

HOUSE OF REPRESENTATIVES—Wednesday, September 22, 1971

The House met at 12 o'clock noon.

The Reverend Horace C. Bass, Tulip Street United Methodist Church, Nashville, Tenn., offered the following prayer:

Sometimes, Lord, when we come to You in prayer, all we are concerned about is getting finished with the task at hand. But the Psalmist has so aptly said, "Be still and know that I am God." More important, Lord, cause us not only to listen for You, but to hear; and having heard, to act. Especially in this day and time of need for guidance from a higher power than we have here on earth do we seek for Your guidance. For the Congress of the United States of America we seek special guidance.

We thank You, O God, for the past history of this august body, but we are especially grateful for the opportunities that lie ahead. So we pray that every opportunity to do good for our country and our world will be utilized to the fullest, beginning with this moment. Our prayer is in the name of the Father, the Son, and the Holy Spirit. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6531) entitled "An act to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. Con. Res. 6) entitled "A concurrent resolution to express the sense of Congress relative to certain activities of Public Health Service hospitals and outpatient clinics," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. WILLIAMS, Mr. NELSON, Mr. EAGLETON, Mr. CRANSTON, Mr. HUGHES, Mr. PELL, Mr. MONDALE, Mr. DOMINICK, Mr. JAVITS, Mr. SCHWEIKER, Mr. PACKWOOD, Mr. TAFT, and Mr. BEALL to be the conferees on the part of the Senate.

ARE THE EMBERS OF WAR BEING STIRRED BY OUR ACTIONS IN VIETNAM?

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

Mr. DOW. Mr. Speaker, we should be seriously alarmed when we learn today that 200 plane-loads of U.S. bombs were dropped on North Vietnam yesterday.

Instead of winding down, the war seems to be winding up. The fighting continues on many fronts, with Vietnamese still dying in numbers, and U.S. bombing persisting on a tremendous scale. Let us ask if our declared moratorium on bombing in North Vietnam still holds.

The hypocrisy of our actions is appalling. To justify our aggressive perpetuation of this war, we use terms of innocence, speaking of our "unarmed reconnaissance planes," when we know they are accompanied by armed fighters. Our military still call the bombing a "protective reaction." Yesterday's raid is justified because North Vietnamese targets are called "a threat to the safety of U.S. forces."

If the safety of our forces is all we are fighting for, why do we not bring them out to a safe place, such as home in the United States?

Mr. Speaker, Southeast Asia is an oven where hot embers of war still glow beneath the ashes of the past devastation. Under the wind blown by American air raids, these embers could flare into renewed and widespread war at any time. Sometimes I wonder if our own people are not purposely stirring the embers, Mr. Speaker.

WE MUST HAVE SUFFICIENT INCOME TO MEET OUR EXPENDITURES

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

Mr. WILLIAMS. Mr. Speaker, I regret that the House Ways and Means Committee will recommend reducing the proposed 10-percent investment tax credit to 7 percent and is contemplating tax relief for low-income families beyond that proposed by the administration.

The 10-percent tax credit would spur our economy by encouraging industry to expand and modernize, and would provide many more jobs for our workers.

The 10-percent tax credit would enable U.S. industry to more quickly become competitive with our foreign industrial competitors. The 7-percent tax credit will decrease the efficiency of this program by 30 percent.

Further tax relief at this time for anyone is impractical. Our total deficit of over \$30 billion last year has increased our national debt to well over \$400 billion, and Federal deficits are a major cause of inflation.

The House Ways and Means Committee should devote their efforts to making certain that we have sufficient income to meet our expenditures.

THE LATE MRS. CHARLES WIGGINS

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

Mr. SMITH of California. Mr. Speaker, on behalf of Congressman HOLIFIELD, the dean of the California delegation, it is my

sad duty to inform the Members of the House of Representatives that memorial services for Mrs. Charles Wiggins will be held on Friday, September 24, 1971, at 3 p.m., at the Potomac United Methodist Church, Falls Road and South Glenn Road in Potomac, Md.

Mr. Speaker, on your behalf and on behalf of all Members of the House of Representatives, may I express our sincere sympathy to our colleague, CHUCK WIGGINS, upon the death of his beloved wife, Yvonne, and to their children upon the death of their wonderful mother.

BASEBALL TEAM LEAVES WASHINGTON, D.C.

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

Mr. CONTE. Mr. Speaker, I am both disappointed and angered today over the decision to strip Washington, D.C., of its major league baseball team. But while I decry the loss of the Senators from our city, I certainly do not feel any regret over the loss of Robert Short from the local scene.

Besides trading away the nucleus of a future team—Coleman, Brinkman, Rodriguez, and others—for box office names that did not produce, Mr. Short brought our city and its fans the highest ticket prices in the league.

The rest of his time, apparently, was spent pressuring for concessions from the District of Columbia to make the quickest return possible on his investment.

With the exception of bringing an outstanding manager here, Ted Williams, Mr. Short has brought nothing but grief to the baseball scene in this city.

At this time, Mr. Speaker, it is not clear exactly what can be done to maintain the tradition of major league baseball in Washington. But the fans of this city deserve a team, and they deserve the type of good business management they have not received over the past 3 years.

I intend to do anything and everything I can in this Congress to influence the continuation of major league baseball in Washington.

CONFERENCE REPORT ON H.R. 10090, PUBLIC WORKS-AEC APPROPRIATIONS, 1972

Mr. EVINS of Tennessee. Mr. Speaker, I call up the conference report on the bill (H.R. 10090) making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration, and other power agencies of the Department of the Interior, the Appalachian Regional Commission, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1972, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of September 14, 1971.)

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

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

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Tennessee (Mr. EVINS).

Mr. EVINS of Tennessee. Mr. Speaker, we bring you the conference report on the public works and atomic energy appropriation bill for fiscal year 1972. May I say at the outset that this bill passed the House on July 29th by a vote of 386 to 4. It passed the Senate on July 31 by an equally large vote of 72 to 2. The new rule adopted in the House requires a 3-day layover before conference reports can be called up for consideration. But for that rule the conference report would have been brought up prior to the recess. Here is one example where the rules have brought about delay.

The original House bill provided a total new obligational authority of \$4,576,173,000. This was \$39,772,000 under the budget estimate.

The Senate bill provided \$4,716,922,000, an increase of \$140,749,000 over the House bill. This included provision for \$10 million submitted in a budget amendment not considered by the House.

We are recommending today an appropriation of \$4,675,125,000 agreed to by the conferees.

The bill total is \$59,043,000 over the budget estimate. The final figure is \$98,952,000 over the House bill and \$41,797,000 under the Senate bill.

The bill is \$210,140,000 over the new obligational authority for 1971.

Of this increase, \$173,555,000 is in the appropriations for the Corps of Engineers, including \$80.7 million for additional operation and maintenance requirements and \$76.7 million primarily to provide more adequate funding for projects under construction.

The largest item in the bill is the AEC appropriation, totaling \$2,294,380,000.

This is \$43,822,000 under the budget estimate and a decrease of \$13.9 million from the appropriation for fiscal year 1971.

The managers have agreed to the Senate language in reference to the Cannikin underground nuclear test at Amchitka Island, Alaska, providing that none of the fund appropriated by the act shall be obligated or expended to detonate the test unless the President gives his direct approval for such test.

In reference to the NERVA program, the managers have agreed on a total appropriation of \$30 million, an increase of \$15 million over the budget request and have requested in the report that consideration be given by AEC to providing within available funds such additional

amounts as may be necessary to match any funds earmarked for the program in the NASA appropriation.

In reference to the National Radioactive Waste Repository site at Lyons, Kans., the managers have agreed to an increase of \$250,000 over the House bill amount to be available solely for obtaining necessary leasehold interests, including options to purchase, and suspension of mineral rights. No funds shall be utilized for land acquisition in accordance with the authorization.

The managers have given priority to the provision of more adequate funding of projects under construction and have adhered to the restrictive policy followed by the House in making provision for only a very limited number of low cost new construction starts.

The recommended appropriation includes a total of only \$11.9 million to initiate construction on only 22 projects for the Corps of Engineers with an estimated total cost of \$252.3 million.

This compares with 24 projects to be completed during fiscal year 1972 with a total estimated cost of \$468.8 million.

A restrictive policy has also been followed in reference to new planning starts.

For the Corps of Engineers only \$2.7 million has been included in the bill for the funding of 28 new planning starts with a total cost of only \$287.6 million.

No new Corps project was approved either for the initiation of planning or construction which had a total estimated cost in excess of \$40 million. A majority of the projects involved a total cost of less than \$10 million.

Only four new construction starts are included for the Bureau of Reclamation with a total cost of only \$77.7 million.

Only two new planning starts with a total cost of \$68.4 million have been approved for the Bureau.

No funds are included in the bill for planning of the Dickey-Lincoln School project in accordance with the House action.

The managers agreed to an increase of \$15 million in the House bill amount for the nonhighway programs under the Appalachian regional development appropriation.

This includes \$5 million for the health demonstration program; \$5 million for vocational education facilities and \$5 million for supplemental grants.

The total appropriation of \$297 million, including \$175 million for the highway program, is \$5 million less than the appropriation for fiscal year 1971.

As indicated in the House committee report on the bill, we are deeply concerned over the impounding of the planning and construction funds added by Congress to the public works appropriation bill for fiscal year 1971 and expect that the funds involved will be released from reserve for availability during the current fiscal year, including those which were not budgeted for release until after fiscal year 1972.

We feel strongly that Congress has the prerogative to make adjustments in the budget request and establish its own priorities to the extent it believes necessary. We expect, therefore, that the allocations to projects and activities agreed upon for

fiscal year 1972 will be adhered to and the funds apportioned for obligation during the current fiscal year.

This is an austere bill considering the large backlog of authorized projects which have not yet been funded which are urgently needed to provide water quality and supply, additional power generation, flood control, and other water resource requirements.

I regret that more adequate funding could not have been made for new planning and construction starts. However, priority had to be given to more adequate funding of projects underway.

In the Corps of Engineers program, there is a current backlog of over 450 authorized projects on which construction has not yet been started and yet it was possible to make provision for only 22 new starts in the bill. This is less than half the new starts provided in last year's bill and compares with an annual average of 52 new starts during the last 10 years.

Despite the backlog of 220 authorized projects on which planning has not even been initiated it was possible to approve the funding of only 28 new starts. This compares with an annual average of 50 new planning starts over the last decade.

The committee and conference felt that we must move forward with our planning and construction schedule, or the Nation would face water and power crises in the future. We are all aware of this. Also we would invite continued flood damage in critical areas, if these funds are not provided.

With the demands for electricity doubling every 10 years, and with pressing demands for water supplies and expanded waterways to accommodate record traffic volume, we find that efforts to respond to these needs are caught in a squeeze between the Office of Management and Budget and those who are attempting to block projects in the guise of environmental protection.

The committee is increasingly concerned over the delays in water resource development caused by OMB freezes, injunction proceedings and law suits filed to stop progress of public works programs.

On yesterday we were advised that a judge of the local Federal district court issued a preliminary injunction halting construction of the Tennessee-Tombigbee Waterway Canal for which \$6 million is included in this bill for construction this year.

The court in hearing the arguments of a few environmentalists apparently was swayed and influenced by their statements rather than the long considered and thorough studies and evaluations by the U.S. Corps of Engineers.

The Tennessee-Tombigbee project has been studied and restudied—evaluated and reevaluated—and the committee and the Congress would not have approved this project without these thorough studies, evaluations, and investigations.

The judge may be assured—and the Nation may be assured—that this project has been thoroughly considered—and that these studies and evaluations have demonstrated a favorable cost-benefit ratio. In other words, the economic benefits from this vital and im-

portant waterway will exceed the costs of construction. The environmental impact also has been thoroughly considered by the Congress and weighed against benefits to the American people.

For many years special interest groups—the railroads, for example—opposed this project. With the declining service of the railroads there is an increased need for water transportation.

The completion of this vital link would serve to connect Middle America—the heartland of America—with the South, the Northeast in an intra-America water transportation system.

It is my personal feeling that this project should go forward.

The Congress has heard much more testimony over the years concerning this project than any judge will ever hear.

I trust that the preliminary injunction may be lifted—and I trust the funds carried in this conference report will be utilized to move this project into construction.

We must restore these vital and important projects to their original timetables—or we are going to find our Nation with its ever-increasing population facing ever-increasing problems of shortages in electric power, water supply and other vital services.

We must move forward.

We must not stop progress.

We must not halt progress at a critical time when our economy needs added stimulus and unemployment is critical in many areas.

It is my view that we must achieve a balance between the preservation of our environment and the need for progress.

We must achieve a balance between protection of our green heritage and development of natural resources required to serve our expanding population.

This conference report itself strikes this balance between need and fiscal restraint.

Despite our effort to restore many projects to normal timetables of construction, there still exists a tremendous backlog of needed projects.

Mr. Speaker, I want to repeat that this is a well-considered and a prudent report. It is a report in keeping with fiscal integrity and sound judgment. I urge approval of the conference report. I will insert at this point a table outlining the conference action by appropriation item compared with the 1971 appropriation and the 1972 budget and estimates.

The table follows:

PUBLIC WORKS AND AEC APPROPRIATIONS FOR FISCAL YEAR 1972—SUMMARY TABLE

Item (1)	New budget (obligational) authority, fiscal year 1971 (enacted to date) (Excludes anticipated pay supplemental, 1971) (2)	Budget estimates of new (obligational) authority, fiscal year 1972 (3)	New budget (obligational) authority in House bill (4)	New budget (obligational) authority in Senate bill (5)	New budget (obligational) authority in conference allowance (6)	Conference action compared with—				
						New budget (obligational) authority fiscal year 1971 (enacted to date) (7)	Budget estimates of new (obligational) authority fiscal year 1972 (8)	New budget (obligational) authority recommended in House bill (9)	New budget (obligational) authority recommended in Senate bill (10)	
TITLE I—ATOMIC ENERGY COMMISSION										
Operating expenses.....	\$1,929,160,000	\$1,966,751,000	\$1,926,000,000	\$1,963,720,000	\$1,950,130,000	+\$20,970,000	-\$16,621,000	+\$24,130,000	-\$13,590,000	
Plant and capital equipment.....	1,379,100,000	371,451,000	344,000,000	345,000,000	344,250,000	-34,850,000	-27,201,000	+250,000	-750,000	
Total, title I, new budget (obligational) authority, Atomic Energy Commission.....	2,308,260,000	2,338,202,000	2,270,000,000	2,308,720,000	2,294,380,000	-13,880,000	-43,822,000	+24,380,000	-14,340,000	
TITLE II—DEPARTMENT OF DEFENSE—CIVIL										
Department of the Army										
Corps of Engineers—Civil										
General investigations.....	\$ 39,897,000	\$ 50,169,000	\$ 49,364,000	\$ 52,094,000	\$ 50,714,000	+10,817,000	+545,000	+1,350,000	-1,380,000	
Construction, general.....	851,256,000	859,179,000	889,088,000	937,118,000	927,926,000	+76,670,000	+68,747,000	+38,838,000	-9,192,000	
Flood control, Mississippi River and tributaries.....	84,000,000	80,966,000	80,966,000	91,501,000	86,000,000	+2,000,000	+5,034,000	+5,034,000	-5,501,000	
Operation and maintenance, general.....	\$ 303,331,000	\$ 393,966,000	\$ 376,000,000	\$ 390,000,000	\$ 384,000,000	+80,669,000	-9,966,000	+8,000,000	-6,000,000	
Flood control and coastal emergencies.....	3,000,000	7,000,000	5,000,000	5,000,000	5,000,000	+2,000,000	-2,000,000			
General expenses.....	27,601,000	29,205,000	28,900,000	29,138,000	29,000,000	+1,399,000	-205,000	+100,000	-138,000	
Total, Corps of Engineers—Civil.....	1,309,085,000	1,420,485,000	1,429,318,000	1,504,851,000	1,482,640,000	+173,555,000	+62,155,000	+53,322,000	-22,211,000	
Cemeterial Expenses										
Salaries and expenses.....	18,830,000	22,588,000	22,588,000	22,588,000	22,588,000	+3,758,000				
Total, title II, new budget (obligational) authority, Department of Defense—Civil.....	1,327,915,000	1,443,073,000	1,451,906,000	1,527,439,000	1,505,228,000	+177,313,000	+62,155,000	+53,322,000	-22,211,000	
TITLE III—DEPARTMENT OF THE INTERIOR										
Bureau of Reclamation										
General investigations.....	20,097,000	22,025,000	21,975,000	22,650,000	22,400,000	+2,303,000	+375,000	+425,000	-250,000	
Construction and rehabilitation.....	186,793,000	190,500,000	208,845,000	206,956,000	208,845,000	+22,052,000	+18,345,000		+1,889,000	
Upper Colorado River storage project.....	25,375,000	19,756,000	20,589,000	21,219,000	21,089,000	-4,286,000	+1,333,000	+500,000	-130,000	
Colorado River Basin project.....	2,013,000	1,575,000	1,775,000	1,775,000	1,775,000	-238,000	+200,000			
Colorado River Basin project (appropriation to liquidate contract authorization).....	(5,748,000)	(31,500,000)	(31,500,000)	(31,500,000)	(31,500,000)	(+25,752,000)				
Operation and maintenance.....	59,289,000	72,884,000	70,000,000	72,000,000	71,500,000	+12,211,000	-1,384,000	+1,500,000	-500,000	
Loan program.....	8,550,000	9,975,000	10,795,000	10,795,000	10,795,000	+2,245,000	+820,000			
Emergency fund.....		1,000,000	1,000,000	1,000,000	1,000,000	+1,000,000				
General administrative expenses.....	14,753,000	15,525,000	15,525,000	15,525,000	15,525,000	+772,000				
Total, Bureau of Reclamation.....	316,870,000	333,240,000	350,504,000	351,920,000	352,929,000	+36,059,000	+19,689,000	+2,425,000	+1,009,000	
Alaska Power Administration										
General investigations.....	600,000	618,000	500,000	500,000	500,000	-100,000	-118,000			
Operation and maintenance.....	400,000	457,000	457,000	457,000	457,000	+57,000				
Total, Alaska Power Administration.....	1,000,000	1,075,000	957,000	957,000	957,000	-43,000	-118,000			

Footnotes at end of table.

PUBLIC WORKS AND AEC APPROPRIATIONS FOR FISCAL YEAR 1972—SUMMARY TABLE—Continued

Item (1)	New budget (obligational) authority, fiscal year 1971 (enacted to date) (Excludes anticipated pay supplemental, 1971) (2)	Budget estimates of new (obligational) authority, fiscal year 1972 (3)	New budget (obligational) authority in House bill (4)	New budget (obligational) authority in Senate bill (5)	New budget (obligational) authority in conference allowance (6)	Conference action compared with—				
						New budget (obligational) authority fiscal year 1971 (enacted to date) (7)	Budget estimates of new (obligational) authority fiscal year 1972 (8)	New Budget (obligational) authority recommended in House bill (9)	New budget (obligational) authority recommended in Senate bill (10)	
Bonneville Power Administration										
Construction.....	\$91,600,000	\$94,000,000	\$90,000,000	\$91,630,000	\$91,000,000	-\$600,000	-\$3,000,000	+\$1,000,000	-\$630,000	
Operation and maintenance.....	25,220,000	27,825,000	27,825,000	27,825,000	27,825,000	+2,607,000				
Total, Bonneville Power Administration.....	116,820,000	121,825,000	117,825,000	119,455,000	118,825,000	+2,005,000	-3,000,000	+1,000,000	-630,000	
Southeastern Power Administration										
Operation and maintenance.....	836,000	908,000	870,000	870,000	870,000	+34,000	-38,000			
Southwestern Power Administration										
Construction.....	950,000	1,891,000	1,050,000	1,050,000	1,050,000	+100,000	-841,000			
Operation and maintenance.....	5,294,000	5,513,000	4,500,000	5,000,000	5,000,000	-294,000	-513,000	+500,000		
Total, Southwestern Power Administration.....	6,244,000	7,404,000	5,550,000	6,050,000	6,050,000	-194,000	-1,354,000	+500,000		
Office of the Secretary										
Underground electric power transmission research.....	750,000	1,000,000	750,000	1,000,000	875,000	+125,000	-125,000	+125,000	-125,000	
Total, title III, new budget (obligational) authority, Department of the Interior.....	442,520,000	465,452,000	476,456,000	480,252,000	480,506,000	+37,986,000	+15,054,000	+4,050,000	+254,000	
TITLE IV—INDEPENDENT OFFICES (EXCLUDING AEC)										
Appalachian Regional Commission: Salaries and expenses.....	968,000	1,113,000	1,113,000	1,113,000	1,113,000	+145,000				
Appalachian regional development programs (funds appropriated to the President).....	*302,000,000	282,000,000	282,000,000	302,000,000	297,000,000	-5,000,000	+15,000,000	+15,000,000	-5,000,000	
Delaware River Basin Commission: Salaries and expenses.....	62,000	64,000	64,000	64,000	64,000	+2,000				
Contribution to the Delaware River Basin Commission.....	175,000	179,000	179,000	179,000	179,000	+4,000				
Total, Delaware River Basin Commission.....	237,000	243,000	243,000	243,000	243,000	+6,000				
Federal Power Commission: Salaries and expenses.....	19,910,000	22,582,000	22,200,000	22,200,000	22,200,000	+2,290,000	-382,000			
Interstate Commission on the Potomac River Basin: Contribution to Interstate Commission on the Potomac River Basin.....	5,000	20,000	20,000	20,000	20,000	+15,000				
National Water Commission: Salaries and expenses.....	1,840,000	1,200,000	1,200,000	1,200,000	1,200,000	-640,000				
Tennessee Valley Authority: Payment to Tennessee Valley Authority Fund.....	56,180,000	56,600,000	64,950,000	67,650,000	67,150,000	+10,970,000	+10,550,000	+2,200,000	-500,000	
Water Resources Council: Water resources planning.....	5,150,000	5,460,000	5,960,000	5,960,000	5,960,000	+810,000	+500,000			
Susquehanna River Basin Commission: Salaries and expenses.....		62,000	50,000	50,000	50,000	+50,000	-12,000			
Contributions to Susquehanna River Basin Commission.....		75,000	75,000	75,000	75,000	+75,000				
Total Susquehanna River Basin Commission.....		*137,000	125,000	125,000	125,000	+125,000	-12,000			
Total, title IV, new budget (obligational) authority, independent offices.....	386,290,000	369,355,000	377,811,000	400,511,000	395,011,000	+8,721,000	+25,656,000	+17,200,000	-5,500,000	
Total, new budget (obligational) authority, titles II, III, and IV (excluding AEC).....	2,156,725,000	2,277,880,000	2,306,173,000	2,408,202,000	2,380,745,000	+224,020,000	+102,865,000	+74,572,000	-27,457,000	
Total, new budget (obligational) authority, titles I, II, III, and IV.....	4,464,985,000	4,616,082,000	4,576,173,000	4,716,922,000	4,675,125,000	+210,140,000	+59,043,000	+98,952,000	-41,797,000	
Memoranda:										
Appropriations to liquidate contract authorizations.....	(5,748,000)	(31,500,000)	(31,500,000)	(31,500,000)	(31,500,000)	(-25,752,000)				
Total appropriations, including appropriations to liquidate contract authorizations.....	(4,470,733,000)	(4,647,582,000)	(4,607,673,000)	(4,748,422,000)	(4,706,625,000)	(+235,892,000)	(+59,043,000)	(+98,952,000)	(-41,797,000)	

* Includes \$25,500,000 appropriated in Supplemental Appropriation Act, 1971.

† Includes \$300,000 appropriated in Supplemental Appropriation Act, 1971.

‡ Includes \$1,000,000 appropriated in Supplemental Appropriation Act, 1971.

§ Includes \$8,500,000 appropriated in Supplemental Appropriation Act, 1971.

|| Includes \$2,250,000 in H. Doc. 92-93; and \$10,000,000 in S. Doc. 92-32, not considered by the House.

* Includes \$4,966,000 in H. Doc. 92-93; and a decrease of \$10,000,000 in S. Doc. 92-32.

† Includes \$1,460,000 in H. Doc. 92-93.

‡ Submitted in S. Doc. 92-35, Aug. 6, 1971.

Mr. Speaker, I yield 30 minutes to the gentleman from Arizona (Mr. RHODES).

Mr. RHODES. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama (Mr. EDWARDS).

Mr. EDWARDS of Alabama. Mr. Speaker, I want to associate myself with the remarks of the gentleman from Tennessee insofar as he was discussing the ruling of the judge on the Tennessee-Tombigbee Waterway.

Mr. Speaker, Tuesday's ruling by U.S. District Judge John Lewis Smith granting a preliminary injunction against start of construction on the Tennessee-Tombigbee Waterway, until an ecology suit can be resolved, has been a bitter pill to swallow.

It is so unfortunate that the hopes and dreams of a great section of this country can be thwarted by such a few extremists. There is now the unpleasant possibility that start of construction on the waterway may be delayed up to a year until the suit is settled.

This is preposterous. It is thoroughly inconceivable to me that a judge could further delay this much needed and long awaited project.

Sure, everyone wants to protect the ecology. I certainly share that desire. Pollution of the air and water around us is a menace that we can ill afford to downgrade as simply a passing thing. My record in supporting antipollution measures in Congress has been consistent.

Only recently I supported a bill in the House which would regulate the dumping of polluted waste into the oceans surrounding us.

And I have introduced air and water pollution bills, some of which has been passed.

When it comes to protecting the ecology, the Tennessee-Tombigbee Waterway project stands out as a model of thorough planning. Dating back many years, the Corps of Engineers has made a conscientious effort to make certain that construction of the waterway would not prove detrimental to the ecology of the area. Their studies have indicated that fish and wildlife will, if anything, become more bountiful in and around the lakes and streams surrounding the waterway. The area will provide a vast network of fishing, hunting, boating and camping havens for millions of Americans.

Does all this sound like a threat to ecology? Nothing, in my estimation, could create a more serene and beneficial effect on the environment.

Mr. Speaker, all of this concern over the ecology is praiseworthy. But, there is still another vital factor which neither Judge Smith nor the environmental plaintiffs really considered—the pursuit of a sound, healthy economy for an area of this Nation which has long been in the throes of a struggling job depression. The economic lifeblood of 23 States within the heartland of America will, with the advent of the Tenn-Tom, begin prospering as never before. Thousands of hard-pressed citizens will find themselves being removed from the welfare rolls to join the ranks of the employed in jobs such as transportation, industry,

and agriculture which will result once the Tenn-Tom is completed.

And for the Port of Mobile, the Tenn-Tom system promises to provide a totally new concept in commercial trade. According to project planners, the impact of increased barge and river traffic on the Port of Mobile will ultimately result in a doubling of its present shipping tonnage.

Unfortunately, all of this—the economy, the environment and, most important, the future prosperity of millions of Americans—is being detoured from the road of progress by one judge and a handful of unbending ecologists.

But the battle is not over yet. We will continue to fight for the Tennessee-Tombigbee Waterway, because it is right for this country.

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

Mr. Speaker, I am in thorough agreement with the statements of the gentleman from Tennessee concerning the conference report. The report is unanimous. It was signed by all the conferees on the part of the House. I think it is as good a report as could be brought before the House at this particular stage of our history, bearing in mind the fact that we are in budgetary stringency. I believe we can say that this is a Spartan bill.

It is in excess of the budget by \$59 million, which is 1¼ percent over the budget. We should also bear in mind that the bill as it passed the House was under the budget and the Senate bill was somewhat in excess. The conferees, I believe, picked and chose wisely in picking those projects which are most worthy and which are most necessary for the well-being of the country.

I believe the conferees have come up with a good piece of work, a good report.

I should like to comment just briefly on one or two of the items which are funded.

The NERVA program, which is a program to provide a vehicle for operation in deep space, was funded on a limited basis. This is, I believe, a very important step. It is necessary for us to proceed with this most important project in order for us to have a vehicle which cannot only navigate in outer space as well as that space near the earth, but also can maneuver in this very important part of the universe as it pertains to us, to our defense, and to our well-being. I hope that this project will in the future be funded at a higher level, so that it can proceed to completion and the day can come sooner than we now expect that we will have such a vehicle in operation in outer space.

It is also important to remember that the gentleman from Tennessee is absolutely correct when he says we have unmet needs insofar as water development is concerned and that we face a power shortage in this country. We are in a position now of having very soon to make a choice between the type of obstructionism which we see in certain elements in the environmental movement and the probability of brownouts or blackouts very shortly.

Mr. Speaker, I am just as much in

favor of a proper and healthy environment as anybody could possibly be. I feel if we do not panic and are able to plan wisely we can have that kind of environment and also have the facilities required in this 20th century world to give the American people the type of life they want and to give them the type of advantages which only come in a Nation which is rich in the production of power.

Our utility industry has been able to stay ahead of the needs of the country.

However, now those needs are rapidly catching up with the supply. It is certainly up to us to do our best work in planning for the future so that we will have an abundance of power rather than a shortage.

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

Mr. RHODES. I yield to the gentleman from Kansas (Mr. WINN).

Mr. WINN. I thank the gentleman from Arizona for yielding.

I, too, want to congratulate the committee, the chairman, Mr. EVINS of Tennessee, and the ranking minority Member, Mr. RHODES, for the fine work and the many hours they have put in trying to come up with a bill in an effort to satisfy the many, many demands of people across this Nation.

I was disappointed, however, over the fact that the conference committee action was not what I had hoped for on the \$350,000 of items, broken into three subject matters, as a part of the Blue River project.

The Senate committee previously had sent over a request for \$150,000 for Tomahawk Lake, \$100,000 for Wolfe Coffee Lake, and \$100,000 for Indian Lake.

I might say, Mr. Speaker, I was very glad that the committee did see fit to include the \$100,000 for the Wolfe Coffee Lake, though I was very disappointed.

I wonder if I might ask either the chairman of the committee or the gentleman from Arizona (Mr. RHODES) what chances he believes we might have for getting these other two lakes included in the Blue River project next year?

Mr. RHODES. Mr. Speaker, first I want to congratulate the gentleman from Kansas on the diligence which he has shown in bringing to the members of the committee the needs of his district in general and particularly in regard to the Blue River projects.

As the gentleman mentioned, there are three lakes which are projected for the Blue River. They are Tomahawk Lake, Wolfe Coffee Lake, and Indian Lake. Wolfe Coffee has by far the best benefit-to-cost ratio of any of the three.

There is no controversy, as far as we know, about the construction of Wolfe Coffee Lake. As is the policy of this subcommittee, we try not to have any more than one unbudgeted start in any congressional district. Therefore we felt constrained to pick what we thought was the best project in the gentleman's district. We could not go along with the idea of funding all three in this bill. Therefore we picked the Wolfe Coffee Lake project to be funded here.

As far as the future is concerned, I would like the gentleman to know that

the Indian Lake project has a benefit-cost ratio of 1.08 to 1. This is very close to unity, and the project should be carefully reviewed for economic feasibility before consideration is given to getting into the initial planning stage. We hope the Corps of Engineers will be doing this and that they can give us an up-to-date benefit-to-cost ratio next year which will allow us to consider this project.

As to the Tomahawk Lake project, the committee received extensive opposition from the people in the area. Matters there should be reconciled before we proceed with this project. As has been said on this floor often, the Congress does not like to be the arbiter in deciding local controversy. We will make these decisions if necessary, but we like to give the local people a chance to get together before we make a decision which might offend a large portion of the persons in any given area. Those are the reasons why the committee acted as it did.

Mr. WINN. Will the gentleman yield further?

Mr. RHODES. Yes. I yield to the gentleman.

Mr. WINN. The gentleman from Arizona happens to have a Kansas background, and I appreciate the work and time that he spent on this matter.

I would like to ask him a question. You pointed out the Indian Lake project has a benefit-cost ratio of 1.08 to 1, which falls below unity, which I understand is 1.1.

Mr. RHODES. If the gentleman will permit me, it is near unity and so close that we feel it should be restudied before we begin planning.

Mr. WINN. Did the committee fund any projects below 1.1 to your recollection?

Mr. RHODES. Not knowingly. As far as I know, all of the unbudgeted starts are much higher in benefit-cost ratios than this one.

Mr. WINN. In a letter I received from the gentleman from Ohio (Mr. Bow) in response to my request that all three projects be funded, he pointed out the fact that none of these three lakes requested were in the budget of the President, and the committee took that into consideration. Possibly one alternative for those of us in the Blue River project would be to try to get them included in the President's budget.

Mr. RHODES. As the gentleman well knows, there is great advantage to having any project like this included in the budget. The committee is very chary about adding unbudgeted starts. We do make additions from time to time, but they are mostly quite small and only where a great need has been demonstrated. The gentleman is absolutely accurate when he says that it would be much better for the entire Blue River project if these requests could be included in the budget in the next fiscal year.

Mr. WINN. I thank the gentleman.

Again I want to thank the committee for the time they spent in trying to resolve the problems we have in the Blue River project. I hope the committee will

give every consideration to funding next year to the Indian Lake and Tomahawk Lake projects.

Mr. RHODES. I thank the gentleman and, again, I want to thank him for his diligence and for the manner in which he has worked with the subcommittee and to assure him that my boyhood days in Kansas are well remembered. I remember well the loss and danger to life that occurs when these rivers in Kansas flood, as they frequently do. We will certainly do the very best we can as a subcommittee to make sure that such dangers in the future are minimal.

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

Mr. RHODES. Mr. Speaker, I yield 5 minutes to the gentleman from New York.

Mr. ROBISON of New York. Mr. Speaker, the conference report suggests and recommends to the House a number of increases in the Atomic Energy Commission portion of the bill. Of those increases, there are two which I believe are worthy of special mention, one of which is of long-term personal interest to me, and that is the \$500,000 increase over the House figure for research on the cardiac pacemaker program under the terrestrial electric power development program.

Mr. Speaker, this is a project of great importance to all Americans and one of untold potential value and promise if it leads to the development of an implantable, nuclear-powered, artificial heart.

I am glad to see that we are agreed that the program should go forward at a slightly increased level.

Second, the gentleman from Arizona mentioned a few moments ago his opinion that there might be a need for additional increases in the level of funding of the NERVA program as carried on by the Atomic Energy Commission and, along the same lines, I would like to mention for the record that there has also been allocated to the Atomic Energy Commission an additional \$1.2 million for controlled thermal nuclear research, which is, of course, the program of research and development into the possibilities of fusion.

I would like to ask the gentleman from Arizona if he does not agree with me that, in future years, this program will also deserve a higher level of funding than we have so far given it.

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

Mr. ROBISON of New York. I yield to the gentleman from Arizona.

Mr. RHODES. The gentleman is absolutely correct. As the gentleman knows, he and I have teamed together on the subcommittee, along with other members of the subcommittee, in pushing the Atomic Energy Commission to search even more diligently than they have for breakthroughs in the thermal nuclear energy field.

I think the gentleman from New York is accurate when he says that this is undoubtedly the way of the future. Of

course, we are all aware of the environmental problems involved, but we must meet the needs for added electric power, and I agree with the gentleman.

I am glad that the Atomic Energy Commission felt it could spend more money this year than it had in the past and I hope next year they will come in with a greatly expanded program.

Mr. ROBISON of New York. I believe the distinguished chairman of our subcommittee, the gentleman from Tennessee (Mr. EVINS), has already pointed out to the House the language added by the Senate pertaining to the Cannikin nuclear test which is scheduled to be conducted on the island of Amchitka, in Alaska.

That language as now in the Senate bill, and as recommended to you by the conferees, reads as follows:

None of the funds appropriated by this Act shall be obligated or expended to detonate any underground nuclear test scheduled to be conducted on Amchitka Island, Alaska, unless the President gives his direct approval for such test.

Presumably, Mr. Speaker, the President would, in any case, have to give his personal approval, or a personal direction to go ahead with this test without this language, and I do not know that the language changes the situation to any extent. However, I would like to express the personal hope that it will be possible for the President, given the proper climate at the disarmament talks, or the so-called SALT talks, to postpone this particular nuclear test. I am sure that such a decision on his part, if our national security interests permit, would be most welcome to all people, everywhere, who share his dream of a "generation of peace."

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

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

Mr. SAYLOR. Mr. Speaker, I would like to commend the committee on its report and, in particular, I would like to salute them for adding the \$500,000 for research in the cardiac pacemaker program. This, as I understand it, and as has been stated by our colleague from New York, is of interest to people not only in the Atomic Energy Commission, but the entire medical profession of the world. If this is successful, as every indication points to at this time, it will mean that instead of having to replace batteries about once a year or every 2 years, the nuclear powered pacemaker could go as high as 11 to 15 years.

The other item I want to ask about, Mr. Chairman, is concerning the Department of the Interior and its Bureau of Reclamation. I am greatly concerned over the changes that have been undertaken in a number of projects by the Bureau of Reclamation—changes which are being financed here without having had the approval of the basic authorizing committee. I would sincerely hope that when these people from the Department of the Interior come up and request moneys providing for a basic change in the overall plans of a project

that the Committee on Appropriations would not give them the funds and authority but would send them back to the committees having jurisdiction of the House and the Senate for a change in the basic authorizing act.

For example, one of the projects in Arkansas has been changed materially from what was originally authorized and, while I do not doubt but that all of the changes would have been approved by the committee, I do not believe they should have been given the permission to go ahead with this project without coming back to the authorizing committee.

Mr. RHODES. Mr. Speaker, the gentleman from Pennsylvania (Mr. SAYLOR) is making a very good point, and I would like to assure the gentleman that it has always been the policy of the subcommittee to do exactly what the gentleman from Pennsylvania has suggested when we have detected changes which we thought were so substantial that they would vitiate or cast some doubt on the original authorizing act. I would also like to say to the gentleman from Pennsylvania that we did not feel that the change in the project the gentleman refers to in Arkansas was of that magnitude, and therefore we felt we should go ahead and fund it since it had already been started.

Mr. SAYLOR. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. RHODES. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. BROYHILL).

(By unanimous consent, Mr. BROYHILL of Virginia was allowed to speak out of order.)

REASONS FOR OPPOSITION OF BLACK PARENTS TO FORCED SCHOOL BUSING

(Mr. BROYHILL of Virginia asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. BROYHILL of Virginia. Mr. Speaker, one of the most important reasons for the widespread opposition of many black parents to schoolbusing for racial integration is their grave concern over how they would get to their children in a distant school or get their children home quickly from such a school in case of emergency. Another important objection by many black parents to busing is that the time actually spent in school is shorter for pupils who are transported long distances. It has been suggested that, instead of trying to achieve artificial integration by busing, the money spent for buses and drivers should be used to improve schools in the communities where blacks live.

Other reasons for the objections of black parents to busing for integration are set forth in a letter written by a black educator to the editor of the Washington Star. I include this letter in the RECORD directly following my remarks:

SIR: Many of us black educators have observed for nearly two years the legalistic and political shenanigans used to achieve "equal" education for black children in this country. To be sure, fifteen years ago, black educators had great expectations, which some of us

have completely abandoned today, mainly because we realize that the white establishment capitulates to black demands when it does not cost the establishment too much.

Busing, although considered by some to be an acceptable mechanism for achieving school integration a few years ago, is today unrealistic, makeshift, often farcical and skirts the real problem. Further, it is usually done at no hardship to white children, only to black ones.

For example, black youngsters must be at their home school or some other staging center earlier than usual every day, in order to endure a long trip to the white school. Usually, they must be prepared early in the afternoon, often around 2 p.m., for the ride back to the home school. Thus, the amount of time actually spent in the classroom is shortened considerably.

Not only this; frequently the transported children are moved intact to separate classrooms once they reach the predominantly white school. Although this fact is usually denied by school officials, where the practice is standard procedure it is almost necessary to do so, for administrative reasons. Since the transported children arrive late and leave early, it would short-change the white children if every day at quitting time (that is, for blacks) they, the white children, had to quit, too. Also unfortunate is the practice of assigning temporary, substitute or otherwise untried teachers to teach the bused children.

Most black parents with whom I have talked over the past ten years are not very excited about busing to achieve an unnatural integration. They maintain, and rightfully so, that they want their children to go to school as close to where they live as possible. Although several reasons are usually cited, the one that stands out is the terrible concern over how they would get to their children if something happened to them at school, or if some tragedy occurred at home and the children had to be fetched hurriedly.

Instead of trying to achieve artificial integration by busing, the money spent for new buses and their drivers should be used for improving schools in communities where blacks live. Every study which I have read indicates that less money is spent in schools which are predominantly black than in those attended mainly by whites. Studies also report consistently that the best teachers, by any criteria, and teaching equipment are in white schools, not black ones. What is needed is the improvement of ghetto school. This means that compensatory efforts—special reading programs, special services and facilities—must be provided children who are short-changed from the beginning; for they usually enter school ill equipped to communicate in the language of the school. Improvement of the schools would also suggest that we pay outstanding teachers extra pay to work in ghetto schools. A stop must be put to staffing black schools with temporary, probationary and otherwise unproven teachers.

In fine, nothing is more demoralizing to the children and their parents than shipping out and returning every day the learners to the slums. For one thing, it encourages unfortunate comparisons which may not be healthy for the self-concepts of the black children. I, for one would prefer to keep the children in their neighborhood schools and teach them more about the society which has spawned our racial nightmare, which created the busing issue in the first place.

Finally, busing almost invariably results in further neglect of schools in black communities.

CLEMMONT E. VONTRESS, Ph. D.,
Associate Professor of Education, The
George Washington University.

Mr. RHODES. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. SKUBITZ).

Mr. SKUBITZ. Mr. Speaker, if I understand the report correctly, the committee has agreed to allow \$250 million for the procurement of land in Kansas for the atomic garbage dump. Is that correct?

Mr. RHODES. The amount of money the gentleman refers to is \$250,000.

Mr. SKUBITZ. I stand corrected.

Mr. RHODES. And it is for the purpose of leasing land for making whatever drillings are necessary to discover the nature of the underground structure of the land so that plans can be made which can then be evaluated as to the safety of the proposed project. Then either the project can go ahead or it will be abandoned if it is not safe.

Mr. SKUBITZ. Let me point out to my colleague, the gentleman from Arizona, that the \$250,000 that has been allocated for this purpose at the present moment amounts to approximately \$200 an acre. I do not understand why the committee allowed \$200 per acre in order to lease the land.

If the allowance is made to permit the agency to take options on the land this is circumventing the action taken by the authorizing committee that stated that no land should be purchased until after 3 years. If we permit the AEC to take options on the land and to spend \$250,000 we may find that this land is totally unsuitable. If this occurs we will have thrown \$250,000 down the drain at a time when the President is asking us to cut back on our expenditures.

Mr. RHODES. I certainly am sure that the rest of the committee will agree with me when I say that it was our intent for the Atomic Energy Commission to spend only so much money as is necessary to acquire rights to the surface and rights to drill under the surface to determine what the underpinnings of the earth are in that particular point, so that facts can be found which would either indicate safety or lack of safety. We do not intend for the Atomic Energy Commission to take any steps whatsoever which are not necessary for this particular purpose.

Mr. SKUBITZ. I have no objection if the committee feels that they want to permit the AEC to lease the land in order to make the necessary studies, but the thing that bothers me is the right to take options on the land at \$200 per acre if the AEC determines to do so and past experience with the agency tells me that is exactly what it will do.

Mr. RHODES. I would have to trust the good judgment of the Atomic Energy Commission to make sure that they do not squander the Government's money on matters which are not absolutely necessary for the purposes I have already stated.

Mr. SKUBITZ. I am fearful that that is wishful thinking when you are dealing with the Atomic Energy Commission.

I realize that there is not anything I can do at this late date on this matter. But I just want to call it to the attention of the committee. I am sure that the

State of Kansas will take cognizance of this because the Governor himself is quite interested in whether or not this land is to be purchased or optioned before the necessary studies to prove that it is safe are completed.

Mr. Speaker, I thank the gentleman. Mr. RHODES. The gentleman from Kansas, I hope, understands that the subcommittee, and the full Committee on Appropriations share the desire expressed by the gentleman and by other responsible officials in the State of Kansas to make absolutely certain that the project is completely safe before there is any thought of proceeding with it.

Mr. SKUBITZ. I want to say to my colleague that I do not question the subcommittee or the committee. It is the AEC and what it can do that bothers me. One page of history is worth more study than a thousand pages of promises. I judge the Atomic Energy Commission by its past performance.

I thank the gentleman.

Mr. RHODES. I thank the gentleman.

Mr. EVINS of Tennessee. Mr. Speaker, I yield such time as he may require to the distinguished gentleman from Mississippi (Mr. WHITTEN).

Mr. WHITTEN. Mr. Speaker, today we bring to you our bill providing funds to continue to have the Federal Government assist in the development of rivers and harbors, to protect life and property from floods, to aid navigation, and to continue to maintain our standards of living; and, yes, Mr. Speaker, to aid in the restoration and protection of our environment. In this bill we provide funds for the Appalachian programs which have meant so much to the development of much of my district; projects which in other areas are largely handled by Economic Development Administration.

Mr. Speaker, it is a pleasure to serve on the 55-member Committee on Appropriations where I rank right next to Mr. MAHON, the chairman. Particularly do I feel fortunate in serving on the subcommittees on Public Works and on Agriculture—Environmental and Consumer Protection, where I serve as chairman.

WE NEED TO REMEMBER

The former Chief Justice of the Supreme Court, Mr. Warren, in the redistricting cases went so far as to say that Members of Congress did not represent acres and trees, but represented people.

My friends, if somebody does not represent the land and the trees and the natural resources and see that those who produce food for the rest of us get a fair shake, there will not be any people to represent.

MAN'S WASTE OF HIS NATURAL RESOURCES

Perhaps the greatest single fault of mankind through the annals of recorded history has been his failure to preserve and protect the natural resources which provide him with his basic necessities of life—food, clothing, and shelter. History indicates that each civilization developed by mankind through the course of the centuries, regardless of the degree of sophistication and advancement attained,

has disappeared from the earth because of man's abuse of the soil, water, forests, and other basic resources passed on to him for his use and custodianship.

One of the most serious questions facing our highly developed civilization of the 20th century is whether or not, through more intelligent use of our natural resources and more advanced agricultural technology, we can meet the ever increasing demands of rapidly expanding populations for food, clothing, and shelter.

A review of the earlier civilizations of the wornout and food-deficient areas of the world indicates what has resulted from the failure of man through the ages to apply an adequate portion of his wealth to the protection of the soil, the forests, the rivers and lakes, and other resources as he used them to feed and clothe himself.

In 3500 B.C. the valleys of the Tigris and Euphrates Rivers supported a large and prosperous civilization. By the year 2000 B.C., great irrigation developments had turned this part of the Middle East into the granary of the great Babylonian Empire. Today, however, less than 20 percent of this area is cultivated because, as they became urbanized, the people of that civilization failed to continue to preserve the production capacity of the land. According to LaMont C. Cole of Cornell University:

The landscape is dotted with mounds, the remains of forgotten towns; the ancient irrigation works are filled with silt, the end product of soil erosion; and the ancient seaport of Ur is now 150 miles from the sea, its buildings buried under as much as 35 feet of silt.

Extensive irrigation systems were established in the Valley of the Nile before 2000 B.C. to create the granary for the Roman Empire. This land, which was made fertile by the annual overflowing of the Nile, continued to be productive for many centuries. However, in recent years, as the result of more intensive use of the land and inadequate attention to conservation measures, the soils have deteriorated and salinization has decreased the productivity in the valley to the point where this area is now largely dependent on food shipments from other parts of the world to feed its people.

Ancient Greece had forested hills, ample water supplies, and productive soil. In parts of this area today, the old erosion-proof Roman roads stand several feet above a barren desert. Ancient irrigation systems in many parts of China and India are abandoned today and filled with silt. Most of India's present land problems are due to excessive deforestation, erosion, and siltation made necessary by tremendous population growth during the past two centuries.

The highly developed civilizations of ancient Guatemala and Yucatan are merely history today. Archeologists believe that they exploited their land as intensively as possible until its fertility was gone and their prosperous civilizations vanished.

The city-states throughout history have failed to realize that the cost of

food, clothing and shelter is going to be paid, either by the consumer or by the land from which they come. They have ignored the fact that soil cannot be cultivated year after year unless as much fertility is put back each year as is taken out.

A PRESIDENT'S VETO—OUR REPLY

Some years ago, when President Eisenhower vetoed the public works appropriations bill providing funds for rivers and harbors in every nook and corner of the United States, and the Congress was unable to override the veto, the bill came back to the Appropriations Committee. At that time the President said that he was vetoing the bill because we could not afford the expense of 59 new starts for developing rivers and harbors. I made the motion to send the bill back to him, with the objected-to starts remaining in the bill. After a bitter fight in the committee the motion was adopted 19 to 17. It went on through the Congress, was vetoed again, and when it came back on this second effort we overrode the President's veto. At that time I said:

My friends, the larger the debt we owe, the greater the obligations we have, the worse the financial predicament we are in, is not argument to do away with development of and protecting our resources. It is the strongest argument for protecting and developing them, for after all, it is to those material resources that we must look to meet these problems.

ENVIRONMENTAL PROTECTION NECESSARY, LAW SHOULD NOT BE USED TO DESTROY ECONOMY

I have long recognized the necessity for improving and protecting our environment. In my book, "That We May Live," published by D. Van Nostrand in 1966, copies of which are in the Congressional Library and in most of the public libraries in the country, I pointed out on pages 176 through 181 that we must do something to protect our environment—and I detailed why. I pointed out also that we must maintain our country's economy, retain our standard of living, protect our resources, while we use all the tools at our command to protect and restore our environment. It would be fine if we could quit driving our cars or move the people out of our cities for a few weeks while we cleaned up, but we had to live while we got the job done, as we continue to produce for our people. I quote from my book:

This is not to say that pollution of air and water does not exist, for, of course, it does. Pollution in part and parcel of man's unplanned and unthinking change of his environment; and particularly is it a part of the subject under discussion in *Silent Spring* and here. Public opinion here seems to be on the move toward action. This public temper can be good if held in balance. It can do more harm than good if not kept on an even keel.

Pollution comes from many sources and becomes greater as our population increases; unless we take corrective action, it will become worse as we become more and more industrial. We do have pollution of the air and water and apparently are going to do something about it. These facts lead me to point to some of the factors with which we must deal as we attempt to meet this problem.

"The fact that air is essential to life is as

old as knowledge. The fact that polluted air can cause discomfort is probably just as old. As soon as primitive man moved his fire into his cave, he certainly became aware of air pollution in the form of smoke. He also probably soon learned to reduce the smoke in his cave by careful placement and stoking. He then decided to accept some smoke in return for the warmth and convenience of the fire nearby.

"We have been weighing pollution against convenience ever since. Now we are beginning to realize that more than convenience is involved and that the air around us is not a limitless sea into which we can continue to pour waste without serious consequences. Our health and our well-being are threatened."

Thus did the Agriculture Yearbook of 1963. "A Place To Live," describe one of the serious problems of our day, air pollution.

The increasing pollution of our water unquestionably is a threat to fish and health. This became a matter of public concern in the United States in the late nineteenth century, when virulent typhoid epidemics appeared in various cities. The then new science of bacteriology identified many of these outbreaks as the result of contaminated water supplies. The public outcry against pollution was great. Public health officers attempted to meet this challenge in two principal ways.

The first was to select certain streams for waste disposal and to reserve other, and protected, streams for municipal supplies. This is the method followed by communities fortunate enough to own or control adequate watersheds. However, with our increasing population, it is virtually impossible today for one city to live separately and apart from another. While one city may protect its water supply, it will be adversely affected if those in adjoining areas do not do likewise.

The other method was the filtration and disinfection of water. This has permitted many cities to have reasonably safe and palatable water, even from such heavily polluted sources as the Missouri, the Mississippi, and the Ohio rivers.

While these systems have worked for many years, we now face a period when we must give full attention to water pollution, or else pay substantial penalties in the future. We have some 30,000 sewerage systems and industrial complexes pouring waste into our streams. Included are 10,000 municipal sewerage systems, serving more than 100 million people, which dump sewage into the waterways. Twenty-five per cent of this load is without any treatment whatsoever.

Pollution degrades the physical, chemical, biological, and esthetic qualities of the water. The degree depends upon the kind and amount of pollution in relation to the extent and nature of reuse. Pollution can be just as effective as a drought, or excessive withdrawals, in reducing or eliminating water resources.

Over 2600 new or enlarged sewerage treatment works are needed to serve 27.8 million persons living in communities presently discharging untreated or inadequately treated sewage. Another 2598 new sewerage collective systems and treatment works are required to serve a population of 5 million living in urban areas where individual disposal systems have failed to function properly.

By the year 2000, thirty-four years from now, we will be around 330 million Americans as against today's 194 million. We will have nearly doubled the quantity of sewage going into our streams and protecting the public health will really be a problem.

Today's 194 million Americans are abusing our resources so far as our use and handling of water is concerned. Our lakes and rivers have become catch basins for the residues of

our factories, automobiles, household and agricultural chemicals, for human wastes from thousands of villages, towns, and cities. How well we clear up this situation and learn to handle it without restricting man's means of providing our high standard of living may well determine the future of our nation.

As we approach this problem we must keep in mind that the power to control water quality or quantity is not only the power to make or break business but is a power over the life of the nation itself.

Since water is an absolute essential to health and to all man's activities, any group we set up to control water on any basis, by restrictions for protection of its quality or quantity and use, must have not only the cooperation and co-ordination of all departments and agencies, but all interests must be represented. The Department of Agriculture and the Department of Health, Education and Welfare whose interests are tied together, should have a place in any such group, as should the Department of Commerce; but these are not enough. The states and municipalities must be represented so that the varied interests of all our citizens may be recognized and provided for, including riparian rights, established use, and the determination of priority to use. All this need carries with it the problem of built-in bureaucracy, of too many cooks, yet there is seldom an easy answer to a difficult problem.

If we closed all our manufacturing plants, that would greatly improve the purity of the water in our streams; if we stopped driving automobiles, just think what that would do to improve the atmosphere—and a single departmental head could have done that under several bills, if we could return to the 800,000 population level of this country at the time it was discovered by Columbus, nature would be able to largely eliminate the pollution problem. But with 194 million people we could never live in the simplified way of that day. Neither can we ask nor could we force the residents of New York City to quit eating, quit living, and quit breathing while we clean up the Hudson. The same is true for Washington and the Potomac, as well as the people of thousands of towns and villages. The power to set standards is the power to control, yet some Members of Congress have urged that such power be granted to a single government department.

Agriculture's claims and responsibilities for the use of water are second to none, for agriculture provides our food, clothing, and shelter, the basic necessities for life. In addition, agriculture has a great responsibility in the use of water, for land is the great gathering place and reservoir for storage of water. Just a few years from now we will need three times the water we use today, all of which points up the need to protect and manage the quality and quantity of our water supply.

In our work with the Appropriations Subcommittee for Agriculture, we find the close cooperation and coordination of efforts by both the Corps of Engineers and the Soil Conservation Service are necessary in watershed and flood control programs, both of which are highly essential to water protection. We would not expect a skilled surgeon to use only one instrument for all operations, nor a mechanic to fix our car with a sledge hammer. Thus it is with water pollution; we must use the tools required for the job; and most importantly, we must keep the factory running in the process and not turn the surgeon's scalpel over to the mechanic or vice versa.

To do the cleaning up job on pollution, we must call on industry, on the federal, state, and city governments, and on individuals. We need financing and regulations; in the

meantime, we must maintain a sense of balance, so that we do not tear up more than we correct. We are not merely limited to the practical but to the possible.

I am proud of having had the foresight in 1966 to see the necessity for action. Unfortunately, however, today, Mr. Speaker, many of those who recognize the need to protect the environment want to do everything now, regardless of consequences. In their zeal, we must not let them eliminate projects and progress. They should remember hungry people do not worry about the environment, as proven around the world.

REPORTS CAUSE DELAY

Today we are engaged in further controversy, not only with regard to public works but in the development of watersheds and flood prevention items which come before the subcommittee where I am chairman—that for Agriculture—Environmental and Consumer Protection—and with the Bureau of the Budget.

It is becoming more apparent each day that the amount of detail called for in reports on projects as to the effect on the environment cause delay, greatly increase costs, and in many cases will actually add to pollution and can well destroy the project.

Our Committee on Appropriations directed that each agency or department required to make such report file a report on the ill effects of delay in proceeding with the project. This should help to present a balanced case, but will not cure the dangers caused by present unreasonable demands and delays caused by the EPA and in some cases by the Federal courts.

All recognize we must protect and improve our environment. I am greatly disturbed, however, that those who make the most noise on this issue many times are increasing the accumulation of pollution instead of reducing it. They add cost to the people and the Government by making changes and causing delays by refusing to release funds provided by Congress in watershed projects.

TENNESSEE-TOMBIGBEE NAVIGATION

Lawsuits are seriously crippling actions of the Corps of Engineers, the Soil Conservation Service, and other agencies where commitments have been made, people have levied taxes, and the projects are long overdue. Federal judges, assuming the powers formerly claimed for kings under divine right, are actually holding up construction of such projects as the Tennessee-Tombigbee navigation project, on letters filled with innuendos and unproven charges. This is the record of yesterday. We are busy now working on this problem to determine how best to get these funds released.

We have provided the money. We must now overcome actions of these over-enthusiastic groups who by demanding delays, new studies, and injunctions are really destroying or making worse that which they profess to want to improve, and in the process retarding the devel-

opment of a great section of the Nation, the central South.

OTHER ITEMS

The bill we have before us now covers projects throughout the United States. There is not a district in our country which is not affected by efforts through the Federal Government to assist in the work to be carried on here. Most of this has been covered by our distinguished chairman, the gentleman from Tennessee, Mr. EVINS, and my colleagues.

MISSISSIPPI PROJECTS

There are numerous projects in my own area, where I have a great obligation and deep interest. These projects include \$86 million for the Lower Mississippi River and tributaries. We must remember that approximately three-fourths of all the water that falls in the United States flows down this great river valley, gathering in quantity and momentum as it goes.

Other projects in our section are the Ascalmore-Tippo and Opposum Bayous, \$100,000; the Upper Auxiliary Channel, \$200,000—the full amount that can be used for preliminary planning and construction; Yazoo backwater, \$2,450,000; Tombigbee River and tributaries, flood control, \$1,300,000; Tennessee-Tombigbee Waterway, \$6,000,000; Yellow Creek Port project—TVA—\$2,050,000.

RESERVOIR DEVELOPMENT

I take note, too, of the fact that for four major reservoirs in my district we have provided, for the regular program, the sum of \$168,000 for Arkabutla Lake; \$195,000 for Grenada Lake; \$271,000 for Enid Lake; and \$185,000 for Sardis Lake.

These varying amounts, Mr. Speaker, come from the degree of development that we have had heretofore.

Our conferees directed the Corps of Engineers to expedite a study of these four reservoirs, built for flood control, to bring their recreational facilities, particularly marinas, boat ramps, and sanitary facilities, up to the national level, particularly for the purpose of promoting additional development by States, local interests, and private enterprise.

NEW LAW TO MEET SOIL EROSION AND BANK CAVING IN HILLS AND DELTA

Mr. Speaker, this year we changed the law to authorize the Corps of Engineers to work with the Soil Conservation Service to meet the soil erosion and bank caving problems in the hills and creek bottoms of the foothill area of the Yazoo Basin. This is permanent law, an amendment to Public Law 40, 84th Congress. Several hundred thousands of dollars is being spent now on experimental work.

The Mississippi River Commission has recommended to the Chief of Engineers, following a study of bank caving which our committee financed about \$9 million for protecting the creeks and creek bottoms in the hills and adjacent delta areas from Memphis to Vicksburg. I hope we will be able to move ahead in saving this great area and save hundreds of millions of tons of soil which is being washed away each year, adding to pollution.

RURAL ELECTRIFICATION AND RURAL WATER SYSTEMS

Mr. Speaker, you can understand why I enjoy serving on the Appropriations

Committee. It gives us such a wonderful opportunity to aid in things so essential to our well-being. My subcommittee provided funds for rural electrification, where we will never be satisfied until we reach everybody that we possibly can and eventually have area coverage here; for school milk funds for which we added over the budget; for school lunches where we made great increases which the department is trying to divert; for 4-H Club work, where we made 4-H available to youth in our cities; for nutrition aids in city and county; for the ACP—now REAP—and the SCS; and now our most pressing problem is that the executive branch is holding up the funds, thereby adding to costs and further damage to our environment.

I quote from the conference report which we made on the appropriations for Agriculture—Environmental and Consumer Protection. Many of these funds have been held up by the Bureau of the Budget, which has released many of them today—September 22, 1971:

This bill is over the budget by \$544 million for urban and rural water and sewer grants with their important contributions to community growth and pollution control.

It is over the budget by \$221 million for electric and telephone loan programs, again so important to balanced growth and at a time when the power needs of this country are in danger.

It is over the budget by \$326 million in the people programs—food stamps and milk for children.

I would say, then, that this bill is large but clearly in keeping with the objectives of Congress and the people, and I urge that the Conference Report be adopted.

Funds for REA, water and sewer grants, SRS, and farm operating loans are still being held up. Unfortunately, by regulation, the Department is not making the funds for school lunches available as Congress intended.

RURAL HOUSING

We are proud of our record on rural housing where, by changing one word "farm" to "rural" in the housing program, we led to the building of millions of rural homes. The money will be repaid. We are merely providing, for rural people, Government guarantees for loans which those in our urban areas have had for many years.

Again, Mr. Speaker, I repeat what I said when the Congress overrode the President's veto on our second effort: The more we owe, the greater our problems, the more important it is that we protect the base on which it all depends—our land, our rivers and harbors, and natural resources—for without them not only could we not make it, but our children would not have a chance. They can set up their own monetary system, but leave them a wornout and flooded land and they have nothing on which to build. I urge the support of this conference report.

Mr. EVINS of Tennessee. Mr. Speaker, I yield such time as he may require to the distinguished chairman of the Committee on Appropriations, the gentleman from Texas (Mr. MAHON).

Mr. MAHON. Mr. Speaker, I think the Subcommittee on Public Works and the Committee on Appropriations, and the House itself has done a good job this

year in the overall handling of the annual public works—AEC appropriation bill, and special commendation should be accorded to the distinguished gentleman from Tennessee and the distinguished gentleman from Arizona.

APPROPRIATION AND SPENDING: WHERE ARE WE AND WHITHER ARE WE TENDING?

Mr. Speaker, this is the last regular appropriation bill scheduled to be before the House for probably some little time. Therefore, it seems to me that now is a good time to make some general comments about the current appropriation and fiscal situation.

APPROPRIATION MEASURES OF THE SESSION

This has been a year of great fiscal turbulence and fiscal innovation and I will have more to say about that in a few moments.

The bill before us today is the 10th regular annual appropriation bill for the current fiscal year, 1972, to be cleared by the Congress and sent to the President. The other nine were cleared to the President prior to the August 6 break, and of course, have long since been signed into law. To the figure of 10 bills, we must add two additional bills, the \$1 billion emergency public jobs appropriation bill and the measure which provided funds for the feeding of schoolchildren during the summer. That adds up to 12 measures that have been enacted. Then to those 12 bills, we must add four appropriations bills which were enacted earlier in this session relating to the fiscal year 1971 which ended on June 30 last.

This runs the total number of appropriation bills and resolutions for the session up to 16. Now if we add to that the two continuing resolutions which were necessary in order to enable the Government to continue to operate pending enactment of certain regular bills, then we have a total of 18 measures thus far for the current session.

APPROPRIATION BILLS PENDING

There will be a necessity for five additional appropriation bills, and for another continuing resolution. There will be the defense appropriation bill, the military construction bill, the foreign aid bill, the District of Columbia bill, and there will be a wrap-up supplemental bill.

FULL EMPLOYMENT BUDGET

As I said a moment ago, this has been a year of great fiscal turbulence and fiscal innovation. When the time came to submit a budget to the Congress last January, the administrative branch of the Government was confronted with the practical reality of a whopping budget deficit. So a technique was devised, called "the full employment budget," which, as I see it, is a sort of cosmetic kind of thing.

A major complaint with the full employment concept as a foundation for the Federal budget is that it has tended to relax our concern over the fiscal dangers confronting the country and tended to make us feel that the fiscal picture is far better than it really is. So rather than submitting a budget officially embracing a whopping deficit, as would have been the case last year, had former concepts been followed, the administration decided to submit a balanced budget under the full employment technique.

Actually, the budget as submitted in January, for fiscal 1972, estimated a \$23.1 billion deficit on the Federal funds basis and a \$11.6 billion deficit on the unified budget plan, the difference between those two being that surplus trust funds have been borrowed and are being borrowed to meet general Federal expenditures and must be repaid with interest. These borrowings are not counted in the unified budget plan as a part of the unified deficit but they do add to the public debt.

A razor-thin balanced budget on the full employment concept was submitted to the Congress in January; it provided a \$100 million surplus projection for the current fiscal year 1972.

It was pointed out at that time that while this technique was fully and officially embraced by the administration, it was necessary to warn that we must not let spending breach the full employment budget calculation of revenues, the clear implication being that dire consequences would ensue. As with most rules, there were minor caveats with respect to this warning but the thrust was clear that the full employment line must be held.

This was the first full employment Federal budget ever submitted to the Congress. Stated simply, the concept means this: Let us play like we have reasonably full employment. Let us play like we are receiving revenues that we would get from reasonably full employment; let us play like we have the money in the Treasury. And let us therefore proceed on the basis that under all those circumstances we are going to have a surplus if everything in the budget materializes as projected. That, generally, is the essence of the full employment budget concept. As I have said, in my judgment this procedure tends, in a very real sense to remove the harsh realities of our fiscal situation from clear view.

DEEPENING DEFICITS—HIGHER DEBT

Since 1960, the public debt subject to the statutory debt ceiling has increased about \$114 billion—an average in excess of \$10 billion a year over the 11-year period, June 1960 through June 1971. But taking just the last 2 fiscal years, fiscals 1970 and 1971, the debt went up by \$42.6 billion—by \$16.5 billion in fiscal 1970 and by \$26.1 billion in fiscal 1971 which ended just 3 months ago. This was bad. We were fighting a war during a large part of this period, and in addition otherwise we overauthorized, we overappropriated, we overspent. We went heavily into the red.

I think this Congress has done a fairly good job of cooperating with the President in fiscal matters. But what has happened fiscally is appalling. I think it is fair to estimate that the national debt will increase for the 3 fiscal years ending next June 30, 1972, as much as \$80 billion. This presents a very sobering situation to Democrats and to Republicans and to the administration and to the Congress and to the country—to the taxpayers generally. It is a matter that concerns all thoughtful Americans very much, and if we do not give it proper attention, this country is going to collapse fiscally.

So the question is: Shall we give this matter proper attention? I hope we do. We must.

The Director of the Office of Management and Budget, Mr. Shultz, has said that we must continue to grapple with the herculean task of reducing governmental expenditures. He is confronted with a herculean task with respect to the fiscal year 1973 budget, which is now in process of being put together. If present trends continue, I would not be surprised at all if this Federal Government went in debt a total of as much as \$100 billion or more, during the 4-year period which ends on June 30, 1973.

No wonder it was necessary to close the gold door in Europe at a time when we have done such a poor job—and we must all share in the responsibility—of managing our national fiscal affairs. How could one expect the bankers of other countries to properly respect the American dollar and tie their currencies to the American dollar at a time when we were flaunting the dollar about in such a way as to indicate we were not too interested in maintaining its integrity.

So the problem before us needs our very best attention and consideration.

MANAGING THE ECONOMY

There is a great deal of talk about how to manage the economy, but economists differ, and we have not found a way to manage the economy. Someone has said, and it has been repeated many times, that if we line up all the economists end to end, they would reach no conclusion. Nevertheless, the Government has been trying to manage the economy, but we are not succeeding very well at managing it.

We propose now to reduce revenues—which is a proposal of the administration, and the Congress is proposing probably to go even deeper in reducing revenues. If we continue to reduce revenues, it is almost a certainty that the deficit will increase. It is true that we did reduce revenues through tax cuts in the sixties and eventually revenues did increase, but we had the tremendous spending incident to the war. So we cannot rely upon anybody's plan as being totally successful in managing the economy.

Mr. RHODES. Mr. Speaker, will my chairman yield?

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

Mr. RHODES. Mr. Speaker, I thank my chairman, the gentleman from Texas, for yielding.

I just wish to point out that part of the administration's economic plan, of course, is to reduce expenditures by reducing the number of Federal employees by 5 percent and also by postponing a pay raise for Federal employees if the Congress will go along with it.

This I am told—and I believe it is true—would practically balance whatever revenue losses which would result from the measures now being considered for tax reduction by the Ways and Means Committee.

Mr. MAHON. I thank my able friend for his contribution.

The administration now estimates that

if the administration's new economic plans are carried out we will spend this current fiscal year \$232 billion, which is about \$3 billion—plus more than had been estimated in January. That assumes, as I understand, reduction of about \$5 billion in expenditures otherwise estimated.

The current administration revenue projections are estimated to be about \$13 or \$14 billion less for fiscal 1972 than had been estimated in the January budget.

THE FULL EMPLOYMENT BUDGET—ALREADY IN DEFICIT

With further regard to the full employment budget, the Director of the Office of Management and Budget admitted recently before the Ways and Means Committee that the budget for 1972 is already about \$8 billion in the red on the full employment basis according to his current estimates. That budget, you will recall, was originally projected with a razor-thin surplus. It has already come unglued. What will the final result be? What about fiscal 1973?

It is too bad, in my opinion, that we have gotten away from the old philosophy that we ought not spend money unless we have it in hand or unless we have it in sight. This has led us into many difficulties fiscally.

I believe the time is coming when we ought to pay more heed to trying, really, to balance the budget. It is not that we can balance it immediately, but if we could stimulate the confidence of the people in the dollar at home and abroad by coming nearer to balancing the budget we could go a long way toward licking inflation.

Probably the greatest engine of inflation is spending far beyond the funds we have on hand to expend as a Federal Government. When the Federal Government over a period of 3 years expends probably \$80 billion or so more than it receives in Federal funds and thus hikes the national debt, it is bound to have a very serious impact, if not a disastrous impact.

THE FISCAL MARGIN OR DIVIDEND—WILL IT DISAPPEAR?

There are people—our so-called liberal friends; and I believe we hardly know what a liberal is or what a conservative is anymore, if we ever did—who expect some fiscal dividends from the peace, I would estimate that perhaps the war now is costing us less than \$10 billion a year, a large sum of course.

People are wondering what we are going to do with this surplus money when peace comes; but we are not going to have larger surplus moneys, as most people are beginning to realize. And if we continue to reduce and erode and eat at the tax base, we will not have a fiscal dividend or margin of revenues arising from a growing economy which many Members and others want for the purpose of financing new programs. The margin is apt to vanish. There are built-in expenditure growths that tend to have first claim on added revenues. So if we cut taxes in order to improve the economic conditions it is going to be very difficult to raise those taxes at a later time and get the

money that many want to spend for all these new initiatives.

This is one of the matters which concerns me as we confront the problem here of what to do about the situation which confronts us, which we recognize is very serious indeed.

I shall not undertake to belabor these matters at greater length at the moment, and probably I have about exhausted the time available for the conference report, but I shall ask permission to revise and extend my remarks and in a more orderly manner I shall undertake to elaborate on the status of the appropriations and spending business of the session.

CONGRESSIONAL ACTIONS ON THE BUDGET

Let me conclude by saying that I do not think Congress is going to be a reckless bestower of further tax benefits. We would all like to be free from taxes, but we want to save the country and we cannot save the country and be free of taxes.

I do not think the Congress will go wild in spending in relation to the budget. It is true we are over the budget at this time in appropriation bills to the extent of about \$1.7 billion in new budget obligational authority, but by the time we handle the remaining five bills I think it is fair to estimate we will be roughly level with the budget requests considered in the appropriation bills. So, while we have modified the President's budget—and we will have changed priorities to some extent—in the appropriation bills we will give the President for the purposes of expenditure at this session approximately the amount that he has requested.

With regard to nonappropriation bills which provide for spending, we are exceeding the budget. I cannot give exact figures on that at this time. When we increased social security payments beyond the amount suggested by the President in his budget, then by that amount—about \$1.4 billion—we were above the budget on that item. There are some others but they are not all yet finalized.

I think we have acted responsibly, and I think it is up to the Congress to cooperate with the President in an effort to slow down inflation and stimulate employment and do an adequate job in managing the fiscal affairs of this Government. I would not discount the initiatives taken earlier and more recently by the Congress.

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

Mr. RHODES. Mr. Speaker, does the gentleman desire additional time?

Mr. MAHON. I do desire 1 additional minute.

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

Mr. MAHON. I shall undertake, as I said, in the RECORD to outline some of these matters which I think we need thoroughly, profoundly, and prayerfully to consider as we move into the final months of this session.

As I say, I think we have done reasonably well in all departments and we can do an even better job as we try to

continue to serve the best interests of the Nation.

Mr. Speaker, under leave granted to revise and extend my remarks, I am inserting considerable additional detail with respect to the appropriations and spending measures of the session. I have touched upon some of the matters, and expanded on some, but I thought it would be helpful to include this prepared statement at this point:

The public works-AEC bill is the 10th regular annual appropriation bill for fiscal year 1972 that has been finalized.

BILLS FOR FISCAL YEAR 1972 STILL PENDING

Five appropriation bills relating to fiscal year 1972 remain to be reported—four regular bills and a catchall supplemental. The four regular bills are: Defense, military construction, foreign aid, and District of Columbia. Counting in items deferred from the earlier regular bills because legislative authority was lacking, and allowing for supplemental items soon to be received, the budget requests for new appropriations in these bills will total something in excess of \$83 billion.

It may be asked, why does not the committee report the remaining bills so that we can conclude the appropriations business on a more timely basis, thereby hastening the adjournment of Congress and enabling the agencies and departments of Government to administer programs in a more orderly way? The answer is: lack of timely legislative authorizations.

The Committee on Appropriations is in position to move promptly once the related authorization bills are sufficiently far advanced to enable the committee to mark up the appropriation requests.

Hearings on the Department of Defense appropriation bill were concluded more than 3 months ago. The related authorization bill is now pending in the other body.

Hearings on the military construction appropriation bill were concluded nearly 3 months ago. The related authorization bill is pending conference action.

Hearings on the foreign assistance appropriation bill were concluded nearly 3 months ago. The related authorization bill is pending in the other body.

Hearings on the District of Columbia appropriation bill were concluded prior to the summer recess but that bill is significantly dependent on revenue legislation which the House has yet to consider.

THE APPROPRIATION MEASURES OF THE SESSION

Let us examine the actions of Congress on the appropriation requests of the President at this session. This would include actions which relate to both fiscal year 1971 and the current fiscal year, 1972.

Including the conference report on this public works-AEC bill today, in the 12 appropriation measures—that is, in 10 of the 14 regular annual bills plus two special resolutions dealing with emergency public jobs and summer school feeding programs for children—Congress, in these 12 measures in respect to fiscal year 1972, approved \$77.2 billion,

a net increase of \$2.3 billion above the specifically related budget requests considered. But this net increase is misleading and needs two important qualifications for more complete comparability:

First, in relation to the overall budget recommendations of the President, it is an overstatement of congressional action to the extent of \$1 billion which is in the budget as a proposed supplemental for special revenue sharing relating to certain housing and urban development programs as a substitute for only 6-month funding of some of those programs; Congress, in the appropriation bills, revenue sharing not having been adopted, decided to fund them on the regular 12-month basis rather than half the year as proposed. The extra 6 months shows up as an increase but it is not a bona fide increase.

Second, likewise, in relation to the overall budget recommendations of the President, the \$2.3 billion is an understatement of congressional action to the extent of \$400 million in connection with proposed legislation in the budget relating to student loan funds dealt with in the education appropriation bill.

In other words, taking into account these two factors, the net increase is approximately \$1.7 billion above the overall budget requests for appropriations thus far.

OVERALL APPROPRIATION REQUESTS WILL NOT BE EXCEEDED

But in my opinion, meaningful reductions will be made in the remaining appropriation bills—to the point where, in the aggregate and in the overall, in appropriation budget requests, Congress will not exceed the President's requests.

1972 APPROPRIATIONS REQUESTS CONSIDERABLY ABOVE 1971 LEVEL

Note this significant factor. In relation to last year, that is, fiscal 1971, the amounts requested in the President's budget are a good many billions higher, and Congress in a general way has and will accede to those requests. In the original budget, the President tentatively proposed \$249 billion—a quarter of a trillion dollars—in new budget obligational authority for 1972. Roughly, some \$80 billion of that quarter trillion is in so-called permanent appropriations such as interest on the debt and various trust funds on which Congress does not have to annually take action. The other \$170 billion, roughly, would require action by the Congress, and I should add that several billions of it—such as general revenue sharing, the all-volunteer army proposal, and emergency school desegregation assistance—hinge on new enabling legislation not yet enacted and for which specific budget requests have therefore not been submitted. At the moment, we have in hand—acted upon and not acted upon—roughly \$157 billion in fiscal year 1972 budget obligational requests.

The following table summarizes the totals, with comparisons of the 12 appropriation measures relating to the current fiscal year 1972:

APPROVED FISCAL YEAR 1972 APPROPRIATION MEASURES (FISCAL YEAR 1972 NEW BUDGET (OBLIGATIONAL) AUTHORITY ONLY) AS OF SEPT. 22, 1971

	Total approved	Over or under fiscal year 1971	Over or under fiscal year 1972 budget requests		Total approved	Over or under fiscal year 1971	Over or under fiscal year 1972 budget requests
1. Education.....	\$5,146,311,000	+\$563,104,500	-\$6,875,000	Net adjustment of \$600,000,000 to the budget requests (that is \$400,000,000 not included in the bill but requested in the budget for purchase of student loan notes from colleges and universities, contingent upon legislative authority not yet enacted and \$1,000,000,000 in the budget as a proposed supplemental for special revenue sharing, or 1/2-year funding in certain housing and urban development programs which was included).....			
2. Legislative.....	529,309,749	+86,405,430	-6,039,858				
3. Treasury-Postal Service-General Government.....	4,528,986,690	-1,038,472,210	-280,229,310				
4. Agriculture-Environmental and Consumer Protection.....	13,276,900,050	+3,727,992,500	+1,172,086,200				
5. State-Justice-Commerce-Judiciary.....	4,067,116,000	+243,763,700	-149,686,000				
6. Interior.....	2,223,980,035	+189,759,135	+29,386,000				
7. HUD-Space-Science-Veterans.....	18,339,738,000	+1,342,850,000	+882,721,000				
8. Transportation.....	2,730,989,997	-253,630,608	+44,983,000				
Advance 1973 appropriation.....	(174,321,000)	(-174,321,000)					
9. Labor-HEW.....	20,704,662,000	+3,149,983,500	+581,025,000				
10. Public Works-AEC.....	4,675,125,000	+210,140,000	+59,043,000				
11. Emergency Employment Assistance (H.J. Res. 833).....	1,000,000,000	+1,000,000,000					
12. Summer feeding programs for children (H.J. Res. 744).....	17,000,000	+17,000,000	+17,000,000				
Gross subtotal, these 12 measures.....	77,240,118,521	+9,238,895,947	+2,343,414,032	Net total, these 12 measures.....	\$77,240,118,521	+\$9,238,895,947	+1,743,414,032

APPROPRIATION MEASURES FOR FISCAL YEAR 1971 AT THIS SESSION

At this session, we have passed four appropriation measures relating to the fiscal year 1971, that ended on June 30 last. They had the effect of appropriating \$8,061,000,000 in new money for expenditure by the Government. The budget obligating authority requests were reduced \$910,000,000.

FISCAL ACTIONS IN NONAPPROPRIATION BILLS

Mr. Speaker, I have undertaken to sum up the fiscal picture as it now stands in relation to the appropriation bills, and while the appropriation bills encompass the bulk of the outgo side of the budget, there are significant actions in the legislative mill outside the appropriations process that bear on what is happening to the President's fiscal proposals. Measuring the full dimensions of these non-appropriation actions with precise figures is difficult because several of them are at various stages of consideration but they point to going well above the budget recommendations.

For example, the social security bill, Public Law 92-5, would increase budgeted expenditures—I refer now to expenditures, not appropriations—in the current year by about \$1.4 billion. There are a number of others. The August 6 budget-scorekeeping report of the Joint Committee on Reduction of Federal Expenditure identified and reported—and I refer only to nonappropriation bills out of the legislative committees—bills that would increase the President's fiscal year 1972 budgetary proposals by about \$712 million in terms of budget obligational authority and about \$2.4 billion in terms of budget expenditures. These figures will, of course, come into a more refined state as the bills move.

Mr. RHODES. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. Bow).

Mr. BOW. Mr. Speaker, I should like to say that I concur with most of the remarks made by the gentleman from Texas, the chairman of our Committee on Appropriations.

He has raised some very serious questions that have been raised by some of us for the last 22 years about spending and budgets.

I would like to point out that the gen-

tleman from Arizona (Mr. RHODES) made a very important observation on a vote we are going to have here in the next week or 10 days on the delaying of the Federal pay increase. This is a part of the project we have now to try to get the economy back in shape.

I would like to point out, as I did once before on this floor, that in one day, in one day alone, this Congress increased the budget by \$1.8 billion. I hope this does not happen again. I hope that the Congress will not increase budgets by that amount.

There has been great criticism at times with reference to the nonspending of funds because of the freezing of funds. If they had not been frozen, our deficit would have been much larger and we would have been in real trouble fiscally. I believe that those criticisms should be considered.

Mr. Speaker, I should also like to say with reference to this particular bill which we are considering, that I congratulate the gentleman from Tennessee (Mr. EVINS) and the gentleman from Arizona (Mr. RHODES) upon a very fine bill. I think this is a good public works bill. It certainly cannot be called a pork barrel bill this year. I think the subcommittee has done an excellent job.

Again, Mr. Speaker, the gentleman from Texas (Mr. MAHON) has raised very serious questions. I hope that all Members will read what he has to say and what he will have in his revised speech because it is so important in the future.

Mr. Speaker, I hope that we will get our authorization bills through so that we can move forward with the appropriations, because the committee is ready to act.

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

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

Mr. HOSMER. 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 Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 377, nays 9, not voting 46, as follows:

[Roll No. 265]

YEAS—377

Abbutt	Cederberg	Frey
Abernethy	Chamberlain	Fulton, Pa.
Abourezk	Chappell	Fulton, Tenn.
Abzug	Chisholm	Fuqua
Addabbo	Clancy	Galifianakis
Alexander	Clausen,	Garmatz
Anderson,	Don H.	Gaydos
Calif.	Clawson, Del	Gettys
Anderson, Ill.	Clay	Gibbons
Andrews, Ala.	Collier	Goldwater
Andrews,	Collins, Ill.	Gonzalez
N. Dak.	Collins, Tex.	Goodling
Annunzio	Colmer	Grasso
Archer	Conable	Green, Ore.
Arends	Conte	Green, Pa.
Ashbrook	Corman	Griffiths
Ashley	Coughlin	Gross
Aspin	Culver	Grover
Aspinall	Daniel, Va.	Gubser
Badillo	Daniels, N.J.	Gude
Baker	Danielson	Hagan
Baring	Davis, Ga.	Haley
Barrett	Davis, S.C.	Hall
Begich	Davis, Wis.	Hamilton
Belcher	Delaney	Hammer-
Bell	Dellenback	schmidt
Bennett	Denholm	Hanna
Bergland	Dennis	Hansen, Idaho
Betts	Dent	Hansen, Wash.
Bevill	Devine	Harrington
Blester	Dickinson	Harsha
Bingham	Dingell	Harvey
Blanton	Donohue	Hathaway
Blatnik	Dow	Hawkins
Boggs	Dowdy	Hays
Boland	Drinan	Hébert
Bolling	Dulski	Hechler, W. Va.
Bow	Duncan	Heckler, Mass.
Brademas	du Pont	Helstoski
Brasco	Dwyer	Henderson
Bray	Eckhardt	Hicks, Mass.
Brinkley	Edmondson	Hicks, Wash.
Brooks	Edwards, Ala.	Hillis
Broomfield	Edwards, Calif.	Hogan
Brotzman	Ellberg	Horton
Brown, Mich.	Erlenborn	Hosmer
Brown, Ohio	Esch	Howard
Broyhill, N.C.	Evans, Colo.	Hull
Broyhill, Va.	Evins, Tenn.	Hungate
Buchanan	Fascell	Hunt
Burke, Fla.	Findley	Hutchinson
Burke, Mass.	Fish	Ichord
Burleson, Tex.	Flood	Jacobs
Burlison, Mo.	Flowers	Jarman
Burton	Foley	Johnson, Calif.
Byrne, Pa.	Ford, Gerald R.	Johnson, Pa.
Byrnes, Wis.	Ford,	Jonas
Byron	William D.	Jones, Ala.
Caffery	Forsythe	Jones, N.C.
Camp	Fountain	Karth
Carney	Fraser	Kastenmeier
Carter	Frelinghuysen	Kazen
Casey, Tex.	Frenzel	Keating

Kee	Obey	Sikes
Keith	O'Hara	Sisk
King	O'Konski	Skubitz
Kluczyński	O'Neill	Slack
Koch	Passman	Smith, Calif.
Kuykendall	Patman	Smith, N.Y.
Kyl	Patten	Snyder
Kyros	Pelly	Spence
Landrum	Pepper	Springer
Latta	Perkins	Staggers
Leggett	Pettis	Stanton,
Lennon	Peyster	J. William
Lent	Pickle	Stanton,
Link	Pike	James V.
Lloyd	Poage	Steed
Long, Md.	Podell	Steele
McClary	Powell	Steiger, Ariz.
McCloskey	Preyer, N.C.	Stephens
McClosure	Price, Ill.	Stokes
McCollister	Price, Tex.	Stratton
McCormack	Pryor, Ark.	Stubbsfield
McCulloch	Pucinski	Stuckey
McDade	Purcell	Sullivan
McDonald,	Quie	Symington
Mich.	Quillen	Talcott
McFall	Railsback	Taylor
McKay	Randall	Teague, Calif.
McKevitt	Rangel	Teague, Tex.
McKinney	Rarick	Terry
McMillan	Rees	Thompson, Ga.
Macdonald,	Reid, Ill.	Thompson, Wis.
Mass.	Reuss	Thone
Madden	Rhodes	Tiernan
Mahon	Riegler	Udall
Mailliard	Roberts	Ullman
Martin	Robinson, Va.	Van Deerlin
Mathias, Calif.	Robison, N.Y.	Vanik
Mathis, Ga.	Rodino	Veyssey
Matsunaga	Roe	Vigorito
Mayne	Rogers	Waggonner
Mazzoli	Roncallo	Wampler
Meeds	Rooney, N.Y.	Ware
Melcher	Rooney, Pa.	Whalen
Metcalfe	Rosenthal	Whalley
Miller, Calif.	Rostenkowski	White
Miller, Ohio	Roush	Whitehurst
Mills, Ark.	Rousselot	Whitten
Mills, Md.	Roy	Widnall
Minish	Roybal	Williams
Minshall	Runnels	Wilson, Bob
Mitchell	Ruppe	Wilson,
Mizell	Ruth	Charles H.
Mollohan	St Germain	Winn
Montgomery	Sandman	Wolf
Moorehead	Sarbanes	Wright
Morgan	Satterfield	Wyatt
Morse	Saylor	Wydler
Mosher	Scherle	Wylie
Moss	Schneebell	Wyman
Murphy, N.Y.	Schwengel	Yates
Myers	Scott	Yatron
Natcher	Sebellius	Young, Fla.
Nedzi	Seiberling	Young, Tex.
Nelsen	Shipley	Zablocki
Nichols	Shoup	Zion
Nix	Shriver	Zwach

NAYS—9

Cleveland	Landgrebe	Scheuer
Conyers	Reid, N.Y.	Schmitz
Dellums	Ryan	Steiger, Wis.

NOT VOTING—46

Adams	Edwards, La.	McEwen
Anderson,	Eshleman	Mann
Tenn.	Fisher	Michel
Blaggi	Flynt	Mikva
Blackburn	Gallagher	Mink
Cabell	Gialmo	Monagan
Carey, N.Y.	Gray	Murphy, Ill.
Celler	Griffin	Pirnie
Clark	Halpern	Poff
Cotter	Hanley	Smith, Iowa
Crane	Hastings	Thompson, N.J.
de la Garza	Hollifield	Vander Jagt
Derwinski	Jones, Tenn.	Waldie
Diggs	Kemp	Watts
Dorn	Long, La.	Wiggins
Downing	Lujan	

So the conference report was agreed to. The Clerk announced the following pairs:

Mr. Hollifield with Mr. Crane.
 Mr. Adams with Mr. Derwinski.
 Mr. Blaggi with Mr. Eshleman.
 Mr. Fisher with Mr. Kemp.
 Mr. Flynt with Mr. Blackburn.
 Mr. Hanley with Mr. Hastings.
 Mr. Carey of New York with Mr. Halpern.
 Mr. Mikva with Mr. Michel.

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Mr. Thompson of New Jersey with Mr. Pirnie.

Mr. Waldie with Mr. Wiggins.
 Mr. Celler with Mr. Poff.
 Mr. Dorn with Mr. Lujan.
 Mr. Diggs with Mr. de la Garza.
 Mr. Monagan with Mr. Vander Jagt.
 Mr. Gialmo with Mr. McEwen.
 Mr. Anderson of Tennessee with Mr. Cotter.
 Mr. Clark with Mr. Edwards of Louisiana.
 Mr. Griffin with Mr. Long of Louisiana.
 Mr. Smith of Iowa with Mr. Jones of Tennessee.

Mr. Mann with Mrs. Mink.
 Mr. Murphy of Illinois with Mr. Downing.
 Mr. Cabell with Mr. Watts.
 Mr. Gallagher with Mr. Gray.

The result of the vote was announced as above recorded.

AMENDMENT IN DISAGREEMENT

The SPEAKER pro tempore (Mr. BOLLING). The Clerk will report the amendment in disagreement.

The Clerk read as follows:

"Sec. 103. None of the funds appropriated by this Act shall be obligated or expended to detonate any underground nuclear test scheduled to be conducted on Amchitka Island, Alaska, unless the President gives his direct approval for such test."

MOTION OFFERED BY MR. EVINS OF TENNESSEE

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

The Clerk read as follows:

Mr. EVINS of Tennessee moves that the House recede from its disagreement to the amendment of the Senate numbered 3 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the motion was laid on the table.

GENERAL LEAVE

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the conference report just agreed to and to include extraneous matter and tables.

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

There was no objection.

HOUSE WILL EULOGIZE THE LATE HONORABLE WINSTON L. PROUTY THURSDAY

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

Mr. KEITH. Mr. Speaker, the passing, Friday, of the distinguished gentleman from Vermont, the Honorable Winston L. Prouty, is mourned in the House as it is in the Senate.

Before being elected to the Senate in 1958, Mr. Prouty served four consecutive terms in this body. Here, as in the Senate, he served with prudence, compassion and distinction. Here, as in the Senate, he was known as a warm, friendly and cooperative colleague. Here, as in the Senate, he will be missed.

The senior Senator from Vermont,

Mr. AIKEN, has arranged a special order for 10 a.m., tomorrow, to permit Mr. Prouty's former colleagues in that body to eulogize him. At the request of our good friend, BOB STAFFORD, I have requested a 60-minute special order for tomorrow in order to give all those in this body the opportunity to deliver their eulogies to this most remarkable man and memorable colleague.

PROVIDING FOR CONSIDERATION OF H.R. 7072, AIRPORT AND AIRWAY TRUST FUND

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules. I call up House Resolution 593 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 593

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7072) to amend the Airport and Airway Development and Revenue Acts of 1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of the substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

Mr. O'NEILL. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Ohio (Mr. Latta), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 593 provides an open rule with 1 hour of general debate for consideration of H.R. 7072, to amend the Airport and Airway Development Act of 1970. The resolution also makes it in order to consider the committee substitute as an original bill for the purpose of amendment.

The purpose of H.R. 7072 is to amend the act of 1970 to clarify the intent of modernization of airports and air navigational facilities and to restrict to those purposes the expenditure of aviation user fees which are accumulated in the trust fund.

Additional revenues made available by user taxes must be applied in the full specified minimum amounts for capital expenditures for airport development and for the acquisition, establishment and improvement of navigation facilities.

It is estimated that the legislation will not increase Federal expenditures.

Mr. Speaker, I urge the adoption of the rule.

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

Mr. Speaker, as indicated by the gentleman from Massachusetts (Mr. O'NEILL), the purpose of the bill, H.R. 7072, Airport and Airways Trust Fund, is to amend the Airport and Airways Development Act of 1970 to insure that unused moneys in the trust fund created by the act are used only for modernization of our airports and air navigational systems.

The language of the act is ambiguous and vague on this matter. Due to this weakness in the language, the Department of Transportation has taken the position that trust funds not requested to be appropriated for airport and airway safety facilities could also be used to fund the general maintenance and operational expenses of the Federal Aviation Administration.

To insure that trust funds would not be so used before all possible needs of the safety systems were met, the Congress specified minimum amounts to be allocated to airport and airway system improvement.

In 1971 the Department of Transportation requested \$204 million less than the minimum specified by law. While the 1972 amended request is for the legally required minimum, the Department intends to use the \$403 million carryover from fiscal 1971 for operations and maintenance expenses.

The committee believes that the clear intent of the Congress was to stress improvements in the safety and navigational systems of our airports. The bill will amend the act to make clear that no authority exists to use trust fund balances for maintenance and operation expenses. This is to be prospective and will not affect fiscal 1972.

There are no minority views. The administration opposes the bill as evidenced by letters from the Office of Management and Budget and the Treasury. The Department of Transportation testified in opposition.

The resolution provides for an open rule with 1 hour of debate by the Committee on Rules which makes in order the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the 5-minute rule.

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

Mr. O'NEILL. Mr. Speaker, I have no further requests for time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CHANGE IN LEGISLATIVE PROGRAM

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

Mr. O'NEILL. Mr. Speaker, I take this time so that I may make the announcement to the Members that the bill originally scheduled for tomorrow will not be called up tomorrow at the request of the chairman of the committee. In place of this bill will be the Peace Corps bill.

APPOINTMENT OF CONFEREES ON SENATE CONCURRENT RESOLUTION 6, PUBLIC HEALTH SERVICE HOSPITALS AND OUTPATIENT CLINICS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 6) to express the sense of Congress relative to certain activities of Public Health Service hospitals and outpatient clinics, with House amendments thereto, insist on the House amendments, and agree to the conference requested by the Senate.

The SPEAKER (Mr. BOLLING). Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and, without objection, appoints the following conferees: Messrs. STAGGERS, ROGERS, SATTERFIELD, SPRINGER, and NELSEN.

There was no objection.

AIRPORT AND AIRWAY TRUST FUND

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7072) to amend the Airport and Airway Development and Revenue Acts of 1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes.

The motion was agreed to.

The SPEAKER pro tempore (Mr. BOLLING). Without objection, the Chair designates the gentleman from California (Mr. McFALL), to preside as Chairman of the Committee of the Whole House on the State of the Union for consideration of the bill H.R. 7072, and requests the gentleman from California (Mr. SISK) to kindly take the chair pending the arrival of the gentleman from California.

There was no objection.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7072, with Mr. SISK (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN pro tempore. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

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

Mr. Chairman, I rise in support of H.R. 7072. This bill would amend the Airport and Airway Development Act and fur-

ther define the intent of Congress with respect to the priorities for modernization of the Nation's aviation system.

Only slightly more than a year ago, Congress enacted the Airport and Airway Development and Revenue Acts of 1970 which called for a multibillion-dollar effort over the next decade to maintain and expand our airports and to improve the air navigational network.

The Revenue Act levied substantial new and increased taxes on aviation users to support the development program. Also, to assure that the modernization and expansion effort would be fully funded and conducted expeditiously, a trust fund was set up to accumulate the user revenues. The act established specified minimum amounts to be allocated in each fiscal year to improve the airport and airway system. This is a departure from the more usual practice of imposing maximum limitations on spending.

Unfortunately, I must report to you that the very first budget requests relating to this program failed to meet the minimum requirements specified by Congress. Instead, these requests seek to divert large amounts of trust fund moneys to general maintenance and operational expenses of the Federal Aviation Administration.

The amounts involved are substantial. The total capital investment in airports and navigational aids for fiscal year 1971 was \$122 million short of the minimum commitment specified by Congress. Moreover, fiscal 1972 budget plans call for the allocation of approximately \$450 million of trust fund moneys to carry routine FAA maintenance and operational expenses.

The Department of Transportation has consistently maintained that it is committed to the long-range goals of the act and that it will speed up its allocations to airport and airway development in later years. This explanation fails to understand the spirit of the act or its rationale. This legislation was designed, from the first, as a catch-up program to deal with a crisis in our Nation's aviation system. Air safety cannot await speed-up programs in the late 1970's.

Accordingly, our committee recommends amendments to the act which are designed to require retention of amounts within the trust fund until the specified minimum investment in airport and airway development is made. Also, to assure that large amounts of trust fund moneys are not diverted for other purposes, these amendments propose to withdraw all residual authority to use these moneys for the general operational and maintenance expenses of the FAA.

With respect to this last matter, I should point out that the Department is required by the original legislation to submit a cost study to the Congress in May 1972 upon which Congress may determine an equitable distribution of the burdens of supporting the system between users and the general taxpayer. At that time, it may be appropriate to consider whether authority to employ user trust funds for FAA maintenance and operational expenses should be restored.

I should point out that the administration argues that its actions have been

consistent with the provisions of section 208 of title II of the Airport and Airway Revenue Acts of 1970. H.R. 7072, in part, seeks to remove any ambiguities which may have arisen in connection with the interpretation of section 208. Inasmuch as this section lies within the jurisdiction of the Committee on Ways and Means we advised that Committee of the proposed amendments embodied in H.R. 7072. We are informed that the provisions of H.R. 7072 are "properly within the jurisdiction of the Committee on Interstate and Foreign Commerce and that no conflict with title II of the act exists."

This bill was reported by our committee unanimously. It entails no increase in taxes and authorizes no increases in Federal expenditures, but merely restates and reemphasizes our original intent. We believe that Congress cannot allow established priorities to continue to be ignored, nor can we allow nonaviation budgetary demands to further postpone the modernization of our aviation system.

Mr. Chairman, I yield such time as he may require to the chairman of the subcommittee, the gentleman from Oklahoma (Mr. JARMAN), who held hearings on the bill.

Mr. JARMAN. Mr. Chairman, I believe it may be helpful to our consideration of this bill to recall the circumstances which led to our enacting the original legislation.

In the late sixties evidence of sharply increasing airport and airspace congestion and shrinking margins of safety foretold a virtual crisis in air commerce. Every Government and non-Government segment of air transportation attested to the need to make substantial capital improvements in the aviation system as expeditiously as possible. All agreed that the situation required urgent remedy.

The Congress responded by enacting the Airport and Airway Development and Revenue Acts of 1970 which called for a comprehensive capital development program over the next 10 years. At the time we passed this legislation, we were well aware that historically general appropriation requests for air system improvements had been substantially reduced in deference to nonaviation budgetary demands. We did not want the capital investment program embodied in the Airport and Airway Development Act to suffer a similar fate. Accordingly, a trust fund was established to accumulate the aviation user taxes. And, to assure that the modernization program be conducted on a priority basis, we took the somewhat unusual step of specifying minimum amounts to be allocated in each fiscal year for improvements in the aviation system.

Members of this House and the aviation community were dismayed to learn that, in the first year of operation under the act, the Department of Transportation not only failed to make the specified minimum allocations but intended to use substantial amounts of trust moneys for general expenses of the FAA rather than request these amounts from general funds. In hearings before the Subcom-

mittee on Transportation and Aeronautics, which I chair, it became apparent that nonaviation budgetary considerations were responsible for the deficiency, and that the Office of Management and Budget had discovered certain ambiguities in the act which it claimed made it unclear whether Congress had, in fact, required that minimum amounts be allocated each year for capital improvements in airports and navigational facilities.

The amendments proposed in H.R. 7072 would make our intent unmistakable. To the extent that any loophole existed in the original legislation—which I doubt—this bill would close it.

The subcommittee is unanimous in its conclusion that these amendments are essential if we are to maintain the sanctity of the trust fund and insure that the modernization effort will be fully funded and conducted expeditiously.

As Chairman STAGGERS stated, this legislation does not contain any new or additional authorizations for money. This bill is worthwhile and necessary, and I strongly urge that it be supported by the membership.

Mr. SPRINGER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, Members will no doubt readily recall that in 1970 the Committee on Interstate and Foreign Commerce brought before the House a bill designed to speed up the building of necessary airports and the needed improvements in hardware and operation of the Nation's airways. So important did we then feel that such measure had become that the legislation included new and substantial taxes upon those who make use of our airport and airways facilities. These taxes were designed to bring in about \$600 million a year at the beginning and even larger sums later on.

It was estimated that immediate needs would require expenditures at a rate of about \$250 million per year for airways facilities and slightly more per year for airports of all categories. The bill was designed to speak about minimum expenditures rather than maximum expenditures as is usually the case. It was clearly intended that as long as the airway users and the airline passengers were being called upon to put up the funds, they would be used for such facilities and work would start at once.

Because the nature of the effort lies partly in the use of manpower, there was a certain amount of latitude left in the bill for paying some expenses connected with the job. This did not mean that Congress intended the Federal Government to run FAA on a prepaid basis from these taxes. On the contrary, it was clearly intended that capital facilities would be increased and improved and that expenses incidental thereto should also be covered. This slight opening in the language of the bill led to an immediate misunderstanding which we are here today to correct.

The first request for funds under the act came in the 1971 supplemental, and it was substantially less than the amounts set out in the act. It was also very clear that the executive department

intended to divert any additional funds coming to the trust fund to operational expenses of the Federal Aviation Administration. After considerable discussion, adjustments were made.

When the 1972 regular budget came forth, however, practically the same situation pertained. Language in two different parts of the act—section 14(b) handled by our committee and section 208 handled under the jurisdiction of Ways and Means—was just different enough to create a doubt and therefore a loophole. Again some adjustments were made and the full amount has been requested and allocated to capital improvements. Even so, considerable money will be used for operational expenses in the 1972 budget year.

The legislation before the House today is intended to make very clear the intent of Congress. It is our purpose to restrict the use of trust fund money to those administrative expenses which can be directly attributed to the airways and airport improvement programs or the research programs directed at safety. This is a very tight interpretation and perhaps goes somewhat further than we might have felt necessary at first. We thought the idea of using money taken from passengers and private pilots for fairly direct benefit to them was easily understandable. Apparently not so. It becomes necessary then to tie it down very hard.

There is one more factor involved. When the whole problem was under consideration in the committee we found that no one could tell us with any degree of certainty what the share of the general public ought to be in the creation of air facilities. The airways are not used exclusively by airlines and privately operated aircraft. Government—Federal, State, and local—makes extensive use of both ground and air facilities. Largest of these, of course, are the operations of military aircraft. All this activity puts great strain on the system and incurs large expense in maintaining the system. What part of the total cost should come from general taxes? How much should come directly from the private users? No one could tell us at the time the airport and airways bill was under consideration, so the Department of Transportation was directed to study and find out. A report is due next May. At that time we may be better able to allocate the costs between private and public users. Meanwhile, however, it is imperative that the minimum amounts designated by the act be put to work in creating facilities.

There are no costs connected with this legislation. The trust fund is alive and well. We are merely clarifying how it can be used at this time. I recommend the passage of H.R. 7072.

Mr. Chairman, I yield to the distinguished gentleman from Indiana (Mr. HILLIS).

Mr. HILLIS. I thank the gentleman for yielding.

Mr. Chairman, I want to go on record as supporting H.R. 7072, the Airport Trust Fund Act.

This measure simply restricts the spending of airport trust fund moneys to expanding and improving airport facilities and to make the skies safe for our growing number of air travelers.

These moneys should not be used for any other reason.

The trust fund is financed by users' tax. And just as travelers on our Nation's highways expect their tax money to improve these highways, our air users believe that their money should be used to improve the airways and airport facilities.

There is no question that better approach facilities are needed in many of our Nation's airports.

There is also no question that our air controllers are overworked and that they need modern computers and the most sophisticated equipment to help make the airways safe for all.

Many new airports are needed and some of the old ones need improving.

I want to urge all my colleagues to support this measure.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from California (Mr. PETTIS).

Mr. PETTIS. Mr. Chairman, I thank the gentleman for yielding to me. I wish to commend the chairman of the Interstate and Foreign Commerce Committee and the ranking member of that committee for bringing before us today this legislation to clarify the intent of Congress on expenditures of funds from the airport and airways trust fund. Even though the Ways and Means Committee has a secondary role in this matter, I am happy that my committee has cooperated with this committee in bringing about a proper understanding of the legislation as it was originally cast by this House. If we pass this measure today, which I am sure we will, there will be no opportunity for anyone to misunderstand what moneys from this trust fund are to be spent for. I commend the committee for bringing the legislation to the floor, and I hope that it is passed.

Mr. SPRINGER. I thank the distinguished gentleman from California for his remarks and for his confidence in this committee.

I yield 5 minutes to the distinguished gentleman from Tennessee (Mr. KUYKENDALL), a member of the committee and the subcommittee which considered this legislation.

Mr. KUYKENDALL. Mr. Chairman, I wish to join in the statement of the distinguished chairman of the committee, and the distinguished ranking minority member of the committee. I would like to cover about three points that I think are important for the Members of this body to have clarified because of misunderstandings that have existed. The original legislation that was recommended to the Interstate and Foreign Commerce Committee involved the Department of Transportation, but the Department of Transportation did not have it in a trust fund. It had in it what they called a designated account. The committee in its wisdom chose to discard that idea of the designated account and create a trust

fund. So there can be no doubt, even if you consider nothing but this particular action, because the committee very deliberately discarded the designated-account idea and created a trust fund.

Secondly, there have been some points made that there are expenses of running the FAA, the Federal Aviation Administration, over and above what is collected in user taxes, and therefore some people have stated the idea that the user tax should be used in its entirety—for, if necessary, general administrative purposes.

Let me lay this to rest now, if I might.

Approximately 26 percent of the usage of the airports and airways systems of this country is done by nonuser taxpaying aircraft which is primarily military and other Government-owned aircraft. Twenty-six percent, a little over one-quarter of the entire traffic on our airways does not pay any user tax, so it is certainly fair and logical to assume that their part of the upkeep of the systems should come from general revenue.

Another point about the use of funds and their adequacy—in his original testimony before our committee and also before the Senate committee, the Secretary of Transportation, himself, in projecting the needs for 10 years in building the airport and airways systems to a point that is necessary for our traffic and our safety, estimated that the total projected income from the user tax would be about \$4 billion short of our needs. He stated in his testimony that it would probably be necessary to have some general revenue money used for capital expansion instead of the other way around, which some people have tried to do the last 2 years.

The one point I wish to close with: There was, I think, a very serious misunderstanding about the \$280, \$250 and \$50 million combined figures that are in the original legislation. As the chairman has so ably stated it, there is \$280 million for safety, \$250 million for capital expansion, and \$50 million for research and development, or a total of \$530 million which is in the legislation, placed there not as a spending authorization, but as a mandatory spending minimum. I think this has been misunderstood. The DOT by law is supposed to spend that amount, but in several bits of testimony it has been presented as a regular authorization instead of a mandatory spending minimum.

Mr. Chairman, I urgently recommend that for these reasons of clarification, the legislation brought before the House today by the committee be approved.

Mr. SPRINGER. Mr. Chairman, I yield to the gentleman from North Carolina (Mr. BROYHILL), a member of the committee, such time as he may consume.

Mr. BROYHILL of North Carolina. Mr. Chairman, I rise in support of H.R. 7072, which would amend the Airport and Airway Development Act of 1970. The purpose of this measure is to clarify the intent of the Congress regarding the priorities for airway modernization and airport development and to insure that aviation user taxes are restricted to these uses.

The passage of this measure is vital if we are to assert the will of the Congress and accomplish the many needed improvements which are so important to the Nation's aviation system. Last year, the Committee on Interstate and Foreign Commerce spent a great deal of time, thought, and effort in writing the Airport and Airway Development Act and at that time provided for the expansion and modernization of the airport and airway system. These much-needed improvements were to be financed through user taxes imposed on the aviation industry, to be deposited in a special trust fund for this purpose.

In this original legislation, the Congress specified minimum amounts to be allocated to airport and airway system improvements from the trust fund. However, the Department of Transportation budget request submitted earlier this year was for a lower figure than that specified by the Congress. It appeared that the intent of the Department was to divert the remainder of the trust fund revenues for routine operation and maintenance programs of the Federal Aviation Administration.

The legislation before us today would clarify and strengthen the intent of the Congress in passing the original act last year. It would restate congressional priorities for modernization of the Nation's aviation system and would restrict moneys in the airport and airway trust fund to such purposes.

This bill was reported from the Interstate and Foreign Commerce Committee by a unanimous vote. I urge its passage by the House in order to meet the important need for improvements to our Nation's airports and navigational systems.

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

Mr. STAGGERS. Mr. Chairman, I yield myself 5 minutes and yield to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, is there anything in this legislation that would in any way adversely affect legislation we have previously passed instructing the FAA to establish maximum noise standards for jet aircraft at airfields?

Mr. STAGGERS. No. None at all.

Mr. PUCINSKI. There is nothing in this?

Mr. STAGGERS. No.

Mr. PUCINSKI. Would the research money in this bill provide funds for further research in trying to deal with problems of jet noise at airports?

Mr. STAGGERS. It could be used for anything which has to do with safety.

Mr. PUCINSKI. Another question. Is there anything in this bill or any other legislation the chairman might be aware of which could indemnify public buildings, such as schools, churches, and hospitals, which are in the immediate path of jet aircraft and suffer jet noise, for providing funds to soundproof those buildings and protect those buildings from the excessive noise of approaching or departing aircraft?

Mr. STAGGERS. This bill does not authorize it.

Mr. PUCINSKI. This does not?

Mr. STAGGERS. This does not. All this does is correct a misunderstood part of the other bill.

Mr. PUCINSKI. I thank the gentleman. It is my hope that we will be able to develop a program under which public buildings which suffer excessive jet noise will be able to be soundproofed with some financial help for such soundproofing coming from the aviation authority.

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

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

Mr. MINSHALL. Mr. Chairman, I commend the committee on the action they have taken—I know it is going to meet with a hearty response from all those in the aviation community and especially those in general aviation, because they feel they have been getting the short end of the stick the way the FAA and the Department of Transportation interpreted the last legislation. I think this is a step in the right direction and will do much to help put the user fees in the proper places as Congress originally intended.

Mr. CONTE. Mr. Chairman last year we enacted the Airport-Airway Development Act, which did two things—it set firm fiscal goals for the development of civil aviation and it extended to the field of aviation the proven principle that those who use a system should provide for its support.

I believe we would still agree that the law is a good one and that it serves a vital purpose. However, like many new products, new legislation sometimes has a few bugs in it. We have encountered a few with Public Law 91-258.

Several of my distinguished colleagues, in seeking to "debug" the Airport-Airways Development Act, have proposed amendments which in my opinion go beyond the limits needed to correct an ambiguity in interpretation, and which, if approved, might actually impede the effective administration of the Nation's overall airport-airways program.

I refer specifically to H.R. 7072 which, if approved, would appear to preclude the use of any trust fund revenues for operation and maintenance expenses in support of the airway system. Title II, section 208, of the Airport-Airways Development Act authorizes trust fund expenditures for planning, for research and development, construction, and operations and maintenance of air traffic control, air navigation, communications or supporting services of the airways system, as well as for portions of the administrative expenses attributable to those activities.

To constrain that authority, to depend solely on appropriations from the general fund to sustain operations and maintenance requirements which have increased dramatically in the past few years and will certainly increase again in the future, would contradict the user charge ethic. It would also infringe on the flexibility which the Department of Transportation must have to manage the system effectively and efficiently.

Now, Mr. Chairman, I am well aware

that the administration did not obligate the full amounts for airport development grants in fiscal year 1971 that were stipulated in title I of the act. But the Department of Transportation has since increased the obligation level in fiscal year 1972 to the full amounts called for. In testimony before the Senate Appropriations Committee last June, Mr. John P. Olsson, Deputy Under Secretary, stated that the administration will obligate \$280 million for airport development in 1972, as prescribed by the act. Mr. Olsson also testified that the Department's budget calls for \$250 million for airway facilities in fiscal year 1972—again, the minimum amount provided for by the law. Mr. Olsson also is on record as assuring the Congress that the administration "plans to continue the airport program at the \$280 million level," and that the "balance of \$403 million in the trust fund at the end of fiscal year 1971 . . . will be completely eliminated during fiscal year 1972 as the proper adjustment is made to balance out the 2-year period."

My colleagues have expressed concern that using any part of trust fund revenues for operation, maintenance or other authorized purposes would detract from the capital improvements needed to expand and upgrade the system.

I understand their apprehension, but I do not share it. I would remind my esteemed associates of two things: First, the funds now available for the acquisition of airport and airway facilities, even on the basis of the minimums established by the act, far exceed the average annual appropriations that were available for civil aviation purposes before the act was passed. Second, the user charges enacted by our postal and highway programs help pay for the operation and maintenance of those systems, as well as for the capital investments required. No system is complete or functional unless it is skillfully operated and properly maintained. The operation and maintenance functions serve the users of the system just as surely and as ably as the runways, radars and instrument landing systems.

During fiscal year 1971, the FAA obligated \$170 million for airport development, despite a late start and an increasing nationwide resistance to projects for new or enlarged airports.

As an example of the progress being made in airway developments, the Federal Aviation Administration is adding 135 new instrument landing systems—an increase of 50 percent over the 295 such systems available when fiscal year 1971 began.

New automated radar terminal systems—ARTS—are being delivered at the rate of two units per month. Four of the systems, which provide controllers with an automated display of vital flight information, already have been installed. By the end of calendar year 1973, 64 ARTS III systems will be in operation at major airports.

Thirty-six new airport surveillance radars are under contract, to provide improved aircraft surveillance in terminal areas. Added to the 88 ASR's in use at the beginning of fiscal year 1971, the new

surveillance equipment being acquired represents a 40-percent improvement.

Automation of the enroute traffic control centers, the NAS stage A system, is continuing at the fastest practical rate. The 20 centers covering the continental United States will be automated by late 1974.

It was obvious during our deliberations preceding passage of the Airport-Airway Development Act that the nonflying elements of our Nation's civil aviation system have lagged behind the expanding capacity and rapid developments of the airborne portions. This situation is changing. But capital equipment additions alone will not enhance system capacity, safety, and efficiency. In the past 18 months, the FAA has hired 6,480 controllers. Every new radar added to the system carries an additional cost in personnel to man and maintain it. If we were to limit trust fund revenues to the purchase of hardware and concrete, we would, in effect, be buying half a system—perhaps the least important part.

I understand that under the amendments proposed, operation and maintenance costs would be paid for from the general treasury revenues. Even under the terms of the act as it now stands, a portion of the costs of acquiring and maintaining the national aviation system is paid for from the general fund, even though aviation-related revenues no longer filter into the general fund.

To separate operation costs of the system from trust fund resources would defeat the logic of user revenues. Moreover, as the airport-airways system of our Nation expands, O. & M. costs will unavoidably increase, placing a disproportionately high burden on the taxpayers who do not benefit from aviation services. The effect of the changes we are considering today is to force the 85 percent of the people of this country who do not use the airways to subsidize the 15 percent who do. This to me constitutes an unwarranted and unfair compromise of the user charge principle.

Even under the present setup, users of the system would not be paying the full cost of services until the 10th year of the airport-airways revenue program. Cost allocation studies currently being conducted by the Department of Transportation will paint a more accurate picture of the actual relationship between the costs of airway services and the shares paid by the airlines and general aviation. I personally suspect the facts will show that the users of the Nation's airways are not being charged unfairly.

I believe, Mr. Chairman, and I hope this assembly will agree, that we have exposed the bugs that were frustrating the intent of the Airport-Airway Development Act. Testimony from the Department of Transportation demonstrates that the administration now has a clear understanding of its responsibilities in funding airport-airway developments at the rates prescribed by Congress. I urge against any further action which would restrain implementation of the act's provisions, or restrict the flexibility of those managing the system to use the resources available with the utmost

efficiency. I believe H.R. 7072 would have that effect, and I ask that it be rejected.

Mr. BOLAND. Mr. Chairman, under the bill we are now considering, H.R. 7072, no trust fund moneys could be used for the operation and maintenance of the airways system, except for those expenses related to the acquisition, establishment, and improvement of air navigation facilities.

This would mean that virtually all of FAA's operating expenses—for example, air traffic controller—would be funded with General Treasury funds rather than user taxes.

I am aware that this proposal is designed to clear up some ambiguities in the present law respecting the use of funds from the Airport and Airways Trust Fund. The pending proposal makes it clear that no amounts may be appropriated from the trust fund to carry out any program or activity except those designated—that is, airport development, facilities, and equipment—and those research and development and administrative expenses related to capital improvement programs. The bill also requires that amounts equal to the minimum amounts authorized for development grants and airways facilities shall remain in the trust fund until appropriated for those functions. The amounts involved are \$280 million and \$250 million a year, respectively, through fiscal year 1975.

Frankly, Mr. Chairman, I am of the opinion that a good part of the maintenance and operation of the air navigation facilities and the airways system should be paid for by the users of the airways. I do not believe that persons who do not use the system should be taxed and pay for the heavy burden of maintaining and operating it. And this is precisely what is done when General Treasury funds are used for this purpose.

I have noted that a study by the Department of Transportation is required under this legislation. This study will center on the costs associated with the use of the aviation system to develop information on which Congress may determine an equitable distribution of the burdens of supporting between users and the general public. This report is to be submitted to the Congress by May of 1972. I commend the committee for this recommendation and, because of it, I see no useful purpose in opposing this bill today.

My distinguished colleague from Massachusetts (Mr. CONTE) with whom I serve on the Subcommittee on Appropriations dealing with the funding of the Federal Aviation Administration, has already discussed his feeling and concern with the pending proposal. I share these opinions.

Mr. Chairman, I also insert in the RECORD at this point the statement of John P. Olsson, Deputy Under Secretary, Department of Transportation, delivered to the Committee on Interstate and Foreign Commerce. It reflects the view of the Department.

The statement follows:

STATEMENT OF JOHN P. OLSSON, DEPUTY UNDER SECRETARY, DEPARTMENT OF TRANSPORTATION, BEFORE THE SUBCOMMITTEE ON

TRANSPORTATION AND AERONAUTICS, HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, REGARDING H.R. 7072, AND SIMILAR BILLS, TUESDAY, JUNE 8, 1971

Mr. Chairman and members of the Committee: I appreciate this opportunity to appear before you today to discuss H.R. 7072 and similar bills amending the Airport and Airway Development and Revenue Acts of 1970.

The thrust of these bills is to preclude the use of monies in the Airport and Airway Trust Fund to meet expenses attributable to research and development and the operation and maintenance of the airway system each year in which appropriations are not made of the minimum amounts for airport development and airway facilities specified in Section 14 of the Act. The Department opposes the enactment of these bills. We do not believe they are necessary to the achievement of the long-range goals established in the Airport and Airway Act, and we believe that, in some instances, the rigidity they would impose might be harmful to the effective administration of the airport and airway program.

Just last month we marked the first anniversary of the enactment of the Airport/Airway Act. At the time the Act was passed, we regarded it as the most significant legislation in the aviation field since the enactment of the Federal Aviation Act in 1958. The Act was needed to give us during the decade of the 1970's the means for improving and expanding our airports and for upgrading and modernizing the airway system to ensure the safe and efficient movement of air traffic. The Act fulfilled that need most satisfactorily, and established firmly in the field of aviation the principle that those receiving benefit from the aviation services provided by the Government—the users of the airport and airway system—should pay through special charges sums needed for the development and operation of the system. Let me say that our enthusiasm over the enactment of the Act is as keen on its first anniversary as it was on the day President Nixon signed it into law.

We recognize that controversy exists respecting the administration of the Act, particularly with respect to funding the development of airports and the installation and improvement of airway facilities, and that this has contributed impetus to the introduction of the amendments in the bills before the Committee. Therefore, I would like to take a brief look at our funding to date, our future funding plans, and how these square with the long-range funding goals of the Act, as well as discuss the general operation of the Trust Fund during FY 1971 and 1972.

First, let's take a look at funding for airport development. The declaration of policy of the Airport/Airway Act states that the obligatory authority during the period July 1, 1970, through June 30, 1980 for airport assistance should be \$2.5 billion. So far, the Department's budget estimates provide for the obligation for airport development and planning grants of \$180 million in 1971, and \$220 million in 1972. The FAA Ten-Year Plan under the Act for the subsequent three fiscal years calls for the obligation of \$280 million in 1973, and \$285 million in each of the fiscal years 1974 and 1975. Under any foreseeable circumstances we would expect these amounts to be made available. The Administration's budget plans and legislative proposals for the FY 1972 budget and beyond have been predicated upon these planning amounts. From the standpoint of meeting the ten-year goal of the Act our program is right on the target.

On an annual basis, the Act authorizes not more than \$15 million of planning grant obligations and not less than \$280 million of

development grant obligations. Thus, after the initial start-up period of the airport program our plans call for making funds available at approximately the annual obligational levels authorized by the Act. We will be requesting appropriations for the cash payments to meet these obligations as required. Therefore, the true program level for the airport program is best measured by the obligations made during a given fiscal year rather than by the liquidating appropriations in that year.

Now let's turn to the funding on the airway side. The Act states that the annual obligational authority during the period July 1, 1970, through June 30, 1980, for the establishment and improvement of air navigational facilities should be no less than \$250 million. The Department's budget for airway facilities contained \$238 million for 1971 and \$250 million for 1972. Our planning for the subsequent three fiscal years calls for the obligation of at least \$250 million for each of those years. Thus, the total amount we would obligate for airway facilities for the five-year period is expected to be at least one billion 250 million dollars which, again, is on schedule from the standpoint of meeting the 10-year goal of \$2.5 billion contemplated by the Act.

In the area of research and development, we are exceeding the annual amounts stated in the legislative history of the Act. At the time of the hearings on the bill we contemplated an annual program of some \$50 to \$60 million. For 1971 our budget for research and development was \$62 million, and for 1972 it is \$73 million. The larger outlays we will be making for research and development early in the 10-year program should enable us to achieve greater cost effectiveness from our capital investments for airway-facilities than otherwise would be possible as we move through the 1970's.

Mr. Chairman, I have here for the record a table which shows these funding levels by major category for the fiscal years 1971 and 1972.

Now I would like to discuss the manner in which we are applying to our airport/airway program the sums in the trust fund available from the aviation user taxes and from the General Fund of the Treasury.

There has been considerable confusion and misinformation prevalent concerning the operation of the trust fund. Let me take just a minute here to clarify the situation and hopefully put things into the proper perspective.

First, there are certain expenditures which cannot be funded out of the trust fund. These include both the operations aspects of safety regulations and enforcement, and the associated R&D. Another non-trust fund item is the operation of National and Dulles Airports. These programs are financed by separate appropriations from the general fund of the Treasury and are not related to the trust fund or the user taxes.

Secondly, that portion of the airspace system considered to be chargeable to military operations is not financed from user charges, and properly so. While from a bookkeeping standpoint these expenses are included in the trust fund, the source of funds is the general fund, not user charges.

Thus, the expenditures actually financed by aviation user charges are limited to the areas directly benefiting the aviation user. The Airport/Airway Act states that amounts in the trust fund shall be available, as provided by appropriation Acts, for making expenditures for (1) airport assistance; (2) construction of air traffic control and air navigation facilities; (3) research and development with respect to the airway system; and (4) the operation and maintenance of airway facilities, including supporting services. All of these four major areas may be

financed from trust fund monies if appropriations Acts so provide, whether those monies are derived from user taxes or other taxes.

Our current estimate of user charge receipts indicates that it will not be until the tenth year that user charges would cover completely the cost of services rendered under the Act. In fact, during FY 1971 and 1972 it is estimated that user charges will cover only about fifty percent of the cost of trust fund activities.

I would also like to take this opportunity to clarify the true status of the so-called "balance" in the trust fund at the end of FY 1971. The regular FAA appropriation for FY 1971 was not made from the trust fund. However, the FY 1971 supplemental appropriation for the FAA was made from the trust fund. The effect of this was a build up of a balance of approximately \$403 million in the trust fund by the end of FY 1971, which normally would have been applied to eligible Airport/Airway programs in that year. This balance will be completely eliminated during FY 1972 as the proper adjustment is made to balance out the two-year period.

To return now to the specifics of H.R. 7072, we would not like to see absolute minimums established respecting the funding of airport assistance and airway facilities, nor a provision in the law prohibiting the use of trust

fund monies for R&D and O&M when such minimums are not met. We regard all four of the major functions financed by the Act as important, and the law should remain flexible so that special emphasis may be placed on any one of these areas in a particular year as necessary to meet the need at hand. We believe it appropriate to allow all four of the areas to be financed by any monies in the trust fund. In fact, toward the end of the decade the Act is designed to provide sufficient income from user taxes to meet nearly all of the costs of all of the eligible functions carried out under the Act, including the operation and maintenance of the airway system. And this is as it should be. Certainly the crucial service afforded the users by air traffic controllers and systems maintenance personnel need not take a back seat to any of the other major parts of the program. The costs incurred in the provision of this service not only are proper ones to be charged to the users, but they are deserving of a very high priority in the application of available tax revenues to the various facets of the airport/airway program.

In summary, we do not believe that provisions in the Airport/Airway Act for the administration of the trust fund require amendment along the lines proposed in the bill. As we have shown, our current program

is proceeding at a pace which should insure the attainment of the long-range funding goals of the Act for airport assistance and the installation of airway facilities. At the level for 1971 (\$170 million for airport development), we have made a dramatic jump in obligations over previous years when under the old Federal Airport Act the maximum annual authorized level was \$75 million, and actual appropriations sometimes fell short of that level.

As far as airway facilities are concerned, again we are very close to the funding schedule prescribed by the Act, and if you take into account the added emphasis we are placing on R&D, I would say we are a step ahead in this field.

We believe it is essential that trust fund monies be available for all aspects the airport and airway development program. All of these functions are essential to affording the users a safe and efficient system of airports and airways, and the Act should remain flexible to allow effective administration of these functions, including necessary increases or decreases in funding on a temporary basis to accommodate urgent needs in different areas of the program.

Mr. Chairman, that concludes my prepared statement. Now I would be happy to answer any questions the Committee may have.

AIRPORT/AIRWAY PROGRAM, FISCAL YEARS 1971 AND 1972
[In millions]

Appropriation/estimate	Amounts mentioned in Public Law 91-258			1971 and 1972 total	Appropriation/estimate	Amounts mentioned in Public Law 91-25			1971 and 1972 total
	1971 appropriations	1972 estimate	1971 estimate			1971 appropriations	1972 estimate		
Operations.....		\$902.8	\$391.8	\$1,894.6	Aviation Advisory Commission.....	\$2.0	\$1.5		\$1.5
Airway system investment/development..	\$300.0	300.4	322.8	623.2	Total appropriations.....		1,274.7	\$1,421.6	2,696.3
Facilities and equipment.....	(250.0)	(238.0)	(250.0)	(488.0)	Funding:		1,097.2	293.1	1,390.3
Research and development.....	(50.0)	(62.4)	(72.8)	(135.2)	General fund appropriations.....		177.5	1,128.5	1,306.0
Grants-in-aid for airports: planning grants..	15.0	10.0	15.0	25.0	User tax revenues applied.....				
Development grants:					Estimated user tax revenues (existing and proposed legislation).....	580.0	726.0		1,306.0
Obligations.....	(280.0)	(170.0)	(205.0)	(375.0)					
Appropriation to liquidate obligations.....		60.0	92.0	152.0					

Mr. SHRIVER. Mr. Chairman, I strongly support H.R. 7072 which is before the House today: The Airport and Airway Development and Revenue Amendments of 1971. Overwhelming passage of this bill will make clear the intent of Congress that the user trust fund established under the 1970 act be used solely for airport and airway development.

This bill, which is similar in effect and identical in intent to H.R. 3249, which I cosponsored in February, does not represent a radical departure from earlier policies. Secretary of Transportation John A. Volpe testified during the hearings on the 1970 act which established the user trust fund as follows:

The bill would establish a designated account into which all user tax receipts would be deposited. Funds could be appropriated from the account only for the purpose of airport development and airway development, operation and maintenance. Any fears that moneys received through user taxes will be diverted to non-aviation purposes are more theoretical than real. To the extent these fears are real, the establishment of a designated account should completely allay them.

This statement was made on July 21, 1969. Congress reacted favorably to the administration's proposals by setting up the fund designed to provide \$2.5 billion over a 10-year period for airport and airway development. The funds were not to come from general tax revenues, but were to be collected from those who

benefit directly from airport development—the air transportation industry, including general aviation.

While we are all aware of the genuine demands which face Federal administrators for which adequate financial revenues are often not available, the subsequent use of this separate user trust fund for general administrative expenses of the Federal Aviation Administration was puzzling and frustrating to the air transportation industry and to Congress. In the fiscal 1971 and 1972 budget requests, the administration proposed extensive payments from this fund to be used for maintenance and administrative functions of the SAA which had no direct relationship with airport and airway development and which had previously been funded from general revenues, just as all other maintenance and administrative functions of the Federal Government.

In answer to the many complaints concerning this use of the trust fund, Congress provided additional Federal payments into the fund to cover these operational expenses. While this alleviates the problem of a shortage of funds for airport and airway development and is as far as we can go in an appropriations bill, this is not the best solution.

In effect, the 1972 appropriations bill accomplishes the intent of this bill—to use general funds for general purposes and leave the trust funds for develop-

ment. However, it requires one additional step and does not insure that the funds for airport and airway development will be spent.

H.R. 7072 more narrowly defines the purposes for which the trust fund can be used and the report accompanying this bill stipulates that, in one case, should the language be interpreted to include maintenance and operational expenses of the FAA.

In addition, the report states:

To make absolutely certain that our intention is understood and the specified minimum amounts are channeled into airports and airways development, the amended language would require that the minimum authorized amounts be retained in the fund until allocated for capital investment in the aviation system.

Thus, this bill clarifies without any doubt the intent of Congress that the trust fund shall be used for the purpose of developing our overburdened airports and airways system. As of the beginning of this fiscal year, we have more than \$300 million worth of environmentally sound but unfunded airport projects that are ready to go and for which local matching funds are available.

More adequate facilities are badly needed for our growing air transportation industry to insure better service and safety to users. A heavy vote in favor of this bill today will make it clear to the Department of Transportation that

Members of Congress strongly favor going ahead with this effort.

Mr. BYRNES of Wisconsin. Mr. Chairman, I am certainly sympathetic to the purposes toward which this bill is directed, but I have the feeling the bill involves "overkill" that frustrates the intent of the Airport and Airway Development Act of 1970, in attempting to resolve a very real problem.

It may help to put the issues in context to review the intent of the Airport and Airway Development Act. Congress enacted this legislation to deal with a continuing crisis resulting from inadequate airports and navigation facilities, particularly in view of the tremendous current and anticipated growth in aviation. The lack of adequate airport and navigational facilities both undermined the convenience of the traveling public and impaired air safety. The Airport and Airway Development Act dealt with this problem by establishing a trust fund into which user taxes imposed by the act would flow. It was clearly the intent of Congress that the commitment contained in the act for appropriations for airports and airway facilities be given priority in dealing with our current problems.

However, it was also understood that after the first few years of the new program, the new taxes would generate revenues in excess of contemplated expenditures for airport and airway facilities, and that these expenditures would be associated with operation and maintenance of our airport and airway system. Consistent with honoring our commitment to the construction of airport and airway facilities, it seems both logical and appropriate to use additional revenues for these purposes. I see no distinction in terms of the convenience and safety of air transportation in using the taxes imposed on airway users, not only to provide for modern radar facilities, but also to train and employ people qualified to make maximum utilization of this equipment.

There was legitimate public concern, based on actions taken by the administration and the Congress, that the full amount intended to be appropriated for airports and airway facilities in the near future would be reduced, and the additional money in the trust fund used for expenses incident to operation and maintenance. I certainly support action to insure that the commitment of Congress to construction of airway and airport facilities is honored. However, the present bill goes too far in precluding the use of trust fund receipts for operations and maintenance, not only in the near future, but indefinitely, even though the basic commitment of Congress to the construction of airway and airport facilities is met. For that reason, I believe the bill goes too far, and I want to alert the Congress that we will have to deal with this issue again.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the committee amendment in the nature of a substitute printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

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

That section 12(h)(5) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1712(h)(5)) is amended by striking out "January 1, 1972" and inserting in lieu thereof "January 1, 1973".

SEC. 2. The first sentence of section 14(d) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1714(d)) is amended to read as follows: "The balance of the moneys available in the trust may be allocated for the necessary administrative expenses incident to the administration of programs for which funds are to be allocated as set forth in subsections (a), (b), and (c) of this section, and for research and development activities under section 312(c) (as it relates to safety in air navigation) of the Federal Aviation Act of 1958."

SEC. 3. Section 14 of title I of the Airport and Airway Development Act of 1970 (49 U.S.C. 1714) is amended by adding at the end thereof the following new subsection:

"(e) PRESERVATION OF FUNDS AND PRIORITY FOR AIRPORT AND AIRWAY PROGRAMS.—

"(1) Notwithstanding any other provision of law to the contrary, no amounts may be appropriated from the trust fund to carry out any program or activity under the Federal Aviation Act of 1958, except programs or activities referred to in subsections (c) and (d) of this section, as amended.

"(2) Amounts equal to the minimum amounts authorized for each fiscal year by subsections (a) and (c) of this section shall remain available in the trust fund until appropriated for the purposes described in such subsections.

"(3) No amounts transferred to the trust fund by subsection (b) of section 208 of the Airport and Airway Revenue Act of 1970 (relating to aviation user taxes) may be appropriated for any fiscal year to carry out administrative expenses of the Department of Transportation or of any unit thereof except to the extent authorized by subsection (d)."

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

The CHAIRMAN. Is there any objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. Are there any amendments to be proposed to the committee amendment in the nature of a substitute? If not, the question is on the committee amendment in the nature of a substitute.

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

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. McFALL, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee having had under consideration the bill (H.R. 7072) to amend the Airport and Airway Development and Revenue Acts of 1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes, pursuant to House Resolution 593, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the amendment.

The amendment was agreed to.

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

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

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

The bill was passed.

The title was amended so as to read: "A bill to amend the Airport and Airway Development Act of 1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on H.R. 7072 and to include extraneous matter.

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

There was no objection.

MID-DECADE CENSUS PROPOSAL IS STILL UNDER ACTIVE CONSIDERATION

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

Mr. CHARLES H. WILSON. Mr. Speaker, following our hearings on mid-decade census legislation held in May and June of this year, we have been encouraged by the amount of support and expressions of solid concern given by the Members of Congress on this program. Realizing that a great number of Members have a vested interest in this subject, I felt it worthwhile to make a general report on the status of this legislation.

At the conclusion of the last of three hearings held on mid-decade census legislation, I publicly expressed disappointment and surprise at the position of the administration at this time opposing the establishment of a mid-decade population census series, but proposing the further development and better utilization of existing administrative records as a substitute for census data. A few days later on June 14, I introduced into the CONGRESSIONAL RECORD a statement of the administration's position, a review of the findings by the Subcommittee on Census and Statistics on the overwhelming support for such a census, and my plan to contact every witness who has appeared before us—Governors, mayors, county supervisors, representatives of census user organizations, and members of the business community—asking them to contact the President advising him of

their desperate need for a mid-decade census.

Accordingly, we have communicated with a large number of the people and organizations represented above and their petitions requesting the President to endorse a mid-decade census to be undertaken in 1975 and every 10 years thereafter have been most impressive in terms of quality of justification, delineation of informational needs, and forthrightness of presentation. These reactions have reinforced the determination of the subcommittee to continue its interest and enthusiasm in support of the need for such legislation.

In general accordance with an implicit request of the administration but particularly in recognition of its new economic policy relating to reduction of Government expenditures, the subcommittee will cooperate by not submitting legislation proposing a mid-decade census during the balance of this year. During this period, we do not plan to conduct further hearings but we do expect to continue our negotiations with the administration with the expectation of arriving at a mutually agreeable position on the initiation of a mid-decade census program.

It should be noted that the Decennial Census Review Committee appointed by the Honorable Maurice Stans, Secretary of Commerce, submitted its report in July 1971. Included among its findings was a strong recommendation for a mid-decade census designed to collect basic population data on a complete enumeration basis. This report in its entirety was introduced by Senator HIRAM FONG, Hawaii, in the CONGRESSIONAL RECORD on August 4, 1971.

Furthermore, in response to my request at our initial hearings on May 18, 1971, Mr. John Aiken, executive director, Federal Statistics Users' Conference, surveyed the regular members of the conference as to their views on the establishment of a mid-decade census. With the results obtained thus far, this survey has revealed an overwhelming support for such a census and a definite need for data on a small area basis. It should be noted that this users' conference represents a broad cross-section of business firms, State and local governments, universities, nonprofit research organizations, trade associations, and labor unions.

Within a few weeks, we expect to receive from the General Accounting Office a report on the data that can be obtained from and the overall effectiveness of a mid-decade census versus a determination of the data that can be gleaned from existing administrative records. I requested this report so the Congress could get the benefit of an independent evaluation of the two approaches in comparative terms of costs, efficiency of utilization, and resultant benefit in compiling and using the data to meet current informational demands. Inasmuch as the administration has decided to study the possibilities of using administrative records as a substitute for a mid-decade

census, I felt the Congress should become better informed on this development.

However, if the GAO report should recommend a mid-decade census program, and assuming the widespread momentum for such legislation continues, I plan to introduce an appropriate bill at the earliest possible opportunity next session. This timing will hopefully permit passage of the bill into law before the summer recess. With this schedule, there should be sufficient time to allow the Bureau of the Census to plan, prepare, and launch a complete enumeration census as of April 1, 1975.

In response to the many requests and proposals that we in the Congress are constantly receiving on the need for current information necessary for efficient planning and administration in the public and private sectors, we must continue giving priority attention to the establishment of a program to provide census type data more often than once in 10 years. The wealth of excellent testimony presented in recent years to the Subcommittee on Census and Statistics at hearings on the establishment of a mid-decade population census series can no longer be ignored. As chairman of the Subcommittee in Census and Statistics, I am committed to providing the leadership for initiating such a program, as warranted, as soon as possible. It would be most desirable if the administration would join forces in this activity for the overall benefit of the country.

INDIANA LOUSY WELFARE STATE

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

Mr. MYERS. Mr. Speaker, we have all heard that song, "The Welfare Cadillac," and we recognize it as an exaggeration of some of the conditions.

However, last Sunday the Indianapolis Star carried an article about a family that left California and selected Indiana. Unfortunately for my congressional district, they selected one of the counties I have the privilege of serving here, as their home. This family, however, is leaving Indiana and returning to California because they say that Indiana is a lousy State for welfare. Further, they state it is a disaster State.

I recommend this article I am putting in the RECORD today for reading by every Member here because I think it very vividly illustrates the welfare conditions in this country and the need for welfare reform that is now resting in the other body.

Mr. Speaker, I hope every Member will read this. This not unique to Indiana or California—it is the situation I think to almost every community throughout the Nation. But, this particular instance today, however, is going to be California's loss and Indiana's gain.

The newspaper article to which I have referred is as follows:

[From the Indianapolis Star, Sept. 19, 1971]
INDIANA "LOUSY," WELFARE COUPLE LEAVING
IN \$10,000 LAND CRUISER

(By Carolyn Pickering)

SPENCER, IND.—Melvin, 39, and Lorraine Stewart, 49, fed up with Indiana because it's a "lousy" state for welfare benefits, are packing up their \$10,000, air-conditioned, mobile land cruiser to return to California where "they really take care of folks on welfare."

The Stewart couple, both unemployed, now live with her two children in a four-room house at New Hope, a tiny rural community 12 miles south of Spencer.

The Stewarts call Indiana a "disaster state" and their village "No Hope."

They'll rent a trailer and hook that and their 1966 Pontiac Bonneville onto the rear of the land cruiser for the trip west.

Into the land cruiser, purchased in California, and on which they make \$118.91-a-month payments, will go the two children, aged 12 and 9, and the family's handsomely clipped poodle, Sassy, whose tonsorial treatment cost \$10 a snip.

Although the Stewarts say they're in too poor health to work, among the personal belongings they'll load into the trailer are four television sets, an up-right deep freeze, a king-size, six-position vibrating recliner and a pair of elegant parlor chairs reupholstered in red velvet at a cost of \$248.

All, of these, except the vibrating chair, were bought in Indiana since January at taxpayers' expense.

They hope to take a coppertone refrigerator-stove combination, complete with hood and circulating fan, but they may have to leave them behind. They have not finished paying for them.

Mrs. Stewart, who says she's been living off welfare, Social Security and trustee aid since 1959, is more than a little miffed at the Owen County Welfare Department.

She says:

"Mr. Chambers (Barry Chambers, eligibility case worker) told us when we came here last January we'd get \$70 a month from them. We didn't.

"A month or so ago he told me how to change my budget around so we'd get a \$28-a-month increase in our benefits. I did what he told me, but the board turned us down.

"He also told us he'd try and get welfare money to pay for the stove, but he didn't."

The plump mother also charged that Chambers promised he'd obtain welfare funds to pay for exterminators to rid the Stewart home of termites if the Stewarts could obtain a loan from a bank.

Mrs. Stewart said they were unable to obtain the loan, which was to have been paid off with the extra welfare money.

Chambers, a 24-year-old conscientious objector from New Castle, who said he has a degree in anthropology from Ball State University, said he couldn't discuss individual cases.

However, Mrs. Ann Rein, Owen County welfare director, said:

"There is a certain element of truth in what Mrs. Stewart told you. Their case is unique."

Mrs. Rein said regulations prohibit discussing details but she confirmed that Chambers "did talk with Mrs. Stewart about the condition of her home."

"The Stewarts," according to Mrs. Rein, "couldn't obtain a loan for termite extermination so it was a moot issue."

She conceded, however, that had the loan been secured "we would have made a division of the payments."

Mrs. Rein said she wasn't going to be "put on the spot" by discussing other matters allegedly discussed by Chambers with the Stewarts.

Mrs. Rein said she feels the situation in Owen County is "typical of all counties in the state."

As a welfare recipient, Mrs. Stewart has served on the county's Citizens Advisory Council to the welfare department, but she resigned last week, saying the group is useless.

"People have complaints but they're afraid to talk for fear of getting kicked off the rolls," she said.

"Why, if a welfare person has to go to the doctor they're (welfare department) supposed to send a cab and pay the fare, but they won't. We're entitled to it, but they don't treat you right down here," she lamented.

In California, where she lived previously, Mrs. Stewart said she was on the "aid for the totally disabled" rolls—a category that doesn't exist in Indiana.

"I got \$146 a month for that, plus \$50 a month for a lady to clean the house and unlimited medical expenses," she said.

Mrs. Stewart said her principal health problems were caused by being overweight, high blood pressure and an enlarged heart.

Welfare benefits, \$141 a month in Social Security for a daughter by a previous husband, Stewart's Social Security of \$136 a month, surplus commodities and ADC of \$232 gave them income of well over \$500 in California, she said.

"We bought the mobile cruiser out there—brand new—two years ago, and had a ball," she said.

"We joined a camper club and traveled all over California—it was really fun," he reported.

But, in Indiana, the Stewarts say, combined ADC, Social Security for Stewart and the daughter, plus surplus commodities which "we don't like" gives them an income of only about \$325 a month.

Yet they've kept up the \$181 mobile cruiser payments and, two weeks ago, took a little vacation to Mammoth Cave in Kentucky.

And they don't intend to give up the cruiser "because we have too much invested."

Stewart, who claims a back injury prevents him from working, looks over the acre of ground around their New Hope home and says he hasn't put in a vegetable garden because "the weeds would get ahead of us."

He and his family say the surplus commodity program which gives them foodstuffs, including four pounds of butter a month, is inadequate.

Mrs. Stewart says she needs to be on a high-protein diet.

"I keep telling them I need things like lean beef, chicken, eggs and cottage cheese, but they don't pay any attention," Mrs. Stewart charges.

"Instead," she laments, "we're green-beaned to death and my kids don't like oatmeal for breakfast."

Chambers, speaking cautiously, blames the alarming rise in aid to dependent children welfare cases in Owen County on "part of a national trend."

Two years ago only 13 families with a total of 46 children were receiving such benefits and the cost to the taxpayer was \$3,256 for 1969.

Currently, there are 77 families involving 195 children receiving a total of \$9,984 in Owen County—a dilemma that has forced the welfare department to obtain an additional \$37,000 appropriation, bringing their total 1971 budget to \$284,895 for all types of assistance.

Chambers says there are a great many more folks in Owen County who probably qualify for benefits, but "they just don't know about it."

With 3 per cent of the 9,000 Owen County population now on welfare rolls, Chambers says this figure is low compared to the national average of 7 per cent of the population.

One of the more vocal citizens on the sub-

ject is Owen Circuit Court Judge William T. Sharp, who says the entire welfare concept is "destroying any incentive for self-sufficiency."

"People are being told they're suckers to be self-sufficient—that it's easier to get a free ride. We're on the wrong track, subsidizing laziness and dependency by making it easy," he declares.

Judge Sharp, utilizing the authority of his office, already has clamped down in cases where he has legal jurisdiction.

Last week, on a petition filed by the welfare department, the four children of Mrs. Margaret Corns of Spencer were made wards of the court and placed in foster homes. Mrs. Corns has left Spencer.

Judge Sharp said Mrs. Corns has been receiving \$205 a month for the children, who were "neglected and getting poor training."

The father of the last child, Judge Sharp said is an 18-year-old serving a term in the Indiana State Youth Center on his conviction for assault and battery with intent to kill on Mrs. Corns' father.

In another case, \$50-a-week support payments being made by the father of five of the 13 children mothered by Mrs. Phyllis Owens of rural Poland were ordered placed in the general fund rather than being given to Mrs. Owens.

The woman, with nine of the children living with her in a trash-littered farmhouse, receives \$355 a month in welfare benefits. She has received at least \$8,000 from the Owen County department since she moved from Marion County several years ago, according to the judge.

Judge Sharp said evidence in court indicated Mrs. Owens was living rent-free in the house although she had told welfare workers she paid \$50 a month rent to the father of the five children, who owned the house.

Spencer druggist Jack Money said welfare recipients "are being counseled by someone to load up on prescriptions if they're about to go off the welfare rolls."

He said a surge of recipients, in recent months, also had become irate when he wouldn't permit them to put things such as toothpaste and shaving cream on their Medicaid cards.

"Medicaid pays for only medicinal items, but someone has been telling them the government would pay for most any drug store item," he said.

Money said that after Mrs. Rein was apprised the situation was corrected.

New Owen County Welfare Board member Frank Stewart (no relation to the recipient Stewarts) calls the entire welfare program a "form of blackmail by the Federal government."

He adds:

"I think there are responsible citizens at both the state and local level, but Federal regulations make it impossible for us to use our own judgment and I, personally, resent being rubber-stamped. It's sheer frustration."

OUTMIGRATION FROM RURAL AREAS

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

Mr. ALEXANDER. Mr. Speaker, last month a national television broadcasting system aired a lengthy broadcast dealing with out-migration from rural areas. As a part of it, a broadcast team visited a small North Carolina town and talked with youngsters who had just received diplomas from the local high school. Each of the youths were asked if they were staying in their hometowns or leaving. Most of them were "going North." Most of them said they were leaving

because there were no jobs for them where they had grown up.

Figures from the 1970 census and those for 1960 and 1950, indicate that this same story could have been filmed in hundreds of other schools in as many sparsely populated areas. And, we have good reason to believe the answers would have been the same. Many of the young people of these areas are leaving, not because they want to go to strange cities hundreds of miles away. They have had little choice, if they wanted to be self-supporting.

So, the nonmetropolitan areas become more and more empty of the people who once made them bloom with crops and small thriving towns. And, the populations of metropolitan areas must ever increase their struggle to assimilate the newcomers, to provide them with the services, jobs, and housing they need.

More and more frequently, we can drive through the countryside of these low-population areas and see the mark of desertion on the face of the land. Homes have been vacated. Stores along the streets of the small towns lie empty. The shadow of discouragement, disappointment, and even desperation lies heavy in the faces of the adults who have watched their young leave their homes.

In the larger cities and metropolitan areas, the same shadow of hopelessness can be seen. Too often it has its origin in the constant, never-ending struggle for solutions to the problem of too many people crowded in too little space competing for too few public services and job opportunities.

In terms of our Nation's history, it has been only recently that leaders of our governments have begun to realize that the problems of Smalltown, U.S.A., and metropolis have a common root—migration. Smalltown is starving to death, because its people are being forced to leave in search of jobs. Metropolis is deteriorating from the economic and spiritual exhaustion brought on by what has appeared to be a hopeless struggle with the problems of expanding population.

For many years, this phenomenon has been of deep concern to me. A decade ago, I became firmly convinced that the problems of the cities and the small towns and nonmetropolitan areas could not be separated. The problem is national. It must be treated as such. I am convinced that a major element in the solution of it is community development—in the small towns and counties where the migration begins.

I believe our Nation has for too long hesitated at the crossroads—marking time with temporary, partial solutions. In recent months, I have become convinced that a growing number of leaders in our Nation are also reaching that conclusion, and have been encouraged.

My concern for this problem has prompted me to spend more than a year in search of a proposal which would offer usable, realistic new sources of aid to the small towns and counties whose people are intent on surviving and achieving vigorous economies again.

As a part of my effort, I have conducted the first in a series of hearings I plan to hold in my district—the First Congressional District of Arkansas—to give local leaders an opportunity to dis-

cuss what they believe are their principal problems and news in community development.

The interest which these hearings have generated has been great. More than 33 newspapers from all across the State, two metropolitan papers from a nearby State, and a number of radio and television stations gave considerable attention to the problem being discussed at the hearings.

Because I am convinced that my colleagues in Congress will be interested in what I have been hearing from local leaders at these hearings, I wish to have included in the CONGRESSIONAL RECORD two news stories concerning the hearing and portions of the testimony relating to the need for community development.

I plan, during the coming weeks, to provide this information on a regular basis. Today, I would like to include in the RECORD, news stories relating to this question which were published in the Arkansas Gazette of Little Rock and the Commercial Appeal of Memphis, Tenn.

On next Wednesday, I will ask that the excellent testimony presented by Mayor Adrian White, of Pocahontas, Ark., president of the Arkansas Municipal League, the first witness at my community development hearing on August 30 in Brinkley, Ark., be included in the CONGRESSIONAL RECORD.

The item follows:

[From (Little Rock) Arkansas Gazette, Aug. 31, 1971]

ALEXANDER HEARS ECONOMIC WOES OF FIRST DISTRICT

(By Leroy Donald)

BRINKLEY.—In sometimes desperate and always frustrated tones, more than a score of mayors, county judges and state officials brought their economic woes to Representative Bill Alexander here Monday at his first hearing on a community development bank proposal.

Their over-all problems and specific troubles were not new, but the young congressman hopes to put together a portfolio which by sheer volume will help turn a reluctant Congress' attention to the desperate needs of nonurban areas.

As summed up by Henry P. Jones III, executive director of the East Arkansas Planning and Development District, Alexander's First Congressional District is "one which represents an embodiment of all of the problems of rural America * * *."

It's a region that has experienced a loss of population, has one of the poorest income levels in the country, is struggling to establish itself as its agricultural economy becomes an industrial one, has a low educational level and a high minority group population, yet is a region with "limitless" vacation and recreation resources and a chance for economic greatness with development along the Mississippi River.

The meeting, which was held at Brinkley City Hall, was begun in an atmosphere of apprehension. Reports had it that Rev. Ezra Greer of Earle, a leader in the black civil rights movement in East Arkansas, would attempt to disrupt the proceedings to attract attention to problems of the great number of blacks of the District. City police were evident in the Municipal Courtroom in the morning, but had disappeared from the room by afternoon.

The only blacks who appeared were three mayors and a city recorder—Mayors Willard Whitaker of Madison, Emmitt Conley of Cotton Plant and T. H. Green of Sunset, a brand new all-Negro community on the outskirts of Marion, and his city recorder W. C. Potts.

Others who appeared included Adrian White, the mayor of Pocahontas and president of the Arkansas Municipal League; Mississippi County Judge A. A. (Shug) Banks, president of the Association of Arkansas Counties and Frank Blizzell, the executive director of the Association; William S. Bonner, chairman of the City Planning Division of the University of Arkansas, and J. Dan Roebuck, executive director of the Arkansas Industrial Development Corporation.

TWO MORE MEETINGS ARE PLANNED

Alexander, 36, hopes to hold at least two more hearings, one at Jonesboro and another in the western part of his newly expanded district.

He opened the meeting here, telling the officials that a co-operative effort could bring about a change in national priorities.

He said the message he wants to get across to bring about this change is:

"Community development in areas of low and decreasing population is a vital element in the solution of urban problems."

The salvation of the New York city; the Bostons; the Detroit and the Chicagos, he said, lies in the salvation of the Cherry Valleys, the Madisons and the Brinkleys of the country.

"For too long, we have sought to develop programs to deal with the problems of the untrained or poorly trained rural migrants who swell our cities, while, ironically, we ignored the causes that force them to flee the nations' non-metropolitan areas," he said.

Such areas—and Arkansas is one of them—have the technology, the desire and the manpower to develop, he said, but lack capital resources.

His community development proposal, which would bring on more flexibility in federal funding, is one answer, Alexander said.

This proposal, speaker after speaker agreed Monday, could well be the salvation of small towns and nonurban areas.

ALL VOICED SIMILAR COMPLAINTS

Again and again, from Mayor Tilden Rodgers of fast-growing West Memphis to Howard W. Beasley, the executive vice president of the Bank of Cherry Valley and recorder-treasurer of that small Cross County community, the woes were the same—governmental red tape, lack of money to match grants, bewilderment of the "shell game" of bureaucracy, unrealistic constitutional limitations, and the inability of well-meaning citizens to come up with more taxes.

There is no indication that state legislation will give much more help, Mayor Rodgers said, so it was his city's conclusion that development can come only through programs initiated and assisted by the federal government, either through direct grants, revenue sharing, or "extremely" long term loans with acceptable and realistic rates of interest available under the existing state constitution.

"The attitude * * * of small town residents is, 'Yes, we need to develop and our towns need to grow, but not if my taxes have to be increased,'" Mayor Whitaker said.

And, as he and others put it, "The problem which we encounter most frequently is that if we are not large enough, we can't get funded. How can we get large enough to qualify if we can't get money to grow?"

Too many times, Mayor White said, federal grants to aid in securing industry fail to materialize fast enough to sew up the selling job.

"BIRD IN HAND" CLAUSE CALLED DILEMMA

Then there was the "bird in hand" provision in federal aid that many of the officials complained of and which Alexander said he had tried his best to eliminate. This is the provision that a political unit must have an industrial prospect in hand before the money will come through to pay for water

and sewer and other facilities needed to locate the industry.

There is some difference between Alexander's proposal and President Nixon's revenue-sharing plan. Mayor White told the hearing that most of the members of his Arkansas Municipal League were opposed to the president's proposal "because when you take too much from the federal government you give away something. * * * I think that in the future, the federal government would control our cities and counties."

Roebuck suggested that there might be a lack of leadership in the communities, leading to the inability to guide development.

"We need to encourage our elected officials * * * to identify the community problems and plan approaches to solve these problems. * * * These community leaders should place service above their self and personal interest and make this contagious in their communities."

[From the Commercial Appeal (Memphis, Tenn.) Sept. 1, 1971]

ALEXANDER CITES FRUSTRATION OF SMALL TOWN GOVERNMENTS

BRINKLEY, ARK., Aug. 31.—Representative Bill Alexander (D-Ark.) said here Tuesday that most local government leaders have lost confidence in the effectiveness of the federal government to deal with survival of small towns.

Alexander was reflecting on Monday's hearing in Brinkley where he heard testimony on his proposal for a community development bank.

Testimony came from municipal and county officials in the seven southernmost counties in the First Congressional District and also from statewide planning experts.

"Witness after witness told me that government red tape discouraged local initiative," Alexander said, "In too many cases, federal officials have been dictatorial to local communities in telling them what their problems are, but they have been offered little help solving them."

Alexander said that he was told that the "red tape" was not only exasperating, but was expensive. "The cost of every project is increased, some by as much as 100 per cent, due to red tape," he said.

There was much criticism of the "bird-in-hand" theory which Alexander called, "ridiculous." The theory prohibits a community from obtaining funds for certain development projects until the community has a firm commitment from an industry to settle in that community.

Alexander also said that most federal programs are "not truly responsive to the needs of the local people."

The representative said almost every witness agreed that a bank like the one he has proposed could be beneficial.

Alexander said he will schedule a conference for the northern part of the district in the near future.

ASSEMBLY OF CAPTIVE EUROPEAN NATIONS CONVENE IN NEW YORK CITY

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

Mr. MADDEN. Mr. Speaker, on Monday and Tuesday of this week the annual convention of the Assembly of Captive European Nations was held in the Carnegie Endowment International Center in New York City. Many of the delegates of the assembly attended the opening of the United Nations which convened its fall session on Monday of this week.

The organization, Assembly of Captive European Nations, is international and is

carrying on its constant campaign of alerting world public opinion to the true facts of the methods used by international communism to enslave the world.

I am herewith including with my remarks excerpts, of a speech I made in New York City before the Assembly of Captive European Nations last evening:

EXCERPTS FROM SPEECH OF CONGRESSMAN
RAY J. MADDEN

Mr. Chairman, your organization is to be commended for continuing over the years your fight against communist rule and your efficient work in alerting the free people of the world to the circumstances of freedom-loving folks now enduring life in the captive nations under communist tyranny.

The Congress of the United States must also be commended for its proclamation in authorizing the Captive Nations Resolution twelve years ago. One of the principal provisions in that Resolution was, "That the enslavement of millions in European satellite nations makes a mockery of the communist idea of peaceful co-existence."

The unanimous enactment by the Congress of the Captive Nations Resolution was one of the most devastating diplomatic acts that the free nations have taken against the communist conspirators since World War II. This Resolution called the attention of millions throughout Europe, Asia, South America, and the free world that the Soviets, through duplicity, infiltration and unlawful aggression, forced many small European nations into the communist orbit.

Over the years, the communist planners have succeeded in creating a myth or an illusion with reference to "peaceful co-existence". The idea that the only alternative for "peaceful coexistence" is war should be exposed as an international sham based on clever Soviet propaganda.

When the Soviet leaders talk about peace through disarmament we must remember that this is merely a shallow communist slogan. Disarmament means that the free world must depend on agreements instead of strength. International agreements are useless unless both parties are honest and sincere. We must, to be safe, judge the future by the past. For forty years the Soviets have broken fifty out of fifty-two agreements with free world nations.

OUR GREATEST AND CHEAPEST DEFENSE

Our government should perfect a well-organized department to disseminate truth and information, not only to the free world, but also to the people behind the Iron Curtain. True facts and information about communism, its methods and history sent to the neutral and backward nations throughout the globe, is the cheapest and most effective weapon we can use to curtail and eventually destroy communism.

The communist conspiracy has been allowed to run rampant until it has gained control over one-third of mankind and it is steadily pursuing its vicious goal of control over the rest of the world. It is now time and past time for us to be alarmed and take the initiative propaganda-wise and place these international criminals on the defensive.

HOPE FOR FUTURE

According to authentic reports from over the world, all is not well in the Communist world. The Soviets are in deep economic trouble. Food is scarce everywhere in the Communist empire. Colonies in Eastern Europe are not happy. Embezzlement and lawlessness is rampant in Russia and its satellites. The Communists' farm program is one of the most wasteful experiments in economic history. Six hundred million hungry Chinese are looking toward the wide open spaces in Siberia for future habitation and this worries the Soviet Communists. Very

few of the inhabitants of the Soviet Captive Nations have any use for Communism.

These facts, along with world history recording that no tyrant or group of tyrants ever ruled long by slave labor camps, mass murders, prison camps, executions, threats, tortures and fear. These reports offer some hope for the millions now living in Communist captive nations.

I think that it would be indeed a worthwhile and valuable project if our Government or the United Nations would foster the expense of printing pamphlets and exposing the Communists' brutality, barbarity and methods of enslaving peoples under its domination. These reports could be printed in various languages and placed in the homes of all peoples in nations threatened with Communist domination and subjection.

The Communist leaders make every effort through their highly organized propaganda machine to hide from the people of the world the real truth about Communist enslavement and their barbarous methods.

VIETNAM, KOREA, CAPTIVE NATIONS

If the free nations of the world would only join in concentrating the fight to expose the true facts against communism and educate the so-called backward nations concerning the criminality of Communist enslavement methods, and the true living conditions under their domination, there is no doubt but what the collapse of the Communist goal of world enslavement would take place in a short time. Too many of the new and backward nations have been victims of Communist misrepresentation and also of the false propaganda circulated concerning the governments of the so-called free world.

Communism has been one of the greatest, most powerful, well-organized international threats to human freedom in world history. Our Government has spent billions of dollars fighting this international menace. There is no doubt in my mind that the Communist threat today is not as dangerous and as imminent as it was 20 or 30 years ago. The greatest evidence of this fact is that their economic system has been a total failure.

Stalin's government was an economic failure and at his death great discontent was rampant in not only the Soviet realm but the satellite nations. He was succeeded by Khrushchev, and his economic government was a total failure as was evidenced by his overthrow and collapse from forces within his own government. If the present opposition to Communist aggression continues by the free nations, the rulers of today's Soviet tyranny will be overthrown and that will end the Communist myth of world domination. The free nations have the ability, the education, the defense machinery, and the assets to curtail the further spread of the Communist menace and we must continue our fight.

Our State Department has been negligent in not utilizing the true facts of communist aggression as recorded in testimony and reports of two Congressional Committees in 1952 and in 1954—in the 82nd Congress the Katyn Committee and in the 83rd Congress the Select Committee on Communist Aggression.

These two Congressional Committees held hearings in America, England, and Europe. Sworn testimony was received from Poles, Hungarians, Bulgarians, Rumanians, Estonians, Latvians, Lithuanians, Ukrainians, Byelorussians, Germans, Czechs, Slovaks, and Russians. The cross section of witnesses also included members of and former leaders of now captive nations. Witnesses included people who escaped from the communist-controlled homelands just a few months before our hearings as well as those who escaped during and after World War II. All who testified had one thing in common; they experienced and suffered the tortures of communism.

A great number of former leaders and officials of captive nations testified that the Soviets succeeded in enslaving their countries by violating agreements, promises and treaties, then through infiltration, intrigue and subversion which was supported by the Red Army and supervised by the Kremlin, took control of their government. The Committee on Communist Aggression after its exhaustive hearings, unanimously adopted twelve separate findings from the evidence. I will read only three of the twelve Committee findings.

1. Page 24, Interim Report:

(5) As far as the Communists are concerned, treaties, mutual-assistance pacts, non-aggression pacts of solemn covenants are mere scraps of paper. Agreements or pledges made at the conference table are broken any time such action serves the Communist timetable for world conquest.

2. Page 23, Interim Report:

(1) Communism never has come to power by legal or by democratic processes in any of the areas now under its ruthless domination. It uses the tactics of penetration, subversion, threat of military invasion, and finally occupation by military and political elements under the direction and control of the Kremlin.

3. Page 23, Interim Report:

(2) Once communism seizes control it immediately seeks to clothe itself with respectability and legality by conducting so-called elections which are in no sense of the word free elections guaranteed by the secret ballot. Moreover, the results are predetermined long in advance of the first vote cast.

I again repeat that the testimony and reports, in full, of these two above-mentioned Select Congressional Committees are available to our State Department. The disgraceful record of the Communist leaders in the past for maliciously violating international treaties, agreements and pacts are recorded for all people and future generations to read.

COMMUNIST PROPAGANDA MACHINE A SUCCESS

When the Congressional Committee was in Europe holding hearings in 1952, the journalists of Eastern and Western Europe were holding a convention in Berlin. As Chairman of the Katyn Committee I was invited to attend a luncheon given by the leaders of this organization. These European journalists were unanimous in the opinion that the Communist leaders made their greatest progress in enslaving the captive nations through well-organized propaganda. This communist propaganda has not been confined to Europe but has been organized and effectively used in all the nations on the globe. These journalists also were of the opinion that the worldwide publicity given to the testimony recorded by the Katyn Committee was the first time the Soviet communist propaganda machine was placed on the defensive. They had no answer. They had no defense. They had no explanation of the expose and the global publicity given the devastating testimony of witnesses who narrated in detail the brutal murders and methods used by the communist hierarchy in exterminating and massacring approximately 14 thousand Polish leaders in the winter of 1939-40. I mention this fact because the United Nations and the free world have been negligent in not informing the world—especially the younger generations—of the true facts about the international communist conspiracy and its methods and tyranny.

After the Katyn Congressional hearings in London, President August Zaleski of the Polish Republic in Exile said:

"By exposing this plot to eliminate those who subsequently would have opposed the communizing of Poland, you have rendered a great service not only to Poland but to humanity as a whole."

His message continued with:

"Your action proves that the U.S. Congress stands always as a defender of justice

and righteousness. I am sure that I express the sentiments of the whole Polish nation when I express to you and your colleagues our most sincere thanks."

The Katyn Massacre evokes horrible memories of other senseless, brutal annihilation of peoples during World War II, as well as the brutalities and crimes in Hungary, Slovakia, Rumania, the Balkans, etc. In the course of its investigation, the select committee observed a striking similarity between Katyn and the events which have taken place in Korea, Viet Nam, and Cambodia. It is indeed the responsibility of every individual in society as well as every nation to combat this inhumanity in man and to ensure that the horrors of mass murders are not repeated.

The Katyn massacre was the only international crime in World History where one tyrant accused another tyrant . . . Stalin accused Hitler . . . Hitler accused Stalin!

Stalin and his Soviet successors have been guilty of murdering millions of helpless humans because of their courage, spirit and loyalty to protect their liberty and free government in their homelands.

Your Assembly of Captive European nations must continue your valiant fight to expose the true facts concerning methods of criminal conspiracy to enslave the world used by Communist leaders.

PCB'S: THE NEED FOR CONTROL

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

Mr. RYAN. Mr. Speaker, it is with grave concern that I bring to the attention of the House the fact that the U.S. Department of Agriculture has discovered that a large number of turkeys in the State of Minnesota have been contaminated with a highly toxic DDT-like chemical—polychlorinated biphenyl—PCB. I am informed that some 50,000 turkeys are now under retention and that PCB levels up to 300 parts per million in fat have been found. That is significantly above the Food and Drug Administration's interim guideline of 5 parts per million in edible tissue.

For 2 years, I have urged the appropriate Federal agencies to take certain specific measures that would have forestalled such an occurrence. During that time, I have called upon the Food and Drug Administration, the Department of the Interior, the Department of Agriculture, the Council on Environmental Quality, the President's Commission on Product Safety, and the Environmental Protection Agency to undertake preventive measures that would have safeguarded the public from the hazards of PCB's. Yet in an almost unprecedented display of callous disregard for the welfare of our citizens, that action was not forthcoming.

The results are now tragically apparent.

Nor is this incident in Minnesota the first such occurrence of food contamination from this deadly chemical. On July 26, I brought to the attention of the House the fact that a significant proportion of poultry raised in 12 Southeastern States had been contaminated by PCB's. Subsequent investigation has shown that this contamination was not limited to poultry, but affected swine, shell eggs, broken egg products, and catfish as well.

Previously, I have alerted this body to PCB contamination of poultry in New York State—contamination resulting in the slaughter of 146,000 chickens. And I have made known the contamination of dairy milk in the State of Ohio.

Perhaps the most startling aspect of this most recent contamination in Minnesota is that despite 6 weeks of effort, the government has been unable to ascertain the source of the contamination.

The implications of this and previous incidents are clear. As long as PCB's are allowed to be used unfettered, our environment, our food supply, and our health will be increasingly threatened. We cannot continue to attempt to meet each incident of PCB contamination as it occurs; we must insure that this contamination does not take place at all.

Therefore, I have introduced legislation—H.R. 10085—which will insure that the public will be safeguarded against such future contamination. That legislation will do what is necessary in view of the dangers of PCB's: Ban them entirely.

It is important that hearings be held on this legislation at the soonest possible time and that they consider not only the need to control this deadly chemical, but the unconscionable failure of the Federal agencies to take the necessary administrative actions that might have prevented widescale contamination of our food supply and our environment with PCB's as well.

SUBSURFACE WASTE DISPOSAL CONTROL ACT

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 5 minutes.

Mr. KEMP. Mr. Speaker, today I introduce H.R. 10800, the Subsurface Waste Disposal Control Act, with 12 cosponsors. The cosponsors are: Mr. JOHN DELLENBACK, of Oregon; Mr. EDWARD DERWINSKI, of Illinois; Mr. HAROLD DONOHUE, of Massachusetts; Mr. DON EDWARDS of California; Mr. GILBERT GUDE, of Maryland; Mr. SEYMOUR HALPERN, of New York; Mr. RICHARD HANNA, of California; Mr. CARLETON KING, of New York; Mr. SHERMAN LLOYD, of Utah; Mr. CLARENCE LONG of Maryland; Mr. AL PIRNIE, of New York; and Mr. DONALD RIEGLE, of Michigan.

Mr. Speaker, I introduced H.R. 8532, the "Liquid Waste Subsurface Disposal Control Act," on May 18. Because of the number of calls I have received and the interest expressed by colleagues, I re-introduced a revised and improved bill. Two major changes are the elimination of dual compliance and the exemption of secondary recovery.

Although we are all familiar with the urgent need to preserve and restore our surface waters, the environmental protection of ground water and the subsurface environment has almost entirely been overlooked. Current legislation makes infrequent mention of ground water and the subsurface environment. Where it is mentioned, it is in such language that EPA is not given a solid base for arranging to guarantee that

ground water and the subsurface environment be protected.

Mr. Speaker, the fresh water in storage, at 8 o'clock this morning in the United States can be divided into—surface water—the Great Lakes—all other lakes—all Bureau of Reclamation reservoirs—all rivers—and ground water. There was 32 times more ground water than surface water at that moment. Today more than 90 percent of fresh water available at any one time is ground water and more than 55.8 million people depend directly on this water.

The subsurface environment must be protected so as to yield the maximum environmental benefits to man. My bill will help accomplish this by giving EPA exclusive authority for determining, first, those subsurface areas and stratigraphic zones which are suitable for subsurface disposal or storage of wastes; second, those wastes—including sewage—which are suitable for subsurface disposal; and third, criteria for the construction and operation of wells for the disposal or storage of such wastes.

We must act now before our subsurface environment has gone the way of Lake Erie and our other surface waters.

Mr. Speaker, we are all aware of the fact that the House Committee on Public Works is holding hearings this week on water pollution control legislation. Tomorrow I will testify in support of my bill, H.R. 10800, and, at the end of my remarks, I will include a copy of my testimony.

Mr. Speaker, one of the reasons I became interested in this legislation is because of the dilemma faced by the Bethlehem Steel Co. in my district. Bethlehem officials would prefer to have Buffalo's sewage treatment plant use all of the plant's pickle liquor, but at this time, the sewage facility could not use all that the steel company produces. The company would like to use the well as a back up system. The well has been completed at a cost of \$750,000.

However, the State of New York has not issued a use permit and a public hearing has indicated substantial opposition to the well. At the end of my remarks, I will include a statement by Dr. Robert A. Sweeney, director of the Great Lakes Laboratory, made at the public hearing, which exemplifies the opposition. It should be pointed out that Bethlehem officials are doing their very best to protect the environment by utilizing sophisticated machinery at great expense.

But the State of New York recognizes the importance of using extreme care. The State will continue to consider this means of disposal only as a last resort and only where all environmental policy is satisfied. Henry L. Diamond, Commissioner of the Department of Environmental Conservation wrote to me on August 27, 1971, and said:

I'm sure the restrictions imposed by the State coupled with a scarcity of new deep-well projects will give Congress sufficient time to work on effective legislation. Please keep me apprised of any new federal developments.

Mr. Speaker, I feel H.R. 10800 is drafted in the best interests of all concerned. At this point I include my testimony, the bill, and Dr. Sweeney's statement:

TESTIMONY OF CONGRESSMAN JACK KEMP BEFORE THE HOUSE COMMITTEE ON PUBLIC WORKS, SEPTEMBER 23, 1971, IN SUPPORT OF H.R. 10800

Mr. Chairman, my name is Jack Kemp and I represent the 39th Congressional District of New York. This District is in Erie County and includes a portion of the city of Buffalo.

I very much appreciate the opportunity to testify concerning a matter which I consider to be of vital importance to the success of water pollution control, that is, the preservation and protection of ground water and the subsurface environment.

Since I represent a District which touches Lake Erie, I am well aware of the ravaging effects of pollution upon our irreplaceable surface waters. And here in Washington, we have only to look at the Potomac River to see the result of man's careless use of a priceless natural resource.

For some 200 years, we have been dumping wastes into our waterways until today we have dying lakes, oil-soaked seashores, and rivers that catch fire. The price tag for cleaning our waters has been estimated by one source at \$42.3 billion over the next five years alone.

As we look today at a polluted Lake Erie, or a Potomac River with water so dirty we are warned not even to touch it, we might well wish that we could go back 200 years so that we might prevent pollution of our waterways. If we had, today we might be making plans to use that \$42 billion for education, health care, and the many other pressing needs of Americans.

Although, unfortunately, we can't go back in time and erase the existing costly damage to the environment, we do have the power to preserve and protect those portions of the environment which have so far remained comparatively unharmed.

Up to now, pollution of our subsurface workers is relatively mild. We are at the same place in time with much of our subsurface environment that we would be if we could go back those 200 years and have a fresh start with our surface waters.

The pollution of our waterways is readily visible and so has received much attention—and rightly so. However, the environmental protection of ground water and the subsurface environment has almost entirely been overlooked.

As shown in the graph, which I am enclosing with my testimony, the fresh water in storage, at 8 o'clock this morning in the U.S. can be divided into:

(1) Surface Water, which includes the Great Lakes, all other lakes, all Bureau of Reclamation reservoirs, and all rivers.

(2) Ground Water—there was 32 times more ground water than surface water at that moment.

Although today more than 90% of fresh water available at any one time is ground water and more than 55.8 million people depend directly on this water, current legislation makes infrequent mention of ground water and the subsurface environment. Where it is mentioned, it is in such language that EPA is not given a solid base for arranging to guarantee that ground water and the subsurface environment be sufficiently protected.

On May 18th, I introduced H.R. 8532, the "Liquid Waste Subsurface Disposal Control Act", and yesterday I introduced, with co-sponsors, a revised and improved version of this bill, the "Subsurface Waste Disposal Control Act."

The purpose of both these bills is the protection of ground water and the subsurface environment by regulating the disposition of wastes by subsurface injection, that is, the injection into subsurface strata of sewage or any material used in, or resulting from, any process of industry, manufacture, trade, business, or agriculture.

The Administrator of the Environmental

Protection Agency would be responsible for the implementation of this Act, in keeping with his responsibilities for the regulation of other aspects of waste treatment and disposal. He would have exclusive authority for determining: first, those subsurface areas and stratigraphic zones which are suitable for subsurface disposal or storage of wastes; second, wastes (including sewage) which are suitable for subsurface disposal; and third, criteria for the construction and operation of wells for the disposal or storage of such wastes.

Section 5, on page 2 of my bill, describes in detail how the Administrator is authorized to carry out his authority under this Act.

Section 6, on page 4, authorizes the Administrator to develop, promulgate, and revise standards and regulations necessary to carry out this Act.

Three of the States—Missouri, Ohio, and Texas—have statutes specifically to regulate injection of industrial wastes. Other States impose various methods and degrees of control over disposition of wastes by subsurface injection. In order to eliminate dual compliance, a provision of my bill states that "If the Administrator determines that any State or political subdivision has and is enforcing a program which regulates the disposition of wastes by subsurface injection and which substantially meets all of the requirements of this Act and the regulations and standards issued under this Act, he may publish such determination in the Federal Register; and the provisions of this Act shall not apply . . ." unless there is a subsequent finding that the program of the State no longer meets the requirements of the Act.

My bill exempts properly controlled secondary recovery efforts. Consultations with environmental experts have convinced me that this can be done without harm to the subsurface environment.

Brine injection (secondary recovery) as used by the petroleum industry is substantially different from industrial waste injection. As noted by research geologist, Arthur M. Piper of the U.S. Geological Survey, "Where the brine is returned to the same stratigraphic zone as that from which it had been extracted (along with petroleum and gas), such return tends commonly to restore, at least partially, the hydrodynamic gradient that had been disturbed by the antecedent extraction—in other words, at least partially to restore the natural equilibrium. Also, part of the native fluid being gas, which is very compressible, return of brine commonly induces relatively little change of hydrodynamic potential."

My bill also contains, as a matter of equity, a provision that provides for just compensation for the previous construction of a well which the Environmental Protection Agency might subsequently rule as unsafe.

I am told that subsurface injection has been used for over 40 years by the petroleum industry to dispose of oilfield brines. Disposal of other wastes by this method is comparatively recent. Although considerable work has been done in the area of disposal of wastes by injection underground and the U.S. Geological Survey has looked at the problem in some depth, areas of uncertainty still remain. Many technical people feel that a new technology must be developed to evaluate fully the effects of this type of waste disposal.

Injecting wastes under pressure in deep wells is not really a solution to waste disposal. It can be thought of as a detained storage center with the possibility of waste eventually getting into usable waters.

Flow in the ground waters is determined by the hydraulic pressures. As one injects a fluid into these waters under pressure, it changes the flow characteristics in the injection zone. Almost always the zone of injection has some other fluid in it. Chemical reactions with this fluid are possible. The increased pressure often forces water from

this zone into more usable zones. There have been cases of this type of waste disposal contaminating fresh water aquifers. As a result of an interaction with fluids in the injection zone, careful studies must be made of what the effects will be as the waste material combines with the fluid in this zone.

A Federal water-quality study survey released last year warned that several million Americans drink water containing potentially hazardous amounts of chemical or bacteriological contamination. 12,000 different toxic chemical compounds are in industrial use today—and more than 500 new chemical compounds are developed each year. Add to this a growing roster of weedkillers, fungicides, fertilizers, phosphates and numerous other substances—all of which are finding their way into our water systems and overburdening water treatment facilities.

As I pointed out, more than 90% of fresh water available at any one time is ground water and more than 55.8 million people depend on this water. There are more than 15.8 million water wells in the United States, with 400,000 new water wells drilled in 1970. The average daily livestock use of water is 1.7 billion gallons, 1 billion of which is ground water.

Ground water is extremely vulnerable to pollution and is being polluted by numerous urban, rural, industrial, agricultural, private and governmental activities. Once polluted, an aquifer requires a very long time to recover and we're talking about decades and centuries. Threats to the subsurface environment in general, as well as specific threats to ground water, include all subsurface extraction, injection, recharge, and discharge activities.

The best and surest way to accomplish the removal of contaminants from our precious ground waters is to prevent their introduction in the first place. The provisions contained in my bill would help prevent any further contamination of our waters which might result from the growing tendency to dispose of wastes by subsurface injection.

The Environmental Protection Agency has confirmed that the disposition of wastes by subsurface injection can also cause geological disturbances. Earthquakes have been observed in areas of Texas, Utah, and Colorado as a result of these injections.

The provisions contained in my bill would guard against future geological disturbances resulting from the disposition of wastes by subsurface injection.

Disposal of wastes by this method is exactly what it states: disposal—not treatment, and hence it should be clearly established that this method of disposal, in most cases, is not an acceptable substitute for effective waste treatment, especially if those wastes can be treated by conventional methods, nor can it become a means of circumventing the intent of the various environmental protection laws.

However, because of rising pressure on industry caused by increasingly stringent regulatory agency standards regarding the quality of surface waters, the popularity of disposition of wastes by subsurface injection has increased markedly. There were less than a half dozen industrial injection wells in the United States in the early 1950's. Today a conservative estimate includes about 1,100 wells involving waste disposal, ground water recharge, and protection against salt water intrusion.

The mushrooming complexity of waste products coupled with the growing severity of surface water pollution is causing industry to view the disposition of wastes by subsurface injection as an expedient and economical method of waste disposal and so this number is apt to increase.

In conclusion, you, as Members of this Committee, as well as all of us in the Congress, have the opportunity to save our still unspoiled ground waters from the tragic destruction which has taken such a devastating toll of our waterways. I respectfully urge

that the provisions of my revised bill, the "Subsurface Waste Disposal Control Act", which would help protect the subsurface environment, be included in your water pollution control bill.

Thank you.

H.R. 10800

A bill to regulate the disposition of wastes by subsurface injection

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Subsurface Waste Disposal Control Act".

SEC. 2. For the purposes of this Act—

(1) the term "subsurface waste disposal" means the injection into subsurface strata of sewage or any material used in, or resulting from, any process of industry, manufacture, trade, business, or agriculture;

(2) the term "Administrator" means the Administrator of the Environmental Protection Agency; and

(3) the term "United States" includes the States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the territories and possessions of the United States, and all lands within the jurisdiction of the United States for any purpose.

SEC. 3. The Congress hereby declares it is the policy of the United States that there shall be no subsurface injection of wastes in the United States except in accordance with the provisions of this Act.

SEC. 4. The Administrator shall have exclusive authority for determining (1) those subsurface areas and stratigraphic zones which are suitable for subsurface disposal or storage of wastes, (2) those wastes (including sewage) which are suitable for subsurface disposal, and (3) criteria for the construction and operation of wells for the disposal or storage of such wastes.

SEC. 5. In carrying out his authority under this Act, the Administrator is authorized—

(1) to regulate the construction and casing of injection wells so that wastes are excluded, completely and permanently, from the zone between the land surface and the zone into which they are released;

(2) to promulgate and enforce safe injection pressures and rates of injection, which shall vary as hydrodynamic conditions may require;

(3) to prescribe an aggregate volume of waste permitted to be injected into a particular area or zone;

(4) to require any waste to be treated before injection, as may be necessary to render it chemically compatible or stable;

(5) to prohibit injection of chemically incompatible or excessively noxious wastes;

(6) to declare any area or zone to be unsuitable for injection, permanently or temporarily, as may be necessary to achieve or maintain suitable hydrodynamic and geochemical balances;

(7) to reserve, as warranted, any particular area or zone for a declared resource-management purpose;

(8) to preserve the integrity of the confining layer above any designated area or zone, by requiring that all wells or other openings penetrating that layer for any purpose be adequately cased, and plugged when abandoned;

(9) to conduct a continuing search for alternative and economically competitive methods of waste handling, to the end of minimizing encroachment on the land surface environment while prolonging capacity for injection underground; and

(10) to provide specific exemptions for the injection of materials into an oil-production zone for the purpose of stimulating oil production, or for the injection of oil field brines into the porous zone from which they were produced or a deeper zone containing brine with a similar or higher concentration of dissolved solids.

SEC. 6. (a) The Administrator shall develop,

promulgate, and revise, as may be appropriate, such standards and regulations as may be necessary to carry out this Act.

(b) Notwithstanding any other provision of law, this Act, and the standards and regulations issued under this Act, shall be applicable to all departments, agencies, and instrumentalities of the United States.

(c) Sections 551 through 559, inclusive, and 701 through 706, inclusive, of title 5, United States Code, shall apply to standards and regulations issued under this section.

(d) The district courts of the United States shall have jurisdiction to restrain violations of standards and regulations issued under this Act. Actions to restrain such violations shall be brought by, and in the name of the United States. In the case of contumacy or refusal to obey a subpoena served upon any person under this subsection, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony or to appear and produce documents, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(e) Any person who violates a standard or regulation issued under this section shall be liable to a civil penalty in an amount not to exceed \$10,000. The Administrator may assess and compromise any such penalty but no such penalty shall be assessed until the person charged shall have been given notice and opportunity for hearing on the charge. In determining the amount of the penalty, or the amount agreed upon in compromise, the gravity of the violation, and the demonstrated good faith of the person charged in attempting to achieve rapid compliance, after notice, shall be considered by the Administrator.

SEC. 7. (a) Except as provided in subsection (b), no State or political subdivision thereof may adopt or attempt to enforce any law, ordinance, rule, regulation, or standard respecting the subsurface disposal or storage of wastes, on or after the date of the enactment of this Act, unless such law, ordinance, rule, regulation or standard is specifically approved by the Administrator as meeting the requirements of (and as being consistent with) this Act and the regulations and standards issued under this Act.

(b) If the Administrator determines that any State or political subdivision has and is enforcing a program which regulates the disposition of wastes by subsurface injection and which substantially meets all of the requirements of this Act and the regulations and standards issued under this Act, he may publish such determination in the Federal Register; and the provisions of this Act shall not apply with respect to the subsurface disposition of wastes within such State or political subdivision, from and after a date specified in the determination as published, so long as such determination is in effect and has not been revoked by a subsequent finding that the program of such State or political subdivision no longer meets such requirements, regulations, and standards. Any such subsequent finding, which shall be made only after reasonable notice and opportunity for hearing to the State or political subdivision involved, shall be published in the Federal Register and shall be effective from and after a date (no earlier than 30 days after the date of publication) which shall be specified in the finding as published.

(c) On and after the date of enactment of this Act, any license, permit, or authorization issued by any officer or employee of the United States under authority of any other provision of law shall be terminated and be of no effect whatsoever to the extent that such license, permit, or authorization authorizes any activity to which this Act applies.

SEC. 8. (a) As soon as practicable, the Administrator shall determine the number and extent of injection wells in operation on the date of the enactment of this Act. The Administrator shall determine with respect to each such well whether the disposal or storage of wastes from such well is in accordance with this Act and, in each case which is not so in accordance with this Act, shall terminate such disposal or storage.

(b) In the case of any injection well the disposal or storage of wastes from which is terminated under subsection (a) of this section, the United States shall pay just compensation to the owner of the property involved.

PROPOSED OPERATION OF A DEEP WELL FOR THE DISPOSAL OF LIQUID ACID WASTES BY THE BETHLEHEM STEEL CORP., LACKAWANNA, N.Y.

(Statement by Dr. Robert A. Sweeney, director, Great Lakes Laboratory)

INTRODUCTION

The Great Lakes Laboratory of the State University College at Buffalo, an institution that has been conducting applied environmental research in Western New York for more than five (5) years and whose activities have been commended by both the Congress of the United States and the New York State Legislature, respectfully requests that the permit for the operation of the deep-well for the disposal of waste acids at Bethlehem Steel Corp's Lackawanna Plant be denied. Our opposition is based on four (4) major factors:

1. State of the art of deep-wells with respect to safety and the proximity of Bethlehem's well to the public drinking supply of more than a million individuals.

2. Lack of definitive information regarding the geological stability of the subsurface strata in Western New York.

3. Lack of a mechanism on the proposed well to rapidly withdraw liquids from the well once injected.

4. The availability of an economic alternative to deep-welling that may remedy other problems. The latter concerns the mixing of pickling liquors with domestic sewage to precipitate phosphates.

The concept of the deep-well disposal of wastes has been repeatedly questioned by recognized unbiased authorities of the topic:

"While underground injection of liquid wastes is proving to be economically attractive to individual producers, from a social standpoint broad extension of this practice could be regarded as one of the least satisfactory of the available options for pollution control. Limited experience suggest that it is premature for proponents of this practice to postulate that injection wells offer 'a complete and final solution to the disposal problem.'" (Cleary, 1969).

Likewise, the state of the art of deep-welling, despite the experiences of the oil industry with respect to the disposal of brine is limited:

"Effects of deep injection are complex and not at all understood clearly. In a responsible society, injection cannot be allowed to put wastes out of mind. Injection is no more than storage—for all time in the case of most intractable wastes—in underground spaces of which little is attainable in some areas and which is exhaustible in most areas." (Piper, 1969).

We hasten to add that the disposal of brine, which in most instances does not chemically react with the subterranean strata, is not comparable to the deposition of acids. Acids do react with both the liquid and solid components of the subsurface. In the case of the proposed deep-well, these reactions will occur at depths where they will not be readily observed. Precipitation of salts, resulting from the neutralization reaction could clog the pores in the rock, leading to a buildup of pressure and increasing the likelihood of a

blow-out. Therefore, if a problem did occur, irreparable damage could occur before the problem was detected.

Failures by deep-wells have been all too common. In 1968 a "fall-safe" well of the Hammermill Paper Company at Erie, Pennsylvania ruptured. The end result was a flow of approximately 150,000 gallons per day over a three (3) week period of spent sulfite liquor into Lake Erie. The Santa Barbara incident, as well as the numerous drilling accidents in the Gulf of Mexico, attest to our inability to design safe equipment and to stop submarine leaks (Evans and Bradford, 1969). If Bethlehem were permitted to operate the well and a leak were to occur beneath Lake Erie, which is directly or indirectly related to the drinking water supply for more than a million Western New Yorkers, the results could be catastrophic.

Deep-wells have been demonstrated to be responsible for the increase in frequency of earthquakes in Colorado (Ibid, 1969). The Western New York area has a history of earthquakes. The United States Geological Survey has recorded more than twenty-five (25) quakes that were of high intensity in the Lake Erie Basin region since 1938 (Anon, 1956). Whether or not the frequency of quakes could be increased by the operation of Bethlehem's deep-well is subject to debate. However, the danger of the well's casing being ruptured by an earthquake is quite real.

The proposed deep-well has neither the equipment to pump material from the well once the operation is underway nor the storage capacity to hold the liquids in event the well fails. Both of these constitute major engineering inadequacies that increase the percentage of environmental damage in event of an accident.

Our major opposition to the deep-well is based on the fact that spent pickle-liquors can be utilized to remove phosphates. Phosphates are components of domestic sewage which stimulate the growth of algae. When these organisms undergo population explosions, they frequently crowd and poison themselves. The result is a lowering of the oxygen and the production of foul tastes and odors in the affected waters. The New York State Department of Environmental Conservation has stipulated that all sewage treatment plants that handle more than a million gallons per day of sewage have to have phosphate removal. The utilization of pickling liquors to precipitate phosphates from domestic sewage has been demonstrated both in the laboratory and in the field. Currently, the Sewer Authority of the City of Detroit, one of the largest agencies bordering the Great Lakes, is employing pickling liquors to successfully remove phosphates. Recently, Bethlehem Steel and the Buffalo Sewer Authority entered into a contract to explore the feasibility of using spent acid from the Lackawanna Plant to treat the city's liquid waste (Laehy, 1971).

To allow the Lackawanna deep-well to become operational would be a reinforcement of the belief out-of-sight, out-of-mind. For the sake of a short-term economic gain, we may be putting our necks into an environmental noose while standing on a platform of questionable stability. If a problem does occur, the damage would not be borne by those causing the problem but by the general public. As long as an economically feasible and environmentally sound alternative exists—namely, the use of the acid for phosphate removal—we ask that the application for the operation of the deep-well be turned down.

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TAKE PRIDE IN AMERICA

The SPEAKER. 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.

Beef is America's favorite food. In 1960, Americans were eating about 85 pounds of beef per capita and today we are enjoying 114 pounds. American beef is the most wholesome in the world. Beef production during the last decade has increased by more than 8 billion pounds.

STOPPING ALASKA PIPELINE COULD MEAN \$4 BILLION TO MIDWEST AND EASTERN STATES

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 10 minutes.

Mr. ASPIN, Mr. Speaker, yesterday I placed in the RECORD a copy of the Mackenzie Valley Pipe Line Research, Ltd., preliminary report, which concluded that a Canadian oil pipeline could be constructed and operated for less than could the trans-Alaska pipeline transportation system.

Today, I would like to include in the RECORD a letter that I have sent to Gov. Patrick Lucey, of Wisconsin, and to all the members of the Wisconsin Legislature. In the letter I state that construction of a Canadian pipeline would save Wisconsin businesses and consumers \$49.5 million per year, but that there would be no direct benefit to Wisconsin if the Alaska pipeline is built.

It is important to note that I have used Wisconsin as an example of what is at stake to Midwest and Eastern States in the decision over whether the trans-Alaska pipeline should be built. Other Midwestern and Eastern States would be similarly benefited by the construction of the Canadian pipeline. In fact, businesses and consumers in Eastern and Midwestern States could save over \$4 billion annually if the Canadian pipeline is built.

My letter to Governor Lucey and the Wisconsin State legislators follows:

SEPTEMBER 20, 1971.

Gov. PATRICK LUCEY,
State House,
Madison, Wis.

DEAR PAT: I would like to bring to your attention an issue which I think should be of great concern to both Wisconsin businesses and consumers: that issue is the question as to whether or not the Alaska pipeline will be built.

As you know, I have strongly opposed the Alaska pipeline and preferred the Canadian pipeline for environmental reasons. But

there are equally important economic reasons for supporting a Canadian pipeline.

Simply put, if the Alaska pipeline is built, the oil would be tankered to West Coast ports for consumption there. A Canadian pipeline, however, would route the oil totally overland, and would terminate in Chicago.

It is officially estimated that there are fifteen billion barrels of oil in Alaska. Many experts estimate that the North Slope contains thirty billion barrels or more, which could mean that there is more oil in Alaska than in all the rest of the United States put together. Thus, the decision of where this oil is to be shipped is of tremendous economic significance not only to the State of Alaska, but to the country as a whole.

The table which follows shows present oil prices on the West Coast, the Midwest and the East Coast, and what will happen to those prices if the Alaska pipeline is built, or if the Canadian pipeline is built.

WHERE SHOULD THE NORTH SLOPE OIL GO?

Prices per barrel	West coast	Midwest	East coast
Prices now.....	\$3.17	\$3.82	\$4.07
Prices if Alaska pipeline is built.....	2.40	3.82	4.07
Prices if Canadian pipeline is built.....	3.17	3.40	3.60

¹ Prices in the Midwest should normally be 20 cents per barrel higher than the west or east coast because of increased transportation costs.

² This assumes that half the oil from the north slope—1,000,000 barrels per day—would be shipped to the east coast.

As the chart shows, oil is presently much more expensive in the Midwest and East than it is in the West. Bringing more oil into the West, as the trans-Alaska pipeline would do, would only serve to further decrease their prices, and increase price differentials. If the Canadian pipeline is built, however, these price differentials would be significantly decreased, and actually, almost eliminated.

This is what is so critical for Wisconsin consumers and businesses: If the Canadian pipeline is built, Wisconsinites—consumers and businesses—will pay 11 percent less per year for oil, gasoline and other petroleum products than they now pay.

In dollar amounts this is tremendous. It comes to \$49.5 million per year. In fact, the amount saved in fuel costs because of the Canadian pipeline will be almost four times as great as the extra revenues the state would receive from a twelve percent increase in the state corporate income tax rates! What this means is that the extra savings in fuel costs that would accrue to Wisconsin businesses if the Canadian pipeline is built would more than offset the additional tax burden placed on these businesses by the proposed new corporate income tax rates.

The cost of petroleum products is an expense for businesses, just as taxes, labor and other costs of production are. We are and have been concerned over industry moving from Wisconsin to other states. If we want to attract industry and economic growth to Wisconsin the decision in the Alaska pipeline issue becomes extremely critical.

There are further economic ramifications of this decision for Wisconsin. We now have a critical shortage of natural gas. Large deposits of natural gas have been discovered in Alaska along with oil deposits. If a Canadian pipeline is built a natural gas pipeline will be built alongside it and both cheaper oil and natural gas will be piped to Chicago.

But if the Alaska pipeline is built there will be no natural gas pipeline to go with it. It is too expensive to liquify the natural gas and put it in tankers to ship it down the West Coast. The natural gas will be pumped into the oil wells to increase the flow of oil, and our shortage of natural gas will continue.

A decision on the Alaska pipeline is to be made soon. I urge you to communicate to the President and to the Secretary of the Interior Rogers Morton your concern that the Canadian pipeline alternative be fully studied and evaluated before any decision is made. If there are any other steps that you can think of that we might take please let me know.

Sincerely,

LES ASPIN,
Member of Congress.

THE SHARPSTOWN FOLLIES— XXXVII

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, a few weeks ago Time magazine sent out some reporters to explore the wonderful world of Sharpstown, and to see what it was that Will Wilson did to earn his keep while working for Frank Sharp, the fabulous fraud with the magical immunity order from Crimebuster Wilson's Department of Justice. I believe that what they found is most instructive, and include their story in the September 13 issue of Time for the RECORD:

TAINT IN THE JUSTICE DEPARTMENT

Assistant Attorney General Will Wilson boasts a distinguished 25-year career fighting crime and corruption. He first made his mark as a district attorney in Dallas, then rode his rackets-smashing reputation to two terms as Texas attorney general. There he burnished his image as a tough prosecutor and in 1960 was chosen the nation's outstanding state attorney general by his peers. When President Nixon appointed Wilson to head the Justice Department's Criminal Division, the choice of the Texas Democrat-turned-Republican was considered a natural one. In 2½ years at the Justice Department, Wilson has lived up to his reputation, launching unparalleled attacks on organized crime and political corruption. But now an episode from the past threatens to end his public career.

During six years spent in a law firm in Austin, Wilson was the principal attorney of Banker-Land Developer Frank Sharp. Sharp pleaded guilty earlier this year to federal fraud charges and, in testimony before Securities and Exchange Commission investigators, implicated Wilson in some of the business deals that preceded his downfall. The massive swindle masterminded by Sharp is the biggest Texas fraud case since Billie Sol Estes' capers of a decade ago. Sharp's manipulations have cost a Jesuit preparatory school \$6,000,000, pushed two insurance companies into receivership, and led to the first bank failure in Houston's history.

TWISTED AFFAIRS

Wilson issued a statement last week explaining his relationship with Sharp and denying any wrong-doing. But new information has come to light that could have more serious repercussions. Time has learned that Wilson paid for the installation of eavesdropping devices used against federal and state bank examiners investigating irregularities in the Sharp-controlled Sharpstown State Bank.

The incident occurred in late 1967 when bank examiners were beginning to delve into Sharp's twisted financial affairs. The electronic bugs were concealed in offices used by the examiners poring over the Sharpstown State Bank's books. They were installed for a \$2,500 fee by an electronics expert hired by Sharp. Wilson was then called by Joe Novotny, president of the bank, and told to pay the fee through his law firm. A memorandum Wilson wrote and initialed for his records

on Nov. 6, 1967, detailed the transaction: "I received a telephone call from Joe Novotny and he said they had a bill for some construction work that they did not want to run through the books and that he preferred not to tell me why but that it was all right. They wanted me to send them a statement and they would send me \$2,500 as a fee and for me to pay the bill. I told him I would."

PAID FOR BUGS

Wilson received a bill for \$2,500 on the letterhead of Construction Consultants, Inc.; the charge was described as a "consulting fee." The bill was paid, and Wilson billed Sharp for \$2,500 in "legal services." In an interview with TIME Correspondent Dean Fischer, Wilson said that he had no idea that the fee was for the bugging devices. Wilson did not question the request from Novotny: "I trusted those people. As it turned out, I was a patsy." Technically, Wilson did not break the law when he paid for the bugging. Texas has no law against eavesdropping, and the incident took place before passage of the 1968 federal Omnibus Crime Control Act made eavesdropping by private individuals illegal. Nonetheless, Wilson did play a part in breaching the security of official investigations.

According to Sharp, who was given a \$5,000 fine and put on probation in exchange for testifying against his cronies—many of whom are key Democratic politicians—Wilson was involved in other Sharp deals. Sharp says that Wilson advised him to circumvent state banking regulations that set a limit on the amount an individual can borrow. Wilson denies it.

At Sharp's urging, Wilson also bought 1,000 shares of stock in another Sharp corporation for the wife of a bank examiner involved in the investigation of the Sharpstown State Bank. Since the examiner did not have a stock broker, Sharp asked Wilson to make the purchase through his Austin broker; Wilson complied. He says that he did not know who Sharp's client was. Why he did not recommend a broker or why Sharp did not handle the roundabout transaction, Wilson has not explained.

Records at the Sharpstown State Bank show that since 1964 Wilson has borrowed \$297,100 from the now-defunct bank. The most recent financial transaction between Wilson and the bank took place 1½ years after Wilson became Assistant Attorney General. A year ago, Wilson received a \$30,000 unsecured loan. He has enjoyed a line of credit at the bank ranging from \$50,000 in 1964 to a high of \$200,000 in 1967, though that is not unusual for a man of Wilson's assets (\$1.3 million).

Although the disclosures in the Texas scandal have not yet uncovered any illegal behavior on Wilson's part, it is unlikely that he can continue as head of the nation's most prestigious crimefighting body. The White House has expressed confidence in Wilson in the past, but in the wake of the eavesdropping revelations, he is likely to resign.

FOREIGN TRADE

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 10 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, the country has been treated for the past several months now to nothing short of a tale of increasing woe and pain as far as our foreign trade is concerned. There is no doubt in my mind that the dismal statistics behind our foreign trade performance prompted the administration to get moving and come up with a whole new approach to our economic problems. To the extent that the 10-percent surcharge directly ad-

resses itself to one of the most serious features of our problem, the increasing flood of foreign imports, it is a welcome, even if long overdue, measure, even though it must be admitted that its value for many industries will have more symbolic than practical value. To be precise, a 10-percent surcharge obviously is not going to be much of a deterrent to the rising tide of mass produced foreign imports—for instance, the products with which I am most familiar in my district, shoes, textiles, and electrical components. Ten percent of \$1.50 or \$2 obviously does not begin to meet the competitive disadvantage of American shoe manufacturers vis-a-vis foreign imports: but it is at least an admission for the first time on the part of this administration, it would seem, that we have problems which can no longer be ignored and that our past trade policies have been found woefully wanting.

I will have more to say on all of this as we have a chance to observe the effect of the President's August 15 announcements in the days and weeks ahead. I rise today to remind this House that we, as the Nation's lawmakers have a responsibility to concern ourselves about the damage that has been visited upon major industries in the past few years, largely because of the misguided trade policies we have been pursuing over these years. I am referring to those who have lost their jobs, faced with an increasing tide of cheap foreign imports. I am referring to whole communities which have been disrupted almost to the point of destruction by our foreign trade policies. Now, there are those of us who could see the handwriting on the wall when the Foreign Trade Expansion Act of 1962 was being debated and passed in this House and the other.

In our rush to tear down what few remaining protective barriers we had, to stand increasingly disarmed and naked to the outside world, the question was raised: "What about those who suffer as result of the inevitable dislocation which would surely follow increasingly unbridled flooding by cheap foreign imports?" The answer at the time was the inclusion of provisions which can be referred to as the trade adjustment assistance provisions of that act. I said "answer." But time has confirmed misgivings and shown that far from being an answer to the problem, it was simply a sop to gain labor support for legislation which would be difficult to swallow. The performance of the Tariff Commission under the terms of the legislation has been a sorry example of quibbling and legal hair-splitting. The best deal that industry seems to have received is for the Commission to split on a 2-to-2 tie to give the President the opportunity to decide favorably. The result is that the faith of Congress in the adjustment assistance provisions of the act has been found to have been misplaced. Even though, as the former shoe capital of this country, the Greater Brockton, Mass., area which I represent, has been one of the hardest hit by the flood of cheap foreign shoe imports, the unemployed workers have been successful in only one instance in getting adjustment assistance. In all the many other cases

the workers have been left to live off the crumbs of unemployment compensation, welfare, and relatives. I am not exaggerating when I say that the resulting low morale has produced has hung over the city as a grim reminder to those who still are lucky enough to be working that, they too, stand every chance of suffering the same fate. Workers all over the country have contacted me after their petitions have been rejected by the Tariff Commission expressing their lack of faith in the system. I think it is time that we in Congress, therefore, wake up to the facts of life and see trade adjustment assistance for the false hope, the mirage, and the bitter disappointment that it is.

Because I have become increasingly despairing of any hope of getting favorable consideration from the Tariff Commission on workers' petitions, I recently turned to the President of the United States once again and implored him to act without further delay on a measure of industrywide relief to unemployed shoe workers, a proposal which has been pending before him now for close to a year and on which he has but to act to cut through the bind which both the workers and the Tariff Commission find themselves in. Because of the importance of the matter, I am inserting in the RECORD at this point the full text of my letter to the President dated September 11, 1971:

SEPTEMBER 11, 1971.

The Hon. RICHARD M. NIXON,
President of the United States,
White House,
Washington, D.C.

DEAR MR. PRESIDENT: In writing to you to request favorable action by you on the petition referred to after a tie vote by the Tariff Commission, for industry-wide relief to unemployed shoe workers under the provisions of the Trade Expansion Act of 1962 relating to trade adjustment assistance, I am aware I am repeating myself. We have, in fact, had previous correspondence on this subject. However, hope springs eternal, and in view of the August 15th economic policy statements, I feel there may be some merit in contacting you once again. Insofar as your speech addresses itself to the problems created by increasing imports into our economy and is motivated to a large degree by a concern for rising unemployment, I felt that it might be an opportune time to remind you that you still have before you a measure which would provide a measure of decent relief to thousands of unemployed workers in an industry which few would dispute has been hardest hit in all this land by skyrocketing imports.

There is little doubt that another reason I have decided to write to you once again on this matter is the fact that the Tariff Commission has recently handed down three negative decisions in a row in cases involving shoe workers in my District. That is not to mention the unfavorable decision involving workers in surrounding Congressional Districts in my State. Discussions to date with the Tariff Commission indicate that they are laboring under a definite handicap in the legislative language of the Trade Expansion Act of 1962 and find it next to impossible to find injuries from imports a major factor on a firm-by-firm basis. I am led to believe from these discussions that the only hope for the shoe workers in the near future appears to be a favorable decision on your part to grant industry-wide relief to the workers.

As if I needed an additional reason to write

you at this time, two days ago the major newspapers in Massachusetts all carried stories of the cutback in pension payments to former shoe workers because of the dwindling contributions to the system. In other words, so many firms have closed down and the shoe worker labor force has been so markedly reduced that it is no longer possible for the pension fund to continue to pay unemployed workers at the former rate. I think this Nation has some responsibility toward those who have given some of the best years of their lives to a once proud industry in this Nation, only to find that in their declining years what little bit they got from their pension funds is being reduced and could possibly disappear altogether in the months ahead. In view of the fact that the Tariff Commission split two to two on the question, there is clearly evidence that there is more than a shadow of a doubt that imports are at fault and as one of the Congressmen who insisted on some form of trade adjustment assistance provision in the Trade Expansion Act of 1962, I feel that it is incumbent upon those of us in positions of leadership to do all within our power to assist these people. This is particularly true in view of the lack of action to date on any form of quota legislation for this industry.

Thanking you in advance for your favorable consideration of this matter at this time, I remain with all good wishes,

Sincerely,

JAMES A. BURKE,
Member of Congress.

I would also like to include in the RECORD at this point an article from the Journal of Commerce, that most respected publication, which reports the unpromising future unemployed workers in any industry face at the hands of the Tariff Commission if the present situation is allowed to continue.

The article follows:

[From the Journal of Commerce,
Sept. 2, 1971]

**TARIFF COMMISSION TOUGHENS STANCE—
U.S. INDUSTRY FINDING IT HARDER TO OBTAIN
RELIEF FROM IMPORTS**

(By Richard Lawrence)

WASHINGTON, Sept. 1.—American industry is suddenly finding it harder again to obtain government relief from rising imports through the eight-year-old Trade Adjustment Assistance Program.

The Tariff Commission, a key agency in processing requests from management and workers, is apparently taking a harder stance toward clearing the way for federal aid.

The changing pattern of commission decisions comes ironically at a time when the Nixon Administration is trying to do more to help import harried industries.

Under adjustment assistance, the government may provide companies with special credits, tax help and technical counseling, and give workers cash allowances as well as retraining and relocation benefits.

Since late May, the commission has approved only one of 11 applications from workers groups in the steel, shoe, electrical and musical instrument industries for possible aid. It has given the green light to only one of four applicant companies.

THOUSANDS TURNED DOWN

The workers turned down in the last three months run into several thousand. They include jobless personnel from seven plants of Sprague Electric Co., former workers at an RCA factory in Cincinnati, nearly 500 employees at a Detroit Steel Co. plant, also in Ohio, and over 1,000 workers in seven eastern shoe factories.

But, insiders say, the commission is hewing a still tougher line behind the scenes. In recent weeks it has rejected two peti-

tions—although neither was announced formally—from steel and shoe workers.

A United Steel Workers local claims that imports of cotton gins have led to the loss of American jobs. A footwear union is trying to get relief from imports of heel "counters," a type of shoe support pad.

But the tariff panel has denied entertaining the applications because, it says, there are no specific import statistics on the items involved. The gins, for example, are not counted separately but under a "basket" category containing other kinds of merchandise.

The commission's new orientation follows a period of about 18 months in which the tariff panel liberally approved incoming petitions.

Starting in late 1969, at least two commissioners, Bruce Clubb and George Moore, took a new interpretation of 1962 Trade Act, which authorizes the adjustment assistance program.

MORE FLEXIBILITY

They viewed the law with more flexibility than had the commission during the seven previous years. Within somewhat over a year, the commission paved the way for government help for more than 40 worker groups and 16 firms.

It previously had approved no petitions.

But in June, Commissioner Clubb's appointment was not extended by President Nixon, apparently because of political reasons. There may have been resentment in the administration of his "activist" role.

Since then, the commission has been turning thumbs down on almost all adjustment assistance petitions. Only workers at a pipe organ plant and a company making stainless steel flatware have won a favorable commission finding.

Just as the Labor and Commerce departments were beefing up their trade adjustment assistance programs, the prospect is that they will be getting fewer cases.

The Labor Department has certified roughly 20,000 workers in the last year and a half as eligible for aid, and is requesting another \$75 million this fiscal year for worker payments. But now there are no further worker petitions pending before it.

The Commerce Department has certified 15 import-stricken companies to apply for federal aid, and has approved specific loan and technical assistance programs for two of them. The department has just won \$65 million from Congress for its assistance activities this fiscal year.

After the commission approves a petition, it is up to the two departments to actually make the assistance available.

This week with the de facto revaluation of the yen up to 5.8 per cent and the dollar relatively firm—today fixing was at DM3.4070 as compared with the 3.9660 yesterday and a record low of 3.3810 on Aug. 26, the "genuine" overall deutschemark revaluation is no more than 4.5 per cent.

The 15 countries on which those calculations are based account for just over three-fourths of the German exports. But it must be borne in mind that the calculated average camouflages the specific problems of different industries and individual companies with a high proportion of sales on the markets on which the deutschemark has gained the most in value, primarily U.S., France, Italy, Spain.

I also want to have included in the RECORD a very thoughtful speech on the subject of foreign imports by the senate minority leader of the General Court of Massachusetts, the Honorable John F. Parker, Republican, of Taunton. It is first-class evidence of the increasing dissatisfaction at the local level throughout this country with our present foreign trade policies:

THE SWAMPING OF AMERICA

There is an ancient biblical expression that says, "No man can live by bread alone . . ."

It applies not only to men as we know them, but also to nations, for like men, no civilized nation can live by bread alone nor by spirit alone.

As individuals, we need a mixture of things to survive, and as a nation, we need also a mixture of things. Our lives cannot be all bread. We know this, and that is why we eat vegetables, meat, fish, cereals, and other foods. A nation likewise survives economically and materially on an equal mixture of things produced in that nation and brought in from abroad.

And yet, whenever the mixture gets too overbalanced—too much meat, too much fish, too much bread—we suffer, for our bodies function best on balanced diets. Our nation also can function best on a balanced economic diet. I need not tell you ladies present what happens when diets go askew. Everybody who has had a weight problem has been told that they are taking in too many sweets, too many potatoes, too much bread, and on it goes. If you want to survive, you pay attention to the doctor and you cut down. If not, you know the answer.

Nations are no different than people. If the intake is too heavy on special items, the nation takes on excess weight of products. It functions poorly, economic stress sets in, it balloons and finally explodes and collapses.

The trouble with America today is that its diet of imports is too rich. It is taking on too much weight. It is heading for trouble and needs above all else some serious economic weight watching, so far as imports are concerned.

And, so, we meet here today in this fine motel in Andover, Massachusetts, one of thousands of like motels, products of American initiative and energy. It is summertime, the beautiful month of August, the very height of vacationtime in the United States.

Of course, summertime means different things to different people. For most people we know, middle-class American working people, summertime means vacationtime.

In the mountains, maybe,

Or a trip across the land,

Or beside some lake, stream or oceanfront.

For many people, vacationtime means staying at home and relaxing, free for a time of the responsibilities of work, free of the discipline which the rest of the year requires.

At vacationtime, we are free for awhile to be aware of what we want to be aware, and free to ignore what we wish to ignore.

But, as we all know, vacations end and we have to assume the responsibilities of work. These responsibilities extend to feeding and clothing our families, perhaps buying a home, purchasing goods, saving again for vacations, a few dollars for a rainy day, putting money aside for college for the youngsters.

In other words, when we return from vacation to our workaday world, we must shed the atmosphere of vacationtime, since obviously we would get little or nothing accomplished.

As I came in here today over massive Routes 495 and 93, I was caught up in the tremendous flow of vacation travellers going north for the open spaces of New Hampshire, Maine and beyond. Automobiles packed with people, trailers, license plates from every state in the union, happy American faces speeding along to their destinations, eager to eat up every minute of their vacations, forgetting for the moment that job back home, happy to get away from the tedium of work, but hopefully secure in the knowledge that their jobs will be there when they get back.

Not only coming along the expressway this morning, but also on visits to the beaches, resorts, and other places where vacationers gather, I feel the almost cavalier attitude toward something that is throwing America's

economic diet into a cocked hat. For the American workingman is buying foreign cars as never before, Japanese radios and cameras, Spanish and Italian shoes, Hong Kong suits, English bicycles, French tooth paste, Swiss watches, and what have you—and despite that, he expects his job back when he gets home from vacation.

So, whether or not we are on vacation retreating from our workaday lives, we cannot afford to retreat from or ignore the incredible phenomena of the past 20 years so far as imports into America are concerned. It is an increasingly serious problem, this expanding glut of foreign-produced goods pouring freely across our shores.

And I am referring to the problem of an unconcerned army of American consumers who snatch up these foreign goods in ever-increasing numbers, blissfully unaware of the growth of another army across the land.

An army of unemployed Americans. An army which, in many cases, owes its existence to the unrestricted flow of foreign imports into the United States.

As Americans, we seem to ignore the fact that the economics of imports is the economics of people.

As Americans, we seem to ignore the fact as of today, we have almost 6 million persons unemployed in America, a substantial number of whom lost their jobs because of the unchecked influx of imported products into this country.

That is the economics of the people.

As Americans, we seem to ignore that fact that over 2 million jobs had been lost to foreign imports by the end of 1969, and that current projections indicate that 5 million jobs will have been lost by 1980.

That, too, is the economics of the people.

So the question arises—why do we continue to ignore these figures?

Why do we place the problems of foreign imports at the bottom of our economic concerns?

The first reason, I think, is a very simple one.

With some notable exceptions, foreign imports seem to cost less than their American counterparts.

Never mind that the quality of imported goods is often markedly inferior to domestically produced goods.

Never mind the number of American jobs that are wiped out with every new import agreement.

Foreign goods cost less—and that's it!

Never mind that I am demanding \$7.00 an hour for my efforts as an American working man; if I can buy something that some foreign worker produced for 35 cents an hour, I'm buying it. In America today, that's the attitude.

The fallacy of this argument is simply explained—and a lot more to the point.

The American jobs which go unfilled because of imports means a growing number of American consumers who are unable to consume.

And that applies to the consumption of foreign goods as well as American goods.

In other words, we are diminishing—or eliminating outright—the buying power of our citizens.

The power to buy anything.

And that economic fact of life has some pretty far-reaching implications, because the strength and very existence of the American economy rest squarely on buying power. Unemployed people don't buy much other than the bare necessities of life.

When you weaken buying power, industry suffers and very often must go out of business.

Labor suffers, for if the doors of the factory are closed, where do you go?

Communities and States suffer. People cannot pay real estate taxes which affect communities, they cannot earn enough to pay income taxes and the state suffers, and

if there are no industries, there are no corporation taxes.

The Federal Government suffers because its tax base is eroding. Instead of providing moneys to stimulate the economy, it finds itself having to subsidize a sharply increased number of former taxpayers.

Former taxpayers who have no desire to become wards of society.

Former taxpayers who have no desire to become recipients of welfare.

Former taxpayers who have no desire to be forced to use up their unemployment benefits and unemployment compensation.

And former taxpayers who, in fact, had every reason to believe that their incomes and their standard of living would improve as the American gross national product and standard of living improved.

Man, what a cruel awakening!

What a cruel awakening to find that neither they, as individuals, nor their companies, nor their unions, have any power to turn things around to protect themselves and to protect the goods which they produce from being swallowed up in an ocean of freely imported goods.

Which leads me to my second reason. The Federal Government and our Congress continues to exercise its policy of "Indifferent Neglect" toward the whole problem of unrestricted foreign imports.

The United States, which almost single-handedly rebuilt the economies and production of the war-ravaged nations of the world, refuses to extend similar assistance to American industries and American workers suffering from unfair foreign competition.

Unfair competition, I say, because the very nations which we rescued have turned around and set up a whole series of insurmountable hurdles to trade.

They have set quota restrictions, import levies, so-called "equalization taxes", and unequal dollar exchange rates.

They are giving us the business of a different nature. We, in turn, provide virtually no protection to foreign importation.

And the result is just what you would expect—a flood-tide of foreign goods that threatens the American economy at home and the position of the United States in the World Market.

The government up to this point has done little to stem the tide of imports, but encourages through its inaction, the flight of giant American corporations abroad.

The runaway American plants who close down production at home, lay off their workers and open up operations overseas where they can pay subsistence wages in Europe and slave wages in Asia, turn around and sell their products in America, cutting sharply below prices of goods produced by American workers.

And the American worker suckers himself into the whole mess by eagerly buying everything in sight based upon price alone. In fact, the greatest outlets for foreign-produced goods are the low income areas where huge market outlets and stores sell everything imaginable to factory-worker Americans. A trip through a shopping center in middle-income America will find the parking lot filled with foreign cars and the shopping bags filled with foreign merchandise. And then the working man complains he has no job or is on short time. *Price blinds him to the realities of life and economics.*

It is not only the working man who has become caught up in foreign imports, it is almost everybody all the way up to the politicians. The rich are buying their boats in Holland or Sweden. The union member loves Italian shoes and doesn't feel ashamed to be driving a foreign car. Even politicians are involved. Years ago, every politician I know would wear nothing but a union-made suit or sports coat. He made sure he drove an American made car. He made an issue of his union-workingman orientation. Now,

they are like everybody else. They boast about their Datsuns, Toyotas and Volkswagens. They park them in the State House parking lot and tell about their performance to fellow legislators. They feel no guilt in their Hong Kong suits, nor do they fear any retaliation from unions, who are doing the same thing. They profess concern for the unemployed and legislate to help them—and campaign in a Volkswagen or a Toyota. Times surely have changed since we cried, "Buy American". My, how old fashioned that phrase has become!

Imports of electronic products and components has increased 328% since 1964. Is it any wonder Route 128 is a disaster area? Footwear imports have increased 311% since 1964. Is it any wonder there are only two shoe factories left in Brockton? Hardware imports have increased 306% in seven years. What has this done to some of our shops and foundries? Leather goods imports have increased 183% in seven years. This means ladies pocketbooks, suits, belts, baseball gloves, etc. It has practically killed the leather business in Massachusetts and the United States.

Foreign companies and foreign nations have literally dumped their goods on the American market, endangering every facet of American industry. United States imports of automobiles rose to 1,847,000 in 1969, a 237% increase over 1964.

In the area of automobiles, textiles, steel, electronic equipment, television, radios, shoes, etc., the trade balance, U.S. foreign is now listed at a 6 billion dollar deficit.

Foreign imports are not just nibbling at the American market. They are gobbling huge slices of it. Kids ride up to my house on Honda motorcycles and tell me they can't find a job. Veterans just out of the service are as infected as anyone else. They buy foreign whenever they can. "Buy foreign" has replaced "Buy American" and it's getting more serious every day.

Japan alone is making inroads into United States consumers that is beyond belief. 25% of the United States television market is now Japanese; 50% of the American motorcycle registrations are Honda; 90% of the white shirts sold here are made in Japan; 50% of the fabric for American suits is made in Japan; a 200% increase in Toyota and Datsun cars has left the American auto dealer on his heels.

Japan will sell two billion dollars more goods this year to the United States than it will buy from this country. While nearly 90% of Japan's exports to the United States are manufactured products, about 70% of the items Japan buys from this country are raw materials and agricultural products. Take note of that!

And yet, Japan maintains import quotas on at least 120 categories. In other words, it is difficult for the United States to sell certain finished products to Japan. As a comparison, Japan's duty on imported cars is 10%, compared with 3.5% on foreign cars entering the United States market. On top of this, retailers of American cars in Japan must pay commodity taxes ranging from 15% to 40%. So what do we do? Give up.

So we stand, this week in August, with an awesome array of figures, imports versus exports. The government reported that Americans spent \$374 million dollars more for imports than the economy earned from exports during the first six months of the year. *We may go over a billion dollars before the year is out. It is impossible to maintain that ratio and have a solid economy and everybody knows it.*

The terrible crush of all this has adversely affected New England as well as the rest of the United States. 549 textile mills have closed in the last few years, with 33 of these in New England alone. From 1962 to the present, 115 shoe plants have closed down as imports skyrocketed to 236 million pairs of shoes.

My good friend, Congressman James Burke of Milton, in a speech before the American Federation of Labor, C.I.O., declared that for the first time since the Korean War, the United States has registered two successive months of trading deficits. He further stated that the free trade lobby was the most powerful in Washington and that their efforts to open wide the doors for imports has resulted in frightful pockets of unemployment in this nation's industrial sectors.

Congressman Burke further stated that the United States Congress should create a policy of balance on imports and exports and substitute orderly growth for runaway flooding. "Nothing short of an across-the-board review of this nation's foreign trade policies can guarantee full employment for the people of this nation," said Burke. "We must get off the disastrous course of the last 20 years or foreign imports will eat us out of house and home and the American worker will be forced to subsist off the crumbs of employment, unemployment benefits, and worse still, public welfare."

There is a new book on the best seller list. It is called the "Greening of America". It is a fine book and all should read it. On the import front, someone should put together all the facts of foreign imports as they apply to America and the percentage escalation of those imports and then write a book entitled the "Swamping of America".

When I started to write this speech some few days ago, I was not aware that something would be done on the national level to hold the line and turn back the tide. You know, as well as I, that President Nixon this past week took a dramatically bold step in his price and wage freeze which goes into effect for the next 90 days.

I am not going to burden you with details of that far-reaching decision by President Nixon. It is all in the papers for you to read. However, one point you will note, and it ties in with what I have to say, is that the President has imposed a 10% extra tax on imports of foreign goods. He hopes through this method to slow down the incredible flow of goods into this country.

The President stated that the import tax is a temporary action not directed at any other country, but an action to make certain that American products will not be at a disadvantage because of unfair exchange rates. When the unfair treatment is ended, the President said the tax will end. Through this method, the President hoped the products of American labor will be more competitive and the unfair edge that some of our foreign competition has had, might be removed.

The President further said that the time has come for exchange rates to be set straight and major nations must compete as equals, and that the United States cannot compete any longer with one hand tied behind its back.

How much long-term effect it will have, I cannot say for sure. All I know is that there is a "Filene's basement rush" to buy foreign cars, diamonds, French wines, and other commodities that are stockpiled in this country and thus not subject to the new tax surcharge. I might add, the stockpiles of foreign merchandise are tremendous, so what effect the price freeze and 10% surcharge will have over the next 90 days remains to be seen.

Other than President Nixon's bold step to hold the line, Congress has done little to balance imports and exports. *Here in my hand I hold a report of the Congressional Committee on Ways and Means background material on selected trade legislation.* It is filled with the story of the agony of American business. I suggest you read it, then get on the line to your Congressman.

Typically, House Resolution 17481 reads: "The Congress finds that the markets for certain leather goods, particularly footwear and personal items of leather in the United

States, have been disrupted by the large and increased volumes of foreign imports . . .", and on it goes, pleading for quota restrictions and other proposals.

While these bills and many others languish in Congress, the flood-tide continues by land, sea, and air, and Americans continue to lose their jobs.

Despite these bills, Government still maintains its vacation-time attitude—all year round.

This attitude is creating permanent vacations for employers, for employes, for working men and women, who find themselves cut off from the mainstream of the American economy.

The once full-time jobs of many Americans have become full-time vacations:

Vacations without benefits,
Vacations with no pay,
Vacations of frustration and aggravation,
and
Vacations with no future.

All this doesn't mean, of course, that we should tear down the machinery of trade, close our ports, and retreat behind impenetrable walls of tariff restrictions. It means we must re-cast our economic philosophies and mold them into 1971 thinking and conditions as they now exist.

Unless we do this, and wake up to what is going on, who knows, this nation and its people might well have to live on bread alone. It is that serious.

I intend to keep on focusing on this problem in the weeks ahead because I think now is the time to press for action, while our traditional policies are being publicly reexamined and heretofore impregnable attitudes are now being increasingly challenged.

BUCHWALD ON THE HIGH PRICE OF THE PRESIDENT'S FREEZE

(Mr. DINGELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DINGELL, Mr. Speaker, pursuant to permission granted, I insert at this point in the CONGRESSIONAL RECORD an excellent commentary by Mr. Art Buchwald on the administration's wage-price freeze, which appeared recently in the Los Angeles, Calif., Times:

BUCHWALD ON THE HIGH PRICE OF THE PRESIDENT'S FREEZE

(By Art Buchwald)

Here are some questions that you have probably been asking concerning the Nixon administration's wage-price freeze:

Q. Why is there a wage-price freeze in the United States?

A. Because President Nixon's economic game plan didn't work.

Q. What was his economic game plan?

A. To lick inflation by having a reasonable amount of unemployment.

Q. What happened?

A. He was only successful in 50 percent of his goals. He didn't lick inflation, but he did manage to have a lot of unemployment.

Q. Who is affected by this wage and price freeze?

A. Everyone but banks and insurance companies.

Q. Why are they not affected?

A. Because they are hardship cases.

Q. What about school teachers, policemen, firemen and government employes?

A. They are not exempted because they can weather a wage-price freeze much easier than banks and insurance companies.

Q. Did President Nixon devalue the dollar?

A. Absolutely not. He asked Germany, France and Japan to devalue it for him. The dollar is floating.

Q. Where is it floating?

A. Probably at sea. Two things can happen now. The dollar can be rescued or it can sink.

Q. Who will decide what happens to the dollar?

A. The gnomes in Switzerland.

Q. Who are the gnomes in Switzerland?

A. They're tiny little men, three feet tall, who buy and sell dollars all over the world.

Q. Can President Nixon do anything about the gnomes in Switzerland?

A. He can. Just before the elections he will announce that if he is re-elected he will go to Zurich.

Q. Could President Nixon have done anything to avoid a wage-price freeze?

A. Yes. He could have sold Alaska. As a matter of fact there is a rumor he might still do it. That's why he asked Emperor Hirohito to meet him there, so Japan could make him an offer.

Q. How will the wage freeze affect poor people?

A. They have nothing to fear from it. It's been set up in such a way that their poverty will be protected.

Q. Why did the stock market go up so high when the President clamped the freeze on?

A. Many top-flight Wall Street investors and brokers were called back from their vacations. They figured as long as they were there and didn't have to go home to dinner, they might as well buy stocks. As soon as their wives come home they'll probably sell.

Q. If my boss promised me a raise and he can't give it to me because of the wage freeze, what does that make him?

A. The happiest man in the world.

Q. How could this have happened to the dollar when it says right on it "In God We Trust?"

A. God didn't do this to us. It was the Germans, the French, and the Japanese.

Q. But why should God allow this to happen if he knows we put all our trust in him?

A. The President has asked Billy Graham to head up a blue-ribbon panel to find an answer to this question.

Q. When will we know?

A. Next Sunday.

TITLE III OF H.R. 9688, THE 1971 HOUSING AND URBAN DEVELOPMENT ACT

(Mr. WIDNALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WIDNALL. Mr. Speaker, considering the billions of dollars we have appropriated over the years for the multitude of housing programs we have enacted, one can wonder why it is that we have not progressed further toward the achievement of our housing goals. One reason is that the tremendous costs associated with housing and urban development programs make it impossible ever to allocate as much money to these efforts as we could use. Another is that solutions to some of the problems often turn out to be more complicated than anyone anticipated.

There is no better example of this than the problems associated with the provision of housing for low-income people. Under the present administration, production of low-income housing, both purchase and rental, has soared until for the first time this year we expect to reach the level contemplated in the goals set forth in the housing bill of 1968.

Unfortunately, the value of this accomplishment now stands in jeopardy as a result of those unanticipated problems of which I spoke. Experience with units

built to date has now shown that the mere act of making a good, standard, living unit available to previously deprived people is not enough by itself to improve their standard of living. The record is replete with case histories of uneducated and inexperienced people wrecking good new housing units because, basically, they lack the knowledge and experience to avail themselves of the opportunity such a unit presents.

Realistically, we have come to recognize that one does not automatically make the transition from a slum dwelling, which may be limited in its amenities to a kerosene stove for heat, a hot plate for cooking, a cold water tap, and an outside privy, to even the most modest dwelling with a furnace, a modern range, a hot water heater, and modern plumbing. We have come to recognize that if these simple amenities seem to work faultlessly and economically for most of us, it is not because they are infallible, but because we have learned their limitations—and I might add reluctantly, we have come to appreciate the costs and inconvenience of obtaining service when they are abused.

It has become increasingly apparent that the inability of the occupants of low-income housing to assume the most basic responsibilities associated with it is a major problem. Not only are the occupants disheartened and dissatisfied—so, too, are the taxpayers who see the product of their sacrifices being wasted by seemingly ungrateful beneficiaries. But in those areas where adequate counseling services have been available, delinquencies, disappointments, and destruction have been materially reduced. There is good evidence that counseling is essential to the proper transition from a life of despair to one where the spark of hope may begin to burn. Furthermore, it is evident that we cannot afford to let new federally subsidized units be destroyed within 5 and 10 years of erection.

Recognizing the critical need for counseling services, I was pleased to note that title III of H.R. 9688, introduced by Chairman PATMAN and 16 Democrat members of the committee, dealt with counseling and improved management services. Unfortunately, it is delinquent in several respects, but most importantly in that it fails to recognize the urgency of the problem. It authorizes the Secretary of Housing and Urban Development to undertake the necessary studies, et cetera, to develop a counseling service, to publish bulletins, undertake training of counselors and provide counseling. I see this clearly as a 1- or 2-year task at best during which time present units will deteriorate further and the 600,000 units a year we propose to provide, will get off to a bad start.

There is no reason for this kind of slow and costly approach. With two telephone calls to the Department of Agriculture, I obtained on my desk, in less than 1 week, a stack of printed material 8 inches high, covering every aspect of counseling you can imagine.

There were pamphlets for example, on how and why to clean a house, clothes, kitchen closets, et cetera; care for all sorts of mechanical appliances; paint, inside and out, and make minor repairs of all sorts; buy all sorts of foods; plan

and cook meals; plan and manage money.

Some of these pamphlets were written in the simplest possible language and dealt with the most basic ideas. Anyone with a third-grade education could understand them.

Others were for the instructors covering all aspects of planning and teaching courses. In toto, they represent a complete counseling program.

Why, I ask, should we authorize HUD to spend millions of dollars and years of time, to duplicate what the Agricultural Extension Service has been doing successfully for years. In order to save money and make good counseling service available within months instead of years, I propose to introduce an amendment to title III to authorize and direct the Secretary of Housing and Urban Development to consult and contract with the Department of Agriculture for the purpose of using all publications and manuals appropriate for consumer counseling, and such personnel as may be appropriate. There is no doubt whatsoever that by directing HUD to utilize the facilities and experience of the Department of Agriculture we can avoid much duplication in Government, save millions of dollars, and most importantly, get some decent counseling material available in the field in a very short time.

One other deficiency in title III regards the means proposed to finance counseling and management services. The bill proposes to allow HUD to expend for these purposes 100 percent of the premium income from mortgage loans which are obligations of the special risk insurance fund and which are unused after the bill's enactment for the first year after the loan's closing and 50 percent thereafter.

It is impossible to say with certainty what amount of money this would be as there are no limitations, except on the subsidized programs, on the amount of insurance which FHA can write. However, HUD has provided me with some figures on which some estimates can be based.

During calendar year 1970, premium income to the special risk insurance fund, was approximately \$16.5 million. For fiscal year 1972, this is estimated to rise—due in part to the large increase in subsidized programs like sections 235 and 236—to approximately \$34.5 million. Assuming this growth pattern prevails in the year following enactment of the bill, it would result in making \$18 million available for counseling services the first year and 1½ times that much, or \$27 million, in the following years.

To put these figures in perspective, let me say that HUD informs me that of its total budget, only about \$189 million is allocated for all of FHA's operations, not including subsidy payments. In other words, this bill would appropriate an amount equivalent to 10 to 15 percent of FHA's total budget for this one function—among the multitude of functions FHA performs. It is clearly excessive. Additionally, this represents an appropriation—in an unspecified amount—in a legislative bill contrary to the rules of the House.

I will, therefore, offer a further amendment to title III, authorizing the

appropriation of \$5 million a year for 2 years for counseling services. With the vast amount of material available through the Department of Agriculture, and by utilizing to the maximum extent possible the voluntary services which are already doing counseling, I believe this will be adequate. The money we save can be well used in other ways by HUD or just left in the insurance reserves. As important as I think counseling services are, I do not think we should delay 1 or 2 years in providing them through a new bureaucracy.

RAIL STRIKE LEGISLATION

(Mr. HARVEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HARVEY. Mr. Speaker, yesterday, I set forth in the CONGRESSIONAL RECORD a compilation of editorial opinion on the need for permanent rail strike legislation. Those remarks were the first in a series intended to demonstrate the need for such legislation by using the recent UTU selective strike as an illustration of the drastic effects a rail stoppage can have on our Nation's economy.

During the August recess, I contacted some of the country's major trade and manufacturing associations. I requested data on the effects of the UTU strike on their particular industry. Today, I would like to share with my colleagues some of those responses, specifically those from the heavy manufacturing industries.

Heavy industry was one of those most drastically affected by the recent strike, as it is by any form of rail service curtailment. The sheer weight and bulk of its finished products, or raw materials, preclude shipment by alternative means. Trucks simply cannot handle oversized airplane frames or large steel shipments, and it is simply impractical to send coal by means other than rail. For those industries that were able to ship by alternate means, the cost of transportation was greatly increased, approaching 400 to 500 percent in some areas of the Aerospace industry.

For those heavy industries that were unable to ship their goods by rail, or could not receive raw materials, production slowdowns and layoffs were commonplace. In the automobile industry, so vital to the economy of my home State of Michigan, both General Motors and Ford reported plant closings. Luckily, the strike ended when it did, for Chrysler would have been forced to shut down 35 plants and lay off an estimated 110,000 workers if it had continued for another 2 weeks.

These secondary effects of a rail strike are magnified when those industries which stockpile goods either run short of raw materials or no longer have room for the finished product. Two-thirds of all bituminous coal is shipped from the mines by rail, and if a strike ends this service, there is only a limited amount that can be stockpiled. During this strike, the steel mills were already in a production slowdown due to anticipated labor problems in their own industry. However, the inability of these same mills to ship, receive, or stockpile goods

would have had far-reaching effects on all phases of our economy.

Mr. Speaker, I think from these few examples, you can see the drastic effects of a rail strike on our Nation's heavy industries. Without permanent legislation to correct this very grievous situation, these industries will continue to face similar crises in the future. I include now, for my colleagues' information, several of the very best replies from the heavy industry associations to my receipt inquiry:

AEROSPACE INDUSTRIES ASSOCIATION
OF AMERICA, INC.,
Washington, D.C., September 13, 1971.

HON. JAMES HARVEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HARVEY: The attached material is forwarded in response to your letter of August 9, 1971 requesting advice as to the impact on the aerospace industry of the recent railroad strike.

Please let me know if we can be of further assistance to you in this matter.

Yours very truly,

KARL G. HARR, JR.

RAILROAD STRIKE IMPACT

(Response of the Aerospace Industries Association of America, Inc., Washington, D.C.)

1. To what extent was your industry affected by the rail stoppage?

The impact on airframe manufacturers, including engine manufacturers, was greater than on other aerospace manufacturers of missiles, rockets and their components. Large aircraft wing and body sections are pretty well captive to rail service and move on specially-designed and equipped rail cars. Although some of these sections may be transported in oversize aircraft of the Pregnant Guppy type, such handling is extremely costly, as much as 500% higher than rail. Additionally, Guppy aircraft are in extremely short supply and cannot be considered as a suitable alternative to rail. If the strike had been of longer duration, the impact on airframe manufacturers would have been extremely severe and resulted in a complete stoppage of production lines.

Aerospace manufacturers other than airframe were affected much less from a service standpoint. From a cost standpoint, however, diversion of rail traffic to motor and air increased transportation charges, generally, by 100%. But again, if the strike had lasted only a short while longer, the impact on these manufacturers would have also been severe because of the inability of the alternate modes of transportation to handle the additional tonnage.

Attached as an Appendix hereto is a tabulation of responses received from AIA members to your questionnaire. We have broken the replies into two categories: "Airframe" on page 1 (15 responses) and "Other Aerospace" on page 2 (16 responses). The effect of the strike on the two categories of members is made clear by the individual responses contained in the tabulation.

2. During this past selective rail strike, were or could provisions have been made to ship or receive goods by other rail carriers or alternative means of transportation?

Alternative service to rail was not always available to Airframe manufacturers because of the size of the articles requiring transportation, as noted in the response to Question 1 above. Page 1 of the attached Appendix lists 6 of 15 Airframe manufacturers who were able to partially divert rail tonnage. Other Aerospace manufacturers fared better as indicated on page 2 of the Appendix, only 1 of 16 not being able to use alternate service.

3. If so, are figures available for the percentage of goods that could have been rerouted or on the time delays involved?

With respect to Airframe manufacturers, 9

of 15 were able to reroute all of their rail traffic to other modes. The remaining six manufacturers rerouted rail frustrated traffic in quantities ranging from 10% to 90% with the average being 25%. Records were not maintained of time delays.

Other Aerospace manufacturers fared better with only 2 of the 16 being unable to employ alternate service in all cases. One of the two was able to divert 95% of its tonnage, the other 65%.

4. Have you any estimate of the cost of this rerouting?

Overall, no. However, you will note from the Appendix that transportation charges were increased in amounts ranging from zero to 500 percent.

5. In future selective rail strikes, will alternative means of transportation be open to your industry, or will you be forced to rely exclusively on the railroads?

The answer to this question depends upon the number of railroads struck, their identity and service areas and the duration of the strike. For example, if the Burlington Northern were to be struck for any period of time, Boeing Aircraft in Seattle would be immediately cut off from the nation's railroad network and the movement of large airframe components from the east, midwest, California and the southwest stopped. The same will be true of other principal aircraft manufacturers if the carriers in their areas are struck.

Other Aerospace manufacturers would be similarly affected by selective strikes of more than short duration. Their ability to divert to other modes of transportation would survive only as long as would the capability of the other modes to carry the added tonnage diverted from the struck railroads. Not too long, we fear.

6. If rail transportation is the only alternative, do you have a choice of carriers or are you limited to only one railroad line?

Generally, as with most manufacturing companies, aerospace shippers are provided plant switching service by one railroad. When that carrier is struck, access to the nation's rail network is cut off. In the attached Appendix where the word "choice" appears, it indicates a choice of carriers from off-plant carrier teamtracks. However, during the recent rail stoppage, teamtrack delivery from non-struck carriers became very uncertain because of congestion.

7. Was the effect of the recent U.T.U. selective strike felt by your industry on a regional or on a national basis?

The effect varied from company to company as indicated in the Appendix. The short duration of the work stoppage limited the effect either nationally or regionally. Given another week we may be sure that the effect would have become national as will be stated in response to Question Number 8.

8. If you were forced into a production slowdown, could you estimate the secondary effects of such a reduction on other industries and on the economy of your region or the nation in general?

The secondary effects of a production slowdown in the aerospace industry would be considerable. AIA member companies are employers of approximately 1,000,000 people and collectively are one of the Nation's largest individual employers. Aerospace plant facilities are located throughout the United States. The manufacture of aerospace articles and their components and parts involves an extremely complex supply and distribution operations. The assembly and production facilities at any one aerospace plant can involve the inbound movement of material from thousands of vendors and subcontractors scattered throughout the United States and overseas. Aerospace production lines are dependent upon a well-planned, smoothly-flowing and time-saving movement of material. Accordingly, a production slowdown at an aerospace plant facility immediately im-

pects on thousands of subcontractors and vendors throughout the nation, many of whom, approximately 50%, fall within the category of small business. To be considered also is the fact that a considerable portion of the industry's production capacity is devoted to vital defense programs. A forced production slowdown brought on by either a

selective or general strike would have a direct effect on those programs.

9. Does your industry have any procedures to stockpile reserves to counter the effects of a rail strike and thus prevent shutdowns?

Generally, no.

10. If so, how long could you operate effectively without rail service?

With or without stockpiling, the responses to this question varied from four days to indefinitely. It should be emphasized, however, that a disruption of rail service places an added burden on other modes of transportation which has the effect of reducing the amount of service available from such modes to any one shipper.

AEROSPACE INDUSTRIES ASSOCIATION—RAILROAD STRIKE IMPACT

AIRFRAME

Table with 10 columns: (1) Percentages (Rail, Truck, Air), (2) Alternate service to rail available, (3) Percent rerouted, (4) Reroute cost increases, (5) Dependence on rail, (6) Rail service available, (7) Regional or National effect of strike, (8) Effect of a production slowdown, (9) Stockpile, (10) How long operate w/o rail service. Rows 1-16.

NA: Not applicable.

NATIONAL COAL ASSOCIATION, Washington, D.C., August 16, 1971.

HON. JAMES HARVEY, House of Representatives, Washington, D.C.

DEAR JIM: This will acknowledge your letter of August 9 with which you enclosed a copy of your recent statement concerning permanent rail strike legislation.

I am enclosing the completed form concerning the impact of the recent railroad strikes on the coal industry which you enclosed with your letter.

There is also enclosed a copy of my statement. As you know, based upon my testimony before the Subcommittee on behalf of the National Coal Association, our members believe that legislative action should be taken by the Congress that will provide for a quick and rational settlement of railroad strikes.

If you need additional information, please let me know.

Sincerely,

CARL E. BAGGE.

RAILROAD STRIKE IMPACT

1. To what extent was your industry affected by the rail stoppage? (We would appreciate any figures that you might have on the percentages of goods shipped or raw materials received by rail, as well as by other modes of transportation.)

There were 224 mines on the Norfolk & Western Railway which were closed down and more than 30 on the Southern Railroad's line. Approximately 25,500 miners were thrown out of work by the recent rail strike. We estimate the loss of coal output at between 1 and 2 million tons. In 1970 Class I railroads originated 399 million of the 596.5 million tons of bituminous coal produced. As of July 30, railroads which originated more than 100 million tons of bituminous coal last year were strikebound.

2. During this past selective rail strike,

were or could provisions have been made to ship or receive goods by other rail carriers or alternative means of transportation?

No. The railroads serving the mines closed by the recent strikes are the only carriers available to those mines. It is possible that a portion of the tonnage originated by the railroads which were on strike could have been moved by truck, although we have no way of determining such movement.

3. If so, are figures available for the percentage of goods that could have been rerouted or on the time delays involved?

4. Have you any estimate of the cost of this rerouting?

See question 2.

5. In future selective rail strikes, will alternative means of transportation be open to your industry, or will you be forced to rely exclusively on the railroads?

The railroads historically have been the nation's principal carriers of coal and there is no other method of transportation which seems likely to displace them in the foreseeable future.

6. If rail transportation is the only alternative, do you have a choice of carriers or are you limited to only one railroad line?

This depends on the location of the mines but most of them are served by a single railroad.

7. Was the effect of the recent U.T.U. selective strike felt by your industry on a regional or on a national basis?

The effect was largely on a regional basis because of the railroads on strike. Attached is a list of those railroads together with the amount of coal originated by them in 1970.

8. If you were forced into a production slowdown, could you estimate the secondary effects of such a reduction on other industries and on the economy of your region or the nation in general?

Yes, with a given set of circumstances.

The estimated loss of between 1 and 2 million tons of coal due to the recent rail strikes

had a short-term effect on the economy of the areas in which the closed mines were located.

The secondary effects on other industries due to this loss would be minimal.

9. Does your industry have any procedures to stockpile reserves to counter the effects of a rail strike and thus prevent shutdowns?

Coal can be stockpiled both at the mines and at the point of consumption; however, stockpiling facilities are limited at most of the mines because of the bulk of the commodity.

10. If so, how long could you operate effectively without rail service?

This would depend on the amount of coal stockpiled at the mine and at the point of consumption.

STATEMENT OF CARL E. BAGGE, PRESIDENT, NATIONAL COAL ASSOCIATION, BEFORE THE SUBCOMMITTEE OF TRANSPORTATION AND AERONAUTICS, AUGUST 3, 1971

My name is Carl E. Bagge. I am president of the National Coal Association which represents most of the major commercial bituminous coal producers and coal sales companies in the nation.

I appear here today to urge immediate action on permanent legislation that will avoid further interruptions in the rail movement of coal and other commodities which are of overriding importance to the nation.

We applaud the recent rail strike settlement. However, that does not obviate the need for some method of avoiding these recurring problems. Now is the time to secure a permanent solution, one that is arrived at in a calm and objective atmosphere.

Periodic railroad strikes such as those we have just witnessed interrupt coal production, put thousands of men out of work, and threaten our economy which relies heavily on coal for a major part of its energy requirements. Our electric utilities, for ex-

ample, depend on coal for half the fuel they need to generate electricity. A prolonged strike could lead to brownouts in many areas and ultimately to blackouts.

The nation's railroads haul more coal, and derive more revenue from moving it, than from any other commodity.

Two-thirds of all the bituminous coal produced in the United States leaves the mine by railroad. In 1970, Class I railroads originated 399 million of the 596.5 million tons of bituminous coal produced. The carriers received \$1.4 billion for moving coal, or 12 per cent of their total freight revenue in 1970.

As of July 30, railroads which originated more than 100 million tons of bituminous coal last year were strikebound. Hundreds of mines were shut down, most of them in the Appalachian area, and thousands of families had their source of income cut off. Approximately 25,500 miners were idle during the recent rail strikes.

The strike of the Norfolk & Western Railway alone, the largest coal originating road in the country, put over 20,000 miners out of work in six states. There were 224 coal mines closed down on the N&W lines. More than 30 mines on the Southern Railroad's lines also were shut down because the idle coal cars as well as storage facilities were full.

There is no accurate way to determine at this time precisely how much coal production was lost due to the rail strikes which began July 16. However, we estimate this loss of coal output at 1 to 2 million tons.

Railroad strikes also seriously affect U.S. coal exports which in 1970 contributed more than a billion dollars to the nation's balance of trade. The value of coal exports represented about 2.5 per cent of the total nation's export value of \$42.7 billion (excluding shipments for defense), and nearly 40 per cent of the nation's trade surplus of \$2.7 billion in 1970.

The Norfolk & Western Railway handles approximately 50 per cent of total U.S. bituminous coal exports. Coal loaded at tidewater by the N&W for export overseas and at the Great Lakes for shipment to Canada originates in Appalachia.

As of Monday of this week, there were 16 vessels at Norfolk & Western's Lamberts

Point piers at Hampton Roads, Virginia, which could not be loaded with coal for export overseas because of railroad strikes. Eight additional vessels will be arriving in the next few days.

My interest in this issue is not based solely upon the position of the National Coal Association and the interests of the coal producing industry. It also reflects a personal view which evolved during my six years as a regulator of the nation's electric and gas utility industries while serving as a member of the Federal Power Commission.

During my period of service on the Commission, even localized rail strikes affecting a single carrier seriously disrupted critical coal movements to electric utility generating plants. This required the Federal Power Commission to request Presidential intervention in rail labor disputes by invoking emergency board procedures under the provisions of the Railway Labor Act. Fortunately, in each such instance Presidential emergency board procedures had not yet been exhausted and their invocation for the requisite period of investigation and reporting afforded sufficient time for stockpiling coal reserves at the affected utility generating plants. Had the Presidential emergency board procedures of the Railway Labor Act already been exhausted, there would have been no remedy and the utilities' fuel supplies at the affected generating plants would have been completely exhausted. Furthermore, since transmission capacity from adjacent electric utilities was inadequate to handle the volume of bulk power required, the impact upon the health and welfare of the public would have been nothing less than disastrous.

This illustrates that there exists a dimension to the problem of the reliability of utility service which is, it seems to me, wholly ignored in the current national discussion of the issue. Even since the Northeast blackout in November, 1965, there have been numerous proposals introduced in the Congress which are intended to enhance the reliability of the nation's utility industry and to protect the public from the possibility of further blackouts or brownouts. My former colleagues and I have appeared before another subcommittee of this Committee on numerous occasions during the past several years in a dis-

ussion of the reliability of utility service for the nation. In none of these discussions, nor in any legislative proposal which received the attention of the Congress in connection with this issue was consideration given to this vital dimension of the problem of utility reliability.

I believe that the goal of achieving permanent and equitable resolution of railroad disputes which is involved in the various proposals before this Subcommittee could provide a major contribution to securing more reliable utility service for the nation. The cessation of essential utility services such as gas and electric power in a single region can today have as disruptive an influence upon the nation's economy and the health and welfare of the American public as a national rail strike. The standard for decisively resolving these disputes must now therefore be something other than national chaos and total disruption of our national economy.

Our society today is too complex and our economy is simply too interdependent to permit industrial disputes to cripple our economy and to threaten the health and welfare of the American public. The public interest today demands that we forge new mechanisms to deal with industrial disputes which reflect the reality of that complex and interdependent society. Existing transportation labor legislation spawned in the decades of the twenties is wholly inadequate to deal with these present realities which have evolved in the past fifty years since these mechanisms were established.

Nothing less than the economic security of the nation and the health and welfare of the public is involved in this issue. I therefore both personally and on behalf of the Association which I represent endorse any legislative action which in Congress' determination, will provide for the swift and rational settlement of railroad disputes.

Mr. Chairman, I have attached to my statement a statistical compilation which shows the coal originated in 1970 by all Class I railroads. I am also attaching schedules showing the railroads which serve bituminous coal mines along with the states in which they operate.

Thank you for the opportunity to appear before you today.

BITUMINOUS COAL HANDLED BY CLASS I RAILROADS AND REVENUE RECEIVED DURING 1970

(Net tons)

Railroad	Originated and terminated on line	Delivered to connections	Total originated	Total carried ¹	Revenue received
EASTERN DISTRICT					
(Incl. Poc. Reg.)					
Akron, Canton & Youngstown				208, 108	\$180, 510
Ann Arbor				2, 343, 098	1, 425, 608
Baltimore & Ohio	11, 165, 934	24, 860, 554	36, 026, 488	48, 084, 331	109, 715, 633
Bangor & Aroostook	25		25	11, 510	27, 013
Bessemer & Lake Erie	186, 883	4, 760, 804	4, 947, 687	10, 558, 311	17, 059, 344
Boston & Maine				1, 372, 750	2, 166, 073
Canadian Pacific (lines in Maine)				2, 216	2, 743
Central Railroad of New Jersey	7, 116	61	7, 177	3, 736, 601	2, 530, 886
Central Vermont				127, 320	195, 635
Chesapeake & Ohio	25, 336, 723	33, 925, 442	59, 262, 165	73, 299, 008	214, 040, 554
Chicago & Eastern Illinois	2, 127, 689	434, 899	2, 562, 588	2, 968, 578	5, 087, 255
Chicago & Illinois Midland	2, 554, 368	390, 441	2, 944, 809	4, 309, 967	4, 260, 351
Delaware & Hudson				1, 461, 300	2, 744, 894
Detroit & Toledo Shore Line				1, 751, 531	1, 181, 828
Detroit, Toledo & Ironton				2, 538, 750	2, 251, 179
Elgin, Joliet & Eastern				9, 743, 563	8, 612, 241
Erie-Lackawanna	1, 002	319, 888	320, 890	5, 359, 608	10, 627, 186
Grade Trunk Western	1, 267	77	1, 344	1, 550, 562	1, 833, 487
Illinois Terminal				1, 800, 745	624, 565
Lehigh Valley	112	3, 268	3, 380	1, 932, 567	2, 410, 077
Long Island				125, 041	215, 297
Maine Central				59, 648	107, 553
Missouri-Illinois	1, 415, 256	519, 719	1, 934, 975	2, 325, 418	1, 546, 802
Monon	135, 474	128, 599	264, 073	1, 341, 393	2, 502, 727
Monongahela		6, 755, 422	6, 755, 422	6, 756, 566	4, 861, 370
Norfolk & Western	48, 658, 955	30, 721, 486	79, 380, 441	90, 308, 628	293, 524, 589
Penn Central	29, 875, 757	15, 893, 517	45, 769, 274	93, 263, 031	222, 546, 656
Penna-Reading Seashore Lines		116	116	1, 188, 660	1, 428, 918
Pittsburgh & Lake Erie	2, 217, 886	888, 785	3, 106, 671	7, 327, 617	9, 163, 697
Piedmont	443		443	14, 787, 542	20, 297, 274
Richmond, Fredericksburg & Potomac	48	67	115	586, 144	799, 718
Western Maryland	1, 866, 775	4, 860, 422	6, 727, 197	15, 539, 962	18, 110, 670
Total, Eastern District	125, 551, 713	124, 530, 614	250, 082, 327	406, 770, 074	962, 091, 313

Harmar, Lake Erie, Franklin & Clarion, Montour, Penn Central, Pittsburgh & Lake Erie, Pittsburgh & Shawmut, Unity, Western Maryland, Youngstown & Southern; 1, 2.
Tennessee: Louisville & Nashville, Southern Tennessee; 8, 13.

Utah: Carbon County, Denver & Rio Grande Western, Utah; 20.
Virginia: Carolina, Clinchfield & Ohio, Interstate, Louisville & Nashville, Norfolk & Western, Southern; 7, 8.
Washington: Burlington Northern; 23.

West Virginia: Baltimore & Ohio; Chesapeake & Ohio, Kanawha Central, Monongahela, Norfolk & Western, Penn Central, Western Maryland; 1, 3, 6, 7, 8.
Wyoming: Burlington Northern, Union Pacific; 19.

RAILROAD STRIKE SITUATION

[As of July 28, 1971]

Railroad	Date	Bit. coal originated 1970 (net tons)	Total carried 1970 (net tons)	Railroad	Date	Bit. coal originated 1970 (net tons)	Total carried 1970 (net tons)
Southern	July 16	12,968,122	28,816,431	Chicago, Milwaukee, St. P. & Pac.		3,710,289	6,164,302
Union Pacific		2,396,699	6,015,767	Missouri-Kansas-Texas		1,663,602	1,705,562
Norfolk & Western	July 24	79,380,441	90,308,628	Baltimore & Ohio		36,026,488	48,084,331
Southern Pacific				Chesapeake & Ohio		59,262,165	73,299,008
Long Island	July 26		125,041	Erie-Lackawanna	Aug. 11	320,890	5,359,608
Atchison, Topeak & Santa Fe	July 30	1,487,370	4,455,772	St. Louis-San Francisco		2,727,520	2,778,879
Duluth, Missabe & Iron Range		705,662	948,581	Louisville & Nashville		48,146,273	50,076,293
Elgin, Joliet & Eastern		195	9,743,563				
Bessemer & Lake Erie		4,947,687	10,558,311	Total 18 roads		255,565,167	341,069,347
Houston Belt & Terminal				Total all class I RRs		64.1 percent of 398,830,166	53.7 percent of 634,734,331
Chicago, Rock Island & Pac.	Aug. 6	1,821,764	2,629,270				

¹Includes duplications.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FRELINGHUYSEN (at the request of Mr. GERALD R. FORD), for September 23 through October 12, on account of official business as a member of the House Committee of Foreign Affairs.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FISH), to revise and extend their remarks, and to include extraneous matter:)

- Mr. McCLOSKEY, today, for 1 hour.
- Mr. KEITH, on September 23, for 1 hour.
- Mr. KEMP, today, for 5 minutes.
- Mr. MILLER of Ohio, today, for 5 minutes.

(The following Members (at the request of Mr. McKAY), to revise and extend their remarks, and to include extraneous matter:)

- Mr. ASPIN, today, for 10 minutes.
- Mr. GONZALEZ, today, for 10 minutes.
- Mr. BURKE of Massachusetts, today, for 10 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MADDEN and to include extraneous matter.
Messrs. CONTE and BOLAND (at the request of Mr. SPRINGER) to extend their remarks prior to passage of H.R. 7072, today.

(The following Members (at the request of Mr. FISH) and to include extraneous matter:)

- Mr. BURKE of Florida in two instances.
- Mr. SPRINGER in six instances.
- Mr. ARCHER in four instances.
- Mr. BROOMFIELD.
- Mr. SCHMITZ in two instances.
- Mr. KEMP.
- Mr. VEYSEY.
- Mr. PETTIS.

Mrs. HECKLER of Massachusetts in three instances.

- Mr. MILLER of Ohio.
- Mr. ANDERSON of Illinois in two instances.
- Mr. HUNT in two instances.
- Mr. COUGHLIN.
- Mr. CHAMBERLAIN in two instances.
- Mr. WYMAN in two instances.
- Mr. BROZMAN.
- Mr. WIDNALL in two instances.
- Mr. WYDLER.
- Mr. BRAY.

(The following Members (at the request of Mr. McKAY) and to include extraneous matter:)

- Mr. DIGGS.
- Mr. DINGELL.
- Mr. EVINS of Tennessee in four instances.
- Mr. COTTER.
- Mr. STOKES in two instances.
- Mr. HAGAN in three instances.
- Mr. MOORHEAD in six instances.
- Mr. CARNEY.
- Mr. BINGHAM in two instances.
- Mr. HARRINGTON in three instances.
- Mr. O'NEILL in two instances.
- Mr. FRASER in five instances.
- Mr. GONZALEZ in two instances.
- Mr. WALDIE in six instances.
- Mr. HANNA in six instances.
- Mr. GALLAGHER in three instances.
- Mr. MATHIS of Georgia.
- Mr. BRINKLEY.
- Mr. RODINO in two instances.
- Mr. RARICK in six instances.
- Mr. HECHLER of West Virginia in three instances.
- Mr. BEGICH in five instances.
- Mr. BYRON in three instances.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

- H.R. 6531. An act to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes; and
- H.R. 7048. An act to amend the Communication Act of 1934, as amended, to establish

a Federal-State Joint Board to recommend uniform procedures for determining what part of the property and expenses of communication common carriers shall be considered as used in interstate or foreign communication toll service, and what part of such property and expenses shall be considered as used in intrastate and exchange service; and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

- S. 415. An act for the relief of Mr. and Mrs. Arvel Glinz; and
- S. 504. An act for the relief of John Borbridge, Jr.

ADJOURNMENT

Mr. McKAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 12 minutes p.m.), the House adjourned until tomorrow, Thursday, September 23, 1971, 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:

1156. A letter from the Deputy Director, Office of Management and Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of the Interior for "Management of lands and resources," Bureau of Land Management, for fiscal year 1972, has been apportioned on a basis which indicates a need for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

1157. A letter from the Director, Office of Emergency Preparedness, Executive Office of the President, transmitting the statistical supplement to the stockpile report for the 6 months ended June 30, 1971, pursuant to section 4 of the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

1158. A letter from the Secretary of Labor, transmitting a report on the progress and present status of negotiations between most of the Nation's railroads and the Brotherhood of Railway Signalmen, pursuant to

Public Law 92-17; to the Committee on Interstate and Foreign Commerce.

1159. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 21, 1971, submitting a report, together with accompanying papers and an illustration, on Fleschmans Bayou, Ark., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 8, 1964. No authorization by Congress is recommended as the improvements desired by local interests have been provided by the Soil Conservation Service under Public Law 566; to the Committee on Public Works.

1160. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army dated July 23, 1971, submitting a report, together with accompanying papers and illustrations, on Double Bayou, Tex., authorized by the River and Harbor Act approved March 2, 1945. No authorization by Congress is recommended as the desired improvements have been approved by the Chief of Engineers for accomplishment under Section 107 of the River and Harbor Act of 1960; to the Committee on Public Works.

1161. A letter from the Administrator of General Services, requesting that approval of various public buildings projects covered in his annual report for 1970 be rescinded; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee on the Judiciary. H.R. 10645. A bill to require the establishment, on the basis of the 19th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; with an amendment (Rept. No. 92-486). Referred to the House Calendar.

Mr. KASTENMEIER: Committee on the Judiciary. S. 646. An act to amend title 17 of the United States Code to provide for the creation of a limited copyright in sound recordings for the purpose of protecting against unauthorized duplication and piracy of sound recording, and for other purposes; with amendments (Rept. No. 92-487). Referred to the Committee of the Whole House on the State of the Union.

Mr. BENNETT: Committee on Armed Services. H.R. 10422. A bill to amend title 10, United States Code, to limit the separation of members of the Armed Forces under conditions other than honorable, and for other purposes (Rept. No. 92-496). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RYAN: Committee on the Judiciary. H.R. 1867. A bill for the relief of Han Choon Hee; with amendments (Rept. No. 92-488). Referred to the Committee of the Whole House.

Mr. FLOWERS: Committee on the Judiciary. H.R. 3082. A bill for the relief of Ronnie B. (Malit) Morris and Henry B. (Malit) Morris; with amendments (Report No. 92-489). Referred to the Committee of the Whole House.

Mr. MAYNE: Committee on the Judiciary. H.R. 3425. A bill for the relief of Helen Tziminadis; with an amendment (Rept. No. 92-490). Referred to the Committee of the Whole House.

Mr. HOGAN: Committee on the Judiciary. H.R. 5579. A bill for the relief of Mrs. Marina Munoz de Wyss (nee Lopez); with an amendment (Report No. 92-491). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. S. 306. An act for the relief of Eddie Troy Jaynes, Jr., and Rosa Elena Jaynes (Rept. No. 92-492). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. S. 617. An act for the relief of Siu-Kei-Fong (Rept. No. 92-493). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. S. 1489. An act for the relief of Park Jung Ok (Rept. No. 92-494). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. S. 1759. An act for the relief of Leonarda Buenaventura Ocariza and her daughter, Lucila B. Ocariza (Rept. No. 92-495). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KEMP (for himself, Mr. DELLENBACK, Mr. DEERWINSKI, Mr. DONOHUE, Mr. EDWARDS of California, Mr. GUDE, Mr. HALPERN, Mr. HANNA, Mr. KING, Mr. LLOYD, Mr. LONG of Maryland, Mr. PIRNIE, and Mr. RIEGLE):

H.R. 10800. A bill to regulate the disposition of wastes by subsurface injection; to the Committee on Public Works.

By Mr. ABERNETHY:

H.R. 10801. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize insured emergency loans; to the Committee on Agriculture.

By Mrs. ABZUG:

H.R. 10802. A bill to amend the Voting Rights Act of 1965 to provide for the registration of students at the institutions of higher education where they are in attendance; to the Committee on House Administration.

H.R. 10803. A bill to protect ocean mammals from being pursued, harassed, or killed, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ANDREWS of North Dakota:

H.R. 10804. A bill to amend the National Wild and Scenic Rivers Act of 1968 (Public Law 90-542) to designate the Little Missouri River for potential addition to the national wild and scenic rivers system; to the Committee on Interior and Insular Affairs.

By Mr. BERGLAND:

H.R. 10805. A bill to declare Leech Lake, Cass Lake, and Winnibigoshish Lake in the State of Minnesota to be nonnavigable waters for certain purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROOKS:

H.R. 10806. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income taxes for expenses incurred by an individual in making repairs and improvements to his residence, and for other purposes; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H.R. 10807. A bill to authorize the establishment of an older worker community service program; to the Committee on Education and Labor.

By Mr. MOSS (for himself, Mr. ECKHARDT, and Mr. CARNEY):

H.R. 10808. A bill to require no-fault motor vehicle insurance as a condition precedent to using the public streets, roads, and highways in order to promote and regulate inter-

state commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 10809. A bill to authorize a treatment and rehabilitation program for drug dependent members of the Armed Forces; to the Committee on Armed Services.

H.R. 10810. A bill to establish a Special Action Office for Drug Abuse Prevention to concentrate the resources of the Nation in a crusade against drug abuse; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 10811. A bill to amend the Emergency Rail Services Act of 1970 to authorize the Secretary of Transportation to acquire any railroad which defaults on a certificate guaranteed under that act; to the Committee on Interstate and Foreign Affairs.

By Mrs. GREEN of Oregon:

H.R. 10812. A bill to amend title 10, United States Code, with respect to crediting certain service of females sworn in as members of telephone operating units, Signal Corps; to the Committee on Armed Services.

By Mr. HALPERN:

H.R. 10813. A bill to establish a Commission on Penal Reform; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 10814. A bill to protect marine mammals, to establish a Marine Mammal Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HOSMER:

H.R. 10815. A bill to amend the Internal Revenue Code of 1954 with respect to the planting date and to allow relief for those citrus and almond growers having a binding contract; to the Committee on Ways and Means.

By Mr. MOLLOHAN:

H.R. 10816. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a system for the redress of law enforcement officers' grievances and to establish a law enforcement officers' bill of rights in each of the several States, and for other purposes; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 10817. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the annual registration and inspection of food manufacturers and processors; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER (for himself, Mr. ANDERSON of Tennessee, Mr. MADSEN, Mr. MATSUNAGA, Mr. O'NEILL, and Mr. SISK):

H.R. 10818. A bill to promote the public welfare; to the Committee on Rules.

By Mr. PETTIS:

H.R. 10819. A bill to provide for the division of assets between the Twenty-Nine Palms Band and the Cabazon Band of Mission Indians, California, including certain funds in the U.S. Treasury, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PEYSER:

H.R. 10820. A bill to authorize a national summer youth sports program; to the Committee on Education and Labor.

By Mr. REES (for himself and Mr. CORMAN):

H.R. 10821. A bill to authorize grants to States and political subdivisions to assist them in modernizing the management, organization, systems and methods, and operations of their tax administrative agency(ies) by providing training, managerial development, and research assistance; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 10822. A bill to establish a Joint Committee on National Security; to the Committee on Rules.

By Mr. RUPPE:

H.R. 10823. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on iron ore; to the Committee on Ways and Means.

By Mr. SCHEUER:

H.R. 10824. A bill to amend part C of title II of the Economic Opportunity Act of 1964, as amended; to the Committee on Education and Labor.

By Mr. SISK:

H.R. 10825. A bill to amend the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890; to the Committee on the Judiciary.

By Mr. STEELE:

H.R. 10826. A bill to extend commissary and exchange privileges to certain disabled veterans and the widows of certain deceased veterans; to the Committee on Armed Services.

By Mr. STUBBLEFIELD:

H.R. 10827. A bill to authorize the merger of two or more professional basketball leagues, and for other purposes; to the Committee on the Judiciary.

By Mr. VEYSEY:

H.R. 10828. A bill to designate the fourth

Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

By Mr. PICKLE:

H.J. Res. 883. Joint resolution to designate the period beginning June 18, 1972, and ending June 24, 1972, as "National Engineering Technicians Week"; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.J. Res. 884. Joint resolution to authorize appropriations for expenses of the Council on International Economic Policy, and for other purposes; to the Committee on Banking and Currency.

By Mr. STEED:

H. Res. 610. Resolution providing for the consideration of House Joint Resolution 620, proposing an amendment to the Constitution of the United States; to the Committee on Rules.

By Mrs. HECKLER of Massachusetts:
H.R. 10829. A bill for the relief of Joseph Schafer; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 10830. A bill for the relief of Edwardo Catu Suarez; to the Committee on the Judiciary.

H.R. 10831. A bill for the relief of Edwin S. Perry, Jr.; to the Committee on the Judiciary.

By Mr. RHODES:

H.R. 10832. A bill to provide that a gold medal be presented to the widow of the late Louis Armstrong; to the Committee on Banking and Currency.

PETITIONS, ETC.

Under clause 1 of rule XXII,

136. The SPEAKER presented a petition of the Military Order of the World Wars, Washington, D.C., relative to military preparedness, which was referred to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

SENATE—Wednesday, September 22, 1971

The Senate met at 11 a.m., and was called to order by the President pro tempore (Mr. ELLENDER).

PRAYER

The Reverend A. A. Banks, Jr., D.D., Second Baptist Church of Detroit, Mich., offered the following prayer:

Almighty God, maker of men and nations, creator and sustainer of the universe, we thank Thee for blessings which providence has bestowed upon us, which history has revealed, and which we presently enjoy.

We thank Thee for the fertility of our soil, for the productivity of our industry, for our Government, for our freedom, for our security, and our hope.

We come now especially to pray for those who make the laws for free people, for those who execute and judge the law, that they may have the mind and spirit, the love and the will of God in them, to the end that the law may be of common benefit to all—that every citizen may have the protection and the assistance necessary to develop his full potentiality for the benefit of all.

May we, in our togetherness, be an example and an inspiration for others.

May the words of our mouths and the meditations of our hearts be acceptable in Thy sight, O Lord, our strength and our Redeemer.

In Jesus' name, we pray. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, September 21, 1971, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all

committees may be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the President pro tempore laid before the Senate a message from the President of the United States submitting the nomination of William D. Eberle, of Connecticut, to be Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 415. An act for the relief of Mr. and Mrs. Arvel Glinz; and

S. 504. An act for the relief of John Borbridge, Jr.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2118. An act for the relief of Amos E. Norby;

H.R. 2408. An act for the relief of Louis A. Gerbert; and

H.R. 7829. An act for the relief of Stephen H. Clarkson.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 2118. An act for the relief of Amos E. Norby;

H.R. 2408. An act for the relief of Louis A. Gerbert; and

H.R. 7829. An act for the relief of Stephen H. Clarkson.

DR. A. A. BANKS, JR., GUEST CHAPLAIN OF THE SENATE

Mr. GRIFFIN. Mr. President, it was, indeed, a privilege and a pleasure for this Senator to be in the Chamber while the convening prayer was being offered by the Reverend A. A. Banks, Jr., a most distinguished clergyman from the State of Michigan.

Dr. Banks is pastor of the Second Baptist Church in Detroit.

Next year, his congregation will observe a silver anniversary—because he will then have completed 25 years of service as pastor of the Second Baptist Church.

Mr. President, not only is Dr. Banks a distinguished and very respected pastor of his own church, but in addition he has earned and he enjoys a reputation as one of Michigan's most outstanding citizens. He is a moral and spiritual leader whose wise counsel has been sought by, and has always been available to mayors, Congressmen, Senators, and Governors in our State—as well as many others beyond the membership ranks of his church.

He serves now as a member of the Michigan Civil Rights Commission. Indeed, he was one of the original members of that commission when it was established in 1964.

He and his wonderful wife, Victoria, are the proud parents of a son and a daughter. Their son, Allan, is a cadet at West Point and their daughter, Tita Victoria, is a student at Wellesley College.

Dr. Banks was ordained in 1942, after receiving his bachelor of divinity degree from the School of Religion at Howard University in Washington, D.C. In addition, he has a master's degree from the Graduate School of Religion at Howard.