committee noted even then a lack of available jobs for scientific and technological manpower. Pointing to what it called the massive influence of the Federal Government in the deployment and utilization of scientists and engineers, the Committee said:

> This influence imposes on Government an entirely new order of responsibility to prevent malutilization. Government must assess in advance the effects of its decisions on the deployment of large numbers of scientists and engineers, both in undertaking new projects and in discontinuing old ones.

That was sound advice in 1964. It is sound advice today. The time has come for the Federal Government to assume this responsibility. We believe that the Conversion Research and Education Act provides this opportunity through a practical, relatively inexpensive, effective series of programs. For the sake of our economy, for the sake of our scientific accomplishments, for the sake of the American people we commend this act to our colleagues for their consideration and support.

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of this special order.

Mr. Speaker, I include the text of the Conversion Research and Education Act of 1970 at this point in the RECORD, along with an anlysis of the bill, a list of cosponsors and a conversion fact sheet:

COSPONSORS OF THE CONVERSION RESEARCH AND EDUCATION ACT OF 1970

Mr. Giaimo, Mr. Anderson of California, Mr. Brown of California, Mr. Burton of California, Mr. Eilberg, Mr. Harrington, Mr. Hechler of West Virginia, Mr. Horton, Mr. Hosmer, Mr. Mailliard, Mr. Matsunaga, Mr. McFall, Mr. Mikva, Mr. Moorhead, Mr. Nix, Mr. Obey, Mr. Ottinger, Mr. Rees, Mr. Roe, Mr. Rooney of Pennsylvania, Mr. Sikes.

Mr. Tiernan, Mr. Tunney, Mr. Van Deerlin, Mr. Charles H. Wilson, Mr. Beall of Maryland, Mr. Bingham, Mr. Boland, Mr. Brasco, Mr. Donohue, Mr. Dulski, Mr. Edwards of California, Mr. Gubser, Mr. Helstoski, Mr. Hicks, Mr. Howard, Mr. Lowenstein, Mr. Murphy of New York, Mr. Olsen, Mr. Pike.

Mr. Rosenthal, Mr. Shriver, Mr. Symington, Mr. Vanik, Mr. Wolff, Mr. Bell of California, Mr. Fraser, Mr. Frey, Mr. Gude, Mr. Halpern, Mr. Hathaway, Mr. Hogan, Mr. McKneally, Mr. O'Neill of Massachusetts, Mr. Scheuer.

ANALYSIS OF H.R. 19037: A BILL TO AUTHORIZE THE NATIONAL SCIENCE FOUNDATION TO CONDUCT RESEARCH AND EDUCATIONAL PROGRAMS TO PREPARE FOR CONVERSION OF DEFENSE RESEARCH AND DEVELOPMENT TO CIVILIAN AND SOCIALLY ORIENTED ACTIVITIES

H.R. 19037 embodies an important declaration of national policy followed by four titles that establish four specific Federal programs to foster conversion of defense research and development capabilities to civilian purposes. A fifth title provides for an advisory council, and authorizes appropriations for the next three fiscal years.

The Declaration of Policy deserves careful attention, for in it Congress clearly, visibly, and emphatically lays down the principle that the enormous national asset in the form of scientists, engineers and technicians now working on the diminishing defense programs must be conserved and utilized to resolve presently urgent social and economic problems of the nation. Here Congress explicitly declares that it is the continuing policy and responsibility of the Federal Government to take appropriate measures directed toward achieving the following goals:

(1) scientists, engineers and technicians will have continuing opportunities for socially useful employment in positions commensurate with their professional, technical capabilities;

(2) the total Federal investment in science and technology will be restored to an adequate annual expenditure level, and then continue to grow annually in proportion to the growth in the gross national product; and

(3) Federal obligations for civilian oriented research and development activities will be increased gradually until they reach a level of parity with Federal obligations for defense research and development activities, whereupon the level of parity will be maintained or exceeded, except when inconsistent with overriding considerations of national security.

This third goal will also have the desirable effect of reducing the present dependence of much of our university research upon defense appropriations, a matter of Congressional concern that last year was reflected in Section 203 of the Defense authorization for FY 1970.

H.R. 19037 next lays the foundation for four distinct programs that taken together provide important parallel supports for the goal of successful conversion. These four programs focus upon:

1. *Analyzing the situation:* Title I takes advantage of the present information collecting and analysis capabilities of the National Science Foundation by giving it three new functions:

(1) to analyze Federal expenditures for research and development and also information on scientific, engineering and technical manpower to appraise the implementation of the policies stated by this Act.

(2) to develop and recommend to the President programs and activities which will contribute to carrying out the policies of this Act.

(3) to prepare and submit to the President for transmittal to Congress a report on its activities and an appraisal of the implementation of the policies established in this Act, together with such recommendations, including recommendations for legislation, that it deems appropriate.

2. *Fostering necessary research.* To provide the basis for intelligent and innovative action in the future, even while we are grappling with the realities of today, Title II of H.R. 19037 provides for the National Science Foundation to fund research on conversion by grant or contract and to disseminate the results of that research. The bill specifies three aspects of this research, which should be designed to:

(1) study and appraise the economic, managerial and social science aspects of conversion from defense research and development to civilian research and development;

(2) identify priority subjects for civilian research and development, including, but not limited to, unemployment, poverty, racism, alienation, crime, environmental pollution, urban problems, energy sources and natural resources, transportation, education, and health; and

(3) advance the state of science and technology for priority areas specified above.

The Foundation, of course, would need authority to disseminate the results of such research and, in particular, to bring it to the attention of those most directly concerned. This is provided.

3. *Education for conversion.* Part of the business of conversion inevitably must deal with the retraining of our scientists, engineers and technicians so that they can effectively apply their defense experience and capabilities to the civilian sector.

Specifically, Title II authorizes the Foundation to fund educational programs designed to:

(1) retrain scientists, engineers and technicians for civilian research and development; and

(2) train or retrain officers and employees of Government—Federal, State and local—who will determine the government market for civilian, socially oriented research and development; and

(3) provide courses and curricula to prepare students for careers in civilian, socially oriented research and development.

For those scientists, engineers and technicians who are willing to make the commitment to seriously work towards reconversion, H.R. 19037 in Title II also provides for the Foundation to award conversion fellowships. The bill instructs the NSF to allocate such fellowships to provide an equitable geographic distribution; to award them to highly qualified applicants; and to give priority to applicants who have been or anticipate being out of work because of reductions in defense research and development.

4. *Management training.* Title III of H.R. 19037 authorizes the Secretary of Commerce to fund development and conducting of training programs for management to assist them in conversion. The bill specifies that this function shall be carried out by the Economic Development Administration.

5. *Small business and conversion.* Small business provides maximum opportunity for innovative thinking in applying what defense scientists and engineers have learned. Therefore, Title IV authorizes the Small Business Administration to make grants to small business concerns which have engaged in defense research and development to assist them to convert that experience to civilian research and development. In addition, Title IV authorizes the Administration to guarantee any loan for a conversion project made to small business. The bill also establishes a revolving fund for the Administration in carrying out this part. The initial capital is $30 million, transferred from the fund established under section 4(c)(1)(B) of the Small Business Act. As further assistance, the Administration may make interest assistance payments to any eligible lender.

Title IV also taps computer age technology by authorizing the Administration to establish and operate a computerized Conversion Information Service. This service will acquaint small business concerns with:

The conversion education programs and other forms of conversion assistance available; and

With market needs and opportunities for civilian research and development, especially those directed toward assisting in the resolution of the Nation's besetting social problems.

A special feature of H.R. 19037 is the Advisory Council on Conversion Education which is provided for in Title V. This Council has three purposes. It shall:

(1) advise the NSF Director and the Secretary of Commerce with respect to their responsibilities for education programs under this Act;

(2) review and evaluate the effectiveness of Federal educational assistance programs under this Act; and

(3) prepare and submit such interim reports as it deems advisable, and an annual report of its findings and recommendations.

The bill directs the NSF to make available to the Council such staff, information, and other assistance as it may require.

Title V authorizes appropriations of $100 million for fiscal year 1972, $150 million for fiscal year 1973, and $200 million for fiscal year 1974. Table I summarizes the allocation of these funds to the several programs for conversion.

TABLE I.—PROPOSED FUNDING FOR PROGRAMS TO CONVERT DEFENSE RESEARCH TO CIVIL PURPOSES

[In millions of dollars]

Title	Fiscal years		
	1972	1973	1974
Sec. 201: Conversion research	5	8	10
Sec. 202: Conversion education	25	35	45
Sec. 205: Fellowships for conversion education	40	60	80
Sec. 204: Government employee participation	10	20	30
Sec. 301: Management training for conversion	8	10	13
Sec. 401: Small business participation	12	17	22
Total	100	150	200

ECONOMIC CONVERSION FACTSHEET TO ACCOMPANY H.R. 19037

I. DIMENSIONS OF THE PROBLEM OF POSTWAR ECONOMIC CONVERSION

Speaking before the Senate Committee on Labor and Public Welfare during recent hearings on post-war economic conversion, U.S. Senator Thomas Eagleton of Missouri depicted the extent of defense-related spending:

"Our present economy has been conditioned by 25 years of cold war, inflated by 5 years of hot war and glutted by defense spending on new and evermore sophisticated and complex weapon systems to deter war ... At least 3 million citizens are engaged directly in defense work, and many millions more are dependent on the economic activities it generates. Communities are greatly affected by the more than 8 percent of our Gross National Product spent on defense—many disproportionately so. Non-defense industries also feel the impact as they attempt to compete for the rarest of production resources—skilled manpower.

"So a great many individuals, communities and industries have a stake in what happens to defense spending. Certainly, the Federal government does. . . . unless we devise viable and effective methods of converting some of our defense production to civilian endeavors, we may be obliged to continue enormous defense spending, not because it is needed but rather because we fear the economic consequences which would flow from its discontinuance.[1]

Research, development and engineering comprise a significant segment of our defense-related activities. One in every four technical personnel in industry is engaged in defense-related work. One in every two scientists, engineers and technicians in the Federal Government is employed by the Department of Defense, the National Aeronautics and Space Administration or the Atomic Energy Commission. Approximately $26 billion is spent on research and development; over $17 billion of this comes from the Federal Government. Of this Federal outlay for R&D, approximately 83 percent, or more than $14 billion, is spent by the Department of Defense, NASA or AEC.[2]

A recent National Science Foundation report on industrial R&D dramatized the extent of specialization on defense and space activity and the dependency of R&D upon Federal funding. The report stated that over 95,000 scientists and engineers—more than 25 percent of all scientists and engineers engaged in R&D—are employed in aircraft and missile research. Their research and development effort in 1968 cost $5.6 billion, of which $4.5 billion, or 80 percent, came from the Federal Government. The electronics industry employed the equivalent of 101,000 full-time scientists and engineers for research and development—nearly 30 percent of all scientists and engineers engaged in R&D—that in 1968 cost $4 billion. The Federal government provided almost $2.3 billion, or 57 percent, of this amount.

The figures for 1969 reflect similar dependency upon Federal funds and specialization of R&D activities.[3] These two industries, electronics and aircraft-missile, employed 51 percent of all scientists and engineers engaged in research and development in 1969. They accounted for 55 percent of the total funding and 79 percent of the Federal funding for R&D last year.[4]

The dependency of defense-related industries on Federal funds for research and development has created an unhealthy situation, especially with the trend toward reduced defense spending. Defense Department procurement and research outlays for aircraft, missiles, space activities, electronics, and communications dropped to $17.5 billion in FY 1970 from $18.4 billion the previous fiscal year. The drop is expected to reach $16.2 billion by FY 1972. Expenditures by the National Aeronautics and Space Administration have been substantially cut—from a high of $4.2 billion in FY 1969, its budget may be trimmed to $3 billion by FY 1972.[5]

Military and space contracts usually require a much higher proportion of skilled and semi-skilled workers than does domestic production. The Department of Labor estimates that almost half of the workers in defense industries are either skilled or semi-skilled while only one-quarter of the total labor force falls into those categories. Reductions in defense-related spending have been reflected in employment trends for these workers. An employment index compiled by the advertising firm of Deutsch, Shea & Evans in June, 1970, showed for the third consecutive month a record low in the demand for scientists and engineers; this trend has been in evidence for the past four years. Thus, more and more highly trained, highly skilled professionals are becoming unemployed at a time when the need for new technology is greater than ever before.

The difficulty in carrying out the economic conversion of defense and space-related industries is compounded by two types of specialization. The first, industrial specialization, concerns firms and individuals whose skills and equipment are so technical that their transfer to a civilian-socially oriented market is more difficult than most. The second, regional specialization, refers to the direct and indirect dependence of many firms in a particular region on military needs.

[1] U.S. Congress, Senate, Committee on Labor and Public Welfare, *Postwar Economic Conversion,* Part 1, 91st Congress, 1st Session, Dec 1, 69, pg 4.

[2] U.S. Congress, Senate, *Congressional Record,* Speech of the Honorable Edward M. Kennedy, 91st Congress, 2nd Session, Aug 14, 1970, pgs. 29006–29007.

[3] National Science Foundation, "Industrial R&D Spending", *Science Resources Studies,* May, 1970, Rept. 70–12.

[4] *Ibid.*

[5] *The Wall Street Journal,* May 15, 1970.

Conversion is most difficult to achieve when both industrial and regional specialization are present.

The State of Connecticut provides an excellent example of dependency on defense and space activities. Fairfield University, through a grant from the Connecticut Research Commission, recently published the results of a joint study entitled: "Bridgeport Regional Economy in the Event of Reduction of Defense Allocations." This study encompassed the Bridgeport Standard Metropolitan Statistical Area, which consists of eight towns, two of which are located in the Third Congressional District. These two communities, Stratford and Milford, accounted for 93.13 percent of all defense contract activity in the region in 1968.

The Fairfield University research team found that in 1968, 29.6 percent of factory jobs in the Bridgeport region were defense-generated. Of the more than $704 million in defense contracts awarded to industries in the region in 1968, over 95 percent of the orders were concentrated in three industries—transportation equipment (aircraft), electronic equipment and ordnance. Transportation equipment constituted more than 92 percent of the total contracts in the region and represented approximately 25 percent of all prime contract awards for aircraft engines and related parts in the United States.[6]

For purposes of the study, defense-related employment was divided into three categories: Direct employment—jobs generated by defense contracts; indirect employment—jobs generated by allocations of sub-contracts; and induced employment—jobs generated in non-manufacturing areas as a result of the increase in direct and indirect employment. Using these criteria, the study concluded that a reduction of 1 percent from the present level of prime contracts in the Bridgeport region could result in the loss of 310 jobs, 10 percent in the loss of 3,100 jobs and 50 percent in the loss of 15,500 jobs.

If defense spending in the Bridgeport region were to return to its 1965 level of $250–300 million per year—less than 50 percent of that spent on the average between 1965 and 1968 (annually)—15,500 men and women would lose their jobs. An estimate of the occupational characteristics of those who would be affected by defense cutbacks shows that a 50 percent cutback would affect over 1,700 scientists, engineers and technicians. The total breakdown of estimated unemployment in the Bridgeport region due to defense cutbacks is illustrated in the following table: [7]

ESTIMATED [1] OCCUPATIONAL CHARACTERISTICS OF THE UNEMPLOYED DUE TO DEFENSE CUTBACKS, BRIDGEPORT SMSA

Defense cutbacks	1968 unemployed	Percent 10	25	50	75
Total unemployed	8,000	10,665	14,664	21,328	27,992
Male	3,800	5,589	8,272	12,744	17,216
Professional technical workers	120	333	652	1,184	1,716
Managers, officials, proprietors	90	260	514	934	1,362
Clerical and kindred	162	295	494	826	1,158
Sales workers	145	263	430	735	1,000
Craftsmen, foremen	648	1,078	1,723	2,798	3,903
Operatives	843	1,246	1,851	2,859	3,867
Service workers	910	1,019	1,182	1,454	1,726
Laborers	882	973	1,109	1,336	1,563
Not reported		126	315	630	945
Female	4,200	5,076	6,392	8,584	10,776
Professional technical workers	50	58	320	590	860
Managers, officials, proprietors	13	36	72	131	190
Clerical and kindred	850	1,126	1,540	2,230	2,920
Sales workers	160	216	301	442	583
Craftsmen	60	73	93	126	159
Operatives	900	1,112	1,431	1,962	2,493
Service workers	2,000	2,111	2,277	2,554	2,831
Laborers	127	134	144	161	178
Not reported		79	174	348	522

[1] Estimates based on 1960 distributions.

The estimated unemployment level in the Bridgeport Standard Metropolitan Statistical Area following a 10 percent defense cutback would be 6.1 percent of the labor force. A 20 percent defense cutback would produce an 8.4 percent level of unemployment, a 50 percent cutback 12 percent, and a 75 percent cutback 16.1 percent. Remembering that a 50 percent cutback would reduce defense contract awards to the region to their 1965 level, it is important to note that such a cutback would result in the loss of 21,328 jobs, almost 2,000 more than the 19,700 recorded during the 1958 recession. A 75 percent cutback—which would bring defense contract awards to their 1960 level—would result in the unemployment of 27,992 men and women in the Bridgeport region—the highest unemployment rate since the Great Depression of the 1930's.[8]

II. THE FEDERAL EFFORT TO CONFRONT THE PROBLEM OF ECONOMIC CONVERSION

The need for economic conversion has not gone unnoticed. On the contrary, the problem has very nearly been studied to death. Unfortunately, while everyone has been writing and speaking about economic conversion, very little direct action has been taken to make conversion a reality. Programs which have been established have not been coordinated and have received only minimal support.

Among the agencies which have been engaged in studying the transformation of defense-related industries into civilian, socially oriented industries are the Department of Defense, Arms Control and Disarmament Agency, and the Council of Economic Advisors. Within the Department of Defense, the Office of Economic Adjustment has been dealing with the specific economic impact associated with closings of defense installations and other major changes in military outlays within specific communities. The Office of Economic Adjustment has had varying success in assisting communities following the closing of defense installations, and it has assisted some professional and technical workers in finding new jobs in other areas with a concentration of defense-related industries. The Arms Control and Disarmament Agency has sponsored numerous contracts for research on the economic and political consequences of arms control and disarmament, including the problems of readjustment of industry and reallocation of national resources. Research has been divided into five areas: Measurement of impact, impact on industry, impact on manpower, impact on regions and communities, and general impact. By mid-1969, over thirty studies had been completed or were in progress.

The Council of Economic Advisors has conducted extensive research on economic conversion during the past six years. In January, 1964, President Johnson created the Committee on the Economic Impact of Defense and Disarmament. This committee was directed by Dr. Gardner Ackley, one of the President's Economic Advisors. Following the recommendations of the Ackley Committee in July, 1965, President Johnson appointed the Cabinet Coordinating Committee on Economic Planning for the End of Vietnam Hostilities. This committee's first report was included in the January, 1969, Economic Report of the President; it reiterated many of the earlier recommendations of the Committee on the Economic Impact of Defense and Disarmament. The strongest of these was the proposed establishment of a Readjustment Operations Committee to assume responsibility for detailed conversion planning and operation. In the absence of an official agency to promote conversion, the responsibility to formulate an economic conversion policy has been retained by the Council of Economic Advisors with assistance from the Cabinet Coordinating Committee.

The Executive Branch has not been alone in its efforts to formulate a workable conversion plan. Numerous Congressional hearings have been conducted by various committees and several legislative measures have been proposed.

The Joint Economic Committee has explored many facets of the economy during the past decade. Hearings on the impact of defense spending were conducted in 1960, 1961, 1963, 1967, and 1969. Although these hearings were not specifically concerned with economic conversion, many of the facts which were revealed underscored the effect defense spending has had on the economy and the traumatic consequences a reduction in defense spending would have in certain industries and communities.

The Senate Select Committee on Small Business has reviewed periodically the effect of defense spending on small businesses. These hearings have touched on the issue of economic conversion; however, few legislative proposals have been made to alleviate the situation.

Senator George McGovern has introduced legislation on several occasions to establish a National Economic Conversion Commission; he has done so in every Congress since the 88th. The McGovern proposal would establish a commission of designated Cabinet members and heads of agencies to initiate a study of appropriate conversion policies and programs to be carried out by Federal agencies. The legislation proposes a National Conference on Industrial Conversion and Growth to promulgate regulations and make recommendations to the President and Congress. In addition, the McGovern legislation would require each defense contract or grant to contain provisions requiring the contractor to set up an industrial conversion committee to plan for conversion to civilian work in case of curtailment or termination of the contract or grant. Hearings were held by the Senate Commerce Committee in the 88th Congress; however, the McGovern proposal has never been reported by that committee. Similar legislation has been introduced in the House of Representatives but has received little attention.

The Senate Committee on Labor and Pub-

[8] *Ibid.*

[6] Fairfield University, *Joint Study for the Analysis of the Bridgeport Regional Economy in the Event of Reduction of Defense Allocations,* October, 1969.

[7] *Ibid.*

lic Welfare has also reviewed the need to convert space and defense resources to civilian needs. A volume of selected readings on the subject was published by the committee in 1964. During its hearings on the Manpower Development and Training Act Amendments of 1965, this committee added the following amendment:

"The Congress finds further that many professional employees who have become unemployed because of the specialized nature of their previous employment are in need of brief refresher or reorientation educational courses in order to become qualified for other employment in their professions, where such training would further the purpose of the Act."

The training authorized by the above amendment was limited to certain professionals, and it has since received little or no mention by the Department of Labor which administers the Manpower Act. Hearings last year by the Senate Committee on Labor and Public Welfare exposed the serious lack of programs to assist the transformation of the economy and prompted the writing of the Kennedy-Giaimo legislation.

In addition to the Manpower Development and Training Act Amendments of 1965, the 89th Congress also passed the State Technical Services Act of 1965. It was the intent of this legislation to diffuse the Federal Government's research and development effort into domestic areas. Unfortunately, funds for this program were minimal, and the Nixon Administration has not provided funds in the budget for its continuance.

Congressman Robert N. Giaimo of Connecticut and the Chamber of Commerce of New Haven, Connecticut, sponsored a conference on economic conversion in November, 1967. The conference had a threefold purpose: To evaluate the critical nature of a reduction in defense spending upon the economy of the local area, to spark an awareness of the problem by local business and labor leaders, and to establish avenues of communication between business and labor leaders in order to stimulate legislation to lessen the impact of conversion. In addition to the foregoing statistics, H.R. 19037, is, in part, an outgrowth of the 1967 Economic Conversion Conference.

GENERAL LEAVE TO EXTEND

Mr. GIAIMO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the special order.

The SPEAKER pro tempore (Mr. MATSUNAGA). Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. GIAIMO. Mr. Speaker, I ask unanimous consent that the text of the Conversion Research and Education Act of 1970 be printed in the RECORD along with an analysis of the bill and a list of the cosponsors and a conversion fact sheet.

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

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, will the gentleman yield?

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

Mr. CHARLES H. WILSON. Mr. Speaker, as a California Congressman I have become all too familiar with the problems caused by an economy that has been geared up for war for so long that the prospects of peace threaten to bring about a serious unemployment situation. California, with its huge number of defense industries has been especially hard hit by defense cutbacks. I am not surprised by this state of affairs, and unfortunately, while I have called for economic conversion studies for some time, my cries have not been heeded.

Today, I am glad to join Congressman GIAIMO and my other colleagues in cosponsoring the Conversion Research and Education Act of 1970. A few weeks ago I introduced House Concurrent Resolution 710 which called for the redirection of the activities of the National Aeronautics and Space Administration into the fight against pollution. Both these measures, I feel, take cognizance of the danger presented to one of this country's resources, its scientists, and engineers.

A perfect example of the problems caused by the transition from a warfare state to a nation at peace can be seen by examining the present condition of the aerospace industry. As defense funds have been cut and as we extricate ourselves from the bloody quagmire that is Vietnam, Cambodia, and Laos, unemployment has steadily risen in the industry. Today in southern California unemployment in some areas has risen to close to 15 percent. The United States is in a recession at a time when it is also experiencing soaring inflation. The worst of both worlds.

Attempts must be made to plan ahead, to anticipate our problems and thereby avoid many and more easily solve the ones remaining. The bill we introduced authorizes funds needed to effectively meet the challenges posed by a nation in transition. As more and more emphasis is shifted by the Government to the fight against environmental pollution, the need to preserve the work forces gathered by both the aerospace industry and NASA will become more evident.

The reductions in defense and space research and development must be met by corresponding increases in civilian, socially oriented research and development. To best meet the technical problems accompanying our social and economic trouble areas, who could be better qualified than the men and women who put man on the moon? These individuals constitute a national resource that should be protected. The Economic Research and Conversion Act addresses itself to this and seeks to encourage scientists, engineers, and technicians to help solve health, housing, transportation and even crime problems as well as those brought about by air, water, and land pollution.

Among other things the bill provides:

First. That a total of $450 million be authorized, over a 3-year period, for specific programs of education, research, and assistance to small business firms, in order to aid in the conversion of defense research and development to civilian, socially oriented R. & D. $100 million would be provided the first year; $150 million the second; and $200 million the third.

Second. That the National Science Foundation sponsor research on conversion and that it develop and administer retraining programs for scientists, engineers, technicians, and others involved in civilian R. & D.;

Third. That the Department of Commerce through the Economic Development Administration sponsor conversion retraining programs for management personnel in defense-related R. & D.;

Fourth. That the Small Business Administration assist small business firms in achieving conversion by providing technical grants, loan guarantees, and interest assistance payments; and

Fifth. That an advisory committee of industrialists, scientists, and educators be established to help shape and guide these programs.

In addition, my NASA resolution would insure that the unified, coordinated, and extremely competent work force assembled under that agency's auspices would be utilized to the maximum extent possible and in the most efficient manner. What is needed is a coordinated, well-directed national plan to make sure that activities of the defense industry as well as NASA will have maximum beneficial impact in dealing with the problems before us. While we must not overlook the primary duty of the defense industry and must maintain a posture consonant with our national security needs, the value of its participation in these other realms should not be underestimated.

I am hopeful that hearings on these proposals will be held during this session of Congress. Unfortunately, once again we are reacting to an existing problem rather than taking preventive measures. The sooner we take constructive action, the better will be our chances of success and the smaller the price we will have to pay. I urge my colleagues to join in support of both the Economic Research and Conversion Act of 1970 and my resolution to redirect NASA's energies into the fight against the problems facing our Nation that can be solved or alleviated through technical expertise. We have those persons with the requisite skill and intelligence. Now we must supply them with an expression of policy and determination as well as the funds needed to win the battles ahead.

Mr. HORTON. Mr. Speaker, we are guilty of wasting valuable scientific and technological talents. Recent cutbacks in defense and space spending have created serious job shortages for scientists, engineers, technicians, businessmen, and blue-collar workers.

Small business firms, depending on defense contracts, have had to shut down, leaving hundreds of people without work, and severely threatening any hope of economic stability.

Converting war technology to domestic technology is one of the promises of our times. There is so much that has to be accomplished. If we convert and utilize the knowledge we have gained through defense activities, we will be one step ahead of curing our social ills.

Because of the vast possibilities ahead of us, I am delighted to cosponsor the Conversion Research Education Act of 1970, introduced by my able colleague, ROBERT N. GIAIMO, and to participate in his special order today.

The bill provides for converting wartime research to peacetime research. It would establish retraining programs for defense and space oriented scientists,

engineers, technicians, and management personnel. It would offer assistance to small business firms to aid them in the changeover. It would establish an advisory committee of industrialists, scientists, and educators to help to shape and guide these programs.

This is a much needed bill. It is necessary for our economy, not to mention our moral obligation to society.

I am personally aware of the need for this measure in my 36th Congressional District. The General Dynamics Corp., employing close to 3,000 people, may have to close its Rochester plant because of diminishing military and weapons systems contracts.

In working on a solution to this problem, I have urged General Dynamics to outline a demonstration proposal detailing how the defense manufacturing capabilities of its Rochester facility can be applied to meeting such urgent domestic needs as housing, crime, waste disposal, or mass transportation.

The Rochester area has been experiencing a steadily increasing unemployment rate for more than a year. In October 1969, Rochester had a 1.5-percent unemployment rate, one of the lowest in the country. By July of this year, it was 3.9 percent.

In October 1968, the General Dynamics plant in Rochester employed 5,100 workers. By late August 1970, employment had dropped to 2,800. If the plant closes, it will bring the Rochester unemployment rate to almost 5 percent.

If this plant and others like it are permitted to close, and the skills of these thousands of workers are permitted to go to waste, it will appear that American economic health depends on massive overspending on war-related equipment. I do not believe that prosperity can be fed only by war and military expenditures.

Mr. Speaker, it is time to work toward domestic research and development. I urge my colleagues to support the Conversion Research and Education Act of 1970.

Mr. HOSMER. Mr. Speaker, I am happy to join in cosponsoring the Conversion Research and Education Act of 1970. The principal purpose of this bill will be to help the Nation convert its resources and talent from defense-oriented activities to civilian-oriented socially productive activities. Defense cutbacks and similar cuts in space efforts are producing serious problems in the scientific and technological communities. California has been particularly hard hit. Our Government should direct attention to keeping the scientific, technological, and engineering community intact as Government effort and expenditures are redirected from war-oriented projects to peacetime pursuits. California has a vast array of highly qualified scientific and engineering talent ready and willing to work on the Nation's environmental, transportation, housing, medical, and other problems. To achieve the necessary talent conversion, the bill provides specific educational programs for these people. It also provides for Federal, State, and local officials to make use of the new markets for socially oriented research and develoment activity. The legislation also contains special financial and educational assistance to small business firms in the defense industry to facilitate their conversion to civilian markets. We have created a highly skilled community and these skills should be directed toward our domestic needs. This legislation is an important step in that direction.

Mr. TIERNAN. Mr. Speaker, I am extremely pleased to be a cosponsor of the Conversion Research and Education Act of 1970, which will be the first step in changing from a war economy to a peacetime economy.

The purpose of this bill is to convert defense related research and development to civilian oriented work. It provides specific programs for individuals, as well as special financial and educational assistance to small business firms in defense industry to facilitate their conversion to civilian markets. The bill calls for a 3-year authorization of $450 million.

Presently, approximately 83 percent of all federally funded research and development is carried out by NASA, the Atomic Energy Commission, and the Department of Defense. Of those scientists, engineers, and technicians in Government, one in every two is employed by one of the above three departments. The time has long since passed for us to redirect our national priorities. We have but to turn on our radios or television sets, read the newspapers, or indeed just to look around us to see the serious domestic problems facing us. It is time for us to commit our hearts and our minds to working together to insure that the best talents of the Nation are devoted to our future.

Detailed advance planning is essential if the potentialities for progress after the Vietnam war ends are to be realized without severe transitional pains. The Conversion Research and Education Act takes the first step toward this goal. But we cannot rest alone on this bill. This is but the beginning if we are truly to deal effectively with our domestic ills.

Mr. BINGHAM. Mr. Speaker, I am pleased to be a cosponsor of the Conversion Research and Education Act of 1970 which is being reintroduced today by the able gentleman from Connecticut (Mr. GIAIMO).

The problem which our country is already facing and which it will face on an increasing scale as we redirect our national priorities have long been of great concern to me. On March 3, 1969, I introduced the National Economic Conversion Act (H.R. 8042 and 8043) with the bipartisan cosponsorship of the distinguished gentleman from Massachusetts (Mr. MORSE) and 48 other Members of the House. The bill was introduced in the Senate the following day by 32 Senators, led by Senator GEORGE MCGOVERN and Senator MARK HATFIELD.

President Nixon, in his inaugural address, promised that—

> We shall plan now for the day when our wealth can be transferred from the destruction of war abroad to the urgent needs of our people at home.

The National Economic Conversion Act would stimulate just such planning by creating a commission to define appropriate policies and programs to assist in adjusting to a peacetime economy. The Commission would convene a National Conference on Industrial Conversion and Growth and would provide 50 percent of the funds required for similar conferences held on a State and local level. The Commission would also consult with trade and industry associations, labor unions, and professional societies. It would make recommendations to the President and to the Congress regarding policies and legislation which would promote a smooth transition in the economy. Finally the Commission would have the power to promulgate regulations which would require all defense contracts and grants to include provisions which would insure that the contractor would take effective steps to convert his manpower, facilities, and other resources to civilian uses.

The Conversion Research and Education Act of 1970 includes these elements but adds an additional element: it would provide a mechanism for channeling funds to reeducate and retrain persons employed in defense related industries. Thus the National Economic Conversion Act would set in motion the actual process of adjustment which must accompany the redirection of national priorities.

And there is no doubt that it is time to start this process of conversion. Nationwide, unemployment is above 5 percent and in districts with heavy defense contracts is very much higher than that. Those of us who advocate severe cuts in defense spending must recognize the very real hardships that such cuts can bring about and we must press for steps to help alleviate these hardships.

The Conversion Research and Education Act of 1970 is an important measure designed to meet today's needs and I am happy to lend my support to it.

Mr. HARRINGTON. Mr. Speaker, today I have joined with Congressman GIAIMO and others in filing the Conversion Research and Education Act of 1970. I feel this is a most important piece of legislation and one that should receive the assistance of all the Members of this House, regardless of their position on other matters of national concern.

In my short time in the Congress I have often spoken out against what I have considered inflated military spending. I have also supported and continue to support a number of measures, the purpose of which is to curtail and end the war in Vietnam.

I do not have to repeat again the strong arguments put forth by an increasing number of people in this country as to the necessity of cutting waste out of and its presence in the military budget. I would simply state that if we are to overcome any of the threatening social ills of this country we must rethink a set of commitments that provides, for example, only 1.8 percent of the Federal budget for all environmental programs while nearly 50 percent of that budget goes toward military programs.

From 1946 to 1969 it has been estimated that the United States spent over $1 trillion on the military. According to MIKE MANSFIELD, the United States has spent $23 billion on missile systems that either were never deployed or were abandoned during development.

The huge expenditures for military

purposes have continued unabated with very little reduction in recent years despite the fact that as early as 1963 the United States already had the capacity to destroy the population and industrial centers of the U.S.S.R. 1,250 times over, and that is allowing for a 50-percent failure to deliver warheads.

Meanwhile, the critical internal problems faced by this country have gone on, with little attention except speeches and programs hollow with lack of funds.

While we have amassed a bulging inventory of military goods we have allowed to be created a human inventory of depletion. By 1968 it is estimated that there were 6 million dwellings in the United States that were totally substandard. It has also been estimated that 10 million Americans suffered from hunger in 1968 to 1969. The United States at last report ranked 18th among the nations of the world in the infant mortality rate. In 1950 there were 109 physicians in the United States per 100,000 population. In 1966 there were only 98 per 100,000. A recent report by the U.S. Public Health Service contains the alarming statement that approximately 8 million people in this country drink water with a bacteriological content that exceeds safety levels. This situation is caused by the fact that we put 899 billion gallons per day of waste and polluted waters back into our lakes and streams at the same time that we fail to commit the necessary funds to build water-pollution control plants.

These factors make imperative a reordering of the spending levels by the Federal Government.

Such a change in present priorities cannot be accomplished without dislocation. The unfortunate fact is that there is no institution in the Federal Government today which is presently engaged in developing research and planning on a large scale for this transition. It is clear that any individual calling for such a change must accept the responsibility to seek a way to alleviate the difficulties and personal hardships that will be caused.

It is in the hope of easing this transition from an emphasis on expenditures for death to an emphasis on expenditures for life that I have introduced this legislation today.

In my State of Massachusetts about 4.5 percent of the total labor force is defense generated. This represents some 106,000 jobs. Using a measure of the amount of defense contracts Massachusetts would rank sixth in the Nation. Along Route 128 in eastern Massachusetts a research and development community has grown to be one of the most important centers of science and technology in the United States. To a great extent this center is dependent upon military expenditures. We must attempt to find the methods to end this dependence.

In terms of impact in Massachusetts, if there were an actual cessation of the war in Vietnam or if the total defense budget were cut by 11 percent—$9 billion—it has been estimated that about 18,000 to 24,000 employees would lose their jobs. These employees would be mostly in the technical field including engineers, scientists and technicians.

At the present time the best judgment is that it would take at least 1 year before other Government or private programs could absorb these people. This is clearly unacceptable. With the passage of legislation such as the bill introduced today, we could greatly alleviate this problem.

Even with the minimal cuts in current defense and space programs in the past fiscal year there has already been in effect on these industries in Massachusetts. Of particular interest is the statistical comparison showing that by the end of July 1969, 5.5 percent of all Massachusetts unemployment claims were in the professional, technical and managerial categories. By the end of July 1970 the figure was 9.5 percent in this same category. In the past year, the greater Boston electronics work force suffered a loss of 2,000 jobs. Therefore, we can see that the hardships caused by conversion are not problems for some distant future but in fact problems we have already delayed in meeting.

I feel it is crucial that hearings be held on this proposal and other proposals on conversion as soon as possible. The object we all have in mind is that the great American technology that now is imprisoned within the framework of wasteful and unnecessary military programs can be turned loose on the domestic problems that threaten to engulf this Nation.

We have in the skills of the technicians, scientists and trained labor, a precious and greatly untapped resource of this country. If we are to solve the problem of housing, the problem of pollution, the problem of race relations, the problem of health care, the problem of transportation, the problem of crime, and all the other difficulties that face us, we have to bring to bear the full talent and resources of our people. When we are discussing conversion, we are discussing the method by which this goal can be brought about. No one can doubt that the survival of the Nation is dependent on achieving this goal as soon as possible.

Mr. SHRIVER. Mr. Speaker, I want to congratulate my colleagues from Connecticut for requesting this time to discuss the introduction of the Conversion Research and Education Act of 1970. I am happy to join in the introduction of this legislation designed to meet some of the problems of postwar economic conversion.

Through President Nixon's policies of Vietnamization of the conflict in Southeast Asia and concentrating on our many domestic needs, we are now experiencing a necessary but difficult period of economic transition. Overall defense expenditures, as well as the Vietnam costs, are being steadily reduced. In addition, research and development programs of the National Aeronautics and Space Administration and the Atomic Energy Commission are being stretched out, postponed, and even canceled in the effort to redirect national priorities toward problems of environment, transportation, housing, health, education, crime, and urban growth.

The Fourth Congressional District of Kansas, which I represent, has contributed much to the security needs of our country through technical expertise involved in defense contracts and subcontracts. There is a large reservoir of talent in the research and development fields in this district which can now be redirected to enriching the quality of our lives. And there are excellent educational and training institutions there which are available to retrain these scientists, engineers, and technicians.

Nationwide, one in every four technical personnel in industry is engaged in defense-related work. Over $17 billion of America's $26 billion research and development industry is funded by the Federal Government. Of this Federal total, over $14 billion, or 83 percent, is accounted for by the DOD, the AEC, and NASA.

Thus, in introducing this bill, we are recognizing the unprecedented involvement of our scientific and technical community in defense-related work. The bill provides a plan for orderly and productive reorientation of this important resource to civilian-related research and development activities. On a larger scale, the bill offers an opportunity for a concerted, cooperative effort on the part of government and industry to forestall further unemployment by creating additional jobs in the civilian economy.

In addition, the bill provides special financial and educational assistance to small business firms in the defense industry to facilitate their conversion to civilian markets.

The bill is divided into three basic sections with programs administered by the National Science Foundation, the Economic Development Administration, and the Small Business Administration. Overview responsibilities will be placed in the Advisory Commission on Conversion Education programs to be appointed by the President. The total authorization involved is $450 million, which is to be broken down as follows: $100 million in fiscal 1972; $150 million in fiscal 1973; and $200 million in fiscal 1974.

The National Science Foundation will be responsible for determining the national needs in this conversion process and with providing the means for academic institutions, nonprofit organizations, public agencies, and private business firms to retrain scientists, engineers, and technicians. Priority will be given to those who have been or anticipate being out of work because of reductions in defense related expenditures. Federal, State, and local government employees who have jurisdiction in needed research and development fields can also be trained.

The Economic Development Administration will provide grants to institutions and business firms to develop and operate training programs for business management personnel to assist them in the conversion of their research and development activities from defense related areas to civilian areas of work.

The Small Business Administration will provide grants of up to $25,000 per year to small business concerns which have engaged in defense-related activities to pay a maximum of 80 percent of the fees

for their personnel who enroll in the NSF and EDA training programs. SBA loan guarantees and interest assistance payments would also be available for small business conversion projects. The bill would establish a computerized Conversion Information Service within SBA to keep small businessmen advised about available conversion assistance programs and current market needs in the civilian research and development fields.

Mr. Speaker, as stated in the preamble of this bill—

The Federal investment in science and technology, especially in the education of scientists, engineers, and technicians, constitutes one of the Nation's most valuable resources, which is a prerequisite for America's continued progress in the future. To forestall and reduce unemployment and the related waste of national talent and resources, it is essential that the Federal Government take effective steps now to assist in the conversion of defense related programs to civilian-oriented activities.

The preamble concludes:

Federal obligations for civilian-oriented research and development activities must be increased so as to reach a level of parity with Federal obligations for defense related research and development activities, whereupon the level of parity must be maintained or exceeded, except when inconsistent with overriding considerations of national security.

Mr. VANIK. Mr. Speaker, because of the reduction of military activities in Southeast Asia and recent general cutbacks in the overall budget of the Department of Defense and the National Aeronautics and Space Administration, there is a very real need for detailed, but immediate, planning for postwar conversion, particularly in the area of reorienting the scientific and technical community from defense-related to civilian-related research and development.

At present there is an unprecedented involvement of scientific, technical, and engineering personnel in defense-related projects and activities. Approximately 83 percent of all federally financed research and development is carried out by the Department of Defense, NASA, and the Atomic Energy Commission. One out of every two scientists, engineers, and technicians in the Federal Government is employed by these three agencies. Of the engineers, technicians, and scientists employed by industry, one in every four is engaged in defense-related work. These statistics prove that the need for a plan for postwar conversion is imperative.

I have tried for some time to interest relevant Federal agencies in converting their specialized and talented manpower pools to new lines of research rather than laying off these specialized workers. The response from the agencies has not been good. For example, in order to deal with the present layoffs at NASA's Lewis Research Center in Cleveland, I have proposed that operations at Lewis' jet propulsion labs, the Nation's finest center for the study of propulsion systems, be partially directed to the research and development of feasible pollution-free propulsion systems. Rather than breaking up proven teams—such as the Lewis teams—the Government should be using this manpower for solving the problems of the future—before the problems of the future become the emergency crises of today.

There are a multitude of areas where these talented pools of manpower could be used. For example, I offered a successful amendment to the Clean Water Amendments of 1970 which provided $20 million for research and demonstration on methods for cleaning up the Great Lakes. It is obvious, of course, that more than $20 million will be needed to save the Great Lakes—and it is obvious that we will need the dedicated and talented skills of a great number of scientists and engineers working on the problems of the Great Lakes.

Nearly a year ago, on October 2, 1969, I introduced a resolution in the House of Representatives calling for a special House committee to hold hearings on plans for conversion and reorientation of the economy as a result of the winddown of the conflict in Southeast Asia. In brief, my resolution stated:

The Committee is authorized and directed to conduct a full and complete investigation and study of all aspects of the proper role, priorities, and impact of the Federal Government as the Vietnam conflict de-escalates, including a determination of the plans and preparations being made by all sectors of the economy to insure an orderly transition to peacetime uses of the Nation's resources to meet domestic needs and priorities.

Unfortunately, no action was taken and we have drifted on, month after month, with rising unemployment and some of the most talented and skilled workers in the Nation left without jobs.

Every effort must be made to plan and begin implementation of peacetime programs enabling an orderly transition from defense-related to civilian-related research and development in this time of relative leveling off of the military budget.

It is for this reason that I am joining in cosponsoring the Conversion Research and Education Act of 1970. This bill, which also has cosponsors in the other Chamber, provides for action in the following areas: general conversion research with emphasis on solving problems like crime, mass transportation and pollution; retraining programs for defense and space-oriented scientists, engineers, technicians, and management personnel, and assistance to defense-related small business firms.

It is my very strong hope that, in the little time remaining to it, this Congress will take up this legislation so that these talented workers can be utilized to solve the many problems that confront our society.

TAKE PRIDE IN AMERICA

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

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. Over the past few years there has been an increasing flow of foreign scientists and engineers to the United States. In 1968, 3,660 world scientists came to the United States, compared to 1,899 in 1965; 9,313 engineers also left other nations for the United States in 1968 compared with 3,446 in 1965.

PEACEFUL INTEGRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 30 minutes.

Mr. RARICK. Mr. Speaker, we have been hearing a lot of glowing reports about peaceful school integration in the South—mostly from northern sources.

That great institution of liberty, the "free press," has been silent as to the great multitudes in many areas of the long-suffering and often persecuted South, where large percentages of the youth either no longer attend federalized schools or have had to abandon so-called racially balanced public schools to get an education in private schools.

Now, only a few weeks after school opening, the truth begins to seep into the news media: Mobile, Ala., parents submit to fear and keep children at home—Danville, Va., closes schools, only to reopen after security guards are stationed at the school—Bogalusa, La., a model of public school integration a year ago, now has been forced to shut down indefinitely because of violence resulting from a forced unitary system—Barnesville, Ga., requires State police—Memphis, Tenn., three schoolchildren shot—Houston, Tex., a school board meeting disrupted.

A record of peaceful integration Supreme Court Judges, liberals, and moderates can be proud of—and I fear we are seeing nothing yet.

Integration cannot be peaceful—it was intended to be disruptive and destructive—that is why it is only being forced upon the South.

Hijacking of airliners? We in the South have witnessed the hijacking of our educational system and an attempt in the name of our country to hijack our children and then justify holding them as hostages.

I submit several related newsclippings which follow:

[From the Washington Post, Sept. 16, 1970]

U.S. AIDE FINDS DISRUPTION OVER DESEGREGATION MINIMAL

(By Peter Milius)

The Nixon administration's ranking civil rights lawyer said yesterday that "fortunately" there has been "only minimal interference with the desegregation process" in the South so far this fall.

Assistant Attorney General Jerris Leonard noted in Atlanta that 650 school districts have "converted from the dual to unitary systems."

"And while there has not been universal agreement over the methods by which this was accomplished," he continued, "there has been a general willingness by the citizens involved to comply peacefully with the law."

Leonard's remarks were part of a speech on "Violence and the Law" before the American Society of Clinical Pathologists.

They came one day after two Southern school districts were shut down because of interracial violence growing out of desegregation.

The districts are Bogalusa, La., and Lamar County, Ga. The outbreaks there were the most serious of the fall term. There have been few others, and none of the same scope.

The Georgia outbreak occurred in the town of Barnesville. United Press International reported that about 2,000 blacks stormed through the town following the arrest of a black student on a school bus Monday afternoon.

TWO ARRESTS

The student was charged with harassing the bus driver. A contingent of 35 state policemen helped local police restore order. There were two arrests, and several minor injuries from thrown rocks.

The county has four schools, and about 2,500 students, about half of them black. Its schools were segregated by race last year. This year they are segregated by sex.

The superintendent's office said county schools were closed yesterday.

They were also closed in Bogalusa, where police used tear gas to break up a black-white fight at a high school Monday.

About 600 students were embroiled in the fight. Six were arrested, and several injured. The superintendent said one cause was disciplinary action taken against students involved in two earlier fights this year, at football games.

Bogalusa schools were also closed briefly because of interracial friction at the end of the last school year.

The Bogalusa and Barnesville outbreaks both followed a pattern forecast by civil rights groups over the summer.

They said black students were on edge, and likely to take swift offense at what they felt were slights inside desegregated schools.

HOUSTON PROTEST

The administration was preparing a memorandum warning Southern school officials against such problems. Officials here said yesterday they were still working on it.

Meanwhile, Mexican-American parents disrupted a Houston school board meeting Monday night, in a protest against that city's desegregation plan.

In Mobile, Ala., police arrested another black student at a high school where there were interracial fights last week. At the same time, the NAACP Legal Defense Fund sought contempt citations against the school board and several white organizations and parents. The fund charged them with circumventing a desegregation order.

And in Washington, it was reported that 50 members of the House have signed up as co-sponsors of an antibusing brief submitted to the Supreme Court by Rep. William C. Cramer (R-Fla.). The court has scheduled arguments on major busing cases from the South next month.

[From the Washington Star, Sept. 10, 1970]

SCHOOLS BOYCOTTED: WHITES IN MOBILE GIVE IN TO FEARS

(By Paul Clancy)

MOBILE, ALA.—Philip Belcher, 17, walked disgustedly from the high school building where he would have been a senior this year.

He wore a green stone ring with a large "V" for Vigor High School, a formerly all-white school in the town of Prichard, a working class Mobile subdivision. The ring cost him $38.

Under a recent ruling by the U.S. Fifth Circuit Court of Appeals, Philip is one of 854 whites assigned to Blount High School—formerly a black institution.

"I quit," he said. "Damned if I'm going to go to a nigger school."

He lit a cigarette as he stood on a dirt path outside the school where he had just attempted to register.

THOUSANDS STAY AWAY

Philip is one of thousands of white students in Mobile County who decided to stay away from school rather than attend classes with a large number of black students.

"I've done heard of too many people getting stabbed and shot and I'm just not going to be one of them," he said.

Only 150 of the 854 whites showed up at Blount yesterday, along with most of the 1,846 blacks assigned there.

Several hundred parents attempted to take their children to neighborhood schools to which they were not assigned, but were turned away.

LET COURTS ENFORCE

The Mobile County Board of School Commissioners said yesterday, in effect, that the federal courts had forced almost total desegregation of this district—and that the courts could enforce it.

A potentially unpleasant showdown with the Justice Department was postponed for at least one day. Civil rights lawyers delayed seeking court action against parents and school principals who disobey the law.

It was in Prichard that former Gov. George C. Wallace advised parents Monday night to ignore the court orders and send their children to schools of their choice.

For those who went to their assigned schools, yesterday was an uneventful first day in Prichard, an old and graceful city that has been buffeted by ideological blows from both right and left and now is the setting for a Supreme Court test case.

MANY SUCCUMB

Philip Belcher is among many students and parents who succumbed to white fears about attending school with a large number of blacks.

The school board reported that about 100 of 725 whites expected at formerly black Booker T. Washington High School showed up. Other schools reported a similar attendance.

Belcher said his parents bought some property and are building a new house in an area they thought would be within the new Vigor High Zone. But just two weeks ago a new court order cut them out of the Vigor attendance zone.

"It means a lot to my momma and daddy just to see me graduate. Ever since I saw my sister graduate I've been wanting to be in a graduation ceremony," he said.

WON'T GRADUATE

"I don't reckon I'll be able to do that now."

"Every day they're saying on the radio. 'Stay in school and graduate.' How in the heck can you do that? Unless you're a millionaire and can buy you a home every time they make a new ruling."

Spokesmen for the white parent group say they plan to continue trying to get into neighborhood schools, even if their children's continued absence from assigned classes amounts to a boycott.

This is just what school officials are worried about, because the amount of money the district gets from the state is determined by daily attendance.

But they are not worried enounugh to enforce the court order.

[From the Washington Star, Sept. 15, 1970]

BOGALUSA SCHOOLS CLOSED AFTER WHITE-BLACK BRAWL

Racial violence forced the closing of all public schools in Bogalusa, La., yesterday and sent state troopers rushing to Barnesville, Ga., last night.

Police used tear gas to break up a brawl involving 600 black students and whites at Bogalusa. Several students were injured and at least eight persons were arrested.

"It was a combination of provocation between both races," Police Chief Thomas J. Mixon, said. "A minimum amount of tear gas was used to separate the blacks and the whites. Then a police line was put between the blacks and whites until we could get buses to bus the majority of the students away."

The 10 public schools in Bogalusa, which were integrated last year, were closed indefinitely after the brawl.

BARNESVILLE RAMPAGE

The arrest of a Negro youth on charges of harassing a school bus driver touched off a rock-throwing, window-smashing rampage by 2,000 blacks at Barnesville. A force of 35 state troopers helped police restore order. Two persons were arrested. Several persons were injured by rocks.

Barnesville Mayor Herman Andrews said the root of the trouble was black objection to a federal court-approved segregation-by-sex program in public schools.

At Memphis, Tenn., three youths were wounded in a shoot-out at all-black Hamilton High School. Authorities said the incident apparently was a carryover from an argument at a weekend dance.

POLICE RING SCHOOL

A group of Mexican-Americans stormed a meeting of the Houston School board last night, throwing chairs, lamps, ashtrays and other objects. Mexican-Americans are boycotting schools to protest a desegregation order they claim fails to recognize them as a distinct minority.

Police at Mobile, Ala., ringed a formerly white, now predominantly black high school for the third day and conducted a room-to-room search for trespassers.

Federal Judge Daniel H. Thomas ordered the Mobile School Board to stop frustrating desegregation by allowing parents to enroll their children in the schools of their choice instead of the schools to which they were assigned. He told the board to stop the practice.

George Washington High School in Danville, Va., was closed yesterday after fighting among students. The school became Danville's only senior high school this year under a desegregation plan.

In Washington, more than 50 House members have decided to urge the Supreme Court to rule the constitution doesn't require busing to achieve a racial balance in public schools. The list, still growing, includes some congressmen from outside the South.

Gov. Ronald Reagan yesterday signed into law California's new prohibition against busing school children without the consent of parents. Petitions immediately were filed asking the California Supreme Court to rule on the constitutionality of the new law.

[From the Washington Post, Sept 15, 1970]

FIGHTS LEAD TO CLOSURE OF SCHOOLS

DANVILLE, VA., September 14.—Danville's school board and city officials decided late this afternoon to close all public schools in the city Tuesday in the wake of an apparent racial incident at George Washington Senior High School.

City Manager Frank Faison said he would arrange for security guards at George Washington and at all junior high schools in the city before schools reopen Wednesday.

Scuffling broke out in the hallways at George Washington today after Principal Everett Motley had met with about 200 protesting black students in the school gymnasium.

George Washington High is the city's only senior high school and has an enrollment of 2,237 pupils and a white to black ratio of 81 to 19.

There were reports that two students were slightly injured in the scuffling. Police were called and order was restored. The school was ordered closed at 11:25 a.m.

Radio Station WBTM said the trouble apparently grew out of a fight between a white youth and a black youth at a football game Friday night. The black youth was arrested

and as a result, the station said, the Negro students planned a boycott of classes today.

[From the Washington Post, Sept. 15, 1970]

END VIOLATION ON SCHOOLS, MOBILE TOLD

(By Peter Milius)

The Nixon administration accused the Mobile, Ala., school board yesterday of condoning violations of a federal desegregation order, and a federal judge told the board to stop it.

The Justice Department said the board was circumventing the order by "providing or . . . allowing the use of space, facilities and equipment . . . for the instruction of students" in schools other than those designated by the city's desegregation plan.

U.S. District Judge Daniel H. Thomas signed an order banning such arrangements.

About 1,000 Mobile whites have been trying since last Wednesday to enroll their children in schools of their choice, instead of those prescribed by the federal desegregation decree.

Their effort is perhaps the strongest challenge of the fall to the federal desegregation drive in the South.

When whites resisted a milder midterm desegregation order in Mobile last school year and exercised "freedom of choice," no steps were taken to stop them.

This year the courts ordered the school board not to enroll "non-conforming students," as they are called in Mobile, not to give them texts, tests, grades or credits, and not to let them take part in extracurricular activities.

The school board said last Wednesday it would go that far but no farther. It said it would allow non-conformers all privileges not specifically denied by the courts, and would not expel them from unassigned schools unless they were disorderly.

A board spokesman said later that this might mean letting such students "sit in classrooms" and "look at books."

Melvin F. Himes, a leader of the white parents, said he was confident the non-conformers ultimately would be intermingled with regular students as they were last school year.

Most Mobile schools spent most of last week on registration. Few began issuing textbooks or holding formal classes until yesterday.

The Nixon administration did not specifically ask that non-conformers be expelled from unassigned schools. It phrased its motion in the hope of avoiding such a direct confrontation.

The NAACP Legal Defense Fund said last night that it was preparing a stronger motion, seeking the removal of non-comforming students, and contempt citations against both their parents and the board.

Administration spokesmen here said this was the third time the government has gone to court this fall to make dissident whites obey desegregation orders.

They also said the government has found few violations of desegregation plans in its first checks across the South.

About 600 Southern school districts are supposed to be desegregating this year. The government intends to monitor some of them, and private civil rights groups hope to monitor them all, but neither of these reviews is in full swing yet.

Mobile is Alabama's largest school district. Its expected enrollment is about 71,000 pupils, 60 per cent of them white. On opening day last Wednesday, about 6,000 whites stayed home. About 2,000 of the absentees showed up on Thursday.

There were black-white fights in one Mobile high school last week, and two blacks were arrested there as trespassers yesterday.

There were also interracial fights at a high school in Bogalusa, La., yesterday. Police and sheriff's deputies used tear gas to break them up, and all schools there were closed "until further notice." The town has about 5,000 pupils in ten schools.

There were no incidents yesterday in Charlotte, N.C., another of the large Southern systems under a new order this fall. Attendance was up slightly, to about 84 per cent, but whites continued to stay away from some schools in black neighborhoods.

Charlotte's plan involves heavy crosstown busing, and leaves the city with no all-black schools. The Nixon administration opposes it. The Mobile plan, which the administration drew up, involves no such busing increase, and leaves about a fifth of the black children in all-black schools. Both are under legal challenge. They will be before the Supreme Court next month.

In Sacramento, Calif., Gov. Ronald Reagan branded forced busing "a ridiculous waste of time and public money" and signed a bill prohibiting transportation of public school children without their parents' permission.

SCHOOL BUSING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PURCELL) is recognized for 15 minutes.

Mr. PURCELL. Mr. Speaker, it is time for the people in charge of the Department of Health, Education, and Welfare to do some honest soul searching on the matter of school busing.

It is time for the agents of this powerful executive agency to ask themselves if they truly are serving the best interest of our schoolchildren by forcefully uprooting them from their familiar neighborhood schools and sending them rattling off across town to strange neighborhoods.

It is time, Mr. Speaker, to ask HEW officials if they really believe they are adhering to the law in their unflagging but surreptitious promotion of elaborate busing schemes.

It is time for all Americans to recognize that children—all children—are far too precious to be used as guinea pigs in the laboratory of social experimentation.

It is time to face the fact that discrimination is just as bad when practiced against one as when practiced against another. Any child denied the right to attend the closest and most convenient school and forced to spend an hour or more on the bus each day is the victim of discrimination—in this case deliberate and official discrimination. And this fact applies equally to children of all races.

In the past several weeks I have been forced to watch in mounting frustration as various schools in my north Texas district struggled to comply with the almost impossible demands laid down by HEW. These have resulted in many students being yanked out of their neighborhoods and trundled off like bags of laundry to unfamiliar and sometimes resentful areas in other parts of town. Like a majority of my colleagues in Congress, I simply do not feel this is necessary.

I know it is not desirable. I know it is not in the best interests of the children. And whom, if not them, is our educational policy supposed to serve?

Let me make clear that I challenge only HEW's methods, not its intent. All reasonable, fair minded Americans have the same hope for our children. We all want to assure every child in the United States the best possible education, free from discrimination or prejudice of any kind.

Yet, I question whether the cause of either education or equality is served by carting children around town in a schoolbus to meet artificial racial quotas set up by some wellmeaning social experimenter.

It would be difficult to find a concept more fundamental to American education than the neighborhood school. Traditionally they are located within walking distance. Parents are able to have close contact with teachers, and the school buildings often serve other community functions.

For preschool and elementary children especially, it is not just important but essential for them to have the right to begin the adventure of learning in the familiar surroundings of a school near their home.

The complex problems our schools face today came about in a way that is no credit to America. For more than a hundred years we discriminated shamefully against Negroes in jobs and housing, as well as in education. Even if a black man was qualified, we would not give him a good job. Even if he had the money, we would not let him buy a house in our neighborhood.

With housing thus segregated, the inevitable result was segregated schools. And, as the Supreme Court noted in its historic 1954 decision, segregated, separate schools are inherently unequal.

The present question, then, is how to correct this inequality in those situations where housing patterns have left us with all-black and all-white neighborhood schools. Can the problem really be solved by arbitrarily jerking children—either white children or black children—out of their home areas and taking them somewhere else? I doubt it. A problem is seldom solved merely by transferring it to some other point on the map.

School administrators overwhelmingly oppose busing. To a cross-section of school men in all 50 States the magazine Nation's Schools recently put this question:

> Do you think busing students should be implemented to achieve desegregation, even if it means a weakening of the neighborhood school concept?

Nine out of ten school men said, "No."

On at least seven occasions Congress has enacted legislation to prohibit Federal officials from requiring busing "in order to achieve racial balance."

The first such provision was contained in the Civil Rights Act of 1964. Similar prohibitions have been included in the 1966 and 1967 amendments to the Elementary and Secondary Education Act of 1965 and in the Labor and Health, Education, and Welfare Appropriations Acts for fiscal 1968, 1969, 1970, and 1971.

Top officials of the Nixon administration understand this. Attorney General John N. Mitchell has pointed out that the law does not require busing to achieve racial balance, and President Nixon has expressed similar views.

The President, in fact, has cited the

neighborhood school as the keystone of a sound educational system. He said:

Federal officials should not go beyond the requirements of the law in attempting to impose their own judgment on the local school district.

Despite the judgment of professional school men, despite the laws enacted by Congress, and despite the interpretations provided by the Attorney General and even the President himself, HEW officials have done little more than pay lip service to the ban on busing.

In a policy statement a year ago, HEW admitted that the law forbids busing to overcome racial imbalance. But HEW insists that it is not busing to overcome racial imbalance. HEW says it merely is carrying out its "constitutionally required action of dismantling the dual school system."

Claims that HEW does not really require busing draw snorts of disbelief from school men. One Texas educator, quoted by U.S. News & World Report, put it this way:

They never mention busing, but they won't accept a plan unless it involves busing. What they do is force you to agree to a busing plan.

A major problem in school desegregation is that no clear national guidelines exist as to how much racial mixing is needed to constitute full integration. Must every school have the same proportional mix as the district as a whole? If so, who formally sets the ratio? The courts? The Office of Education? Your friendly neighborhood sociologist?

These questions can only be answered by the U.S. Supreme Court, which blithely adjourned for its 3-month vacation at the very time when the Nation's schools were wrestling with the tortuous problems that only the Court itself can resolve. As one example of how the confusion has been compounded by lack of clear guidance, three different courts in Virginia handed down three different types of school integration rulings in a single day last month.

In Texas schools, integration is not the issue. No responsible citizen in our State today would seriously contend that Negro children should not have precisely the same right to school facilities and educational opportunities as white children.

No, Mr. Speaker. The issue today is not integration. The issue today is the welfare of the individual schoolchild, be he either black or white. Let him not be victimized by what Winston Churchill once called "the lamps of perverted science."

Let us attack the evils of discrimination, but in doing so let us not reduce our children to the role of educational freight, to be carted hither and yon like so many crates of cabbage.

What are the alternatives? How can our children be assured true equality in educational opportunity?

The long-range solution lies, of course, in relieving the pattern of segregated housing that led, sadly but inevitably, to segregated schools.

Congress and the courts already have made significant strides in this direction. Racial restrictions in housing have been eliminated, and there has been genuine progress in wiping out the discrimination which for so many decades prevented black Americans from getting the good jobs they needed to pay for decent housing in decent neighborhoods. Let us continue to push forward on these fronts, because only through these efforts can we attack the disease, rather than just the symptoms, of segregated schools.

For more immediate steps, let us quit skimping on money for neighborhood schools in black areas. If a ghetto school gets a clean, well-designed building, quality instructional materials, a top-notch faculty and enlightened administration, it will not be long before our schools are integrated without the aid of rattletrap buses.

One farsighted educational concept calls for "magnet" schools—schools with such excellent full-time programs and supplementary services that they attract students from a wide geographical area. Unusual curriculums, designed to meet specialized needs, could provide powerful incentives to attract students for other areas.

Through such farsighted and innovative programs our schools could become genuinely, rather than artificially, integrated. Equally important, integration could be achieved voluntarily, rather than under duress.

For many decades, Mr. Speaker, America shamed itself by carrying only white students to certain schools, even though the buses often passed Negro neighborhood schools along the way. This was an artificial and inexcusable means of maintaining segregation—of bypassing the neighborhood school. Is it any less artificial or any less inexcusable today to bypass the neighborhood school to achieve what some Washington sociologist deems to be an adequate racial balance in a Texas school far from a child's own home?

It may be a splendid exercise for the sociologist. But America's schools are not operated for the benefit of HEW sociologists. They are operated for the benefit of our children. And our children are far too precious to be used as mere pawns in a sociological chess game.

"POLLUTION: EVERYONE'S RESPONSIBILITY"—AN EXCELLENT EDITORIAL BY EDWARD J. BENNETT

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, the problems of pollution of our water and air are of great concern to us all. By now it is generally recognized that the use of our water, land, and air as places to dump our waste must cease. The United States must develop more efficient manufacturing processes so that there will be much less waste to begin with. What waste is produced must be recycled so that it becomes a product useful to society, rather than something which must be disposed of.

While the ultimate solution is rather clear, there are immense problems involved in shifting our economy toward less waste and less pollution. New factories and machinery can be designed to be more efficient and able to reuse byproducts which are now waste. There is evidence that most companies have gotten the message and are spending the necessary money to so design their facilities.

However, there is a much more serious problem involved with plants which are presently in operation, which often were built in a time when it was socially and legally acceptable to discharge large quantities of waste into our air and rivers. These existing facilities are often very old and low-profit enterprises which cannot afford large expenditures for costly treatment facilities without becoming unprofitable for their owners. These plants are often in rural areas where there are no job alternatives for employees who would be put out of work if they close. The harsh reality is that for plants like these, the alternatives are not pleasant. One quick way to get clean waters and air is to force the factory to close, and in the process put most of the town's population on the unemployment rolls. For these people there is no new job waiting, and they will have to leave the community to find work. The resulting movement to the cities then adds to our urban troubles.

An alternative to the above is to grant the existing factory a variance so that it can continue to exist and give employment to the town's residents, but at the price of continued pollution of our water and air. These alternatives are not pleasant to contemplate, and put the lie to the simplistic solutions which are heard so often. The fact is that immediate switch over to clean production can be done for many of those factories only if society is willing to pay the cost, which will be expensive.

These points, and many others, were recently made by Ed Bennett, publisher of the Claremont Daily Eagle, in an excellent editorial. I was fortunate to have been serving with Ed Bennett in the New Hampshire State Senate at the time he introduced the legislation referred to in the editorial, and can attest to his genuine concern for our environment. The dilemma outlined by Ed Bennett is one facing many communities in New Hampshire. It is not an easy one and is not subject to a simple, easy solution.

I offer this editorial today for the purpose of clarifying a common misconception, that our environmental cleanup—which is necessary and urgent—will be cheap and easy if only corporations can be made to stop polluting. This is not fact. We are going to have to pay for our clean-up in our tax bills, in higher prices for things we buy, and with changes in our buying habits such as using returnable containers instead of throwaway ones. Sometimes the solution will have to be delayed until dilemmas like the one Ed Bennett writes about can be resolved. Often there will be trade-offs which are unpleasant, so that really tough choices may have to be made.

This is in no way a suggestion that we should delay acting on this problem. Rather it is recognition of the difficulties which will have to be faced as we shift

from a waste discarding society to a waste recycling society. The move has to be made, and realism about the costs and alternatives will make it come more quickly and with less dislocation.

Because the ultimate problem in cleaning up our environment is deciding who is going to pay the cost of needed facilities, I offered an amendment to the Water Quality Act of 1970 directing the Secretary of the Interior to study all possible means of financing necessary abatement facilities. The amendment was accepted, and the report will be due at the end of this year. My own feeling is that some kind of user fee would be a realistic approach. The first annual report of the Council on Environmental Quality also urges consideration of alternative methods of financing. The need for the current study of alternative means of financing facilities simply reinforces the point Ed Bennett was making, that we have to face up to reality and make the hard decisions if we are to get a realistic solution to the problem.

The editorial follows:

POLLUTION: EVERYONE'S RESPONSIBILITY

Thirteen years ago this writer introduced a pioneer piece of legislation in the New Hampshire Senate.

The bill called for the reclassification, or cleanup, of the Pemigewasset River from Lincoln, New Hampshire, to Franklin.

The river is an interstate stream, which leads into the Merrimack, which empties into the Atlantic.

Basically, the "Pemi" was polluted by two sources: Domestic and industrial wastes. The latter, however, was its greatest and the pollution that a "moving" river—up to a utility dam—could not "digest."

The only material contributor to this industrial pollution was the Franconia Paper Co. in Lincoln, successor to the old Parker-Young Company where Sherman Adams was woods boss.

Pollution of a river by a paper company, or a woolen company is serious.

Wastes discharged poison water for fish and fowl.

Worse yet, treatment of waste matter from such mills is fearfully expensive.

Even ten years ago it was virtually impossible, technically speaking, and financially.

As hearings on our bill were held, the company responsible for the pollution asked for time; time to see what anti-pollution devices could be afforded; time to ask for more federal and state financial assistance. And just time.

At that point, any action of the legislature to force compliance from a "D", or polluted river, to a "C" or "B-1" river would have meant closure of the Franconia Paper Corporation.

At the time our bill was introduced, we were resident in Bristol, New Hampshire, just south of Ayers Island Dam, a utility-owned and operated generating unit.

In summer, Ayers Island Dam would close gates to conserve generating water. Water so passing through the wheels dropped several hundred feet to rocks in the dry river bed below.

In the process, the "poisoned" sulfate-laden water was aerated into clouds of air pollution which had the pungent odor of sulphur and literally removed lead-base paint from Bristol homes.

While we then had a constituency suffering from the noxious pollution of the Pemmigewasset River, we came to realize that full implementation of our bill to clean up the river would result in the closing of a paper company with 700 employes.

We consequently agreed to a number of modifying amendments to our bill, much to the anger of the Water Pollution Commission and over opposition of many of our constituents.

Now, thirteen years later, the Franconia Paper Corporation is bankrupt. More than 500 men formerly employed there are out of work.

Moreover, hundreds more selling pulp and chips to the mill for the manufacture of paper are out of work.

There is a moral to this editorial, and it is just this:

A big factor in the bankruptcy of Franconia Paper Corporation was force; forced compliance with stiff anti-pollution regulations which have or are, cleaning up the Pemmigewasset River.

But the price?

Bankruptcy for a company and losses to shareholders. Jobs, families, woodsmen, merchants.

It seemed to us then, after reflection, that Franconia Paper Company's problem was really our problem.

They had license to discharge sewage as we had; they were in business, providing jobs.

Now government has forced them to bankruptcy for a "crime" that was considered, even fifteen years ago, an accepted practice.

We write this "historical" piece because we want Sugar River cleaned up, and soon.

But do we want, and can we stand, to bankrupt companies which may be forced to comply beyond their resources?

Companies like Dorr Woolen, Brampton, Dartmouth Woolen, and Claremont and Coy Paper?

If men have allowed other men to foul rivers for centuries, all men are responsible to pay the bill when the rules have been changed.

COMPELLING THE RELEASE OF THE HOSTAGES

(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, this Friday Golda Meir, Prime Minister of Israel, will be meeting with the President at the White House on the serious state of affairs facing not only Israel but the United States in the Mideast. The recent skyjackings by Arab terrorists and their holding 54 innocent hostages—39 of whom are American citizens—is surely the first item on the agenda.

The Government of Jordan is clearly unable to maintain law and order in its own country and it is a totally unacceptable and horrendous situation that Americans and other nationals are being kept hostage in the very capital city of Jordan.

The President must forcefully exercise his responsibility to protect U.S. citizens wherever they are. The United States should make clear that unless the Arab governments compel the immediate release of the hostages without harm that all U.S. aid to the U.N. Palestine Refugee Agency will be cut off. The United States is currently contributing approximately 70 percent of the funds going to the Arab refugee camps now under the control of terrorist organizations.

Further, the U.S. Government should make clear that unless Arab governments compel the immediate release of the hostages without harm, all U.S. air carriers will be required to suspend service to and from Arab States.

We must pursue current multilateral efforts to secure the release of all hostages but the United States should not shrink from these additional actions during this international crisis.

CONGRESSMAN HANSEN OF IDAHO INTRODUCES BILL TO PROVIDE MORE EFFECTIVE INSPECTION OF IMPORTED MEAT

(Mr. HANSEN of Idaho asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANSEN of Idaho. Mr. Speaker, today I am introducing H.R. 19233 to amend the Federal Meat Inspection Act to provide for more effective inspection of imported meat and meat products to prevent the importation into this country of diseased, contaminated, or unwholesome meat.

The principal objectives of this bill are twofold. First, and most important, it will help to provide assurance to the American consumer that meat and meat products imported from other countries are wholesome and free of disease and contaminants; and second, it represents an important step in the direction of bringing imported meat and meat products under inspection standards that apply to meat and meat products produced in the United States. This will help give assurance to the domestic livestock industry that all who compete in the American market are bound by the same set of rules.

Thus, the passage of this bill will, at the same time, provide protection to the American consumer and help to foster conditions of fair competition for the domestic livestock industry.

It is, of course, axiomatic that the inspection standards for meat produced in the United States assure the consumer the highest possible standards for wholesomeness. And, because of the growing public awareness of the dangers inherent in the unrestricted use of pesticides and herbicides the U.S. Department of Agriculture has taken action to limit their use.

Since the publication of Upton Sinclair's book, "The Jungle," some 60 years ago, the public has become increasingly aware of the hazards involved in the consumption of impure meat.

Since that time very significant steps have been taken to develop and enforce high standards to assure the wholesomeness and quality of meat products produced and sold in the United States. As a result of action on both the State and Federal level effective inspection laws and regulations have been developed and enforced. As a result public confidence in the wholesomeness of the meat available in the market has grown and frequently little thought is given to the possibility that such meat might be impure.

Unfortunately, that same confidence is not fully justified when it comes to meat imported from other countries. Hearings will shortly be held by the Livestock and Grains Subcommittee of the House Agriculture Committee on this

matter. I expect that the testimony produced at these hearings will confirm the mounting evidence that inspection standards applicable to imported meat fall far short of the standards that are needed to assure wholesomeness.

Mr. Speaker, I believe the following facts speak for themselves. Within the 40 countries that are presently permitted to export meat and meat products into the United States, there are over 1,100 certified plants. To inspect these 1,100 plants, which are located at points all around the world, the U.S. Department of Agriculture has only 15 veterinarians who serve as foreign review officers. It is the duty of this very limited force to make certain that each of the plants in each of the countries involved comply with the regulations set forth by the Secretary of Agriculture. Obviously, this is an impossible job even for a group as competent and dedicated as these 15 men.

There is reason for our concern about the wholesomeness of the meat products being shipped into this country. Recently, an article from an Australian newspaper came to my attention wherein meat inspection was identified as a major problem in that country. The article described the decline in inspection standards for export meat and noted recent incidents wherein it was discovered that unclean meat was being shipped to the United States.

It is also the practice to give plants advance notice of visits by U.S. inspectors. Obviously, this provides an opportunity for the plant to clean up their operation and eliminate any deficiencies in anticipation of the visit by the inspector. Furthermore, less than 1 percent of the meat imported into the United States is inspected at dockside.

The purpose of my bill is to correct these glaring deficiencies in the present law. Its passage will not only provide protection that does not now exist for the American consumer but will also help to assure more equitable treatment for the producers and processors of both domestic and foreign meat that is sold in the American market.

Mr. Speaker, I include as a part of my remarks the text of H.R. 19233.

H.R. 19233

A bill to amend the Federal Meat Inspection Act to provide for more effective inspection of imported meat and meat products to prevent the importation of diseased, contaminated, or otherwise unwholesome meat and meat products

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

SECTION 1. Section 20 of the Federal Meat Inspection Act (21 U.S.C. 620) is amended by adding at the end thereof the following new subsections:

"(f) The Secretary shall provide for the inspection at least four times a year, on an unannounced basis, of each plant referred to in subsection (e)(2) of this section.

"(g) The Secretary shall provide for the inspection of at least 2 percent of each imported lot of fresh or frozen meats. Core sampling techniques shall be used when appropriate in the inspection of such meats.

"(h) The Secretary shall prescribe appropriate inspection procedures to detect contamination from pesticides or other chemicals regardless of whether ingested or absorbed by the animals prior to slaughter or introduced into the meat or meat products subsequent thereto.

"(i) The Commissioner of Customs shall levy on all products entering the United States which are subject to this section, in addition to any tariffs, a charge or charges set by the Secretary of Agriculture at levels which are in his judgment sufficient to defray the probable costs of all examinations and inspections carried out pursuant to this section."

BANK CONDITIONS WOULD PLAINLY ALLOW A REDUCTION IN THE PRIME INTEREST RATE

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, as I have mentioned several times in recent days, there is no reason for the big commercial banks to delay an immediate and substantial reduction in the prime interest rate.

On September 10, the New York Times, in a column by Robert Metz, detailed the rapid gains for major bank stocks, particularly among the money center banks. Mr. Metz states:

> The impact of these factors in money market bank earnings will be to raise third-quarter earnings of New York banks year-to-year by at least 15 per cent, and perhaps 20 per cent.

Mr. Speaker, I also call attention to an August 10 article from the Journal of Commerce which points out that the big banks are dropping out of the Euro-dollar market and are "literally rolling in dough." Both of these articles point to the fact that the big commercial banks could reduce interest rates tomorrow morning if they so desired.

Mr. Speaker, I place these articles in the RECORD.

[From the Journal of Commerce, Aug. 10, 1970]

MAJOR BANKS LITERALLY ARE "ROLLING IN DOUGH"

(By Ed Tyng)

The nation's large banks have been literally rolling in dough since the Penn Central Transportation Co. went bankrupt in June and they are fervently hoping the Federal Reserve Board will not soon close the gateway to heaven which means ample funds to lend or invest.

Since June 24, when the Federal Reserve Board removed the interest ceiling limit on bank certificates of deposit, all large commercial banks in the country have increased their CD volume by approximately $5 billion, giving them that much more money to lend or invest.

Confronted with a relatively modest demand for new loans, the banks which have raised so much through CD sales have used about half the funds received to pay off expensive Eurodollar borrowings from foreign branches. The Eurodollar borrowings have declined by nearly 2.5 billion to a total which is the lowest since May, 1969.

They have used the remainder of the new money gained through CD sales to make new loans or to repurchase loans previously sold to holding companies to get cash in the days when cash was at a premium, as now no longer is.

HOW LONG IS EASY STREET?

Even if the Federal Reserve later cracks down and says that the inflation of bank certificates of deposit is too much of a good thing, which the banks hope will not happen, the banks will still be on easy street, for in case of need they can restore to previous high figures their borrowings of Eurodollars and will still have plenty of money to lend or invest.

Eurodollar borrowing rates have fallen sharply in recent weeks but today still cost something over 8 per cent, which is of course much less than the banks were paying six months ago, when Eurodollar rates ranged as high as 11 per cent. As they pay off expensive Eurodollars major U.S. banks gain in earnings, since the Eurodollars repaid can be repaid with certificates of deposit which cost them well under 8 per cent. For the money gained by CD sales which is not used to repay Eurodollars, banks can get 8 to 8½ per cent by lending the money, or can buy tax exempt securities at yields up to 7 per cent which is equivalent to a taxable interest rate of 9 or 10 per cent.

WHAT FIGURES SHOW

Since June 24, when the Federal Reserve Board allowed banks to sell new certificates of deposit at any rate they cared to pay—which has ranged from 7¾ to slightly over 8 per cent—all large commercial banks increased their CD volume to $17,908 million on July 29 from $13,019 million as of June 24. In the same period they cut their Eurodollar borrowings to $19,890 million from $12,694 million.

Between June 24 and Aug. 5 New York banks increased their CD sales to $4,575 million from $2,719 million on June 24 while they reduced their borrowings of Eurodollars to $7,388 million from $8,482 million.

The high point reached by certificate of deposit sales by all large commercial banks was $24,326 million in the week of Dec. 4, 1968. For New York banks the high point on certificate sales was $7,507 million in the week of Nov. 29, 1967. The high point on borrowings of Eurodollars by New York banks was $10,441 million in the week of Oct. 15, 1969.

GETTING NEAR FLOOR

The heavy repayments of Eurodollar borrowings are bringing the amounts of such borrowings near the point where banks will not be charged 10 per cent reserve requirements on such borrowings in excess of those as of May 28, 1969. When the Federal Reserve Board imposed last year such reserve requirements it did so on borrowings which exceeded May 28, 1969 average levels. It also indicated that if banks paid off sufficiently to go below the levels of May 28, they might not be able to restore such borrowings without being subject to reserve requirements which would be based upon the paid-down level.

Nearly all large commercial banks outside of New York have reached their May 28, 1969 floor on Eurodollar borrowings while New York banks are getting close to that floor. So banks now are near a decision on whether to go below the floor, which means a decision that they will not need to resume in the near future extensive borrowings of Eurodollars. Several banks in the interior of the United States have already made the decision that they will not, in the near future, need to borrow Eurodollars in anything like the amounts they borrowed in 1969 and early 1970.

While banks are now on Easy Street so far as available funds are concerned, this does not mean that they are going to hurry and cut lending rates. The lending rates will continue to depend upon the cost of the money to the banks, and the cost has not yet got much under 8 per cent. By all past precedents the 8 per cent prime rate, reduced last March from 8½ per cent, should be increased, but for political reasons it probably will not be increased.

If the Penn Central Transportation Co. had not gone bankrupt, which is going to cost the banks some loan losses, the Federal

Reserve Board probably would have not eased money.

[From the New York Times, Sept. 10, 1970]

MARKET PLACE: GAINS ARE SEEN IN BANK STOCKS

(By Robert Metz)

Okay, so you're patting yourself on the back that you called the rise in bank stocks, and now you're thinking about locking up those summer rally profits.

But listen to Warren Marcus, bank stock analyst for Salomon Brothers. Sit tight, for a while, says he, particularly if you own stock in the money-market banks.

He acknowledges that Salomon's bank-stock price index is up 13 per cent at 54.78 from 48.50 on June 25 and that money-market banks have scored even larger gains—typically 15 to 20 per cent.

Still, he says that while "some moderate technical correction is appropriate," the underlying fundamental developments are "very powerful" and can easily produce further significant price gains this year.

He cites substantial cost relief for the money market banks due to a slide in Eurodollar rates from 9⅝ per cent in June to a current 8 per cent. Federal funds rates, generally in excess of 8 per cent and sometimes 9 per cent during the spring, have been running consistently below 6¾ per cent and sometimes below 6½ per cent during the last few weeks. Commercial paper rates are down about 75 basis points over the last two and one-half months.

"Finally, with the suspension of Regulation Q ceilings on short-maturity time deposits in June, the banks have been successful in attracting a substantial inflow of new deposits . . . exceeding $2.3 billion—an increase of more than 80 per cent in nine weeks.

"These additional funds, which cost the banks approximately 7⅜–7½ per cent have improved liquidity and allowed a reduction in the use of Eurodollars—the highest cost sector of the various non-deposit categories, which the banks have relied on during the past 18 months."

The impact of these factors in money market bank earnings will be to raise third-quarter earnings of New York banks year-to-year by at least 15 per cent, and perhaps 20 per cent."

RALPH NADER AND GENERAL MOTORS

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, on September 4, Ralph Nader wrote to the Secretary of Transportation, John A. Volpe, raising a number of new and very specific matters with reference to the safety of the Corvair automobile, and also involving more fundamental issues such as the nature of corporate responsibility. Mr. Edward Cole, president of General Motors, responded to Mr. Volpe and in effect denied Mr. Nader's charges. Secretary Volpe has since indicated that he is going to proceed to a full investigation of these matters.

I expect that all Americans, particularly the more than 1 million who still ride in Corvairs, should be aware of this investigation and its eventual outcome. For that reason I submit for the RECORD a copy of Mr. Nader's letter of September 4, Mr. Edward N. Cole's response of September 7, and the letters of September 9, 1970 from Secretary Volpe and Rodolfo A. Diaz, Acting Associate Director of Motor Vehicle Programs, Department of Transportation:

SEPTEMBER 4, 1970.

Hon. JOHN A. VOLPE,
Secretary of Transportation,
Department of Transportation,
Washington, D.C.

DEAR SECRETARY VOLPE: For five years, nearly four of them under the auto safety law, the federal government has declined to become involved in the Corvair matter, notwithstanding the mass of evidence as to its hazards which has been externally collected and transmitted to the government. Now comes decisive evidence which reveals a labyrinthic and systematic intra-company collusion, involving high General Motors officials, to sequester and suppress company produced data and films proving the Corvair (1960–63 models) dangerously unstable. The Department of Transportation can no longer avoid confronting the GM-Corvair depravity and the daily carnage of innocent people injured or killed in these vehicles. Probably 600,000 of these Corvairs are still on the roads, driven increasingly by the young and the poor. Little can be done about past Corvair casualties, except as a spur to end this dismaying refusal to act by the Department. Much can be done to prevent further crash-injuries and to understand additional, serious design defects affecting all Corvairs (1960–63 models). But first it is necessary to understand the enormity of what General Motors officials have done to their customers (and passengers), the federal government, the courts and any American who trusted the testimony and assurances of the nation's largest industrial corporation. For in a word, GM manufactured and maintained a massive lie.

The company's credibility is not at stake here. Its credibility is shattered here. It can now be reliably asserted that GM proving ground tests and films back in 1962–63 conclusively proved the Corvair to be uniquely unstable with unprecedented rollover capability unlike any other American car. (Such characteristics were known by GM engineers when the Corvair was in its design stage back in the late Fifties. But the cautions of the more concerned were over-ridden by management which refused to adopt a much safer suspension system then available.) None of this information was ever offered or disclosed in response to court orders to produce such or any other requests from federal and state officials. On the contrary, in a consistent posture of suppression and prevarication, the company declared the Corvair as safe as any other car and asserted that any claims to its lack of safety were false.

Before the Senate Subcommittee on Executive Reorganization on March 22, 1966, James M. Roche, then President, General Motors Corp. read approvingly into the hearing record a statement by GM's Assistant General Counsel, Louis H. Bridenstine and a technical account by Mr. Frank Winchell, Chief Engineer for Research and Development of Chevrolet Motor Division, which will become principal exhibits of the falsehoods and distortion utilized by the company's spokesmen. Other GM officials, including Mr. Edward Cole, now the company president and long known as the "father of the Corvair" stated what GM's own tests said was *not* so about the vehicle's handling.

Mr. Winchell's statement was replete with statements contradicted by GM's own, secret test data and films to which Mr. Winchell had access. For example, in words to be substantially repeated under oath before courts across the land, Mr. Winchell told the Michigan Senate Committee on Highways (February 21, 1966) that "The Corvair differs from other cars only in the arrangement of its components." and "Photographs of tire distortions with a car sliding sideways will show no significant difference between the proximity of the rim to the pavement of the Corvair and any other automobile." These statements were made by Mr. Winchell, now a special assistant to Mr. Cole, although they are contradicated by GM proving ground data and films which were completed between three and nearly four years earlier.

Despite repeated interrogatories and motions to produce in litigation involving crash victims, these data and films were secreted in a special category of "hot documents". For example, your Department should be interested in obtaining all the reports, memos and films growing out of PG Job No. 032127 beginning approximately April 11, 1962 and specifically including those portions dealing with Test run numbers 46–50, 58, 71, 75, 80, 86, 92, 99, 104; and arising out of PG Job No. 032307 beginning approximately Nov. 13, 1962 and specifically including those portions dealing with test run numbers 117, 120, 125, 126, 127–31, 134, 135–36. These films showing roll overs at speeds of 26 mph, 28 mph, and 30 mph would be enlightening repudiation of the shocking disparities articulated in courts and before legislative hearings by GM officials.

In the afore-mentioned Michigan testimony, Mr. Bridenstine, now GM's number two lawyer (after General Counsel Ross Malone) had the presumption of raising the Canons of Professional Ethics regarding the behavior of a Detroit attorney while he has been closely involved in keeping suppressed the test data and films by GM's own engineers showing the early Corvairs to be exceptionally facile roll over candidates. He maintained this stance against the regular crashes incident to Corvair rollovers week after week and against the court sanctioned interrogatories put to GM for this material. The canons may well be applied to Mr. Bridenstine's behavior.

Pertinent to this suppression of data damaging to the Corvair and the public statement and testimony that all was well with the vehicle is the company's tactics of attrition and judicial manipulation. In a major Corvair trial, GM's presentation misled the California judge, Bernard Jefferson, into writing a lengthy opinion concluding that the Corvair design was not unsafely designed. Having obtained such a decision, GM proceeded to transform it into a promotion and in an obscene gesture perhaps unheard of in corporate legal history, initiated its distribution to its Chevrolet dealers, state and federal legislators and other influential recipients including judges. Sizable settlements in Corvair litigation are associated with how close plaintiff's lawyer gets to the "hot documents" in his discovery motions. If GM's lawyers could not wear the plaintiff down by dilatory techniques, or flout the discovery orders with impunity, the company order from the top would be to "purchase the case" with a settlement. Several settlements have exceeded the $100,000 level.

The afore-mentioned test data, together with other memoranda, letters, and corroborating personnel, show conclusively that:

GM officials knew they had a safety problem involving rollover and uncontrollability before the Corvair litigation started about 1963, and dabbled with a cheap prospective technical "fix" that flopped;

GM officials consciously refused to issue warnings or recall the vehicles;

GM officials launched a policy of falsely stating that the Corvair did not behave differently than any other American car and misled members of three branches of government at both state and federal levels;

GM officials demanded or condoned unethical behavior by its lawyers and engineers which had major repercussions on the frequency of Corvair crashes and casualties;

GM officials at the highest level were responsible for the preceding policies and

spared no expense to perpetuate false defense strategies in the courts and suppression of GM's own tests adverse to the Corvair;

The gravity of the situation proceeds from the personal responsibility of the Chairman of the Board, Mr. Roche, and the President, Mr. Cole. For years, they have been on notice as to the problems of the Corvair; indeed Mr. Cole took a personal role in its design. For years, their legal duties to the public safety, not to mention their shareholders, should have required the disclosure of all company test data, regardless of its criticality, simply because American lives are involved. For years, they actively defended the Corvair and carefully avoided true disclosure. If in the annals of corporate irresponsibility this behavior is not grounds for resignation, then the monster of corporatism has overtaken the law. They should both resign.

The situation of Mr. Ross Malone, MG's General Counsel and former President of the American Bar Association is one of a need for prompt re-appraisal. Having joined the company nearly two years ago, he is the heir, rather than the shaper of most of the Corvair legal strategy. However, his duty is to require reversal of odious practices such as placing as many private, potential Corvair expert witnesses on a monthly retainer to monopolize this "market" around the country, or requiring attorneys with whom they settle to agree not to take any more Corvair cases. More important, Mr. Malone must realize the grave impropriety of using his lawyers as a shield to hide lifesaving company test data and as a sword to defeat attempts to obtain such information under judicial procedures. One has only to read the newspapers' regular descriptions of sudden rollover Corvair crashes to realize that the proper legal advice to the corporate client is to promptly warn motorists and to recall and fix the source of instability, not to camouflage the truth and mass the company's legal resources to overwhelm plaintiffs and tie up the courts. There is the added responsibility for corporate counsel to review all cases where interrogatories were not responded to truthfully and completely.

A design defect that affects all Corvair models from 1960 to 1969 permits the seepage of combustion chamber gases into the passenger compartment along with the heated air. These gases include carbon monoxide. This is a very common complaint, as many letters to the National Highway Safety Bureau and General Motors show. GM has hundreds of these complaints. Privately, both present and former engineers for the company concede the defect, but the company policy officials continue to cover up. In the opinion of specialists, this is a most serious hazard and has been known to overwhelm or sicken the driver. Further information known to GM is forthcoming for your consideration.

Clearly, the Department of Transportation has the authority to take action to protect motorists and passengers. It can require GM to send a notification of defect(s) to all Corvair owners. Although this year GM defeated a request by the National Highway Safety Bureau to obtain congressional authority to compel recalls, the requirement to notify usually involves a recall.

The Department should also request from Mr. Roche a complete report on the Corvair design and the company's secret test and film data and relevant memoranda. It must be emphasized that the materials and other associated facts will soon be released irrespective of whether or not he takes this opportunity to assert full corporate responsibility.

While to some, the cessation of Corvair production means the vehicle is history, the fact is that Corvairs are being driven every day hundreds of thousands of miles by hundreds of thousands of drivers under latent hazards that should be considered intolerable by your Department. Your counsel has exerted authority to require defect notification on pre-1966 vehicles in the Chevrolet truck wheel defect. This range of vehicle defects for the Corvair is much more serious in volume and severity. The preposterous pretext underlying National Highway Safety Bureau inaction regarding the Corvair—namely that there is civil litigation pending—borders on malfeasance in office. Civil litigation should never block enforcement of the law.

How corporations react to crises of their own making is increasing tending toward cataclysmic potential for many citizens, as companies become larger and their technology more complexly fraught with hazards. General Motors, thanks to outside pressures and inquiries, no longer receives uncritical deference to its alleged knowhow that was its unearned increment from society. Too many facts have been unloosed among the public in recent years about the company's suppression of pollution control technology, its profligate expenditures on profitable trivia and wasteful corporate ego trips to the detriment of attention to safety, durability, ease of repair and efficiency in vehicle operation. At the present time, GM lobbyists and lawyers are all over Washington pursuing callous drives to seriously weaken the air pollution legislation and to delay the installation of the air bag, or similar system, in motor vehicles so thousands of lives could be saved in crashes. Their collusion with other auto companies in these efforts, particularly the pollution lobbying, makes a mockery out of the consent decree which they signed last year with the Antitrust Division of the Justice Department.

Further revelations about Corvair collusion and suppression, known and condoned at the highest GM levels, will open new public understandings of the extent to which this company will go to shield its defective vehicles even from its own self-indictment of them.

I look forward to your response.

Sincerely yours,

RALPH NADER.

GENERAL MOTORS CORP.,
Detroit, Mich., September 7, 1970.

Hon. JOHN A. VOLPE,
Secretary of Transportation,
Department of Transportation,
Washington, D.C.

DEAR SECRETARY VOLPE: General Motors has received a copy of Ralph Nader's letter addressed to you under date of September 4, 1970. In this letter, Mr. Nader makes irresponsible and false charges against General Motors, its personnel, and the Department of Transportation. He seeks to revive his campaign against the Corvair, with the demand that you require General Motors to notify all Corvair owners in the country that their automobiles constitute safety hazards.

The tests to which Mr. Nader refers were General Motors Proving Ground tests, copies of which he apparently has obtained. These were reports of engineering development tests in which Corvairs, specially equipped with experimental parts, were intentionally overturned by experienced test drivers using violent maneuvers designed to overturn them. The purpose of the tests was to evaluate the experimental parts as to their effect upon the handling characteristics of the Corvair. We would like to have an opportunity to review these reports with you or your staff. As I am sure you know, any information or material on the Corvair relating either to handling characteristics or heater operation will be made available to you promptly upon request.

In this connection we would like to invite your attention to the fact that during the five years in which Mr. Nader has been conducting his anti-Corvair campaign, five cases involving these questions have gone to final judgment in various courts in the United States after trials ranging from four weeks to three months. In each of these five cases judgment was rendered in favor of General Motors. More than fifty cases involving the handling characteristics of the Corvair are in various pretrial stages in courts throughout the country at this time. One such case is expected to go to trial this week.

I am taking the liberty of forwarding to you with this letter a copy of the comprehensive opinion of Judge Bernard S. Jefferson, rendered July 29, 1966, which was referred to and attacked by Mr. Nader in his letter. After a three-month trial, in this comprehensive opinion setting out the basis of his decision, Judge Jefferson concluded that:

"The Corvair automobile of the 1960 through 1963 variety is not defectively designed nor a defective product."

The false and vitriolic statements of Mr. Nader notwithstanding, I want to assure you that General Motors and its executives have been faithful to their public trust. We at General Motors will continue to do everything in our power to merit the confidence of our customers and of the public—confidence which Mr. Nader's continuing campaign of the past five years has sought to destroy.

I will be glad to send a representative to Washington to answer whatever questions you may have concerning the test reports referred to and to supply any other material which the Department of Transportation may desire.

Newspaper accounts indicate that a copy of the Nader letter was forwarded to Senator Ribicoff. I, therefore, am taking the liberty of forwarding a copy of this letter to the Senator.

Very truly yours,

EDWARD N. COLE.

[Department of Transportation News, Sept. 9, 1970]

Secretary of Transportation John A. Volpe said today that the Department of Transportation has asked General Motors Corporation for all of the information it has on the safety performance of the Corvair automobile.

Secretary Volpe has also asked consumer advocate Ralph Nader to supply whatever additional documentation of information he might have to supplement his earlier letter to the Department.

Secretary Volpe said he has instructed Douglas W. Toms, Director of the National Highway Safety Bureau, to get the information and "to assign high priority to a prompt and painstaking analysis of all relevant factual material received from whatever source . . ."

The text of these letters is attached.

OFFICE OF THE SECRETARY OF TRANSPORTATION,
Washington, D.C., September 9, 1970.

Mr. THOMAS A. MURPHY,
Vice President, Car and Truck Group, General Motors Corp., Detroit, Mich.

DEAR MR. MURPHY: With reference to the handling characteristics of the Corvair vehicle, the National Highway Safety Bureau has needed to be familiar with all General Motors data concerning testing of these characteristics as reportedly performed by General Motors beginning in April 1962. The Bureau will analyze these data in depth before concluding whether or not an investigation of possible safety defect in the Corvair should be initiated.

Accordingly, you are requested to furnish to the Bureau the following specific items for analysis:

1. Reports and associated films relating

to PG Job No. 032127, including reports of test runs numbered 46, 47, 48, 49, 50, 58, 71, 75, 80, 86, 92, 99, and 104.

2. Reports and associated films relating to PG Job No. 032307, including reports of test runs numbered 117, 120, 125, 126, 127, 128, 129, 130, 131, 135 and 136.

In addition, please furnish such other data as are pertinent to Corvair handling stability.

In order that the Bureau analysis may be completed promptly, I am requesting that the above information be delivered to my office by Wednesday, September 16, 1970.

Sincerely,

RODOLFO A. DIAZ,
Acting Associate Director, Motor Vehicle Programs.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., September 9, 1970.

Mr. RALPH NADER,
Washington, D.C.

DEAR MR. NADER: Thank you for your letter of September 4 expressing your concern about the safety of the Corvair automobile and suggesting lines of action to be taken by this Department.

I have asked the Director of the National Highway Safety Bureau, Douglas W. Toms, to request from General Motors all of the documentation to which your letter refers plus any additional data they may have pertinent to the defects that you claim are inherent in the Corvair. We would also appreciate receiving whatever documentation or additional information you may have that would aid the Bureau in its analysis.

I have directed Mr. Toms to assign high priority to a prompt and painstaking analysis of all relevant factual material received from whatever source and we shall base any Departmental action in this matter on the findings of that analysis.

Again, my thanks for your continuing interest in improving highway safety.

Sincerely,

JOHN A. VOLPE.

LETTERS ON COAL MINE SAFETY

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, in connection with the serious problem of full enforcement of the Federal Coal Mine Health and Safety Act of 1969, there follow three letters which I wrote to Secretary of the Interior Walter J. Hickel and Assistant Secretary of the Interior Hollis Dole, dated September 11 and 14, 1970:

HOUSE OF REPRESENTATIVES,
Washington, D.C., September 11, 1970.

Hon. WALTER J. HICKEL,
Secretary of the Interior,
Department of Interior,
Washington, D.C.

DEAR SECRETARY HICKEL: Once again Under Secretary Fred J. Russell has shown his disdain for, and complete misunderstanding of, the Federal Coal Mine Health and Safety Act and its purpose. This time he issued on August 6, 1970, proposed regulations which were published in the *Federal Register* on August 12, 1970 (35 F.R. 12765) concerning coal mine investigations, reports, and accidents. Thirty days were given to comment, but this time was extended to September 30, 1970 (see 35 F.R. 14146).

In my opinion and, I am sure, that of many coal miners, once they study them, these proposed regulations are ineptly drafted, technically deficient, inconsistent with the law, and generally inadequate. I request that they be promptly modified consistent with the comments set forth below.

I

One of the most important revelations to come to the attention of Congress through the recent Senate committee hearings was the fact that the Bureau of Mines, in investigating coal mine accidents, permits and encourages operators and representatives of labor to be a part of the investigatory panel. Here, we have the Federal regulatory agency charged by law to investigate accidents at coal mines, to determine their causes, and whether any violation of law occurred, including a determination whether criminal prosecution under section 109(b) through (d) of the Act is warranted, and we find that the agency is sharing this duty with the very one it is investigating; namely the operator. Apparently, as a show of impartiality, the Bureau has decided that this practice is perfectly innocent if labor also participates. So representatives of the UMW sit on the panel too. In at least one instance, the hearing itself took place at facilities controlled by the operator.

Thus, the Bureau has established a procedure to investigate an accident which permits the regulated to judge whether or not they were at fault. They even appear on the investigation report. Also there are numerous statements throughout the report about the cooperation of the operator and his people and that the Bureau is grateful for their cooperation.

Possibly, before 1952, when the Bureau was at a coal mine at the sufferance of the operator, this practice made sense. But it does not today. It threatens, as a matter of fact, to make a sham of the Bureau's accident investigations. It smacks of a conspiracy to prevent criminal prosecutions. Each operator, who, after all, knows the facts anyway, can subtly control the very course of the investigation by the panel and avoid the possibility of any recommendation for criminal prosecution. The operator, through this panel and the use of his facilities, can intimidate the employees who testify before the panel.

Frankly, I am appalled that such a practice is actively supported by the Department's Solicitor who has often testified about the need to be "fair", but, of course, his point of reference when he uses that term has always been the operator. He gave nationwide application to an injunction sought and obtained by 77 small mine plaintiffs against the March 28, 1970, regulations in order that the Department would be "fair" to the big coal mine operators who did not participate in that suit. It was apparently his sense of "fairness" that caused him to abdicate his role of chief legal officer of the Department to Under Secretary Russell who then decided that the Department's lawyers, and technically qualified personnel, who already had plane reservations, should not go to Virginia to help the U.S. attorney at the hearing last April in the Federal district court at which the injunction was obtained.

But I am concerned about "fairness" to the coal miner who is killed or injured from a coal mine accident that was allegedly caused by the operator's negligence or criminal conduct. It is not "fair" to the miner to have that operator sitting on the panel judging that allegation, because common sense tells us he cannot be impartial. Congress wants the Bureau to conduct the investigation, not the operator or the U.M.W.

Mr. Secretary, I call upon you (a) to cease all such investigations immediately, and (b) to publish, in the above regulations which state in the preamble that they provide procedures with respect to investigations of accidents, a code of conduct, practices, and procedures for the Bureau to follow in investigating accidents in order that the coal miner may be assured the "fairness" Congress intended.

II

The proposed regulations do not indicate in any way what use the Bureau of Mines will make of the records and reports made. At present the Bureau publishes a monthly report of fatalities in the industry. It also publishes an annual report of injuries.

1. Please provide to me a detailed explanation of the use the Bureau intends to make of the information obtained on each of the forms referred to in the proposed regulations.

2. (a) Which division of the Bureau will collect, compile, analyze, and publish the statistics?

(b) Please state the amount of funds appropriated and devoted for this division for fiscal year 1971, and the estimate of funds for this division for fiscal year 1972.

(c) Will these funds be used solely to collect, compile, analyze, and publish the information derived under sections 103(e) and 111 of the Act?

(d) If not, please state why not.

III

The information obtained on the forms referred to in the regulations will be on a mine-by-mine basis. The Bureau's past practice has been to publish such statistical information by State and not on a mine-by-mine basis. This approach has not been satisfactory because one does not know what, if any, improvement in safety has occurred at a given mine compared to another coal mine with similar production and employees.

Section 111 of the Act provides that all of these forms and other records received by the Secretary may be published and shall be available for public inspection. It also provides that the Secretary "is authorized to . . . publish, either in summary or detailed form," the reports or information received by the Secretary.

I request that the Bureau publish, at least semi-annually, information received in detailed form on the number of accidents, including all deaths and injuries, hours worked, causes, and other pertinent information on a mine-by-mine basis, in addition to publishing on a monthly basis such information in summary form.

Section 80.1 of the proposed regulations defines various terms used in the proposed regulations.

Two terms "other injury" and "disabling injury" are defined but they are not used anywhere in the regulations. They therefore should be deleted.

The term "non-fatal injury" is defined to include a "work injury which . . . causes the injured person to lose one full day or more from work after the day of injury." Under section 80.33(b) of the proposed regulations, an operator must file a monthly form of "non-fatal" injuries. With this definition, the injured miner who is treated by a physician or at an outpatient clinic or hospital or requires reassignment to another less arduous task in the mine or is allowed to restrict his work activities or requires first aid only would not be included in that report. Only lost time injuries are reported monthly. Other injuries, whether lost time occurs or not, are, of course, required to be recorded on the daily ledger under section 80.31 of the proposed regulations and filed in summary form quarterly with the Bureau.

There is a long history, which is well-known to the Bureau, of injured miners being re-assigned by an operator to other jobs in order to avoid a bad lost time record by the operator. This matter was recently discussed by miners during the hearings before the Senate Committee on Labor and Public Welfare.

I request that the definition of "non-fatal" injuries be revised to cover all injuries except those where first aid is provided at the mine by someone other than a physician.

The regulations purport to cover accidents at surface coal mines, as well as underground coal mines. Yet within the definition of the term "accident" there appears only one occurrence that could properly be considered as applicable to surface mines; namely "any collapse of a highwall in a surface mine." Even as to underground coal mines, there are other events not specified in the definition of the term "accident".

While I am aware of the fact that the definition is not intended to be all inclusive of all events that can properly be considered an "accident", we believe operators will tend to view this definition to be all inclusive and will not consider other events as subject to the requirements of these proposed regulations. For example, no mention is made of the following:

1. equipment running off an embankment at a surface coal mine;

2. water damage at surface mines;

3. collapse of scaffolding or platforms at surface coal mines;

4. any event that resulted in the damage or destruction of equipment at a surface or underground coal mine; and

5. any event that caused or threatened to cause damage or destruction of personal or real property on or off any coal mine.

The above listing, I am sure, is not all inclusive, but does show that some events are not specified in the definition that should be so specified. I request that a more careful review be made of possible events which occur at coal mines—both surface and underground—before these regulations are finally adopted.

V

Under section 80.11, a coal mine operator must immediately notify the Bureau of Mines by the quickest means possible when one of several events listed in the proposed regulations occurs. These events are not necessarily all those listed under the definition of the term "accident" in section 80.1. Based on such notice, the Bureau, under section 80.12, determines whether it will investigate or not.

Several of the events listed contain serious flaws. Also, it is doubtful that the listing adequately covers many of the types of accidents that occur at surface coal mines. The events listed are generally peculiar to underground coal mines.

Section 80.11(b) requires such notification after the operator or some medical officer finds that a "non-fatal injury" (which is a defined term) is "serious" and "could result in the death of the injured person." This judgment factor which probably will be applied unevenly from one coal mine to another should not be added to the defined term.

Section 80.11(d) requires such notification if a mine fire cannot be "extinguished within 30 minutes."

1. What is the basis for selecting this time period?

2. (a) Isn't it true that the Bureau's manual under the old 1952 Act required notification after 10 minutes?

(b) If the answer to (a) is yes, why does the proposed regulations now triple this time?

3. Isn't it possible that by the time underground employees notify the operator, particularly on a night shift, and the Bureau, that considerably more time than "30 minutes" will elapse?

Section 80.11(h) requires such notification where there are "coal outbursts" that might cause "death or injury." A cursory review of the Bureau's dictionary of mining terms indicates that there are few, if any, coal outbursts that would not cause "death or injury" if a person was in the vicinity of one.

1. What is the scientific or engineering basis for including in the regulations an implication that some "coal outbursts" are not the type that would cause death or injury?

2. How does the Department expect coal mine operators to apply this judgment factor on some sort of even basis?

Section 80.11(l) requires notification where a roof fall occurs "of sufficient magnitude to restrict ventilation or the passage of men on active working sections." The word "restrict" as applied to ventilation or the passage of men is too narrow. If a roof fall occurs any where in a mine and it *affects* ventilation or the passage of persons in the active workings of the mine, not just in active working sections, such an occurrence is serious and warrants notification.

Section 80.11(o) requires notice where an event causes death outside the mine property. Such an event could cause injuries to persons or property, but not death. In such case, notice should be given also. Further, the term "mine property" is a new one and is undefined. The proper term is "coal mine" which is defined.

VI

In regard to the remainder of the provisions of the proposed regulations, please respond to the following:

1. Section 80.12:

(a) What is the basis under the Act for the Bureau not investigating *all* accidents?

(b) Is there any accident at a surface or underground coal mine not listed in section 80.11 which, although not warranting quick notice to the Bureau, does warrant an investigation?

(c) Should not the operator, at least by form letter, inform the Bureau of all accidents when they occur?

(d) What is the authority for the Bureau to give "advance notice" to an operator of accident investigation that may result in a violation when section 103(a) of the Act prohibits such notice?

(e) Does the Bureau have accident investigation teams whose sole responsibility is to investigate all accidents?

(f) If the answer to (c) is no, please state why not.

(g) When the Bureau estimated that 1100 inspectors would be needed to make inspections, did it include those needed for accident investigations at surface and underground coal mines? If not, why not?

2. Sections 80.20 through 80.24:

(a) Why doesn't the Bureau require an operator to submit to it his report on all accident investigations conducted by him within 48 hours?

(b) What good is served if the operator's report is kept at the mine but an inspector does not see it for days or weeks after the accident?

(c) Why should such records only be kept for three years? What if litigation occurs concerning the accident?

3. Sections 80.30 through 80.34:

(a) Please provide to me two copies of each form and the daily ledger referred to in these sections.

(b) Why didn't the Bureau publish these also?

(c) Why shouldn't all injuries be reported at least monthly?

(d) What is the basis under the law for distinguishing between mines with 20 and more employees and those with 20 and less employees?

VII

The Bureau has participated in a program of giving safety awards to various mines. It is called the Holmes Safety Award Program of 1916.

I understand that miners have, in recent times, boycotted these award ceremonies because the mines getting them do not have a truly good safety record. One of the reasons for this is that safety is measured on the basis of disabling injuries occurring at the mine and not on the entire accident record of the mine. Also, the larger mines get more awards because, in the case of a tie, a mine with greater man-hours of production wins.

1. (a) To what extent does the Bureau participate in this program?

(b) How many man-hours are annually expended on this program (i) by all Bureau personnel and (ii) by inspectors or their supervisors?

(c) Are Bureau funds expended for this program? If so, how much annually?

(d) Does the Bureau pay the expenses of the program for (i) collecting statistics to determine the awards, (ii) meetings, (iii) the preparing, printing, and publishing of the Holmes Safety Association Annual report, and (iv) other expenses of the awards program, such as the printing of forms, etc.? If so, what is this amount annually?

2. Why should the Bureau continue to participate in the program so long as the awards are not determined on the basis of the entire accident record of each coal mine?

(3) (a) What other non-Federal agencies, organizations, or individuals participate in the program?

(b) How many man-hours does each provide to the program?

(c) How much money does each expend on it?

4. Please provide to me a list of the people who select mines and individuals for awards and their affiliation.

5. (a) Does the Bureau participate in any other safety award programs?

(b) If the answer to (a) is yes, please (i) identify them and (ii) indicate the extent of the Bureau's participation in terms of man-hours, services, and funds expended for each.

Sincerely,

KEN HECHLER.

HOUSE OF REPRESENTATIVES,
Washington, D.C., September 14, 1970.

Hon. WALTER J. HICKEL,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.

DEAR SECRETARY HICKEL: Recently, several petitions have been filed with Interior's Office of Hearings and Appeals pursuant to section 301(c) of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S. Code, Supp. V, 861(c)). The petitions are entitled "Petition for Modification of Safety Standard" and notice thereof was published in the *Federal Register*. A list of those petitions is enclosed.

Section 301(c) of the Act authorizes the Secretary of the Interior to modify "the application of any mandatory safety standard to a mine." Upon receipt of a petition requesting such modification, the Secretary must (1) publish notice of such petition; (2) give notice, in these cases, to the representatives of miners in each of the affected mines, and (3) "cause such investigation to be made" as the Secretary deems appropriate. This investigation must also provide an opportunity for a public hearing at the request of anyone. The Secretary must, upon completion of the investigation and, when held, the public hearing, make findings of fact and issue a decision. The Secretary's decision is subject to judicial review under section 109 of the Act.

The Interior Department's regulations of March 28, 1970 (35 F.R. 5221, 5256), which were adopted without an opportunity for public comment, set forth the form of the petition. These regulations also provide that "the Bureau and any other party affected" must file "an answer with the Examiner assigned to the case" within "20 days after

the date of service" (see Sec. 301.33 of regulations).

It is not my intention to go to the merits of any of these petitions. I believe, however, that the Department has committed serious procedural errors in connection with these petitions and the March 28 regulations and the Act. I request that the petitions be dismissed and that the regulations be modified in light of the following comments:

1. As I have said, section 301(c) of the Act directs the Secretary to conduct an "investigation" when a petition is filed and notice thereof given. Yet section 301.33 of the Department's regulations give the Bureau of Mines and the miners only 20 days to file an answer to the petition.

(a) How can the Bureau conduct a meaningful investigation to determine if the petitioner's allegations concerning the application of a standard to its mine are sound from a safety standpoint and file an answer within 20 days, particularly when several petitions cover more than one coal mine?

(b) If the Bureau or the miners fail to meet this unreasonable deadline are they forever precluded from objecting to the petition?

(c) If the answer to (b) is yes, please state what is the basis for imposing such a deadline?

(d) If the answer to (b) is no, please state what basis there is under the regulations for considering answers filed after the deadline without the petitioner's concurrence to an extension of that deadline.

(e) When does the 20 day period begin to run in the case of "other" parties affected who want to file an "answer" but have not been served?

(f) How does such "other party affected" learn who the "Examiner" is with whom he must file?

2. Notice of each petition was published in the *Federal Register* by the chairman of the Board of Mine Operations Appeals in differing form.

The notice of the first petition (Carbon Fuel Co.) contains a detailed statement by the petitioner describing his mining system and setting forth his arguments for modification. No similar statement is contained in any of the other petitions.

(a) Why did the Board fail to follow this notice procedure of the first petition in the case of all of the petitions?

(b) Since the Board adopted a notice procedure in the first petition that informs the public of the modification sought, are not all the other notices defective unless such procedure is also followed in their case?

3. The last paragraph of the first petition provides that an "opportunity is hereby given to interested parties to present information" relative to the petition within 20 days "from the date of publication of this notice" in the *Federal Register*. Also, the paragraph provides for reply comments and for requesting a public hearing within 30 days after such notice. No similar provision is found in the notice published in regard to the other petitions. The notice was filed with the *Federal Register* on June 9, 1970, but not published until June 17, 1970.

(a) Is the term "information" used in the above cited paragraph intended to be an "answer" under section 301.33 of the March 28 regulations?

(b) If the answer to (a) is no, what is intended?

(c) If the answer is yes, hasn't this notice, in effect, extended the time for filing an answer beyond the 20 days permitted under section 301.33 of the March 28 regulations?

(d) If the answer to (c) is yes, what is the basis for granting this extension?

(e) Who are the "interested parties" referred to in the above cited paragraph? Are (i) the Bureau, (ii) the miners, (iii) a State or, (iv) a congressman interested parties?

(f) Why wasn't this paragraph included in all of the other notices published in the *Federal Register*?

(g) Without such a paragraph, aren't the notices defective?

(h) When must one request a public hearing in the case of the other petitions where the notice or the March 28 regulations do not indicate the time for making such a request?

4. The first petition alleges that the application of a particular standard to its mine "would . . . result in diminution of safety to the miners." No similar allegation appears in the case of the other petitions. In fact, unlike the first petition, the other petitioners seek to modify the statutory language.

(a) Why don't the notices of all the petitions contain allegiations of what will happen at the particular mine if the standard is applied to it?

(b) Are not the notices therefore defective?

(c) Since section 301(c) merely authorizes the Secretary to *"modify* the application of any" statutory safety standard, are not the petitions defective for seeking, not a modification in application of the standard, but a change in its wording which can only be accomplished under section 101 of the Act?

(d) If the answer to (c) is no, please state why not.

5. Several of the petitions for which notices were issued appear to cover more than one coal mine. Section 301(c) only permits a modification on a mine-by-mine basis.

(a) Are not the notices, and possibly the petitions themselves, defective for not indicating that the petitions are for a modification of a standard on a mine-by-mine basis?

(b) If the answer to (a) is no, please state why not.

6. Please provide copies of (a) the petitions shown on the enclosed list, and (b) the answers filed by the Bureau of Mines.

I appreciate your cooperation in this matter.

Sincerely,

KEN HECHLER.

LIST OF PETITIONS FOR MODIFICATION OF INTERIOR MANDATORY SAFETY STANDARDS

1. Petition of Carbon Fuel Co. (35 F.R. 10035)—Doc. No. H70–417;
2. Petition of Armco Steel Corp. et al (35 F.R. 10383)—Doc. No. M70–1;
3. Petition of Kentucky Carbon Corp. (35 F.R. 10383)—Doc. No. N70–199;
4. Petition of Armco Steel Corp. et al (35 F.R. 12290)—Doc. No. M70–2;
5. Petition of Armco Steel Corp. et al (35 F.R. 12290)—Doc. No. M71–1;
6. Petition of Armco Steel Corp. et al (35 F.R. 12291)—Doc. No. M71–2;
7. Petition of Armco Steel Corp. et al (35 F.R. 12291)—Doc. No. M71–3;
8. Petition of Carbon Fuel Co. (35 F.R. 12292)—Doc. No. M71–4;
9. Petition of Jewell Ridge Coal Corp. (35 F.R. 12292)—Doc. No. 70–207;
10. Petition of Jewell Ridge Coal Corp. (35 F.R. 12292)—Doc. No. 70–208;
11. Petition of Jewell Ridge Coal Corp. (35 F.R. 12292)—Doc. No. 70–209;
12. Petition of Jewell Ridge Coal Corp. (35 F.R. 12292)—Doc. No. 70–210;
13. Petition of United States Steel Corp. (35 F.R. 12729)—Doc. No. M71–5;
14. Petition of Lanscoal Mining Co., Inc. (35 F.R. 14224)—Doc. No. M71–6;
15. Petition of Clinchfield Coal Corp. (35 F.R. 14409)—Doc. No. Nort 70–185.

HOUSE OF REPRESENTATIVES,
Washington, D.C., September 14, 1970.

Mr. HOLLIS DOLE,
Assistant Secretary of Interior,
Department of the Interior,
Washington, D.C.

DEAR MR. DOLE:

I

The Interior Department published on August 4, 1970, proposed regulations under section 301(d) of Public Law 91–173 concerning Part 75 of Title 30 of the Code of Federal Regulations. Thirty days were provided for public comment. This period was extended to September 30, 1970 (see 35 F.R. 14146).

I am anxious, of course, to see the regulations needed to enforce fully and effectively Title III of the Act quickly adopted. I am, however, uncertain, in view of various statements made by Department personnel that the Virginia lawsuit could not be "mooted" by a new publication of the March 28, 1970 regulations, even with modifications, as to what effect these new and voluminous regulations will have.

I, therefore, would appreciate your responding to the following questions by *September 23, 1970,* after consulting, where appropriate, with the Solicitor or the Justice Department:

1. (a) In view of the existing injunction prohibiting enforcement by the Interior Department of Part 75 of the March 28 regulations, does the Department intend to publish these regulations, assuming all comments thereon are favorable, before the scheduled court hearing concerning the lawsuit?

(b) If the answer to (a) is no, please (i) state why not, and (ii) estimate when they will be published.

(c) When published, will they be made effective immediately, even if the lawsuit is not resolved?

(d) If the answer to (c) is no, please state (i) why not, and (ii) why is it then necessary for the public to comment on these pages upon pages of technical provisions by September 30, 1970.

2. If these regulations are published and made effective immediately what issues remain to be resolved under the lawsuit?

3. (a) Has the Department, the Bureau, or the Justice Department filed a copy of these regulations (i) with the court, and (ii) with the plaintiffs in the lawsuit?

(b) If so, will the Department await for either the court or the plaintiffs or both to comment before the regulations are finally published?

4. In your letter of August 10, 1970, to me, you said that "the validity of the fee schedule is in issue in the case pending in the Western District of Virginia." It is my understanding that the "validity" of the March 28, 1970 regulations is also in issue in that case.

(a) What steps have been taken in connection with these proposed regulations to prevent them from also being in issue in that case?

(b) Has the Department received assurances from the plaintiffs in that case that they will not again seek to enjoin enforcement of these regulations?

(c) If the answer to (b) is yes, how and in what manner were those assurances obtained?

5. Please identify those provisions of the new regulations which are specifically designed to meet the objections of the plaintiffs in the lawsuit.

6. Under items XI and XII of your letter of August 10 to me, you indicated changes were needed in Part 300 of the March 28 regulations.

(a) When will they be published?

II

The Department published on August 1, 1970, regulations, without rule-making, (35 F.R. 12336) amending Part 300 of the March 28 regulations concerning the Board of Mine Operations Appeals and added a new Part 302 to Title 30 of the CFR.

1. Section 300.1(a) of the regulations describes the jurisdiction of the Board.

(a) Please list in tabular form (i) the cases pending under each of the six areas of jurisdiction set forth in that section, (ii) the date such cases were filed, and (iii) the current status of each.

2. Section 300.3 authorizes two of the three member Board to decide an appeal. Section 301.82 provides that "the Board may permit oral argument."

(a) What is the basis in the Act for the Board to decline providing an opportunity for a public hearing in the case of each of the six areas of jurisdiction listed in section 300.1 even if a person had, or did not request one, before the hearing examiner?

(b) Is the Board's power of review limited to the record before a hearing examiner?

(c) If not, why not?

(d) How does the establishment of a Board facilitate the handling of appeals?

(e) Must the two or three Board members who decide also hear the appeal?

(f) If not, why not?

3. Part 302 adds to the jurisdiction of the Board, appeals under the Federal Metal and Non-metallic Mine Safety Act of 1966.

(a) Does the Board have authority to decide any appeals except those arising under section 9 of that Act (30 U.S. Code, Supp. V, 728)?

(b) Section 10 of that Act also "created" a Board. Is that Board in operation? If not, why not? If so, please provide to me the names of the Board members and a brief biography of each.

(c) Will not the addition of review functions under the 1966 Act by the Interior Board tend to overburden that three-member Board and cause unreasonable delays to coal mine operators and miners who seek redress, particularly when members of the Solicitor's office have often complained about the already "huge backlog" of cases before hearing examiners or the Board?

(d) Please give to me a list of the Interior Board members, a brief biography of each, and indicate if each is a full-time Federal employee.

(e) Why not establish a different Board for the metal Act since, as you stated in your August 10 letter to me, "we cannot agree that the problems in the industries to which the separate laws apply are also similar. In fact, they are *so dissimilar as to require a considerable array of specialization?*"

Sincerely,

KEN HECHLER.

THE JERRY RUBIN FUND

(Mr. ICHORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ICHORD. Mr. Speaker, no one likes to pay taxes. Filling out the forms is a time-consuming nuisance. Sometimes one must hire an accountant or lawyer to help, and that can be costly. And, of course, paying the taxes themselves is an enormously expensive proposition in this day and age.

But those who most dislike the painful necessity of paying taxes are the self-styled radical revolutionaries who seek to destroy this society and leave anarchy in their wake. Paying taxes particularly annoys them because they calculate that the funds might be used in various ways to thwart their aims.

Now we learn of the interesting prospect of one of the most notorious of these revolutionaries of the New Left setting up a tax-exempt "charitable foundation." We are left to speculate whether the contrivance is a dodge to avoid paying taxes on what could be considerable income. Were the implications not so serious, the circumstances would be amusing.

I speak of one Jerry Rubin, member of the infamous Chicago Seven and one of those convicted of conspiracy in crossing State lines to incite riot at the 1968 Democratic convention. His conviction occurred at the end of a tumultuous trial in Federal District Court at Chicago that is still well remembered.

Rubin's wife, who goes by the name of Nancy Kurshan, filled out some routine Internal Revenue Service forms that eventually brought IRS recognition of the "Social Education Foundation," also known as the "Jerry Rubin Fund," as a charitable, tax-exempt entity.

This foundation's declaration of trust states that the untaxable fund and its income shall be used:

> Exclusively for religious, charitable, scientific, literary, or educational purposes or for the prevention of cruelty to children or animals.

Besides creating a receptacle for untaxable income, donations to this fund are also deductible from the donor's income tax.

The foundation's tax-exempt status was approved by the IRS on May 23, 1969. On June 13, 1969, the State of New York granted this foundation exemption from State income tax. The address given for location of the foundation was in care of a lawyer, Sidney M. Gerwanter, 225 Broadway, New York City. On June 11, 1969, the trust was amended so that it could also be referred to as the "Jerry Rubin Fund." Its grantor and sole trustee is Nancy Kurshan.

Then, on March 31, 1970, Jerry Rubin's bible on violent revolution entitled "Do It" was published and on the following May 10, the U.S. Copyright Office received an application for registration of a claim to copyright indicating the owner of the copyright on "Do It" is the Social Educational Foundation. In other words, the income due the author of "Do It" is to be funneled into the Social Educational Foundation or Jerry Rubin Fund.

So also, presumably, is income Rubin makes from speaking engagements, TV appearances, or from whatever other sources of income he has.

There is no way to predict exactly how much Rubin will earn from his obscene textbook on New Left life style and revolution. Writer Dr. Susan Huck has estimated that more than 200,000 copies of the $4.50 publication already have been sold.

Some advantages of this foundation status are obvious: the actual income is safe from Federal and State taxes, held in trust by sole trustee Nancy Kurshan. The foundation could employ a paid staff to assist in Rubin's bidding and to aid and abet his nefarious purposes. Foundation representatives could receive payments from the foundation for expenses incurred while traveling to further the aims of the revolutionary movement.

And it must be said of Rubin that he is energetic. He skips about the country urging his listeners to burn, bomb, and destroy so quickly that it is difficult to keep abreast of his activities.

But there is yet another aspect. The dodge of pouring the money Rubin earns into a large taxfree pool enables him to claim penury, and thus be an unlikely subject of civil damage suits.

A wealthy Jerry Rubin would be an attractive target for damage suits filed by victims of riots he caused.

Now just how might Rubin and his foundation spend this money? I am certain that his views on "religious, charitable, scientific, literary, or educational purposes" are vastly different from those, say, of most Members of this body.

Rubin is a self-professed revolutionary. He would undoubtedly believe that instructions in bomb manufacture, police harassment, and drug use all come under the purview of "education." The publication and dissemination of underground newspapers and of flyers and leaflets urging insurrection and anarchy would certainly be classified by Rubin as "literary."

He doubtlessly thinks it is "charitable" to blow up an ROTC building at a university, and certainly he would say that the application of fire to other academic buildings is "scientific." Let us hear a quote from "Do It."

> When in doubt burn. Fire is a revolutionary's god. Fire is instant theater . . . burn the flag. Burn churches. Burn, burn, burn.

Note here the "religious" endeavor he advocates.

But all this revolutionary rhetoric and likely abuse of tax law aside, Rubin and his trustee are not even now abiding by the IRS rules as applied to tax-free foundations.

The foundation's first annual report of income and expenditures was due last May 15, but IRS officials say they have no record of its submission.

It is my understanding that the regulations do authorize the revocation of the tax-exempt status for failure to file timely reports.

Rubin's foundation, of course, is merely one further example of how modern revolutionaries pervert our laws and shield themselves with the fabric of the very democracy they seek to destroy.

I am going to have the temerity to suggest that they should not be permitted to do this, that they should be denied the privilege of financing their revolution through tax-free income.

It would seem that some legislation concerning this matter is in order. Mean-

while, I strongly recommend to the Internal Revenue Service that the mantle of governmental recognition of Rubin's contrivance should be immediately revoked. The authority is present and I submit that this is a most appropriate occasion to use that authority.

I have written to the Commissioner of the Internal Revenue Service and asked that he do this.

Rubin is not alone in his ploy to avoid payment of taxes. William Kunstler, an attorney who frequently represents revolutionaries in their clashes with the law, is the founder and a member of a similar foundation in New York.

I wonder if there are other revolutionaries using the ploy. Eldridge Cleaver and Abbie Hoffman, to cite two, have also written bestsellers. Are they, too, and others, enjoying tax-free status?

I suggest that the IRS exercise meticulous scrutiny to find out whether they are.

FOR NEW CEASE-FIRE

(Mr. MORSE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneuos matter.)

Mr. MORSE. Mr. Speaker, the urgency and immediacy of securing the safety and the release of the hostages being held by Arab terrorists and preventing further hijackings must not blind us to the need to stop the continued military buildup in violation of the standstill cease-fire nor delay our working to set up a new cease-fire agreement.

The events of the past days do not change but rather, make even more important than ever, the basic imperatives that motivated the original cease-fire. Negotiations toward a new cease-fire are especially critical not only because of the dangers inherent in the continued military escalation, but also because failure to renew our efforts for some agreement will play directly into the hands of those Arab commandos whose goal is to disrupt any possibilities for progress toward peaceful settlement. Hesitation or reluctance would but reward and encourage tactics intolerable to the civilized world.

Our colleague from New York and former U.S. Ambassador to Israel, the Honorable Ogden R. Reid, has urged negotiating a new standstill cease-fire which would include the rectification of violations. In his recent letter to the New York Times which follows my remarks, he has set out in the most realistic and responsible terms, the challenge and the task before us. I cannot urge strongly enough my colleagues' attention to his recommendations, for the alternative to meaningful U.S. action can be but renewed hostilities, and disastrous consequences:

FOR NEW CEASE-FIRE

To the Editor:

While the eyes and hearts of the civilized world have been diverted by the horror of air piracy in the blazing desert, a duplicitous buildup of missiles and the construction of new sites has continued unabated inside the Suez standstill ceasefire zone.

Many more sites have been occupied, and more than twenty new missile complexes have been introduced, including both SAM-3's and SAM-2's.

The Soviet Union has chosen to follow its historic pattern of pushing until called to account. Moreover, both the Soviet Union and the United Arab Republic have had the effrontery to attempt to justify these actions by saying no missiles have been introduced into the zone, and that the U.A.R. had "the full right" to redeploy the missiles already there.

"BLATANT" VIOLATION

This is not only a blatant violation of the standstill ceasefire agreement, wherein it was agreed "neither side will introduce or construct any new military installation in the zones," but a direct challenge both to the U.S., as a guarantor of the military balance, and to the sanctity of international agreements. [Editorial Sept. 13.]

Moreover, it throws into sharp question the integrity of Soviet pledges in international agreements at a time when President Nixon is seeking an era of negotiations rather than further confrontation. Soviet complicity is clear.

Missile installation, operation and maintenance, particularly at the SAM-3 sites, can only be accomplished by Soviet technicians. It will be more than a year, it is estimated, before the U.A.R. will be capable of operating these sophisticated missile complexes.

The United States and other parties must now negotiate a new standstill cease-fire, including the rectification of violations and the rollback of missiles. To emphasize unmistakably the gravity with which the United States views these events—not dissimilar in methodology to the Cuban missile buildup—the President should use the "hot line" to enter into direct personal communication with both Premier Kosygin and party Chairman Brezhnev.

Further, consistent with President Nixon's pledge that the United States will not permit Israel's security to be "adversely affected," we must provide sufficient additional electronic equipment and Phantom aircraft to correct the clear imbalance.

Should the Soviets and the U.A.R. fail to roll back the missiles and rectify their violations, **the Near East faces a repetition of** 1967, NATO may be outflanked, and the world could lose a vital initiative for peace talks.

DISPOSAL OF LETHAL CHEMICALS

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, last month the Department of the Army announced plans to dispose of a considerable amount of lethal chemical agent GB in the Atlantic Ocean off the coast of Florida. The announcement was met with strong opposition from all directions: Members of the scientific community questioned precautions taken against polluting the ocean; governmental officials at the State and local level questioned safety precautions; members of the international community questioned this unilateral action by the United States and its possible detrimental pollutant effects on other countries; and Members of Congress questioned both the decisionmaking process and the decision.

In the final analysis, however, the Army was allowed to proceed with its disposal plan. This was done not because it was determined that ocean dumping was the best possible method of disposing of the gas but, rather, because time did not permit further investigation. The instability of the nerve gas rocket explosives dictated immediate disposal.

So far, we have been lucky that the recent dumping has not resulted in tragedy. But we must never again permit ourselves to rely on luck. Some means of review and control must be established.

With this objective, I introduced four proposals on August 11, 1970. Briefly, these proposals are:

(1) H. Con. Res. 704—An international agreement, under the auspices of the 1972 U.N. Conference on the Human Environment to be held in Stockholm, to prohibit any dumping in the waters of the world, and provide the necessary framework for review and enforcement;

(2) H.R. 18912—A requirement that before any new munition or chemical can be introduced into the U.S. arsenal by the Department of Defense (or any other Federal agency) there must first be formulated and simultaneously certified by the Council on Environmental Quality, a specific date by which it must be disposed, and the means of disposal. An immediate review would be required by the Department of Defense (all military services) of all munitions and chemicals on hand whose retention or ultimate disposal present a hazard or potential injury to mankind or the environment, for the purpose of determining the date of disposal and the means of disposal.

(3) H.R. 18913—Provide the Council on Environmental Quality with final authority within the Executive branch and would provide for congressional review of the Department of Defense study.

(4) H.R. 18914—A requirement that the Council on Environmental Quality make a full and complete review of United States policy with respect to the discharging of material into the oceans.

Because of the interest in these proposals I am again today reintroducing each of the bills with additional cosponsors. As of today 80 Members have joined in cosponsoring all or some of the bills.

The following 66 Members have cosponsored all four of the proposals:

Mr. Addabbo, Mr. Annunzio, Mr. Ayres, Mr. Bennett, Mr. Biaggi, Mr. Boland, Mr. Brasco, Mr. Brooks, Mr. Burke of Florida, Mr. Chappell, and Mr. Clark.

Mr. Don Clausen of California, Mr. Culver, Mr. Donohue, Mr. Downing, Mr. Dulski, Mr. Edwards of California, Mr. Eilberg, Mr. Findley, Mr. Flood, Mr. Fraser, and Mr. Frelinghuysen.

Mr. Fulton of Pennsylvania, Mr. Fuqua, Mr. Friedel, Mr. Galifianakis, Mr. Gibbons, Mr. Halpern, Mr. Hanley, Mr. Harrington, Mr. Hathaway, Mr. Helstoski, and Mr. Howard.

Mr. Kluczynski, Mr. Koch, Mr. Leggett, Mrs. May, Mr. McFall, Mr. McKneally, Mr. Michel, Mr. Mikva, Mr. Moorhead, and Mr. Morse.

Mr. Nix, Mr. O'Hara, Mr. Olsen, Mr. O'Neill, Mr. Ottinger, Mr. Pepper, Mr. Pettis, Mr. Pirnie, Mr. Podell, Mr. Rodino, and Mr. Reid of New York.

Mr. Roe, Mr. Rosenthal, Mr. Roybal, Mr. Ryan, Mr. Saylor, Mr. Tiernan, Mr. Udall, Mr. Waldie, Mr. Williams, Mr. Zablocki, and Mr. Tunney.

The following 14 Members have cosponsored some of the bills:

Mr. Blatnik, Mr. Burton of California, Mr. Daddario, Mr. Derwinski, Mr. Haley, Mr. Hanna, Mr. Lukens, Mr. Matsunaga, Mr. Meskill, Mrs. Mink, Mr. Scheuer, Mr. Sikes, Mr. Vanik, and Mr. Yatron.

Mr. Speaker, the United States and other nations of the world are using the oceans as an international garbage dump. Oil, sewage, garbage, chemical effluents, heavy metals, radioactive wastes, trace elements, dry cleaning fluids, chemical warfare agents and irritants, detergents and pesticides are just a portion of what man is dumping into the oceans, seemingly without regard for, or knowledge of, the consequences. The time has come for a reappraisal of this policy.

At this time, there is absolutely nothing to prevent any nation from dumping harmful and dangerous substances immediately outside of our territorial waters. The United Nations is the logical body in which to seek a solution, and I sincerely hope that the President will instruct the U.S. delegation to the United Nations' Stockholm Conference to take the lead in making this proposal to prohibit and prevent pollution of the waters of the world.

Mr. Speaker, little is heard today of the indignation voiced so loudly only a few weeks ago regarding the Army's disposal operation in the Atlantic Ocean. We must not allow the convenient lapse of memory—in time—to dull the urgency of the situation faced last month. We must take action to insure that a similar situation never occurs again.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. Button (at the request of Mr. Gerald R. Ford), for the balance of the week, on account of official business as a member of the House Committee on Small Business.

Mr. Horton (at the request of Mr. Gerald R. Ford), from 5 p.m., today, and the balance of the week on account of official business as a member of the House Committee on Small Business.

Mr. Corman, for Wednesday, September 16, on account of official business.

Mr. Blatnik (at the request of Mr. Boggs), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Montgomery, for 60 minutes, on September 21, to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Whitehurst) to revise and extend their remarks and include extraneous matter:)

Mr. Wydler, for 30 minutes, on September 17.

Mr. Miller of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. McCarthy) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. Rarick, for 30 minutes, today.

Mr. Purcell, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Edmondson in two instances and to include extraneous matter.

Mr. Steed to revise and extend remarks and insert tables in connection with conference report on H.R. 16900.

Mr. Stratton, during consideration of the conference report on Political Broadcasting today.

(The following Members (at the request of Mr. Whitehurst) and to include extraneous matter:)

Mr. Goldwater.

Mr. Burton of Utah in 10 instances.

Mr. Hall.

Mr. Grover.

Mr. Springer.

Mr. Don H. Clausen.

Mr. Wyman in two instances.

Mr. Foreman.

Mr. Findley.

Mr. Steiger of Wisconsin.

Mrs. Reid of Illinois.

Mr. Anderson of Illinois in two instances.

Mr. Whitehurst.

Mr. Crane in two instances.

Mr. Ashbrook.

Mr. Gross.

Mrs. Dwyer in five instances.

(The following Members (at the request of Mr. McCarthy) and to include extraneous matter:)

Mr. Eilberg.

Mr. Mollohan in five instances.

Mr. Ashley.

Mr. Edwards of California.

Mr. Wolff.

Mr. Pucinski in six instances.

Mr. Rooney of Pennsylvania.

Mr. Mikva in six instances.

Mr. Rogers of Florida in five instances.

Mr. Daniels of New Jersey in two instances.

Mr. Preyer of North Carolina in two instances.

Mr. Ryan in five instances.

Mr. Slack in two instances.

Mr. O'Neill of Massachusetts in three instances.

Mr. Moss.

Mr. Bingham.

Mr. Cohelan in five instances.

Mr. Patten.

Mr. Dingell.

Mr. Fountain in two instances.

Mr. Kluczynski.

Mr. Dorn in two instances.

Mr. Dulski in five instances.

Mr. Hagan in five instances.

Mr. Bennett in two instances.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 11060. An act for the relief of Victor L. Ashley; and

H.J. Res. 1247. Joint Resolution to amend section 19(e) of the Securities Exchange Act of 1934.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The Speaker announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1087. An act for the relief of Vernon Louis Hoberg;

S. 1170. An act to authorize the Department of Commerce to make special studies, to provide services, and to engage in joint projects, and for other purposes;

S. 2808. An act 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;

S. 2882. An act to amend Public Law 394, Eighty-fourth Congress, to authorize the construction of supplemental irrigation facilities for the Yuma Mesa Irrigation District, Ariz.;

S. 2976. An act for the relief of Margarita Anne Marie Baden (Nguyen Tan Nga);

S. 3337. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Yakima Tribes in Indian Claims Commission dockets Nos. 47–A, 162, and consolidated 47 and 164, and for other purposes;

S. 3997. An act to provide for the disposition of fund appropriated to pay a judgment in favor of the Confederate Bands of Ute Indian in Court of Claims case 47567, and a judgment in favor of the Ute Tribe of the Uintah and Ouray Reservation for and on behalf of the Uncompahgre Band of Ute Indians in Indian Claims Commission docket No. 349, and for other purposes;

S. 4033. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Chemeheuvi Tribe of Indians; and

S.J. Res. 67. Joint resolution granting the consent of Congress to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia, as signatory bodies, for certain amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on September 15, 1970, present to the President, for his approval, bills of the House of the following titles:

H.R. 16539. A bill to amend the National Aeronautics and Space Act of 1958 to provide that the Secretary of Transportation shall be a member of the National Aeronautics and Space Council; and

H.R. 16968. A bill to increase the contribution by the Federal Government to the cost of health benefits insurance, and for other purposes.

ADJOURNMENT

Mr. McCARTHY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 10 minutes p.m.), the House adjourned until tomorrow,

Thursday, September 17, 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:

2380. A letter from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting a report for the period ended August 31, 1970, on the operation of section 501 of the Second Supplemental Appropriations Act, 1970, establishing a limitation on budget outlays (H. Doc. 91-388); to the Committee on Appropriations and ordered to be printed.

2381. A letter from the Assistant Commander for Contracts, Naval Facilities Engineering Command, Department of the Navy, transmitting the semiannual report on Navy military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder, for the period ended June 30, 1970, pursuant to section 704 of Public Law 91-142; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTION

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. TAYLOR: Committee on Interior and Insular Affairs. H.R. 17789. A bill to amend the act fixing the boundary of Everglades National Park, Fla., and authorizing the acqusition of land therein, in order to increase the authorization for such acquisitions; with amendments (Rept. No. 91-1455). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS (for himself and Mr. BYRNES of Wisconsin):

H.R. 19225. A bill to provide for the protection of persons and property aboard U.S. air carrier aircraft, and for other purposes; to the Committee on Ways and Means.

By Mr. CLAY (for himself and Mr. WALDIE):

H.R. 19226. A bill; National Public Employee Relations Act; to the Committee on Education and Labor.

By Mr. EILBERG:

H.R. 19227. A bill to amend the National Emission Standards Act to provide for the elimination of automotive air pollution; to the Committee on Interstate and Foreign Commerce.

H.R. 19228. A bill to permit the Governor of a State to elect to use funds from the State's Federal-aid highway system apportionment for purposes of paying additional costs incurred by such State in purchasing low-emission vehicles; to the Committee on Public Works.

H.R. 19229. A bill to impose an excise tax on automobiles based on their horsepower and emission of pollutants, for the purpose of financing programs for research in, and Federal procurement of, low-emission vehicles; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 19230. A bill to provide a program to improve the opportunity of students in elementary and secondary schools to study cultural heritages of the major ethnic groups in the Nation; to the Committee on Education and Labor.

H.R. 19231. A bill to make the armed robbery of gasoline stations a Federal offense; to the Committee on the Judiciary.

H.R. 19232. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; and to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

By Mr. HANSEN of Idaho:

H.R. 19233. A bill to amend the Federal Meat Inspection Act to provide for more effective inspection of imported meat and meat products to prevent the importation of diseased, contaminated, or otherwise unwholesome meat and meat products; to the Committee on Agriculture.

By Mr. HOWARD:

H.R. 19234. A bill to prohibit flight in interstate or foreign commerce to avoid prosecution for the killing of a policeman or fireman; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 19235. 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. McCARTHY (for himself, Mr. OTTINGER, and Mr. BRADEMAS):

H.R. 19236. A bill to amend the Older American Act of 1965; to the Committee on Education and Labor.

By Mr. MIKVA:

H.R. 19237. A bill amending title 13 of the United States Code by authorizing the Secretary of Commerce through the Bureau of the Census to undertake a quadrennial enrollment of those persons to vote in elections of the President and Vice President that meet the qualifications of the various States other than residency; to the Committee on House Administration.

By Mr. MOORHEAD:

H.R. 19238. A bill to regulate interstate commerce by requiring certain insurance as a condition precedent to using the public streets, roads, and highways, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 19239. A bill to promote the greater availability of motor vehicle insurance in interstate commerce under more efficient and beneficial marketing conditions; to the Committee on Interstate and Foreign Commerce.

H.R. 19240. A bill to amend the Internal Revenue Code of 1954, and for other purposes; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 19241. A bill to provide for the humane disposition of military dogs; to the Committee on Armed Services.

H.R. 19242. A bill to amend section 278 of the Internal Revenue Code of 1954 to extend its application from citrus groves to almond groves; to the Committee on Ways and Means.

By Mr. OBEY:

H.R. 19243. 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. PIKE:

H.R. 19244. A bill to provide for the establishment of the Sagtikos Manor National Historical Site; to the Committee on Interior and Insular Affairs.

By Mr. RANDALL:

H.R. 19245. A bill to require State programs for controlling disruptive campus violence by students, staff, and other employees as a prerequisite for receiving Federal assistance under the Higher Education Act and other acts of Congress; to the Committee on Education and Labor.

By Mr. STAGGERS (for himself, Mr. ADAMS, and Mr. CAREY):

H.R. 19246. A bill to amend the Public Health Service Act in order to provide for the establishment of a National Health Service Corps; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT:

H.R. 19247. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, in order to extend under certain circumstances the expiration date specified in a power of attorney executed by a member of the Armed Forces who is missing in action or held as a prisoner of war; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of Georgia:

H.R. 19248. A bill to amend the Social Security Act to provide for medical and hospital care through a system of voluntary health insurance financed in whole for low-income groups, through issuance of certificates, and in part for all other persons through allowance of tax credits, and to provide a system of peer review of utilization, charges, and quality of medical service; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 19249. A bill to provide for the establishment of the Oregon Trail National Historic Site in the State of Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WIDNALL:

H.R. 19250. A bill to provide, under a newly established national urban growth policy, for a more rational, orderly, efficient, and economic urban growth and community development in the United States; to the Committee on Banking and Currency.

By Mr. WINN:

H.R. 19251. A bill to provide for a program of Federal assistance in the development, acquisition, and installation of aircraft antihijacking detection systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FALLON (for himself, Mr. BLATNIK, Mr. JONES of Alabama, Mr. KLUCZYNSKI, Mr. WRIGHT, Mr. GRAY, Mr. CLARK, Mr. EDMONDSON, Mr. JOHNSON of California, Mr. DORN, Mr. HENDERSON, Mr. OLSEN, Mr. ROBERTS, Mr. MCCARTHY, Mr. KEE, Mr. HOWARD, Mr. ANDERSON of California, Mr. CAFFERY, Mr. ROE, Mr. CRAMER, Mr. HARSHA, Mr. GROVER, Mr. CLEVELAND, Mr. DON H. CLAUSEN, and Mr. MCEWEN):

H.R. 19252. A bill to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes; to the Committee on Public Works.

By Mr. FALLON (for himself, Mr. DUNCAN, Mr. SCHWENGEL, Mr. SCHADEBERG, Mr. SNYDER, Mr. DENNEY, Mr. ZION, Mr. MCDONALD of Michigan, Mr. HAMMERSCHMIDT, and Mr. MILLER of Ohio):

H.R. 19253. A bill to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes; to the Committee on Public Works.

By Mr. FASCELL (for himself, Mr. ADDABBO, Mr. BENNETT, Mr. CLARK, Mr. CULVER, Mr. DOWNING, Mr. DULSKI, Mr. EDWARDS of California, Mr. FRASER, Mr. HALPERN, Mr. HARRINGTON, Mr. KOCH, Mr. LEGGETT, Mr. MCKNEALLY, Mr. MIKVA, Mr. O'HARA, Mr. OLSEN, Mr. PETTIS, Mr. PIRNIE, Mr. REID of New York, Mr. ROE, Mr. RYAN, Mr. SAYLOR, and Mr. WILLIAMS):

H.R. 19254. A bill to require the Depart-

ment of Defense to determine disposal dates and methods for disposing of certain military material; to the Committee on Armed Services.

By Mr. FASCELL (for himself, Mr. LUKENS, and Mrs. MINK):

H.R. 19255. A bill to require the Department of Defense to determine disposal dates and methods for disposing of certain military material; to the Committee on Armed Services.

By Mr. FASCELL (for himself, Mr. ADDABBO, Mr. BENNETT, Mr. CLARK, Mr. CULVER, Mr. DOWNING, Mr. DULSKI, Mr. EDWARDS of California, Mr. FRASER, Mr. HALPERN, Mr. HARRINGTON, Mr. KOCH, Mr. LEGGETT, Mr. McKNEALLY, Mr. MIKVA, Mr. O'HARA, Mr. OLSEN, Mr. PETTIS, Mr. PIRNIE, Mr. REID of New York, Mr. ROE, Mr. RYAN, Mr. SAYLOR, and Mr. WILLIAMS):

H.R. 19256. A bill to require the Council on Environmental Quality to make a full and complete investigation and study of national policy with respect to the discharging of material into the oceans; to the Committee on Merchant Marine and Fisheries.

By Mr. FASCELL (for himself, Mr. DADDARIO, Mr. DERWINSKI, Mr. MESKILL, Mr. SCHEUER, and Mr. YATRON):

H.R. 19257. A bill to require the Council on Environmental Quality to make a full and complete investigation and study of national policy with respect to the discharging of material into the oceans; to the Committee on Merchant Marine and Fisheries.

By Mr. FASCELL (for himself, Mr. ADDABBO, Mr. BENNETT, Mr. CLARK, Mr. CULVER, Mr. DOWNING, Mr. DULSKI, Mr. EDWARDS of California, Mr. FRASER, Mr. HALPERN, Mr. HARRINGTON, Mr. KOCH, Mr. LEGGETT, Mr. McKNEALLY, Mr. MIKVA, Mr. O'HARA, Mr. OLSEN, Mr. PETTIS, Mr. PIRNIE, Mr. REID of New York, Mr. ROE, Mr. RYAN, Mr. SAYLOR, and Mr. WILLIAMS):

H.R. 19258. A bill to prohibit the discharge into any of the navigable waters of the United States or into international waters of any military material without a certification by the Council on Environmental Quality approving such discharge; to the Committee on Merchant Marine and Fisheries.

By Mr. FASCELL (for himself, Mr. DADDARIO, Mr. VANIK, Mr. SCHEUER, and Mr. YATRON):

H.R. 19259. A bill to prohibit the discharge into any of the navigable waters of the United States or into international waters of any military material without a certification by the Council on Environmental Quality approving such discharge; to the Committee on Merchant Marine and Fisheries.

By Mr. FULTON of Pennsylvania:

H.R. 19260. A bill to authorize the erection of a statue of Queen Isabella of Spain in the rotunda of the U.S. Capitol; to the Committee on House Administration.

H.R. 19261. A bill to establish in the National Aeronautics and Space Administration an Inspector of Programs and Operations; to the Committee on Science and Astronautics.

H.R. 19262. A bill to amend the Internal Revenue Code of 1954 so as to permit charitable contributions, bequests, transfers, and gifts to the United Nation's Children's Fund (UNICEF) to be deductible for income tax, estate tax, and gift tax purposes; to the Committee on Ways and Means.

By Mr. PEPPER (for himself, Mr. ABBITT, Mr. ASHLEY, Mr. BIAGGI, Mr. BINGHAM, Mr. BROWN of California, Mr. BUTTON, Mr. CARTER, Mr. COUGHLIN, Mr. DERWINSKI, Mr. GARMATZ, Mr. GOLDWATER, Mr. HALPERN, Mr. HARRINGTON, Mr. HICKS, Mr. LEGGETT, Mr. LOWENSTEIN, Mr. McKNEALLY, Mr. MANN, Mr. MATSUNAGA, Mr. MESKILL, Mr. MIKVA, Mr. MOORHEAD, and Mr. NICHOLS):

H.R. 19263. A bill to provide for a program of Federal assistance in the development, acquisition, and installation of aircraft antihijacking detection systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER (for himself, Mr. OLSEN, Mr. O'NEILL of Massachusetts, Mr. OTTINGER, Mr. POLLOCK, Mr. REES, Mr. RODINO, Mr. ROSENTHAL, Mr. ST GERMAIN, Mr. TUNNEY, Mr. ULLMAN, Mr. WINN, Mr. WRIGHT, Mr. WYATT, and Mr. YATRON):

H.R. 19264. A bill to provide for a program of Federal assistance in the development, acquisition, and installation of aircraft antihijacking detection systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROTH:

H.R. 19265. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SCHADEBERG:

H.R. 19266. A bill to amend section 837 of title 18, United States Code, to strengthen the laws concerning illegal use, transportation, or possession of explosives and the penalties with respect thereto, and for other purposes; to the Committee on the Judiciary.

By Mr. COLLINS:

H.R. 19267. A bill to prohibit the involuntary busing of schoolchildren and to adopt freedom of choice as a national policy; to the Committee on the Judiciary.

By Mr. CRANE:

H.R. 19268. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for trees destroyed by Dutch elm disease; to the Committee on Ways and Means.

By Mr. DAVIS of Georgia:

H.R. 19269. A bill to authorize the National Science Foundation to conduct research and educational programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities, and for other purposes; to the Committee on Science and Astronautics.

By Mr. GIAIMO (for himself, Mr. BELL of California, Mr. FRASER, Mr. FREY, Mr. GUDE, Mr. HALPERN, Mr. HATHAWAY, Mr. HOGAN, Mr. McKNEALLY, Mr. O'NEILL of Massachusetts, and Mr. SCHEUER):

H.R. 19270. A bill to authorize the National Science Foundation to conduct research and educational programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities, and for other purposes; to the Committee on Science and Astronautics.

By Mr. PEPPER (for himself and Mr. BUCHANAN):

H.R. 19271. A bill to provide for a program of Federal assistance in the development, acquisition, and installation of aircraft antihijacking detecton systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WIDNALL:

H.R. 19272. A bill to amend the Export-Import Bank Act of 1945, as amended, to allow for greater expansion of the export trade of the United States, to exclude Bank receipts and disbursements from the budget of the U.S. Government, and for other purposes; to the Committee on Banking and Currency.

By Mr. TALCOTT:

H.J. Res. 1369. Joint resolution providing for the designation of the last Monday in October of each year as Peace Officers Appreciation Day; to the Committee on the Judiciary.

By Mr. WIGGINS:

H.J. Res. 1370. Joint resolution to authorize the President to issue a proclamation designating the week of November 2, 1970, through November 8, 1970, as "National Indian Week"; to the Committee on the Judiciary.

By Mr. MIZELL:

H.J. Res. 1371. Joint resolution to proclaim "National Good Grooming Week"; to the Committee on the Judiciary.

By Mr. ADAIR:

H. Con. Res. 731. Concurrent resolution to express the sense of Congress on international measures to discourage hijacking; to the Committee on Foreign Affairs.

By Mr. ARENDS:

H. Con. Res. 732. Concurrent resolution providing for the printing as a House Document of "The Pledge of Allegiance to the Flag"; to the Committee on House Administration.

By Mr. ASHLEY:

H. Con. Res. 733. Concurrent resolution expressing the sense of the Congress with respect to international aircraft hijacking; to the Committee on Foreign Affairs.

By Mr. FASCELL (for himself, Mr. ADDABBO, Mr. BENNETT, Mr. CLARK, Mr. CULVER, Mr. DOWNING, Mr. DULSKIE, Mr. EDWARDS of California, Mr. FRASER, Mr. HALPERN, Mr. HARRINGTON, Mr. KOCH, Mr. LEGGETT, Mr. McKNEALLY, Mr. MIKVA, Mr. O'HARA, Mr. OLSEN, Mr. PETTIS, Mr. PIRNIE, Mr. REID of New York, Mr. ROE, Mr. RYAN, Mr. SAYLOR, and Mr. WILLIAMS):

H. Con. Res. 734. Concurrent resolution expressing the sense of the Congress with respect to the pollution of waters all over the world and the necessity for coordinated international action to prevent such pollution; to the Committee on Foreign Affairs.

By Mr. FASCELL (for himself, Mr. VANIK, and Mr. SCHEUER):

H. Con. Res. 735. Concurrent resolution expressing the sense of the Congress with respect to the pollution of waters all over the world and the necessity for coordinated international action to prevent such pollution; to the Committee on Foreign Affairs.

By Mr. GONZALEZ:

H. Con. Res. 736. Concurrent resolution expressing the sense of Congress that the President should immediately undertake to seek international arrangements and agreements with other nations desiring to foster international air service for purpose of prohibiting armed attacks on aircraft and passengers engaged in international commerce; to the Committee on Foreign Affairs.

By Mr. FULTON of Pennsylvania:

H. Res. 1211. Resolution declaring the Eastern Orthodox Church to be a major faith in the United States; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H. Res. 1212. Resolution urging the President to institute an air boycott against the planes of any country failing to act against aerial hijackers who land on its territory; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FISHER:

H.R. 19273. A bill for the relief of Maj. Lowell L. Glenn, U.S. Air Force, retired; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho:

H.R. 19274. A bill for the relief of Esther Catherine Milner; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 19275. A bill for the relief of Abran (Amar) Singh; to the Committee on the Judiciary.