

Congress; to the Committee on Ways and Means.

145. A letter from the Governor, Farm Credit Administration, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to allow certain deductions to banks for cooperatives which are subject to income taxes, and for other purposes; to the Committee on Ways and Means.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HÉBERT:

H.R. 1. A bill to establish a Uniformed Services Academy of Health Sciences; to the Committee on Armed Services.

By Mr. PATMAN:

H.R. 2. A bill to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes; to the Committee on Banking and Currency.

By Mr. MORGAN (for himself, Mr. BARRETT, Mr. NIX, Mr. BYRNE of Pennsylvania, Mr. EILBERG, Mr. SCHNEEBELI, Mr. GREEN of Pennsylvania, Mr. YATRON, Mr. WILLIAMS, Mr. BIESTER, Mr. WATKINS, Mr. MCDADE, Mr. FLOOD, Mr. WHALLEY, Mr. MOORHEAD, Mr. ROONEY of Pennsylvania, Mr. ESHLEMAN, Mr. GOODLING, Mr. GAYDOS, Mr. DENT, Mr. SAYLOR, Mr. JOHNSON of Pennsylvania, Mr. VIGORITO, Mr. CLARK, and Mr. FULTON of Pennsylvania):

H.R. 3. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 4. A bill to modernize the U.S. postal establishment, to provide for efficient and economical postal service to the public, to improve postal employee-management relations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURKE of Massachusetts:

H.R. 5. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 6. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. POAGE:

H.R. 7. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes; to the Committee on Agriculture.

By Mr. ROYBAL:

H.R. 8. A bill to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative to the treatment of disease; to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs, and for other purposes; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 9. A bill to provide compensation for firemen not employed by the United States

killed or injured while fighting fires on Federal property, and for other purposes; to the Committee on the Judiciary.

By Mr. ALBERT (for himself, Mr. GERALD R. FORD, Mr. DULSKI, and Mr. CORBETT):

H.R. 10. A bill to increase the per annum rate of compensation of the President of the United States; to the Committee on Post Office and Civil Service.

By Mr. PATMAN:

H.R. 11. A bill to make the Federal Reserve System responsive to the best interests of the people of the United States and to improve the coordination of monetary, fiscal, and economic policy; to the Committee on Banking and Currency.

By Mr. ROONEY of Pennsylvania:

H.R. 12. A bill to amend the Library Services and Construction Act to extend the benefits of the State institutional library services program to the staffs of State institutions; to the Committee on Education and Labor.

H.R. 13. A bill to amend the Internal Revenue Code of 1954 to provide for the suspension of interest on late payments of estate tax in certain cases; to the Committee on Ways and Means.

H.R. 14. A bill relating to the status of volunteer fire companies for purposes of liability for Federal income taxes and for certain Federal excise taxes; to the Committee on Ways and Means.

By Mr. BOW:

H.R. 15. A bill to provide for the prototype construction of a commercial supersonic transport airplane, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL (for himself, Mr. ERLBORN, Mr. NEDZI, Mr. HALPERN, Mr. EDWARDS of California, Mr. KYROS, Mr. KARTH, Mr. MAILLIARD, Mr. PERKINS, Mr. GALIFIANAKIS, Mr. PEPPER, Mr. BARRETT, Mr. FULTON of Pennsylvania, Mr. VANDER JAGT, Mr. DAVIS of Georgia, Mr. HOSMER, Mr. OLSEN, Mr. MATSUNAGA, Mr. BURKE of Florida, Mr. BEVILL, Mr. FEIGHAN, Mr. REINECKE, Mr. ESHLEMAN, Mr. SIKES, and Mr. PELY):

H.R. 16. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, and William A. Anders; to the Committee on Armed Services.

By Mr. FASCELL (for himself, Mr. CLARK, Mr. MINSHALL, Mr. DUNCAN, Mr. EILBERG, Mr. WINN, Mr. ADDABBO, Mr. HOWARD, Mr. DERWINSKI, Mr. PUCINSKI, Mr. BUTTON, Mr. BARING, Mr. MURPHY of Illinois, and Mr. JOHNSON of California):

H.R. 17. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, and William A. Anders; to the Committee on Armed Services.

By Mr. ULLMAN:

H.R. 18. A bill to provide for the selection of candidates for President of the United States in a national presidential primary election, and for the election of a President and a Vice President by direct vote of the people, and for other purposes; to the Committee on House Administration.

By Mr. FULTON of Tennessee:

H.R. 19. A bill to provide for medical and hospital care through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. BETTS:

H.R. 20. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H.R. 21. A bill to provide that disabled individuals entitled to disability insurance

benefits under section 223 of the Social Security Act, and individuals in the corresponding categories under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

H.R. 22. A bill to amend titles, I, IV, X, XIV, XVI, XVIII, and XIX of the Social Security Act to require that drugs provided by, or under programs receiving Federal financial assistance pursuant to, such titles must be prescribed and furnished on a nonproprietary or generic basis; to the Committee on Ways and Means.

H.R. 23. A bill to amend title XVIII of the Social Security Act to include drugs requiring a doctor's prescription among the medical expenses with respect to which payment may be made under the voluntary program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 24. A bill to provide a program of national health insurance, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL (for himself and Mr. KARTH):

H.R. 25. A bill to establish a Council on Environmental Quality, and for other purposes; to the Committee on Science and Astronautics.

By Mr. BURKE of Massachusetts:

H.R. 26. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 27. A bill to provide for the retirement of \$50 billion of interest-bearing obligations of the United States held by the 12 Federal Reserve banks; to the Committee on Banking and Currency.

H.R. 28. A bill to restore the constitutional authority of Congress over expenditures by agencies of the United States having jurisdiction over bank mergers, and for other purposes; to the Committee on Banking and Currency.

H.R. 29. A bill to permit Federal savings and loan associations and Federal credit unions to afford checking account services to their patrons by accepting demand deposits on a 100-percent reserve basis, and for other purposes; to the Committee on Banking and Currency.

H.R. 30. A bill to amend the Federal Reserve Act with respect to the terms of office of the Chairman and members thereof, and for other purposes; to the Committee on Banking and Currency.

H.R. 31. A bill to require the payment of interest on certain funds of the United States held on deposit in commercial banks, to provide for reimbursement of commercial banks for services performed for the United States, and for other purposes; to the Committee on Banking and Currency.

H.R. 32. A bill to provide for the issuance of nonnegotiable U.S. bonds to finance certain war and defense expenditures for the duration of hostilities in Vietnam, and for other purposes; to the Committee on Banking and Currency.

By Mr. PATMAN (for himself and Mr. REUSS):

H.R. 33. A bill to provide for increased participation by the United States in the International Development Association, and for other purposes; to the Committee on Banking and Currency.

H.R. 34. A bill to authorize the appropriation of \$200 million for a U.S. contribution to multilateral special funds of the Asian Development Bank; to the Committee on Banking and Currency.

By Mr. MILLER of California (for himself and Mr. DADDARIO):

H.R. 35. A bill to promote the advancement of science and the education of scientists

the Committee on Post Office and Civil Service.

H.R. 924. A bill to promote private U.S. participation in international organizations and movements, to provide for the establishment of an Institute of International Affairs, and for other purposes; to the Committee on Foreign Affairs.

H.R. 925. A bill to promote the foreign policy of the United States by authorizing the Secretary of State to restrict the travel of citizens and nationals of the United States where unrestricted travel would seriously impair the conduct of foreign affairs, and for other purposes; to the Committee on the Judiciary.

H.R. 926. A bill to open U.S. Information Agency materials distributed abroad to public inspection; to the Committee on Foreign Affairs.

By Mr. ABERNETHY:

H.R. 927. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 928. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. ADDABBO (for himself, Mr. ANNUNZIO, Mr. DELANEY, Mr. DENT, Mr. FARBERSTEIN, Mr. GALLAGHER, Mr. HELSTOSKI, Mr. MINISEH, Mr. MOORHEAD, Mr. PIKE, Mr. RODINO, Mr. ROONEY of Pennsylvania, Mr. WOLFF, Mr. ST. ONGE, Mr. GETTYS, Mr. WAGGONER, Mr. HÉBERT, Mr. FEIGHAN, Mr. PODELL, Mr. CLARK, Mr. BURKE of Massachusetts, and Mr. BLANTON):

H.R. 929. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ANDERSON of Illinois:

H.R. 930. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 931. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 932. A bill to amend the Universal Military Training and Service Act; to the Committee on Armed Services.

H.R. 933. A bill to protect the safety and welfare of American workers by providing for a uniform system of identification for all receptacles containing compressed gas; to the Committee on Interstate and Foreign Commerce.

H.R. 934. A bill to amend title 18 of the United States Code to promote civil responsibilities, insure domestic tranquility, and foster the general welfare by making unlawful certain acts which foment domestic disorder, and for other purposes; to the Committee on the Judiciary.

H.R. 935. A bill to guarantee that every employee of the Federal Government shall have the right to refrain from union activity; to the Committee on Post Office and Civil Service.

H.R. 936. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 937. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 938. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to

\$1,200 the personal income tax exemption of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 939. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for tuition expenses of the taxpayer or his spouse or a dependent at an institution of higher education, and an additional credit for gifts or contributions made to any institution of higher education; to the Committee on Ways and Means.

H.R. 940. A bill to provide direct aid to the States and territories for educational purposes only for the benefit of the taxpayers and local governments; to the Committee on Ways and Means.

H.R. 941. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 942. A bill to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes; to the Committee on Armed Services.

H.R. 943. 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; to the Committee on Armed Services.

H.R. 944. A bill to amend section 404(d) of title 37, United States Code, by increasing the maximum rates of per diem allowance and reimbursement authorized, under certain circumstances, to meet the actual expenses of travel; to the Committee on Armed Services.

H.R. 945. A bill to amend title 10, United States Code, to provide scholarships to selected persons for education in medicine, dentistry, and other health professions; to the Committee on Armed Services.

H.R. 946. A bill to eliminate discriminatory exemptions in the Bank Holding Company Act; to the Committee on Banking and Currency.

H.R. 947. A bill to amend the Manpower Development and Training Act of 1962 to provide for programs of job training and education of inmates of correctional institutions; to the Committee on Education and Labor.

H.R. 948. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 949. A bill to establish the U.S. Agency for World Peace within the Department of State; to the Committee on Foreign Affairs.

H.R. 950. A bill to provide for financing the construction of public buildings, and for other purposes; to the Committee on Government Operations.

H.R. 951. A bill to provide for a congressional budgetary information service to promote fiscal responsibility in the Federal Government; to the Committee on Government Operations.

H.R. 952. A bill to authorize the Secretary of the Interior to conduct a program of research, study and surveys, documentation, and description of the natural environmental systems of the United States for the purpose of understanding and evaluating the condition of these systems and to provide information to those concerned with natural resources management, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 953. A bill to provide more effective control of lobbying activities; to the Committee on the Judiciary.

H.R. 954. A bill to correct inequities in the Civil Service Retirement Act, the Retired Federal Employees Health Benefits Act, and

in other laws governing civil service retirement benefits, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 955. A bill to designate the authorized Cross-Florida Barge Canal as the John F. Kennedy Canal; to the Committee on Public Works.

H.R. 956. A bill to rename a lock of the Cross-Florida Barge Canal the "Henry Holland Buckman lock"; to the Committee on Public Works.

H.R. 957. A bill to authorize the Administrator of General Services to construct, operate, and maintain a parking facility in Jacksonville, Fla.; to the Committee on Public Works.

H.R. 958. A bill to provide for public disclosure by Members of Congress of the House of Representatives and by candidates for such office and to give the House Committee on Standards of Official Conduct appropriate jurisdiction; to the Committee on Rules.

H.R. 959. A bill to amend the Internal Security Act of 1950; to the Committee on Un-American Activities.

H.R. 960. A bill to assure adequate grave sites for overseas wartime veterans in Arlington National Cemetery; to the Committee on Veterans' Affairs.

H.R. 961. A bill to amend title 38 of the United States Code to prohibit the award of contracts by the United States to certain persons; to the Committee on Veterans' Affairs.

H.R. 962. A bill to provide assistance to individuals with low incomes by reducing the amount of income tax on individuals; to the Committee on Ways and Means.

H.R. 963. A bill to require imported foodstuffs to meet standards required by the Federal Government for domestic foodstuffs; to the Committee on Ways and Means.

H.R. 964. A bill to amend title II of the Social Security Act to provide that the remarriage of a widower or parent, or the marriage of a child, shall not prevent the payment of benefits if the marriage is annulled; to the Committee on Ways and Means.

H.R. 965. A bill to provide that the income-averaging provisions of the Internal Revenue Code of 1954 shall not apply to income attributable to crime; to the Committee on Ways and Means.

H.R. 966. A bill to amend the Internal Revenue Code of 1954 to provide deductions for persons who provide new jobs for domestics and the unskilled; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 967. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

H.R. 968. A bill to amend the Internal Revenue Code of 1954 to provide deduction from gross income for additional commuting expenses of handicapped persons; to the Committee on Ways and Means.

By Mr. BINGHAM (for himself and Mr. SCHEUER):

H.R. 969. A bill to provide for reimbursement of U.S. cities for a portion of expenses incurred in connection with the entertainment of foreign officials; to the Committee on Foreign Affairs.

By Mr. BOGGS:

H.R. 970. A bill to revise the Federal Corrupt Practices Act, 1925, and for other purposes; to the Committee on House Administration.

H.R. 971. A bill to provide for the control of mosquitoes and mosquito vectors of human disease through research, technical assistance, and grants-in-aid for control projects; to the Committee on Interstate and Foreign Commerce.

H.R. 972. A bill to create a Marine Resources Conservation and Development Fund; to provide for the distribution of revenues from Outer Continental Shelf lands; and for other purposes; to the Committee on the Judiciary.

Act of 1965; to the Committee on Education and Labor.

By Mr. REUSS:

H.R. 3114. A bill to coordinate national conservation policy by establishing a Council of Conservation Advisers, and for other purposes; to the Committee on Rules.

By Mr. ROYBAL:

H.R. 3115. A bill to amend Public Law 89-214 in order to liberalize the payment of death gratuities under section 3 thereof; to the Committee on Veterans' Affairs.

By Mr. SIKES:

H.R. 3116. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. SKUBITZ:

H.R. 3117. A bill to authorize the Secretary of the Interior to designate the Medicine Lodge Indian Peace Treaty site as a national historic landmark, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3118. A bill to provide for the commemoration of the opening of the Cherokee Strip to homesteading, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3119. A bill to amend title 38 of the United States Code to provide a special pension for veterans of World War I and their widows; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of California:

H.R. 3120. A bill to prohibit mineral exploration and development in certain Outer Continental Shelf lands lying off the coast of California; to the Committee on Interior and Insular Affairs.

H.R. 3121. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3122. A bill to amend the Federal Water Pollution Control Act to prevent pollution of water by oil, and to establish a revolving fund for the removal of oil discharged into or upon the navigable waters of the United States or adjoining shorelines; to the Committee on Public Works.

By Mr. TEAGUE of Texas:

H.R. 3123. A bill to authorize the Secretary of the Army to make certain adjustments in lands or interests therein acquired in connection with the Navarro Mills Reservoir, Tex.; to the Committee on Public Works.

By Mr. TEAGUE of Texas (by request):

H.R. 3124. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

H.R. 3125. A bill to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions; to the Committee on Armed Services.

H.R. 3126. A bill to provide that compensation received by an individual from the Veterans' Administration for service-connected disability shall not be taken into account as income so as to prevent his occupancy of Government-sponsored housing (or so as to increase the rent which he would otherwise be required to pay); to the Committee on Banking and Currency.

H.R. 3127. A bill to amend title 5 of the United States Code to exclude regular officers of the Armed Forces who are retired for physical disability from the provisions of the Dual Compensation Act; to the Committee on Post Office and Civil Service.

H.R. 3128. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

H.R. 3129. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

H.R. 3130. A bill to amend title 38, United States Code, to provide that the Administrator of Veterans' Affairs may furnish medical services for non-service-connected disability to any war veteran who has total disability from a service-connected disability; to the Committee on Veterans' Affairs.

H.R. 3131. A bill to amend title 38 of the United States Code to assist veterans with a permanent and total service-connected disability due to the loss or loss of use of one upper and one lower extremity to acquire specially adapted housing; to the Committee on Veterans' Affairs.

H.R. 3132. A bill to amend section 3104 of title 38, United States Code, to permit certain service-connected disabled veterans who are retired members of the uniformed services to receive compensation concurrently with retired pay, without deduction from either; to the Committee on Veterans' Affairs.

H.R. 3133. A bill to amend title 38 of the United States Code to provide mustering-out payments for military service after August 5, 1964; to the Committee on Veterans' Affairs.

By Mr. UTT:

H.R. 3134. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3135. A bill to authorize the Secretary of the Army to undertake a study of landslides and flood control in Los Angeles and Orange Counties, Calif.; to the Committee on Public Works.

H.R. 3136. A bill to amend section 410 of title 38, United States Code, to provide that all retired members of the uniformed services who served not less than 30 years on active duty, or who were retired for disability in excess of 50 percent, shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

H.R. 3137. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 3138. A bill relating to the reserve for bad debts for income tax purposes in the case of banks; to the Committee on Ways and Means.

By Mr. WYATT (for himself, Mr. ULLMAN, and Mr. KERR):

H.R. 3139. A bill to amend the Tariff Schedules of the United States to provide that the amount of groundfish imported into the United States shall not exceed the average annual amount thereof imported during 1963 and 1964; to the Committee on Ways and Means.

By Mr. CARTER:

H.J. Res. 228. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. FARBSTEIN:

H.J. Res. 229. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 230. Joint resolution to authorize the President to designate October 31 of each year as "National UNICEF Day"; to the Committee on the Judiciary.

H.J. Res. 231. Joint resolution designating the 14th day of March of each year as "Albert Einstein Memorial Day"; to the Committee on the Judiciary.

H.J. Res. 232. Joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the U.S. House of Representatives shall be 4 years; to the Committee on the Judiciary.

H.J. Res. 233. Joint resolution designating the fourth Sunday in September of each

year as "Interfaith Day"; to the Committee on the Judiciary.

H.J. Res. 234. Joint resolution designating January 15 of each year as "Martin Luther King Day"; to the Committee on the Judiciary.

H.J. Res. 235. Joint resolution designating July 25 of each year as "Puerto Rican Day in the United States of America"; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.J. Res. 236. Joint resolution authorizing and requesting the President of the United States to issue a proclamation designating the week of August 1 through August 7 as "National Clown Week"; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.J. Res. 237. Joint resolution in honor of Joan Merriam Smith and Amelia Earhart; to the Committee on the Judiciary.

H.J. Res. 238. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

By Mr. LONG of Maryland:

H.J. Res. 239. Joint resolution to direct the Librarian of Congress to transfer certain documents to the Hall of Records Commission of the State of Maryland; to the Committee on House Administration.

H.J. Res. 240. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PEPPER (for himself, Mr. CONTE, Mr. EVANS of Colorado, Mr. FRASER, Mr. VANIK, and Mr. WATTS):

H.J. Res. 241. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ROBERTS:

H.J. Res. 242. Joint resolution proposing an amendment to the Constitution of the United States with respect to the service of Judges on the Supreme Court; to the Committee on the Judiciary.

By Mr. UTT:

H.J. Res. 243. Joint resolution in opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. MAHON:

H.J. Res. 244. Joint resolution amending section 201(a) of the Budget and Accounting Act of 1921, as amended; to the Committee on Government Operations.

By Mr. FARBSTEIN:

H. Con. Res. 78. Concurrent resolution expressing the sense of the Congress with respect to prosecutions for war crimes in the Federal Republic of Germany; to the Committee on Foreign Affairs.

By Mr. PEPPER (for himself, Mr. CONTE, Mr. EVANS of Colorado, Mr. FRASER, Mr. VANIK, and Mr. WATTS):

H. Con. Res. 79. Concurrent resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ASPINALL:

H. Res. 117. Resolution to provide funds for the expenses of the investigations authorized by House Resolution 21; to the Committee on House Administration.

By Mr. CELLER:

H. Res. 118. Resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

By Mr. LONG of Maryland:

H. Res. 119. Resolution expressing the sense of the House of Representatives with respect to U.S. ratification of the Conventions on Genocide, Abolition of Forced Labor, Political Rights of Women, and Freedom of Association; to the Committee on Foreign Affairs.

By Mr. MAHON:

H. Res. 120. Resolution to amend rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 121. Resolution to amend the rules

Fox, David Norman Fox, Donald Wayne Fox, and Shirley Ann Fox;

S. 188. A bill for the relief of Mrs. Margarita Gutierrez de Cespedes;

S. 189. A bill for the relief of Georgia Papademetriou;

S. 190. A bill for the relief of Theodore Atsidakos, his wife Helen, and two children, Mary and Erethilla;

S. 191. A bill for the relief of Alfred Harrison, his wife, Ingrid Gertrude, and daughter, Kirsten Viola;

S. 192. A bill for the relief of Dr. Madhusadan L. Kakade;

S. 193. A bill for the relief of Dr. and Mrs. Manuel S. Lina;

S. 194. A bill for the relief of Nelson A. Paguyo, M.D., and Ester R. Paguyo, his wife;

S. 195. A bill for the relief of Martha Lidia Ramos;

S. 196. A bill for the relief of Dr. Emmanuel G. Balcos, Ophelia Gloria Balcos, his wife;

S. 197. A bill for the relief of Dr. Benigno Buentipo, Jr., and Mrs. Lita Buentipo, his wife, and Cheryl Ann, Melissa Beth, Gina Myra, his children;

S. 198. A bill for the relief of Anna Gambino;

S. 199. A bill for the relief of Frank Ariss and Mrs. Ariss, Charlotte, daughter, and Crispin, son;

S. 200. A bill for the relief of Dr. Soon Duk Koh; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 201. A bill to make Indian reservations eligible for assistance under section 117 of the Housing Act of 1949; to the Committee on Banking and Currency.

S. 202. A bill to provide that the United States disclaims any interest in a certain tract of land;

S. 203. A bill to amend the Act of June 13, 1962 (76 Stat. 96), with respect to the Navajo Indian irrigation project;

S. 204. A bill to amend the Indian Long-Term Leasing Act; and

S. 205. A bill to provide that the cost of certain investigations by the Bureau of Reclamation shall be nonreimbursable; to the Committee on Interior and Insular Affairs.

S. 206. A bill to authorize the Secretary of the Interior to carry out a program of restoration and development of migratory waterfowl habitat in the Middle Rio Grande Valley, New Mex., in furtherance of the purposes of the migratory bird treaties with Canada and Mexico; to the Committee on Commerce.

S. 207. A bill to amend the Enabling Act of the State of New Mexico with respect to miners' hospitals for disabled miners; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the first above bill, which appear under a separate heading.)

By Mr. ANDERSON (for himself and Mr. FULBRIGHT):

S. 208. A bill to authorize the Smithsonian Institution to acquire lands for a museum park, and for other purposes; to the Committee on Rules and Administration.

By Mr. ANDERSON (for himself, Mr. FULBRIGHT, and Mr. SCOTT):

S. 209. A bill to amend the Act of August 22, 1949 (63 Stat. 623), so as to authorize the Board of Regents of the Smithsonian Institution to plan and construct museum support and depository facilities; to the Committee on Rules and Administration.

By Mr. ANDERSON (for himself and Mr. MONTOYA):

S. 210. A bill to declare that certain federally owned lands are held by the United States in trust for the Indians of the Pueblo of Laguna; to the Committee on Interior and Insular Affairs.

S. 211. A bill to amend title II of the act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes," approved April 11, 1968; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. AIKEN):

S. 212. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. YOUNG of North Dakota:

S. 213. A bill for the relief of Oi Soon Kim Sandness;

S. 214. A bill for the relief of Mariann Rugh Bjerregaard;

S. 215. A bill for the relief of Yu Ming Hon;

S. 216. A bill for the relief of Maximo Tang-Sie;

S. 217. A bill for the relief of Dr. Conrado D. Doce and his wife, Nellie G. Doce;

S. 218. A bill for the relief of Dr. Amado G. Chanco, his wife, Ruby Chanco, and his daughter, Arlene Chanco;

S. 219. A bill for the relief of Dr. Antonio S. Mimay;

S. 220. A bill for the relief of Basin Janavaras;

S. 221. A bill for the relief of Dr. Nereo A. Lizarde; and

S. 222. A bill for the relief of Dr. Vicente Sievert Verzosa, and his wife, Liny A. Verzosa; to the Committee on the Judiciary.

By Mr. BURDICK:

S. 223. A bill to provide for the construction of a certain memorial along the route of the Lewis and Clark Expedition in North Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 224. A bill to amend the Immigration and Nationality Act, as amended, to permit the free entry of citizens of the Trust Territory of the Pacific Islands into the United States; to the Committee on the Judiciary.

S. 225. A bill to donate to the Devils Lake Sioux Tribe, Fort Totten Reservation, some submarginal lands of the United States, and to make such lands part of the reservation involved; to the Committee on Interior and Insular Affairs.

S. 226. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Labor and Public Welfare.

S. 227. A bill to provide for loans to Indian tribes and tribal corporations, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 228. A bill to amend the Internal Revenue Code of 1954 to provide that a farmer (or fisherman) shall have until March 15, instead of only until February 15 as at present, to file an income tax return which also satisfies the requirements relating to declarations of estimated tax; to the Committee on Finance.

S. 229. A bill to provide for a highway bridge across the Missouri River between Bismarck, N. Dak., and Mobridge, S. Dak.; to the Committee on Public Works.

S. 230. A bill to provide for a connecting road between three units of the Theodore Roosevelt National Memorial Park, N. Dak., and for other purposes; to the Committee on Interior and Insular Affairs.

S. 231. A bill to provide for a highway bridge across the Little Missouri River at Garrison Reservoir; to the Committee on Public Works.

By Mr. BURDICK (for himself, Mr. METCALF, and Mr. MOSS):

S. 232. A bill to promote the economic development of the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

By Mr. BURDICK (for himself and Mr. YOUNG of North Dakota):

S. 233. A bill to increase the authorization for the appropriation of funds to complete the International Peace Garden, N. Dak.; to the Committee on Interior and Insular Affairs.

By Mr. McGOVERN:

S. 234. A bill to authorize the Secretary of the Interior to construct, operate, and main-

tain the Pollock-Herleid unit, Missouri River Basin project, South Dakota, and for other purposes; and

S. 235. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mitchell unit, Missouri River Basin project, South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 236. A bill to provide a special export wheat payment to farmers for a portion of crops of wheat and to provide that price support for corn, beginning with the 1969 crop, shall be at a national average rate of not less than 90 per centum of parity, and for other purposes; to the Committee on Agriculture and Forestry.

S. 237. A bill to declare a national policy on conservation development, and utilization of natural resources, and maintenance of the quality of the environment, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 238. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Finance.

S. 239. A bill to develop business and employment opportunities in smaller cities and areas of unemployment and underemployment by providing certain preferences for prospective Government contractors in such cities and areas; to the Committee on Government Operations.

S. 240. A bill for the relief of Ernesto Och;

S. 241. A bill for the relief of Alvin D. Veloso;

S. 242. A bill for the relief of Dr. Jose C. Michiell;

S. 243. A bill for the relief of Panayouta Koutroumanou;

S. 244. A bill for the relief of Christina Bangcawayan;

S. 245. A bill for the relief of Blandina Salvador;

S. 246. A bill for the relief of Michael Tziotis;

S. 247. A bill for the relief of Chan Hon Fan, Li Tinc Chau, Cheune Ying, Cheuk Kinc Ching, Tso Po Kwun, Tsang Hing, Yeh Yo Tsuan, Yiu Ip Chan; to the Committee on the Judiciary.

By Mr. McGOVERN (for himself and Mr. BURDICK):

S. 248. A bill to establish the Great Prairie Lakes National Recreation Area in the States of South Dakota, North Dakota, and Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McGOVERN (for himself, Mr. YOUNG of North Dakota, and Mr. BURDICK):

S. 249. A bill to establish producer owned and controlled emergency reserves of wheat, feed grains, soybeans, rice, cotton, and flaxseed; to the Committee on Agriculture and Forestry.

By Mr. PEARSON:

S. 250. A bill for the relief of Young Sup Chung and his wife, In Hi K. Chung;

S. 251. A bill for the relief of Maria Lourdes Sunga Garcia;

S. 252. A bill for the relief of Ralph F. Ger-

mann;

S. 253. A bill for the relief of Dr. Eduardo Campuzano;

S. 254. A bill for the relief of Sugwon Kang; and

S. 255. A bill for the relief of Wander de C. Braga; to the Committee on the Judiciary.

By Mr. MOSS:

S. 256. A bill to confer U.S. citizenship posthumously upon L. Cpl. Theodore Daniel Van Staveren;

S. 257. A bill for the relief of Ann Maria Y. Uy;

S. 258. A bill for the relief of Chung York Wong;

S. 259. A bill for the relief of Juan Miguel Apezteguia;

H.R. 6734. A bill to provide for the furnishing of a uniform and the presentation of a flag of the United States for deceased members of the National Guard and Ready Reserve; to the Committee on Armed Services.

H.R. 6735. A bill to amend section 8901(8) of title 5, United States Code, with respect to persons employed under Public Law 90-486; to the Committee on Post Office and Civil Service.

H.R. 6736. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 in order to clarify the provisions of that act with respect to certain persons in the Reserve and National Guard ordered to active duty for training for a period of more than 30 days; to the Committee on Veterans' Affairs.

H.R. 6737. A bill to extend servicemen's group life insurance to Reserves of the Armed Forces and members of the National Guard when engaged in federally prescribed full-time training or duty; to the Committee on Veterans' Affairs.

By Mr. BROCK:

H.R. 6738. A bill to establish a community self-determination program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity, stability, and self-determination, and making their maximum contribution to the strength and well-being of the Nation; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 6739. A bill to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative in the treatment of disease, to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs, and for other purposes; to the Committee on Ways and Means.

H.R. 6740. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia (by request):

H.R. 6741. A bill to relieve citizens of the United States of liability to repay to the United States amounts of money advanced to them to enable them to evacuate foreign zones of war or civil disturbance, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BUSH (for himself and Mr. BURKE of Massachusetts):

H.R. 6742. A bill to amend the Internal Revenue Code of 1954 to provide a longer period of time for disposition of certain assets in the case of regulated investment companies furnishing capital to development companies; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 6743. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the income tax for any amounts received under a State or local retirement system; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 6744. A bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 6745. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. DENT:

H.R. 6746. A bill to amend the Fair Labor Standards Act of 1938 to exempt certain employees of establishments engaged in the selling of boats or motorcycles from the overtime compensation requirements of that act; to the Committee on Education and Labor.

By Mr. DIGGS:

H.R. 6747. A bill to enable consumers to protect themselves against arbitrary, erroneous, and malicious credit information; to the Committee on Banking and Currency.

H.R. 6748. A bill to enable citizens of the United States who change their residence to vote in presidential elections, and for other purposes; to the Committee on House Administration.

H.R. 6749. A bill to establish a Commission to make a comprehensive study and evaluation of the methods of selecting candidates for the offices of President and Vice President of the United States; to the Committee on House Administration.

By Mr. DINGELL:

H.R. 6750. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 6751. A bill to amend the Federal Water Pollution Control Act to establish standards and programs to abate and control water pollution by synthetic detergents; to the Committee on Public Works.

By Mr. ERLENBORN:

H.R. 6752. A bill to amend title XIX of the Social Security Act to provide that a State, in determining a blind or disabled individual's eligibility for medical assistance (and the extent of such assistance), shall not take into account anyone else's financial responsibility for such individual (unless he is the other person's spouse or minor child); to the Committee on Ways and Means.

By Mr. ESCH:

H.R. 6753. A bill to restrict the mailing of unsolicited credit cards; to the Committee on the Judiciary.

By Mr. ESHLEMAN:

H.R. 6754. A bill to amend the Internal Revenue Code of 1954 to provide that Federal tax returns shall be open to inspection by, and copies of such returns shall be furnished to, State and local officers only under court order; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 6755. A bill to prohibit the dissemination through interstate commerce or the mails of material harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 6756. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 6757. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 6758. A bill for the elimination of health dangers to coal miners resulting from the inhalation of coal dust; to the Committee on Education and Labor.

H.R. 6759. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which

is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 6760. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GONZALEZ:

H.R. 6761. A bill to amend title 28 of the United States Code so as to provide for the appointment of two additional district judges for the western district of Texas; to the Committee on the Judiciary.

By Mr. GROSS:

H.R. 6762. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUDE:

H.R. 6763. A bill to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89-774 (80 Stat. 1324); to the Committee on the District of Columbia.

By Mr. HATHAWAY:

H.R. 6764. A bill to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain uses of gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. HOGAN:

H.R. 6765. A bill to amend section 341 of the Immigration and Nationality Act to require the Attorney General to furnish a certificate of citizenship to a person holding certification of birth issued by the Secretary of State; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.R. 6766. A bill to provide for the construction of a certain memorial along the route of the Lewis and Clark Expedition in North Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KUYKENDALL:

H.R. 6767. A bill to provide for the appointment of an additional district judge for the western district of Tennessee; to the Committee on the Judiciary.

H.R. 6768. A bill to amend section 5004 of title 38 of the United States Code to permit employees of a Veterans' Administration hospital or domiciliary to use without charge parking facilities constructed by the Veterans' Administration at such hospital or domiciliary; to the Committee on Veterans' Affairs.

By Mr. MCCARTHY:

H.R. 6769. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. MACDONALD of Massachusetts:

H.R. 6770. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 6771. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MORTON:

H.R. 6772. A bill to amend the Federal Water Pollution Control Act to prevent pollution of water by oil, and to establish a revolving fund for the removal of oil discharged into or upon the navigable waters of the United States or adjoining shorelines; to the Committee on Public Works.

By Mr. NATCHER:

H.R. 6773. A bill to extend certain benefits to persons who served in the Armed Forces of the United States in Mexico or on its borders during the period beginning May 9, 1916,

CARTHY, Mr. McCLELLAN, Mr. McGEE, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MONDALE, Mr. MONTGOMERY, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mr. PAS-TORE, Mr. PELL, Mr. PROUTY, Mr. RIBI-COFF, Mr. SAXBE, Mr. SCHWEIKER, Mr. SCOTT, Mr. SPARKMAN, Mr. SPONG, Mr. STENNIS, Mr. SYMINGTON, Mr. TALMADGE, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, Mr. YOUNG of North Dakota, and Mr. YOUNG of Ohio):

S. 1072. A bill to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965 as amended and Title V of the Public Works and Economic Development Act of 1965 as amended; to the Committee on Public Works.

(See the remarks of Mr. RANDOLPH when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK (for himself, Mr. METCALF and Mr. MOSS):

S. 1073. A bill to amend the Tariff Schedules of the United States to accord to the Trust Territory of the Pacific Islands the same tariff treatment as is provided for insular possessions of the United States; to the Committee on Finance.

By Mr. BURDICK (for himself and Mr. YOUNG of North Dakota):

S. 1074. A bill for the relief of Mr. and Mrs. Arvel Glinz; to the Committee on the Judiciary.

By Mr. JACKSON (for himself and Mr. STEVENS):

S. 1075. A bill to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nations' ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality; and

S. 1076. A bill to establish in the Departments of the Interior and Agriculture, Youth Conservation Corps, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bills, which appear under separate headings.)

By Mr. BURDICK (for himself, Mr. JACKSON, Mr. FONG, Mr. INOUE, Mr. MANSFIELD and Mr. HATFIELD):

S.J. Res. 49. Joint resolution regarding the status of the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

#### S. 1036—INTRODUCTION OF BILL RELATING TO APPOINTMENT OF AN ADDITIONAL DISTRICT JUDGE FOR THE DISTRICT OF NEBRASKA

Mr. HRUSKA. Mr. President, on behalf of myself and my colleague (Mr. CURTIS), I introduce, for appropriate reference, a bill to provide for the creation of one additional judgeship position for the district of Nebraska.

The Eighth Circuit Judicial Council has approved the request for one additional judgeship for the district of Nebraska. Due to a lack of time, the Judicial Conference of the United States was not notified of the eighth circuit approval in time to act upon the request at its September meeting and the district, therefore, was not included in its recommendations.

The district of Nebraska, which now has two full-time judges, has not had an increase in the numbers of its judgeships since 1907. However, in the last 20 years alone the number of cases filed in the district has increased by 77 percent, and 22 percent of this increase has occurred

in the last 5 years. Correspondingly, the increase in the number of cases pending in the district is nearly 100 percent in the last 20 years, 77 percent in 10 years, and 35 percent in the last 5 years.

Statistical information prepared by the Administrative Office of the U.S. Courts shows that in 1968 the median time interval from issue to trial was 19 months in the district of Nebraska as compared with the national median of 12 months.

My colleague Senator CURTIS and I hope that the Congress will act quickly and favorably on this needed measure.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1036) to provide for the appointment of an additional district judge for the District of Nebraska, introduced by Mr. HRUSKA (for himself and Mr. CURTIS), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. CURTIS. I commend my distinguished colleague for introducing the measure which he has just sent to the desk. I join him in the statement that the workload justifies an additional judgeship for the District of Nebraska, and refer to the well-known adage that delayed justice is oftentimes defeated justice. For better service to the public, the bill should be enacted.

#### S. 1045—INTRODUCTION OF BILL TO INCREASE PERSONAL EXEMPTION DEDUCTIONS UNDER THE INTERNAL REVENUE CODE OF 1954

Mr. PROUTY. Mr. President, I introduce a bill to amend the Internal Revenue Code of 1954 by increasing personal exemptions allowable from \$600 to \$1,000. I request that it be appropriately referred, and I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

(See exhibit 1.)

Mr. PROUTY. Mr. President, the time for increasing personal exemptions for Federal income tax purposes is long overdue. Enactment of this proposal will be of great assistance to those in the lower income brackets in providing minimum standards of living for themselves and their families. It will also provide an effective weapon for the masses of our people in middle income groups in combating the effects of inflation which we have experienced for many years and which will probably continue in the foreseeable future.

I think that most of us agree that the personal exemption should bear some relationship to the income level necessary to provide minimum standards of living. There are those who argue against this premise and would determine tax policies, including the amount of the personal exemption, on the basis of economic and fiscal situations at a given point in time without considering the living standards factor in establishing such tax policies.

I submit, however, that these individuals are ignoring the tide of history and the compassionate dedication of a vast majority of our citizens to assist families living in poverty to obtain decent minimum living standards through their own efforts.

In addition, Mr. President, this measure will provide needed tax relief, as distinguished from tax avoidance, to the untold numbers of middle income "forgotten men" struggling today to provide for their families while at the same time retaining their independence and their self-respect. These are the individuals who are the backbone of our Nation. Yet their income is too high to qualify for the vast array of assistance programs we have enacted during the last few years, while at the same time it is too little to permit them to provide for and educate their families without extreme personal hardship, often reflected in long-term bank loans, loans on life insurance, or mortgage of the family residence.

Mr. President, if we accept, as I think we do, the concept that payment of Federal income taxes should be geared to an individual's or a family's ability to pay, then we can no longer overlook the effect that inflation has made in the cost of living since 1948—1948 was the year that the last change was made in personal exemptions, raising them from \$500 to \$600—a far cry from a return to pre-war levels. I believe we are all aware of the impossibility of maintaining a wife, parent, or child on \$600 a year. Inflation, however, has destroyed almost 50 percent of the value of this exemption during the last 21 years. For example, about \$860 was required in 1967 to provide the same purchasing power as \$600 in 1948.

In 1966, a study conducted by the Social Security Administration reported that \$3,335 constituted the poverty line for a nonfarm family of four.

A major argument made against increasing personal exemptions at this time is the amount of Federal revenue which would be lost during a period when we are engaged in a major war. In my opinion, however, this country is strong enough and rich enough economically to make up this loss of revenue in ways which will not be oppressive to taxpayers who are presently below or slightly over the poverty level. Committees in both Houses are presently planning to study tax reforms which would more equitably distribute Federal taxes upon those able to pay with the least hardship.

Although this bill does not so provide, I believe that its enactment would justify a return to a 20 percent tax rate for the first bracket of taxable personal income rather than the present 14 percent, if this was deemed desirable to offset losses in revenue.

In addition, Mr. President, I point out that the individuals and families who would have more spendable income if this bill is enacted are not those who can afford to bank it or invest it, but rather and predominantly this money will flow back into the economy to purchase consumer products necessary for day-to-day living.

Some of the lost revenue will be recovered as a result of the multitude of

habited by a proud and independent people who do not beg for charity, be they American Indians in the Southwest or northern Great Lakes regions, farmers, and sharecroppers who work the soil in the Atlantic coastal plains, or the vigorous men and women who have long struggled for a decent life in the Ozarks or the Appalachians. But to overcome the natural disadvantages of environment and resources, they need our help so that they may help themselves.

The genesis of the Appalachian Regional Development Act, which has served as the precursor of and model for other regional development efforts was a unique event in the long and successful history of our federal system of government, and it was an event that holds out great promise for our national future, not only in those areas where commissions have already been established but in many other areas as well.

The impetus for the creation of the President's Appalachian Regional Commission in 1963, on whose recommendations the formal program was devised, came, as we all know, from the late John F. Kennedy, whose interest in and compassion for the people of that region is well known. He was able, through his eloquence and skill, to focus national attention on the need that was plainly there.

But while much of the Nation may have been unaware of the quiet crisis in the Appalachian mountains, the people of the region and their elected representatives had long been very much aware of it. Well before the national program was conceived or thought of as being politically or economically feasible, extensive local action was underway to improve conditions in the region. Each State in Appalachia had established a unit for economic development. Private individuals and private corporations and public officials and bodies of every size and description had been both inventive and tireless in their efforts to accomplish whatever they could with the sorely limited resources available to them.

But it was clear that these efforts, though valiant and productive of some progress, were not equal to the task. It began to be understood that by joining forces and working together toward solutions for mutually shared problems, the individuals and corporations and government bodies could avoid wasteful duplication and materially benefit by pooling their experience and expertise. And so the Conference of Appalachian Governors was formed. The chief executives of eight of the States most severely affected by the Appalachian syndrome voluntarily assembled to work together toward the hopeful resolution of common problems. Out of this governors' conference grew the President's commission and the Appalachian Regional Development Act of 1965.

The Governors of the 13 States, parts of which now fall within the statutory definition of the Appalachian region, have continued to participate personally and with great enthusiasm in the activities of the commission. Single individuals in each State government have been given primary responsibilities as State

regional representatives to coordinate the activities of State programs with the programs of the commission and of other constituent States. Although much remains to be done in the way of economic and social development, little remains to be done in terms of fostering meaningful and fruitful regional cooperation.

Mr. President, the promise of regional cooperation is very great. The part that it can play in the harmonious development of our Nation is very large.

And its usefulness must not be restricted to areas of severe economic hardship and deprivation, although the need for it is perhaps greatest in such areas. Regional development agencies could be used to great advantage in quite a different order.

Take, for example, the internecine competition and infighting that has for years impeded the equitable development and use of water resources in the western third of our Nation. Take, as another example, the tremendous advantages that could be found in a coordinated development of our tidewater and marine resources by a close cooperation of those States bordering on the sea. We are already beginning to see the first fruits of cooperation among States in the Delaware River Basin for the control of water pollution and the formation of compacts for the control of air pollution that likewise respects no political boundaries.

It makes no sense at all for neighboring jurisdictions who share common problems to pursue separate and often contradictory solutions. The regional concept can and will become a prime reinforcement of our federal system of government.

And so, Mr. President, it is with great enthusiasm and dedication that I support the legislation just introduced. As the distinguished chairman of the committee and chief sponsor of the bill, Senator RANDOLPH, has said, the bill is a point of departure for an in-depth look at what the various commissions have done and to obtain an understanding of what their future capabilities might be. I look forward to working closely with Senator RANDOLPH and Senator COOPER and other committee members in this endeavor. Having recently been honored by being made ranking minority member of the Subcommittee on Economic Development, I particularly look forward to my work with the distinguished new chairman of that subcommittee, Senator MONTROYA, whose dedication to economic opportunity and social progress for all Americans is well known in this body and throughout the country.

Mr. SCOTT. Mr. President, I am pleased to be a cosponsor of the Appalachian Regional Development Act extension, introduced today by my most able and distinguished colleague, Senator JENNINGS RANDOLPH, of West Virginia. The bill provides for a 2-year extension of the act, and authorizes appropriations of \$175 million for that period.

Aid to Appalachia is proving daily to be one of the most efficiently operated programs ever to come out of Congress. Its great success, I believe, can also be attributed to the fact that a reasonable balance has been maintained between

direction from Washington on the one hand, and control in the States and localities on the other. This Federal approach may prove to be the key factor in the solution of some of our other very great problems.

Since 1965, Pennsylvania has received approximately \$46.3 million in Federal money, which has since gone into 52 counties with a population of 6 million people. All Pennsylvanians look forward to the continued success and operation of this program. I commend Senator RANDOLPH for his vigor and dedication to the people of the Appalachian region.

#### THE JAMES MADISON MEMORIAL COMMISSION—APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to Public Law 86-417, appoints the Senator from Nebraska (Mr. HAUSKA) to the James Madison Memorial Commission in lieu of the Senator from Kansas (Mr. CARLSON), retired.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

#### S. 1075—INTRODUCTION OF BILL TO ESTABLISH A NATIONAL STRATEGY FOR THE MANAGEMENT OF HUMAN ENVIRONMENT

Mr. JACKSON. Mr. President, I am today introducing legislation which has as its purpose the establishment of a national strategy for the management of the human environment.

The purpose of this legislation is to lay the framework for a continuing program of research and study which will insure that present and future generations of Americans will be able to live in and enjoy an environment free of hazards to mental and physical well-being.

This measure, if enacted, would place a new emphasis on two aspects of Federal efforts in this critically important field:

First, title I of the proposed legislation authorizes the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems and environmental quality. It is critically essential that basic research in this neglected area be properly funded and immediately undertaken. The data and the knowledge necessary to an understanding of man's impact on the environment is needed before Government and private industry can make knowledgeable decisions about how their activities and decisions affect man-environment relationships.

The need for basic research may be seen in connection with the current controversies over the short- and long-term impact of chemicals and pesticides on both human and animal life. Another example is the need for research on the social and legal aspects of weather modi-

fiction, so that appropriate controls over the use of this emerging technology may be developed.

A contemporary example which has aroused great public concern in recent weeks is the Santa Barbara oil spill. An editorial in the February 14, 1969, issue of the Washington Post stated in part:

It is often man's crass indifference to the consequences of technological advance in exploiting nature which is leading to the despoiling of nature. That is to say, the gains from technology seem to run only one way—to profits rather than to preservation of a planet on which man can comfortably live.

The editorial went on to say:

The time has come to turn around the thesis under which natural resources have long been regarded. Instead of deciding that we must exploit them because we are technically able to do so, we ought to postpone exploiting them until the need is great or our knowledge of what damage exploitation may do is substantially larger.

In my judgment, more must be done, and it must be done soon, if we are to develop the data and the knowledge necessary to an understanding of the impact of man and his intrusive technology upon an environment that is unceasingly subject to growing pressures.

Second, title II of the bill would establish in the Office of the President a Council on Environmental Quality to study and analyze environmental trends; the factors that affect these trends; and how they relate to the conservation, social, economic, and health goals of the Nation. The Council would also advise and assist the President on the formulation of national policies to foster and promote the improvement of environmental quality, and in the preparation of an annual report on the quality of the environment as required by section 203 of the bill.

It is my judgment that a more effective process of policy review on matters affecting our entire biological and physical resources can be achieved by establishing a forum in the Office of the President for the consideration of alternative solutions to all environmental problems.

Our present governmental institutions are not designed to deal in a comprehensive manner with problems involving the quality of our surroundings and man's relationship to the environment. The responsibilities and functions of government institutions as presently organized are extremely fractionated. We have, for example, separate agencies and separate policies on shipping, fisheries, mines, forests, and water resource development. At some point in our history we felt it was wise to organize Government around these concepts. This organization reflects our early national goals of resources exploitation, economic development, and conquest.

Our national goals have, however, changed a great deal in recent years. Today Government organization does not reflect this change in objectives and the new demands which are being placed on the environment.

At present the Federal programs of significant concern to environmental management are scattered throughout 11 of the major executive departments and

16 independent agencies. The problems of coordination and control are obvious. In my judgment, it is clear that new approaches are required if we are to be successful in the management of our future environment. Better concepts and better institutions must be designed to supplement the programs and goals of existing agencies.

I introduced similar legislation during the second session of the last Congress on behalf of Senator Thomas Kuchel and myself. The text of the bill as introduced in the 90th Congress, together with other relevant materials, may be found in the CONGRESSIONAL RECORD, volume 113, part 27, page 36850. Further materials from various sources discussing the need for a national strategy on environmental management may be found in the CONGRESSIONAL RECORD, volume 114, part 2, page 2248.

One of the major problems which any effort to undertake a meaningful study of environmental and natural resource administration faces is that the subject spans the jurisdiction of many of the major committees of the Congress. In an effort to begin the process of review without impinging upon the legitimate legislative and jurisdictional interests of any committee of the Congress, Congressman GEORGE MILLER, chairman of the House Science and Astronautics Committee, and I served as cochairmen for the purpose of convening a unique and highly successful Joint House-Senate colloquium to discuss a national policy for the environment last July 17, 1968. The participants at the colloquium included five Cabinet Secretaries, the President's Science Adviser, Mr. Laurance S. Rockefeller, Dean Don K. Price, of Harvard, and many concerned Members of the Congress. A varied group of scholars and Government officials also submitted statements and reports on the need for a national environmental policy and offered suggestions as to the content of such a policy.

The colloquium considered the broad policy implications of environmental legislation that had been introduced in the 90th Congress. More than 120 Members had introduced bills which were referred to 19 separate committees of both the House and Senate. Most of these measures dealt with individual resource management problems, environmental pollution, or the general decline in the quality of urban and rural living conditions. The colloquium was not, however, directed to a discussion of specific legislative proposals. In view of the widespread congressional interest in improving and maintaining the quality of the human environment, the colloquium was directed at the general question of the need for a national environmental policy.

A special report to the Senate Committee on Interior and Insular Affairs on "A National Policy for the Environment" was prepared for the committee's use prior to the convening of the colloquium. This report was written by Prof. L. K. Caldwell, of Indiana University, with the assistance of Mr. William Van Ness, special counsel to the committee. Mr. President, because the report is now out of print and because it summarizes the requirements for policy effectiveness and

the questions of implementing an effective program of environmental administration so well, I ask unanimous consent that selected portions of the report be printed at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JACKSON. Mr. President, following the colloquium, a congressional white paper was prepared by the Library of Congress Legislative Reference Service. This document, which was distributed to the Congress in October, summarized the key points raised in the dialog between Members of Congress and the colloquium participants. It also suggested a number of approaches that the Congress might follow in formulating a clear and forceful strategy of environmental management.

The colloquium disclosed that environmental management is one of the most difficult issues facing Congress and the administration today. This fact has long been recognized in academic and scientific circles. For example, last year the American Society for Public Administration devoted an entire issue of its journal, Public Administration Review, to the interaction of well-known environmental problems and the efficacy of existing Government programs to deal with conflicts and controversies over the use of the environment. The editor of the issue, Prof. Lynton K. Caldwell, of Indiana University, called attention to the numerous statutes that have been enacted by Congress on behalf of air and water pollution, public health, urban planning, atmospheric research, oceanography, rural conservation, and related fields. Yet he emphasized that these measures "do not cumulate to give us basic political doctrine that would guide social conduct as it impinges upon the environment."

In recent months a number of major conferences sponsored by philanthropic foundations and universities, including the Industry and Environment Conference held at Williams College in October 1968, have pinpointed very serious gaps in our private and public research effort to understand the long-term social implications of the environmental changes being wrought by rapidly expanding technologies and their industrial applications.

The bill I am introducing today would authorize the Council of Environmental Advisers to periodically review all existing programs and activities carried out by Federal agencies, as well as the private sector, to document and anticipate imminent environmental alterations, and to make appropriate recommendations to the President. The Council would thus help the President evaluate the trends of new technologies and developments as they affect our total surroundings, and to develop broad policies, including those related to anticipatory research, to prevent future man-induced environmental changes which could have serious social and economic consequences.

The aim of this legislation is not to duplicate any existing research evaluation functions such as those carried out by the Office of Science and Technology. However, it is clear that scientific knowl-

edge must be advanced and related to the public's interest in maintaining a quality environment and in establishing better man-environment relationships. The aim of my bill is to provide a continuing and thorough consideration of our Nation's overall progress in meeting national and international problems of environmental management which are critically important to the well-being of this country.

The need for an information gathering body such as the proposed Council in the Office of the President is clear. It is obvious that we must do more to anticipate environmental problems and develop strategies for their resolution before they assume crisis proportions. It is far cheaper—in human, social, and economic terms—to anticipate these problems at an early date and to find alternatives before they require the massive expenditures we are now obligated to make to control air and water pollution and to deal with recurring problems such as the recent Santa Barbara oil spill. The proposed Council could perform this function of problem anticipation, overview, and informal coordination.

It is noteworthy, Mr. President, that the present administration has been given recommendations along these lines. Early this year, the Brookings Institution issued a report, edited by Kermit Gordon, entitled "Agenda for the Nation" in which some of the Nation's leading observers of public affairs identify the major issues the executive branch must face in the months ahead. This report contains an essay by Prof. Stephen K. Bailey, dean of the Maxwell Graduate School of Public Affairs, Syracuse University, on the subject "Managing Our Federal Government." Professor Bailey described the need for restructuring the President's Office to reflect what many public administration experts consider the prime concerns of the Nation as viewed from the vantage point of the Chief Executive. These prime concerns are identified as first, national security; second, economic stability and growth; third, human resource development; and, fourth, environmental management and control.

In the first three areas cited, the President's Office has steadily strengthened its policy review capabilities by creating special councils and Presidential advisers. But as Professor Bailey noted, in the increasingly troublesome area of protecting the integrity and viability of our environment, the President's Office is patently deficient:

Aside from ad hoc task forces (many of which have been extremely productive and catalytic), there is no effective agent or agency . . . charged with the study of emerging public problems and the development of effective programs to deal with them in terms of continuing and changing presidential perspectives of the public interest.

Professor Bailey went on to note:

The presidency is the only institution in the American polity where overarching and long-range public imperatives can be coherently analyzed and melded.

The structure of the Executive Office of the President must reflect the prime concerns of the nation as viewed from the vantage point of the chief executive. In the present age, as already noted, these prime concerns are four: national security, economic stabil-

ity and growth, the integrity and viability of the physical environment, and the promotion of human welfare and of human resource development. In these four areas, the President must have at his disposal institutional arrangements that can help him plan wisely, sort options judiciously, and effect coordinated responses. (Emphasis added.)

At present, the President does not have at his disposal institutional arrangements that can help him plan wisely, to sort options judiciously, and to effect coordinated responses in the field of environmental administration.

While Professor Bailey's essay does not directly endorse the councilor approach for Presidential policy review in the environmental field, as I am now proposing, I think his arguments for more satisfactory machinery than now exist to devise a national strategy of environmental management are particularly significant and should be studied by the Congress and all others who are interested in maintaining a quality environment for present and future generations. Mr. President, I ask unanimous consent that excerpts from his chapter on this subject be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 2.)

Mr. JACKSON. Mr. President, I also ask unanimous consent that an article by Mr. Peter Khiss from the January 14, 1969, issue of the New York Times be printed at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 3.)

Mr. JACKSON. Mr. President, the article discusses recommendations made to President Nixon by his Task Force on Resources and the Environment. It is reported that the task force recommend the naming of a Special Assistant for Environmental Affairs to the President and the establishment of a Presidential Council on the Environment. The new Council would, according to Mr. Khiss' article, represent a broadening of the membership and areas of responsibility of the present Council on Recreation and Natural Beauty. This report is for the President's confidential use, and it is not known whether the task force's recommendations will be followed. It is, however, my tentative view that the magnitude of the problems faced will require a more effective instrument than a revamped Council on Recreation and Natural Beauty.

Mr. President, the concept of man's total environment has emerged in the last few years as a new focus for public policy. Not long ago the ideal of a governmental responsibility for the health of the individual, for the state of the economy, for consumer protection and for housing was considered revolutionary. Today, we have come to take these responsibilities for granted. We must now proceed to make the concept of a governmental responsibility for the quality of our surroundings an accepted tenet of our political philosophy.

It is time that we reexamine our national goals and purposes in managing the environment. New goals and new policies which are in the long-range pub-

lic interest are clearly required. Their successful development will require the active participation of the States and private enterprise as well as the Federal Government.

In the Federal Government—and I suppose this may also be true of State government—we have sometimes indulged ourselves in the illusion that we are doing a grand job of environmental management. But the facts do not support this. Many of our approaches and programs have involved merely a cosmetic approach—"clean-up, paint-up, and fix-up." The conditions we are dealing with, however, are not cured by cosmetology. Many will require major surgery.

Our responses have been too narrow, too limited, and too specialized. In the past, we have established costly programs without a clear enough perception of the objectives and the goals we seek to attain.

Mr. President, we have reached the point in our national life where this country can no longer rely on the time-worn method of simply convening ad hoc study groups and task forces to make recommendations which are easily filed away and forgotten every time there is a new environmental crisis such as the recent oil spill off Santa Barbara, Calif.

I believe that President Nixon was correct in directing Dr. DuBridge, the President's Science Adviser, to bring together a panel of scientists and engineers to review the oil pollution problem. What is of grave concern, however, is that we are still only reacting to crisis situations in the environmental field. What we should be doing is setting up institutions and procedures designed to anticipate environmental problems before they reach the crisis stage.

We need to know what the risks are, and we need to know what options and alternatives are available in the development of our resources and in the administration of our environment. It is far cheaper in human, social, and economic terms, to anticipate these problems at an early stage and to find alternatives before they require the massive expenditures we are now obligated to make to control air, water, and oil pollution.

It is my judgment that the bill I am introducing today will, if enacted, go a long way toward giving the Federal Government an environmental problem anticipatory capacity.

In conclusion Mr. President, I urge President Nixon to consider very carefully the establishment of a Council of Environmental Quality Advisers in the Executive Office of the President.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1075) to authorize the Secretary of the Interior to conduct investigation, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Coun-

cil on Environmental Quality, introduced by Mr. JACKSON (for himself and Mr. STEVENS), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1075

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is the purpose of this Act to promote and foster means and measures which will prevent or effectively reduce any adverse effects on the quality of the environment in the management and development of the Nation's natural resources, to produce an understanding of the Nation's natural resources and the environmental forces affecting them and responsible for their development and future well being, and to create and maintain conditions under which man and nature can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations of Americans, through a comprehensive and continuing program of study, review, and research.

#### TITLE I

Sec. 101. The Secretary of the Interior (hereinafter referred to as the "Secretary"), in order to carry out the purposes of this title, is authorized—

(a) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(b) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(c) to develop and maintain an inventory of existing and future natural resource development projects, engineering works, and other major projects and programs contemplated or planned by public or private agencies or organizations which make significant modifications in the natural environment;

(d) to establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals;

(e) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps;

(f) to make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment.

(g) to initiate and utilize ecological information in the planning and development of resource-oriented projects;

(h) to encourage other public or private agencies planning development projects to consult with the Secretary on the impact of the proposed projects on the natural environment;

(i) to conduct research and studies within natural areas under Federal ownership which are under the jurisdiction of the Secretary and which are under the jurisdiction of other Federal agencies; and

(j) to assist the Council on Environmental Quality established under title II of this Act.

Sec. 102. In carrying out the provisions of this title, the Secretary is authorized to make grants, including training grants, and enter into contracts or cooperative agreements with public or private agencies or organizations, or individuals, and to accept and use donations of funds, property, personal services, or facilities to carry out the purposes of this Act.

Sec. 103. The Secretary shall consult with and provide technical assistance to other

Federal agencies, and he is authorized to obtain from such departments and agencies such information, data, reports, advice, and assistance as he deems necessary or appropriate and which can reasonably be furnished by such departments and agencies in carrying out the purposes of this Act. Any Federal agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement by the Secretary.

Sec. 104. The Secretary is authorized to participate in environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations if he determines that such activities will contribute to the objectives and purposes of this Act.

Sec. 105. Nothing in this Act is intended to give, or shall be construed as giving, the Secretary any authority over any of the authorized programs of any other department or agency of the Government, or as repealing, modifying, restricting, or amending existing authorities or responsibilities that any department or agency may have with respect to the natural environment. The Secretary shall consult with the heads of such departments and agencies for the purpose of identifying and eliminating any unnecessary duplication of effort.

Sec. 106. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

#### TITLE II

Sec. 201. There is created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. Each member shall, as a result of training, experience, or attainments, be professionally qualified to analyze and interpret environmental trends of all kinds and descriptions and shall be conscious of and responsive to the scientific, economic, social, aesthetic and cultural needs and interests of this Nation. The President shall designate the chairman and vice-chairman of the Council from such members.

Sec. 202. (a) The primary function of the Council shall be to study and analyze environmental trends and the factors that effect these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation. In carrying out this function, the Council shall—

(1) report at least once each year to the President on the state and condition of the environment;

(2) provide advice and assistance to the President on the formulation of national policies to foster and promote the improvement of environmental quality;

(3) obtain information using existing sources, to the greatest extent practicable, concerning the quality of the environment and make such information available to the public.

(b) The Council shall periodically review and appraise new and existing programs and activities carried out directly by Federal agencies or through financial assistance and make recommendations thereon to the President.

(c) It shall be the duty and function of the Council and the Secretary of the Interior to assist and advise the President in the preparation of the biennial environment quality report required under section 203.

Sec. 203. The President shall transmit to the Congress annually beginning June 30, 1970, an environmental quality report which shall set forth (a) the status and condition of the major natural, man-made, or altered environmental classes of the Nation, in-

cluding, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; and (b) current and foreseeable trends in quality, management, and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

Sec. 204. The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

Sec. 205. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this title.

#### EXHIBIT 1

A NATIONAL POLICY FOR THE ENVIRONMENT—A REPORT ON THE NEED FOR A NATIONAL POLICY FOR THE ENVIRONMENT: AN EXPLANATION OF ITS PURPOSE AND CONTENT; AN EXPLORATION OF MEANS TO MAKE IT EFFECTIVE; AND A LISTING OF QUESTIONS IMPLICIT IN ITS ESTABLISHMENT

(A special report to the Committee on Interior and Insular Affairs, U.S. Senate, together with a statement by Senator HENRY M. JACKSON)

STATEMENT BY SENATOR HENRY M. JACKSON

Over the years, in small but steady and growing increments, we in America have been making very important decisions concerning the management of our environment. Unfortunately, these haven't always been very wise decisions. Throughout much of our history, the goal of managing the environment for the benefit of all citizens has often been overshadowed and obscured by the pursuit of narrower and more immediate economic goals.

It is only in the past few years that the dangers of this form of muddling through events and establishing policy by inaction and default have been very widely perceived. Today, with the benefit of hindsight, it is easy to see that in America we have too often reacted only to crisis situations. We always seem to be calculating the short-term consequences of environmental mismanagement, but seldom the long-term consequences or the alternatives open to future action.

This report proposes that the American people, the Congress, and the Administration break the shackles of incremental policymaking in the management of the environment. It discusses the need for a national environmental policy and states what some of the major elements of such a policy might be. It also raises a number of questions implicit in the establishment of such a broad-based and far-reaching policy.

The report does not purport to deal exhaustively with these subjects. Rather, it attempts to place some of the fundamental questions concerning the needs for and the elements of a national environmental policy in the arena of public debate. If the report is successful in encouraging discussion and in refining some of the issues involved, it will have performed a worthwhile purpose. In the last few years, it has become increasingly clear that, soon, some President and some Congress must face the inevitable task of deciding whether or not the objective of a quality environment for all Americans is a top-priority national goal which takes precedence over a number of other, often competing, objectives in natural resource management and the use of the environment. In my judgment, that inevitable time of decision is close upon us.

If we are to make intelligent decisions which are not based on the emotion of conservation's cause célèbre of the moment or on the error of simply perpetuating past practices, there is a very real need to develop a national capacity for constructive criticism of present policies and the development of new institutions and alternatives in the management of the environmental resources of land, air, water, and living space. Developing this capacity will require that representatives from all elements of our national life—industry, the university, Federal, State, and local government—participate in forming this policy. It will require the creative utilization of technology to improve environmental conditions and to prevent unanticipated future instances of costly abuse. It will also require that government business, and industry pay closer attention to a far greater range of alternatives and potential consequences when they make environment-affecting decisions than they have in the past.

Finally, it needs to be recognized that the declaration of a national environmental policy will not alone necessarily better or enhance the total man-environment relationship. The present problem is not simply the lack of a policy. It also involves the need to rationalize and coordinate existing policies and to provide a means by which they may be continuously reviewed to determine whether they meet the national goal of a quality life in a quality environment for all Americans. Declaration of a national environmental policy could, however, provide a new organizing concept by which governmental functions could be weighed and evaluated in the light of better perceived and better understood national needs and goals.

This report was prepared for the use of the Senate Interior Committee by Prof. Lynton K. Caldwell, Department of Government, Indiana University, with the assistance of Mr. William J. Van Ness, special counsel to the committee, and the Natural Resources Division, Legislative Reference Service, Library of Congress. Professor Caldwell's contribution was, in part, made possible through an arrangement with the Conservation Foundation.

"Scientists from this country and the Soviet Union—and from 50 other countries—have already begun an international biological program to enrich our understanding of man and his environment.

"I propose that we make this effort a permanent concern of our nations. I propose that the United States scientists join with the scientists of the Soviet Union and other nations to form an international council on the human environment."—*From President Lyndon B. Johnson's Commencement Address at Glassboro State College, Glassboro, N.J., June 4, 1968.*

#### PREAMBLE

It is a major function of the Congress to propose and consider policies "to provide for the common defense and the general welfare of the United States." Today, a challenge to the safety and welfare of the United States and of the American people has arisen. The challenge is the rapid deterioration of the environmental base, natural and man-made, which is the indispensable foundation of American security, welfare, and prosperity. Congress has recognized this challenge, and in accord with its responsibilities is preparing a response. Numerous proposals are now before the Congress to deal with what some of our best informed scientists and political leaders describe as an "environmental crisis." The purpose of this report is not to "view with alarm," but to raise the issue of whether there is a need for a national environmental policy and to discuss some of the major elements which might be considered for inclusion in such a policy. This report is intended to bring the issue of environmental policy into as sharp a focus as the complexity of its

subject matter permits, and to identify some of the basic questions that would be encountered in shaping a national policy.

The threat of environmental deterioration, which the President of the United States has described as "a crisis of choice," is largely the result of the unprecedented impact of a dual explosion of population and technology upon limited resources of air, water, land, and living space. This challenge has not occurred before in American history nor in the history of civilization. Today the threat this challenge presents is widely recognized. Calls for action have come from many sectors of American society: from labor, from business, from agriculture, from science, from civic bodies, from religious, cultural and ethnic groups, from public agencies and from the elected representatives of the people. Symbolizing the national concern, the Department of the Interior entitled its 1968 Conservation Yearbook "Man—An Endangered Species?"; and the Chamber of Commerce of the United States has issued a call for action in a pamphlet bearing the headline "The Need: To Manage Our Environment." These publications, together with many others listed in appendix A, document the evidence and provide an understanding of the dangers and costs of environmental deterioration. When these dangers and costs are understood, the need for a continuing effort to refine and establish a countervailing policy is apparent.

Therefore, the issue before the American people and their elected representatives is the kind of policy that will meet the need. To be effective, a national policy for the environment must be compatible and consistent with many other needs to which the Nation must respond. But it must also define the intent of the American people toward the management of their environment in terms that the Congress, the President, the administrative agencies and the electorate can consider and act upon. A national policy for the environment—like other major policy declarations—must be concerned with principle rather than with detail; but it must be principle which can be applied in action. The goals of effective environmental policy cannot be counsels of perfection; what the Nation requires are guidelines to assist the Government, private enterprise and the individual citizen to plan together and to work together toward meeting the challenge of a better environment. At the risk of some oversimplification, the task may be summarized in these terms:

(1) To arrest the deterioration of the environment.

(2) To restore and revitalize damaged areas of our Nation so that they may once again be productive of economic wealth and spiritual satisfaction.

(3) To find alternatives and procedures which will minimize and prevent future hazards in the use of environment-shaping technologies, old and new.

(4) To provide direction and, if necessary, new institutions and new technologies designed to optimize man-environment relationships and to minimize future costs in the management of the environment.

The challenge of environmental management is, in essence, a challenge of modern man to himself. The principal threats to the environment are those that man himself has induced. A national policy for the environment is thus above all else a national policy for the welfare and survival of man. It is one more step in the journey of the American people from political independence toward knowledgeable self-determination in its most fundamental and democratic sense.

#### A NATIONAL POLICY FOR THE ENVIRONMENT

##### Introduction

This report is based upon the assumption that the threat of environmental mismanagement and deterioration to the security and welfare of the United States has been established. (See app. A.) There are differ-

ences of opinion as to the security and relative urgency of various hazards to the environment. Some scientists believe that man's environmental relationships have reached a point of crisis; others do not see the condition of the environment generally as having yet reached a critical stage. But there is, nevertheless, general consensus throughout most walks of life that a serious state of affairs exists and that, at the least, it is approaching a crisis of national and international proportions. The focus of this report is therefore on national policy to cope with environmental crisis, present or impending, rather than with documenting the facts relating to environmental deterioration.

#### Part I. Requirements for policy effectiveness

Effective policy is not merely a statement of things hoped for. It is a coherent, reasoned statement of goals and principles supported by evidence and formulated in language that enables those responsible for implementation to fulfill its intent. This section of the report describes some of the interrelating conditions that appear necessary to an effective national policy for the environment. The discussion will be developed under the following five headings:

- (1) Understanding Imminent Need.
- (2) Recognizing Costs.
- (3) Marshaling Relevant Knowledge.
- (4) Facilitating Policy Choice.
- (5) National Policy and International Cooperation.

##### 1. Understanding Imminent Need

An effective and enlightened environmental policy is a response to the needs of man in relation to his environment. The response may involve the control of man's behavior on behalf of the larger interests of mankind where those interests are clearly perceived and widely held. Man's relationships with his environment are, of course, multitudinous and complex. Control by governments, by international organizations, or by other institutions, cannot feasibly be extended to every aspect of the environment nor to more than a fraction of the actual points of impact of individual man upon his environment. Policy effectiveness consequently depends very largely upon the internalization, in the human individual, of those understandings, values, and attitudes that will guide his conduct in relation to his environment along generally beneficial lines. A major requisite of effective environmental policy is therefore intelligent and informed individual self-control.

There is substantial evidence to indicate that large numbers of Americans perceive the need for halting the spread of environmental decay. It is also evident, however, that few recognize the connection between the conditions which they deplore and the absence of any explicit and coherent national policy on behalf of environmental quality.

Man is confronted by a circumstance that is totally new in human history. He has rapidly completed the occupancy of the easily inhabitable areas of the earth while his numbers have increased at an exponential and accelerating rate. Simultaneously, unprecedented economic power and advances in science and technology have permitted man to make enormously increased demands upon his environment. In no nation are these coincidental developments more dramatically evident than in the United States. And yet many Americans find it difficult to understand why sound environmental management should now suddenly become "everybody's business." Long-accepted ways of thinking and acting in relation to one's surroundings are now being called into question. Understanding of what has happened can be helped by a simple exercise in arithmetic.

At the time of the American Revolution the total human population of the present-

day continental United States could hardly have exceeded 3 million individuals. The demands of the American Indian and European colonists on the Atlantic seaboard were very light when contrasted with current exactions. By the close of the 20th century, if the population of this same area approximates 300 million, the daily stress man places on the environment will, on the basis of mere numbers, have increased 100 times over. Technology has alleviated some forms of stress (as on forests for fuel or on wildlife for food), but it has greatly increased environmental stress in general. The net result has been enormously increased demands upon the environment in addition to the increase in population. Calculation of an average per man-year stress upon the environment, estimated from A.D. 1700 to 2000, and adjusted for technological factors at particular historical periods, would be a powerful persuader of the need for a sensitive and forward-looking national environmental policy. The exponential increase in the pressure of man and his technology upon the environment, particularly since World War II, is the major cause of the need for a national environmental quality effort.

The rate at which the Nation has changed since 1890 when the frontier officially ceased to exist has been unexcelled by any other social transformation in history. Scarcely one long generation removed from the last days of the frontier, America has become an urbanized and automated society with publicly institutionalized values in social security, labor relations, civil rights, public education, and public health that would have been utopian less than a century ago. In the absence of a system for adequately assessing the consequences of technological change, who could have predicted the many ways in which applied science would transform the conditions of American life? Powerful new tools applying the discoveries in chemistry, physics, biology, and the behavioral sciences were put to work for improving the health, wealth, comfort, convenience, and security of Americans. Utilizing the vast natural resources of the American environment, the world's highest standard of living was achieved in an amazingly short period of time. Unfortunately, our productive technology has been accompanied by side effects which we did not foresee. Experience has shown us that there are dangers as well as benefits in our science-based technology. It is now becoming apparent that we cannot continue to enjoy the benefits of our productive economy unless we bring its harmful side effects under control. To obtain this control and to protect our investment in all that we have accomplished, a national policy for the environment is needed.

Although Americans have enjoyed prodigious success in the management of their economy they have been much less successful in the management of natural resources. As a people we have been overly optimistic, careless, and at times callous in our exactions from the natural environment. The history of soil exhaustion and erosion, of cut-over forest lands, of slaughtered wildlife document a few of our early failures to maintain the restorative capacities of our natural resources. Fortunately many of these early failures have been corrected or are now being remedied. But our exploding population and technology have created more subtle dangers, less easily detected and more difficult to overcome.

These more recent dangers have been documented in testimony before the Congress and in the reports of scientific committees (app. A). They confront us with the possibility that the continuation of present trends affecting, for example, (a) the chemistry of the air, (b) the contamination of food and water, (c) the use of open land and living space, and (d) the psychophysical stress of crowding, noise and interpersonal tension on urban populations, may infinitely degrade

the existence of civilized man before the end of this century. These are not the exaggerated alarms or unsubstantiated predictions of extremists; they are sober warnings of competent scientists supported by substantial demonstrable evidence. The practical course is, therefore, to forestall these threats before they have outgrown our technical, economic, legal, and political means to overcome them. Fortunately, we still have a choice in this matter. We still have a relatively wide range of alternatives available in managing the environment.

It may be contended that the problems of the environment must wait until more urgent political issues are resolved. Problems of national security, poverty, health, education, urban decay, and underdeveloped nations have just and appropriate claims for priority in national attention and public expenditure. Yet many aspects of these problems involve environmental policy. Three of the most urgent—the slums and ghettos of the great cities; increasing disability and death from diseases induced by environmental factors (for example, cancer, emphysema, mental disorders); and the decline and decay of rural areas (for example, in Appalachia) furnish persuasive reasons for a national environmental policy. Before billions of dollars are spent in attempts to alleviate these social ills, it would be wise to be sure that environmental factors causing or accompanying these conditions are properly identified and remedied. We may otherwise worsen the state of our economy and environment without solving the underlying social problems.

In summary, within the present generation the pressures of man and technology have exploded into the environment with unprecedented speed and unforeseen destructiveness. Preoccupied with the benefits of an expanding economy the American people have not readily adopted policies to cope with the attendant liabilities. Popular understanding of the need to forestall the liabilities in order to preserve the benefits is now becoming widespread, and provides the political rationale for the development of a national policy for the environment, and for a level of funding adequate to implement it.

## 2. Recognizing Costs

The nation long ago would probably have adopted a coherent policy for the management of its environment, had its people recognized that the costs of overstressing or misusing the environment were ultimately unavoidable. This recognition was arrived at belatedly for several reasons: *First*, environmental deterioration in the past tended to be gradual and accumulative, so that it was not apparent that any cost or penalty was being exacted; *second*, it seemed possible to defer or to evade payment either in money or in obvious loss of environmental assets; *third*, the right to pollute or degrade the environment (unless specific illegal damage could be proved) was widely accepted. Exaggerated doctrines of private ownership and an uncritical popular tolerance of the side effects of economic production encouraged the belief that costs projected onto the environment were costs that no one had to pay.

This optimistic philosophy proved false as many regions of the Nation began to run out of unpolluted air and water, as the devastation of strip mining impoverished mining communities, as the refuse of the machine age piled up in manmade mountains of junk, as the demand for electricity and telecommunications arose to fester on the Nation with skeins of cables strung from forests of poles, and as the tools of technology increasingly produced results incompatible with human well-being. Under the traditional "ground rules" of production, neither enterprise nor citizen was called upon to find alternatives or to pay for measures that would have prevented or lessened ensuing loss of environmental quality. Payment continued to be

exacted in the loss of amenities the public once enjoyed, and in the costs required to restore resources to usefulness and to support the public administration that environmental deterioration entailed. When the public began to demand legislation to control pollution and to prevent environmental decay, the reaction of those involved in environment degrading activities was often one of counter-indignation. Businessmen, municipalities, corporations and property owners were confronted with costs in the form of taxes or the abatement of nuisances that they had never before been called upon to pay. They were now about to be penalized for behavior which America had long accepted as normal.

What is now becoming evident is that there is no way in the long run of avoiding the costs of using the environment. The policy question is not whether payment shall be made; it is when payment shall be made, in what form, and how the costs are to be distributed. Hard necessity has made evident the need for payment to obtain air and water of quality adequate to meet at least minimum standards of health and comfort. Scientific knowledge and rising levels of amenity standards have added to public expectation that protection against environmental damage will be built into the products and production costs of manufacturers.

Lack of a national policy for the environment has now become as expensive to the business community as to the Nation at large. In most enterprises a social cost can be carried without undue burden if all competitors carry it alike. For example, industrial waste disposal costs can, like other costs of production, be reflected in prices to consumers. But this becomes feasible only when public law and administration put all comparable forms of waste-producing enterprises under the same requirements. Moreover it has always been an advantage to enterprise to have as clear a view as possible of future costs and requirements. When public expectations and "ground rules" change, however, as they have been changing recently on environmental quality issues, the uncertainty of resulting effects upon business costs, and the necessity for adjustment to unexpected expenses and regulations, is disconcerting and hardly helpful.

A national policy for the environment could provide the conceptual basis and legal sanction for applying to environmental management the methods of systems analysis and cost accounting that have demonstrated their value in industry and in some areas of government. It has been poor business, indeed, to be faced with the billions of dollars in expenses for salvaging our lakes and waterways when timely expenditures of millions or timely establishment of appropriate policies would have largely preserved the amenities that we have lost and would have made unnecessary the cost of attempted restoration. A national system of environmental cost accounting expressed not only in economic terms but also reflecting life-sustaining and amenity values in the form of environmental quality indicators could provide the Nation with a much clearer picture than it now has of its environmental condition. It would help all sectors of American society to cooperate in avoiding the overdrafts on the environment and the threat of ecological insolvency that are impairing the national economy today.

It is not only industrial managers and public officials who need to recognize the unavoidable costs of using the environment. It is, above all, the individual citizen because he must ultimately pay in money or in amenities for the way in which the environment is used. If, for example, he likes to eat lobster, shrimp or shellfish, the citizen must reconcile himself to either paying dearly for these products or indeed finding them unobtainable at any price, unless we find ways to

preserve America's coastline and coastal waters. The individual citizen may also have to pay in the cost of illness and in general physical and psychological discomfort. And these costs, of course, are not incurred voluntarily.

In the interest of his welfare and of his effectiveness as a citizen the individual American needs to understand that environmental quality can no longer be had "for free." Recognition of the inevitability of costs for using the environment and of the forms which these costs may take is essential to knowledgeable and responsible citizenship on environmental policy issues.

In summary, the American people have reached a point in history where they can no longer pass on to nature the costs of using the environment. The deferral of charges by letting them accumulate in slow attrition of the environment, or by debiting them as loss of amenities will soon be no longer possible. It is no longer feasible for the American people to permit it. The environmental impact of our powerful, new, and imperfectly understood technology has often been unbelievably swift and pervasive. Specific effects may prove to be irreversible. To enjoy the benefits of technological advance, the price of preventing accidents and errors must be paid on time. From now on "pay-as-you-go" will increasingly be required for insuring against the risks of manipulating nature. This means merely that provision must be made for the protection, restoration, replacement, or rehabilitation of elements in the environment before, or at the time, these resources are used. Later may be too late.

### 3. Marshaling Relevant Knowledge

For many years scientists have been warning against the ultimate consequences of quiet, creeping, environmental decline. Now the decline is no longer quiet and its speed is accelerating. The degradation is destroying the works of man as well as of nature. We are confronted simultaneously with environmental crisis in our cities and across our open lands and waters. The crisis of the cities and the crisis of the natural and rural environments have many roots in common, although they may erroneously be viewed as extraneous to one another, or even as competitive for public attention and taxation. In fact, both crises stem from an ignorance of and a disregard for man's relationship to his environment.

An effective environmental policy in the past might have prevented and would certainly have focused attention upon the wretched conditions of urban and rural slums. It would surely have stimulated a search for knowledge that could have helped to correct and prevent degraded conditions of living. It is now evident that the fabric of American society can no longer contain the growing social pressure against slum environments. Today, remedial measures are being forced by social violence and by the social and economic costs of environmental decay; but it is not certain that the remedies take full account of the nature of the ailment. The pressure upon the urban environment is acute and overt; it is dramatized, it has obvious political implications, and it hurts. Conversely, the degradation of natural and rural environments is more subtle. Stress may reach the point of irreparable damage before there is full awareness that a danger exists. What is needed therefore is a systematic and verifiable method for periodically assessing the state of the environment and the degree and effect of man's stress upon it, as well as the effect of the environment and environmental change on man.

One would expect to be able to look to the universities and to the great schools and institutes of agriculture, engineering, and public health as constituting an environmental intelligence system. Unfortunately however, no such system exists. Man-environment relationships per se have seldom been

studied comprehensively. Various disciplines have concerned themselves with particular aspects of environmental relationships. Geographers, physiologists, epidemiologists, evolutionists, ecologists, social and behavioral scientists, historians, and many others have in various ways contributed to our knowledge of the reciprocal influences of man and environment. But the knowledge that exists has not been marshaled in ways that are readily applicable to the formulation of a national policy for the environment. At present, there are many gaps in our knowledge of the environment to which no discipline has directed adequate attention.

It should not be surprising that there is a lack of organized knowledge relating to environmental relationships. Society has never asked for this knowledge, and has neither significantly encouraged nor paid for its production. By way of contrast, public opinion has supported the costs of high-energy physics as reasonable, even though direct and immediate applications to public problems are relatively few. But public opinion has been guided in part by the judgment of the scientific community and of the leaders of higher education. Only recently have the scientific community and the universities begun to interest themselves institutionally in man-environment relationships, perceived in the totality in which they occur in real life.

Environmental studies in the universities are as yet largely focused on separate phases of man-environment relationships. This, in itself, is not undesirable; it is in fact necessary to obtain the degree of specialization and intensive study that many environmental problems require. The inadequacy lies in the lack of means to bring together existing specialized knowledge that would be relevant to the establishment of sound policies for the environment. There is also need for greatly increased attention to the study of natural systems, to the behavior of organisms in relation to environmental change, and to the complex and relatively new science of ecology. There is need for synthesis as well as for analysis in the study of man-in-environment.

A reciprocal relationship exists between the interests of public life and the activities of American universities. Public concern with a social problem when expressed in terms of public recognition or financial support, stimulates related research and teaching in the colleges and universities. Research findings and teaching influence the actions of government and the behavior of society. This relationship has been exceptionally fruitful in such fields as agriculture, medicine, and engineering. It has not, as yet, developed strength in the field of environmental policy and management. Nevertheless a beginning is being made in some colleges and universities, and in a number of independent research organizations and foundations, to provide a more adequate informational base for environmental policy.

Recognition of the need for a more adequate informational base for environmental policy has not been confined to academic institutions or to government. Speaking to the 1967 plenary session of the American Institute of Biological Sciences, Douglas L. Brooks, president of the Traveler's Research Center, declared that " \* \* \* We need to recognize environmental quality control as a vital social objective and take steps to establish the field of environmental management as a new cross-disciplinary applied science professional activity of extraordinary challenge and importance."

To date, action by Government to assist the marshaling of relevant knowledge has been uncoordinated and inconstant. With the exception of defense and space-related technical investigations, the amount of money made available for environmental research has been relatively meager and has been allo-

cated largely along conventional disciplinary lines. Specialized aspects of research on man-environment relationships have been well funded by the Atomic Energy Commission, the Department of Defense, and the National Aeronautics and Space Administration. But much of this work is highly technical and is appropriately directed toward problems encountered in the missions of these agencies. More broadly based are the interests of the National Science Foundation, but the Foundation's resources for funding academic research relating to environmental policy are small. For a brief period the most promising source of support for the kind of knowledge needed for environmental policy effectiveness was the U.S. Public Health Service. In the mid-1960's, the Service began to assist the establishment of broadly based environmental health science centers in selected universities. But a shift of emphasis in the Public Health Service brought this effort to an untimely standstill. The National Institutes of Health fund a significant body of health-related environmental research, but little of it appears to be policy-related.

The Science Information Exchange of the Smithsonian Institution, surveying the general field of Government-funded research for the Senate Interior and Insular Affairs Committee, found (not unexpectedly) that there were heavy concentrations of research where Government funding was heaviest—notably in physical science and the biomedical aspects of the environment. Government-funded research of broadly cross-disciplinary or policy-oriented character appeared to be almost negligible in volume and in funding. It is probable that policy problems are investigated in the course of substantive research; but it is evident that we have not yet made a conscious decision to organize and fund the effort which students of environmental policy and management see as the necessary first step to an adequate environmental information system.

To provide facilities and financial support for new research on natural systems, environmental relationships and ecology on an independent, but publicly financed basis, a National Institute of Ecology has been proposed by a group of scientists associated with the Ecological Society of America and assisted by the National Science Foundation. The functions proposed for this institute are worth restating in brief, as indicative of the contribution that ecologists would like to make toward strengthening the Nation's capacity to cope with its environmental problems. Defining ecology to be " \* \* \* the scientific study of life-in-environment," the proponents of a National Institute of Ecology state that it is needed (1) to conduct large-scale multi-disciplinary field research beyond the capacities of individual researchers or research institutions, (2) to provide a central ecological data bank on which ecologists and public agencies can draw, (3) to coordinate and strengthen activities of ecologists in relation to ecological issues in public affairs, and to promote the infusion of ecology into general education at all levels, and (4) to perform advisory services for government and industry on action programs affecting the environment. The principal purpose of the proposed institute is not, however, to study public policy or education, but to do more and better ecology.

These efforts and proposals, and many others unreported here, are constructive contributions to the task of marshaling the knowledge needed for an effective national policy for the environment. They do not, however, add up to a national information system, nor do they necessarily present information and findings relative to the environment in forms suitable for review and decision by the Nation's policymakers. The ecological research and surveys bill introduced by Senator Gaylord Nelson in the 89th Congress would have established a national research and information system under the direction of the

Secretary of the Interior. Similar proposals have been incorporated in a number of bills introduced in the 90th Congress, including S. 2805 by Senators Jackson and Kuchel. (See app. B.) An important difference between the proposals before the 90th Congress and the efforts and proposals described in the preceding paragraphs is that in pending legislation the knowledge assembled through survey and research would be systematically related to official reporting, appraisal, and review. The need for more knowledge has been established beyond doubt. But of equal and perhaps greater importance at this time is the establishment of a system to insure that existing knowledge and new findings will be organized in a manner suitable for review and decision as matters of public policy.

In summary, to make policy effective through action, a comprehensive system is required for the assembly and reporting of relevant knowledge; and for placing before the President, the Congress, and the people, for public decision, the alternative courses of action that this knowledge suggests. With all its great resources for research, data processing, and information transmittal, the United States has yet to provide the financial support and operational structure that would permit these resources to implement a public policy for the environment.

#### 4. Facilitating Policy Choice

The problem of organizing information for purposes of policy-oriented review leads directly to the need for a strategy of policy choice. Environmental policymaking presents certain organizational difficulties. It must draw heavily upon scientific information and yet it embraces important considerations and issues that are extraneous to science policy. Insofar as environmental policy is dependent upon scientific information, it is handicapped by the insufficiency of the research effort and the inadequacies of information handling described in the preceding paragraphs. In a review of U.S. science policy by the Organization for Economic Cooperation and Development, the European examiners cited environmental problems as one of the areas of inquiry that American science was not well organized to attack. The criticism was directed not at the accomplishments of American science in support of major technical undertakings; it was instead concerned with the absence of a system and a strategy adequate to deal with the problems of the environment, and of social relationships and behavior, on a scale which their comprehensive and complex subject matters require.

Insofar as science is an element in environmental policymaking, the Office of Science and Technology affords a mechanism for enlisting the resources of the scientific community, for establishing study groups and advisory panels on specific issues, and for presenting their recommendations to the President. In the coordination of scientific aspects of environmental policy, the Federal Council of Science and Technology, in association with the Office of Science and Technology, is the more general of several coordinative or advisory bodies in the executive branch. (See app. C.) The establishment of special councils for marine resources and engineering development, for water resources, for recreation and natural beauty, among other purposes, complicates to some extent the function of policy advice. None of these bodies are constituted to look at man-environment relations as a whole; none provide an overview; none appear fully to answer the need for a system to enable the President, the Congress, and the electorate to consider alternative solutions to environmental problems.

Possible answers to the need for a system to assist national policy choice may be found in legislative proposals to create councils on environmental quality or councils of ecological advisers. These councils are conceived as bridges between the functions of environ-

mental surveillance, research, and analysis, on the one hand, and the policymaking functions of the President and the Congress on the other. The particular and indispensable contribution of the Council to environmental policy would be twofold. The first would be, using S. 2805 for purposes of illustration, " . . . to study and analyze environmental trends and the factors that effect these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation." Most proposals call for a report on the state of the environment from the Council to the President and from the President to the Congress. S. 2805, for example, states that the Council shall provide advice and assistance to the President in the formulation of national policies, and that it shall also make information available to the public. The bill further provides that " . . . The Council shall periodically review and appraise new and existing programs and activities carried out directly by Federal agencies or through financial assistance and make recommendations thereon to the President."

From this enumeration of the Council's functions several inferences may be drawn. *First*, the proposed environmental advisory councils are not science advisory bodies. They are instructed in pending legislative proposals to take specified factors, including the scientific, into account in the course of their analysis and recommendations on environmental policy issues. *Second*, the councils are not primarily research or investigatory bodies even though they have important investigatory functions. They are essentially policy-facilitating bodies. *Third*, their functions are those of analysis, review, and reporting. Their nearest functional counterpart is probably the Council of Economic Advisers. *Fourth* and finally, councils on the environment, such as proposed by some of the measures listed in appendix B, must be located at the highest political levels if their advisory and coordinative roles are to be played effectively. For this reason the proposals have generally established the Council in the Executive Office of the President. However, the Technology Assessment Board proposed by Representative Emilio Q. Daddario, which would perform many functions similar to those of the environmental councils, would be an independent body responsible primarily to the Congress.

This brings the discussion to the role of the Congress in facilitating policy choice. Some have found the formal committee structure of the Congress to be poorly suited to the consideration of environmental policy questions. Senator Edmund Muskie has proposed a Select Committee of the Senate on Technology and the Human Environment to facilitate consideration of related environmental issues that would normally be divided among a number of Senate committees. Others have proposed that a Joint Committee on the Environment, representative of the principal committees of the House and the Senate concerned with environmental policy issues, should be established to review a proposed annual or biennial report of the President on the state of the environment. Many Congressmen, however, feel that the policy of establishing new committees to deal with each new problem area should be resisted and that the present committees should assume their legislative and oversight responsibilities in this area. Meanwhile the informal and practical operations of legislative business permits the present standing committees to function with remarkable speed and dexterity where the will to legislate exists.

In summary, policy effectiveness on environmental issues will require some form of high-level agency in the executive branch for reviewing and reporting on the state of the environment. No existing body seems appropriate for this function. To meet this

need, and under various names, a council for the environment has been suggested and has been incorporated in numerous legislative proposals. Provision for a policy assisting body in the executive branch suggests to some the desirability of a comparable committee in the Congress.

#### 5. National Policy and International Cooperation

In his address to the graduating class at Glassboro State College on June 4, 1968, President Lyndon B. Johnson called for the formation of a permanent "international council on the human environment." The ecological research and surveys bill first offered in 1965 by Senator Gaylord Nelson authorized participation by the United States with "other governments and international bodies in environmental research." Similarly, S. 2805 and other pending measures authorize " . . . environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations . . ."

These and other expressions of the willingness and intent of the United States to cooperate with other nations and with international organizations on matters of environmental research and policy reinforce the argument for a national environmental policy. Although the United States could cooperate internationally on many specific issues without a national policy, it could do so more effectively and comprehensively if its own general position on environmental policy were formally and publicly enunciated.

The United States, as the greatest user of natural resources and manipulator of nature in all history, has a large and obvious stake in the protection and wise management of man-environment relationships everywhere. Its international interests in the oceanic, polar, and outer space environments are clear. Effective international environmental control would, under most foreseeable contingencies, be in the interest of the United States, and could hardly be prejudicial to the legitimate interests of any nation. American interests and American leadership would, however, be greatly strengthened if the Nation's commitment to a sound environmental policy at home were clear.

#### Part II. Questions of implementation

What significance would adoption of a national policy for the environment hold for the future of government in the United States? At the least, it would signify a determination by the American people to assume responsibility for the future management of their environment. It would not imply an all-inclusive Federal or even governmental environmental administration. The task is too widespread, multitudinous, and diverse to be wholly performed by any single agency or instrumentality. There are important roles to be played at every level of government and in many sectors of the nongovernmental economy. Nevertheless a new policy, and particularly a major one, is certain to arouse some apprehensions.

In the Federal agencies, among the committees of the Congress, in State governments, and among businesses whose activities impinge directly upon the environment and natural resources, there would be understandable concern as to what changes for them might be implicit in a national policy for the environment. The objection is certain to be raised that Government is already too large and that there are already too many agencies trying to manage the environment. "Please—not one more," will be an oft-repeated plea. These fears, however, are largely those that always accompany a new public effort regardless of its purpose, direction, or ultimate benefit. Very few people oppose, in principle, public action on behalf

of quality in the environment. It is implementation that raises questions and arouses apprehension.

It would be unconvincing to assert that no interest, enterprise, or activity will be adversely affected by a national environmental quality effort. There is no area of public policy that does not impose obligations upon, nor limit the latitude for action of important sectors of society. But while activities harmful to man's needs and enjoyments in the environment must necessarily be curbed, it is also true that all Americans, without exception, would benefit from an effective national environmental policy. In brief, although all would benefit, a relative few might be required to make adjustments in business procedures or in technological applications.

For the foregoing reasons, a report on the need for a national policy for the environment would be incomplete if it did not raise, at least for the purposes of discussion, some major questions that the establishment as such a policy would imply. These are mainly questions of how a decision to establish a national policy would be implemented in practice. They are questions to be answered by the Congress and by the President. But in their answers, the policy-determining branches of Government will need to consider a number of issues subsidiary to those major questions.

To better illustrate the issues involved in these questions, reference will be made to S. 2805. No claim of special priority is implied by these references. Many of the bills now pending on this issue have similar provisions. Any one bill might serve as well as any other.

#### 1. What Are the Dimensions of an Environmental Policy and How Are They Distinguishable From Other Areas of National Concern?

This is the fundamental question. It would be unreasonable to expect that its metes and bounds could be defined more clearly than those of the more familiar policy areas of national defense, foreign relations, civil rights, public health, or employment security. The field of definition can be narrowed, however, by identifying those concepts with which it might be confused but from which it should be clearly distinguished.

Environmental policy, broadly construed, is concerned with the maintenance and management of those life-support systems—natural and manmade—upon which the health, happiness, economic welfare, and physical survival of human beings depend. (See app. D.) The quality of the environment, in the full and complex meaning of this term, is therefore the subject matter of environmental policy. The term embraces aspects of other areas of related policy or civic action, and it is important that environmental policy and environmental quality, in the broad sense, be distinguished from these related but sometimes dissimilar policies or movements.

Environmental policy should not be confused with efforts to preserve natural or historical aspects of the environment in a perpetually unaltered state. Environmental quality does not mean indiscriminate preservationism, but it does imply a careful examination of alternative means of meeting human needs before sacrificing natural species or environments to other competing demands.

Environmental quality is not identical with any of the several schools of natural resources conservation. A national environmental policy would, however, necessarily be concerned with natural resource issues. But the total environmental needs of man—ethical, esthetic, physical, and intellectual, as well as economic—must also be taken into account.

Environmental policy is not merely the application of science and technology to problems of the environment. It includes a broader range of considerations. For this rea-

son S. 2805, in proposing a Council on Environmental Quality, does not stipulate that its five members be scientists, although it obviously would not preclude scientists among them.

One of the few differences in emphasis among the environmental policy bills now before the Congress has to do with the role of ecologists and of the science of ecology in the shaping of national policy. The need for a greatly expanded program of national assistance for ecological research and education cannot be doubted by anyone familiar with present trends in the environment. The science of ecology can provide many of the principal ingredients for the foundation of a national policy for the environment. But national policy for the environment involves more than applied ecology, it embraces more than any one science and more than science in the general sense.

The dimensions of environmental policy are broader than any but the most comprehensive of policy areas. The scope and complexities of environmental policy greatly exceed the range and character of issues considered, for example, by the Council of Economic Advisers. One may therefore conjecture, without derogation to the unquestionable importance of the economic advisory function, that a council on the environment would, in time, perhaps equal and even exceed in influence and importance any of the specialized council bodies now in existence. For this reason its membership should be broadly representative of the breadth and depth of national interests in man-environment relationships. The ultimate scope of environmental policy, and the relationship of a high-level implementing council to existing councils, commissions, and advisory agencies, are not questions that can be, or need to be, decided now, nor even at the time that a national policy may be adopted. The important consideration is to develop a policy and to provide a means that will permit its objectives to be considered and acted upon by the Congress, the President, and the executive agencies. If we wait until we are certain of the dimensions of environmental policy and of how it will relate to other responsibilities and functions of Government, our assurance will be of no practical value. It will have come too late to be of much help.

#### 2. Upon What Considerations and Values Should a National Environmental Policy Be Based?

If it is ethical for man to value his chances for survival, to hope for a decent life for his descendants, to respect the value that other men place upon their lives, and to want to obtain the best that life has to offer without prejudicing equal opportunities for others, then the cornerstone of environmental policy is ethical. That cornerstone is the maintenance of an environment in which human life is not only possible, but may be lived with the fullest possible measures of personal freedom, health, and esthetic satisfaction that can be found. No government is able to guarantee that these values can be realized, but government is able to assist greatly in the maintenance of an environment where such values are at least realizable.

Ethics, like justice, is not easily quantifiable, yet few would argue that society should not seek to establish justice because justice cannot be adequately defined or quantified. Environmental policy is a point at which scientific, humanistic, political, and economic considerations must be weighed, evaluated, and hopefully reconciled. Hard choices are inherent in many policy issues. The sacrifice of a plant or animal species, for example, or of a unique ecosystem ought not to be permitted for reasons of short-run economy, convenience, or expediency. The philosophy of reverence for life would be an appropriate guiding ethic for a policy that

must at times lead to a decision as to which of two forms of life must give way to a larger purpose.

The natural environment has been basically "friendly" toward man. Man's survival is dependent on the maintenance of this environment, but not upon the unaltered operation of all of its myriad components. Pathogenic micro-organisms, for example, are not revered by man. Protection against them is a major task of environmental health and medicine. But even here, respect for the incredible variety, resilience, and complexity of nature is a value that environmental policy would be wise to conserve. Frontal attacks upon man's environmental enemies or competitors, identified as pathogens or as "pests," have miscarried too often to encourage the thought that direct action on threats in the environment are always wise, economical, or effective.

The range of values to be served by environmental policy is broad and an indication of how its scope might be defined may be obtained from the provisions of S. 2805 which specify the considerations to which the Council on Environmental Quality should respond: "Each member shall, as a result of training, experience, or attainments, be professionally qualified to analyze and interpret environmental trends of all kinds and descriptions and shall be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interests of this Nation."

The assessment and interpretation of these needs and interests is obviously a function that the members of the Council would have to perform to the best of their ability. No more than in the election of legislators or in the appointment of judges, would it be possible to stipulate how these or other values should be understood and weighted. The reputations and characters of the individuals appointed to the Council would offer the best indication of how the specifications of the law might be construed. But the findings and conclusions of the Council need not be wholly subjective or based upon speculative data. The methods of systems analysis, cybernetics, telemetry, photogrammetry, electronic and satellite surveillance, and computer technology are now being applied to a wide range of environmental relationships. New statistical and computerized simulation techniques are rapidly bringing ecology from what has been described as "one of the most unsophisticated of the sciences," to what may become one of the most complex, intellectually demanding, and conceptually powerful of the sciences.

In brief, the values and considerations upon which a national environmental policy should be based should be no less extensive than the values and considerations that men seek to realize in the environment. In the interpretation of these values and considerations science can play a role of great importance. But neither science, nor any other field of knowledge or experience, can provide all of the criteria upon which environmental policies are based. The full range of knowledge and the contributions of all of the scientific and humanistic disciplines afford the informational background against which value judgments on environmental policy may most wisely be made.

#### 3. How Should the Information Needed for a National Environmental Policy Be Obtained and Utilized?

Of all major questions on the implementation of environmental policy, this one is probably the least difficult. It is in part a technical question; yet to describe it as technical is not to suggest that it can be easily answered. There is no present system for bringing together, analyzing, collating, digesting, interpreting, and disseminating existing information on the environment. There is accordingly no reliable way of ascertaining what aspects of man-environment

relationships are unresearched or hitherto unidentified. The question is less difficult than others primarily because it is clearly possible to design an information system, to fund its implementation, and to put it into effect. The particular form in which the data should finally appear, and the method of its subsequent disposition are more problematic.

Title I of S. 2805, and other measures proposed on behalf of a national environmental policy, make provision for the functions of information gathering, storage and retrieval, dissemination, and for enlarging the available information through assistance to research and training. The detailed provisions of S. 2805 on an environmental information system are numerous and need not be repeated here. The significant feature of these provisions is that they create an information system designed and intended to serve the policymaking processes of government.

Most of the environmental quality bills place this information function under the direction of the Secretary of the Interior. But they relate its data-gathering functions to those of other Federal agencies and they provide for the transmittal of its findings to a high-level reviewing body and to the President and the Congress. In the provision for organizing environmental information into a form that is usable for policy formation, this proposal represents a step toward greater rationality in government and toward the more effective use of modern information systems and technology to serve public purposes.

#### 4. How Should a National Environmental Policy Be Implemented and Periodically Reviewed for Refinement or Revision?

Some innovation and restructuring of policy-forming institutions will be required to achieve the purposes of a national environmental policy. Our present governmental organization has not been designed to deal with environmental policy in any basic or coherent manner. (See app. C.) The extent to which governmental reorganization may be necessary cannot be determined absolutely in advance of experience. But it does seem probable that some new facility at the highest levels of policy formulation will be needed to provide a point at which environmental policy issues cutting across the jurisdictional lines of existing agencies can be identified and analyzed, and at which the complex problems involved in man's relationships with his environment can be reduced to questions and issues capable of being studied, debated, and acted upon by the President, the Congress, and the American people. As we have seen, some of the bills on environmental policy now pending in the Senate and the House of Representatives (see app. B) provide a point of focus for this new area of policy through a high-level board or council. Many of these bills provide for periodic reports on the state of the environment to the policy-determining institutions of the Nation—the President and the Congress—and, as these reports are matters of public record, to the American people who must be the final judges of the level of environmental quality they are willing to support.

As noted in the preceding paragraphs, improved facilities for the finding, analysis and presentation of pertinent factual data are needed. A vast amount of data is now collected by Federal agencies and by private research organizations; but this data is uneven in its coverage of the various aspects of environmental policy. For example, there is a superabundance of technical information on some aspects of environmental pollution, but comparatively little research on the social and political aspects of environmental policy. Much of the data now available is in a form unsuitable for policy purposes. The sheer mass of data, much of it highly technical on certain major environmental problems, is a serious impediment

to its use. For this reason the legislative proposals on national environmental policy provide a system for reinforcing, supplementing, and correlating the flow of information on the state of the environment.

These two major needs, (a) a high-level reviewing and reporting agency and (b) an information gathering and organizing system, are the essential structural innovations proposed in bills now before the Congress for implementing a national environmental policy. Would these additions to the present structure of government be sufficient to implement a national environmental quality program and how in particular would the proposed high-level Council be related to other agencies in the federal structure of government?

New policies and programs imply structures appropriate to their functions and may call for new relationships among existing agencies. To construct a comprehensive structure for environmental administration will require time, and meanwhile the need for leadership in informing the people and in formulating policy recommendations and alternatives grows more urgent. It is for this reason that some of the measures which have been introduced propose that a Council for Environmental Quality be established in the Executive Office of the President. In effect, the Council would be acting as agent for the President. It would need information from the various Federal departments, commissions, and independent agencies that, under prevailing organization, it could not as easily obtain if it were located at a level coequal or subordinate to the divisions of Government whose programs it must review. Reinforcing this consideration is the distribution of environment-affecting activities among almost every Federal agency.

Objection may be raised that there are already too many councils and committees established in the Executive Office of the President. Some students of public administration argue that a simplification of structure and a clarification of existing responsibilities should take precedent over any new programs or agencies. The answer to this objection lies in an assessment of relative priorities. Is each of the councils or comparable agencies now established in the Executive Office of the President more important, of greater urgency, or of more direct bearing upon the public welfare, than the proposed Council on Environmental Quality? What criteria indicate how many conciliar bodies are "too many"? These questions are not merely rhetorical. Although they cannot be answered here, they are obviously germane to the issue of governmental organization and to the way in which national environmental policy is formulated and made effective.

A strong case can be made of a major restructuring of the Federal departments in which public responsibility for the quality of the environment would, like defense or foreign relations, become a major focus for public policy. Proposals tending in this direction and chiefly affecting the Department of the Interior have been made over several decades. A prominent news magazine took up this line of reasoning in a recent editorial declaring that " \* \* \* the Secretary of the Interior ought to be the Secretary of the Environment." But a major restructuring of functions in the Federal administrative establishment cannot be accomplished easily or rapidly. Such a development would be most plausible as a part of a more general restructuring of the executive branch. The multiplication of high-level councils and interagency committees may indicate that a restructuring is needed. (See app. C.) Some of the complexity of present arrangements for policy formulation and review reflects the confusion often attending a transition from one set of organizing concepts to another.

Among the concepts that have been proposed to reduce the burden of the Presiden-

tial office and to provide a more simple and flexible administrative structure, is that of the "superdepartment." One of these agencies already exists as the Department of Defense. A Department of the Environment might be another. The substance and character of the organizational changes that superdepartments might imply are germane to a discussion of environmental administration, but they require no further exploration in this report beyond the following three points: *First*, they would be fewer in number than present departments, probably no more than seven to nine; *second*, they would be oriented broadly to services performed for the entire population, and *third*, they would be planning and coordinative rather than directly operational, assuming, to some degree, certain of the tasks that now fall heavily on the Executive Office of the President.

There may be another answer to the need for a more effective review and coordination of related functions in diverse agencies in the concept of "horizontal authority" or matrix organization. This organizational arrangement has been employed in multifunctional, cross-bureau, projects in the Department of Defense and in the National Aeronautics and Space Administration. Under a temporary structure for project management, it structures across normal hierarchical lines and working relationships among the necessary personnel and skills. The concept might be applicable to interagency attack upon specific problems of environmental policy.

Review of national policy, and revision if and when needed, are functions that the Congress performs for all major policies of Government. The device of an annual or biennial report from the President to the Congress on the state of the environment offers the logical occasion for an examination by the Congress, not only of the substance of the President's message, but of national policy itself. In many respects, the transmission of an annual report on the state of the environment accompanied by a clear and concise statement of the Nation's goals, needs, and policies in managing the environment could attain many of the ends sought by those who propose reorganization.

#### SUMMATION

Although historically the Nation has had no considered policy for its environment, the unprecedented pressures of population and the impact of science and technology make a policy necessary today. The expression "environmental quality" symbolizes the complex and interrelating aspects of man's dependence upon his environment. Through science, we now understand, far better than our forebears could, the nature of man-environment relationships. The evidence requiring timely public action is clear. The Nation has overdrawn its bank account in life-sustaining natural elements. For these elements—air, water, soil, and living space—technology at present provides no substitutes. Past neglect and carelessness are now costing us dearly, not merely in opportunities foregone, in impairment of health, and in discomfort and inconvenience, but in a demand upon tax dollars, upon personal incomes, and upon corporate earnings. The longer we delay meeting our environmental responsibilities, the longer the growing list of "interest charges" in environmental deterioration will run. The cost of remedial action and of getting onto a sound basis for the future will never be less than it is today.

Natural beauty and urban esthetics would be important byproducts of an environmental quality program. They are worthy public objectives in their own right. But the compelling reasons for an environmental quality program are more deeply based. The survival of man, in a world in which decency and dignity are possible, is the basic reason

for bringing man's impact on his environment under informed and responsible control. The economic costs of maintaining a life-sustaining environment are unavoidable. We have not understood the necessity for respecting the limited capacities of nature in accommodating itself to man's exactions, nor have we properly calculated the cost of adaptation to deteriorating conditions. In our management of the environment we have exceeded its adaptive and recuperative powers and in one form or another must now pay directly the costs of obtaining air, water, soil, and living space in quantities and qualities sufficient to our needs. Economic good sense requires the declaration of a policy and the establishment of an environmental quality program now. Today we have the option of channeling some of our wealth into the protection of our future. If we fail to do this in an adequate and timely manner we may find ourselves confronted, even in this generation, with environmental catastrophe that could render our wealth meaningless and which no amount of money could ever cure.

#### EXHIBIT 2

##### MANAGING THE FEDERAL GOVERNMENT

(By Stephen K. Bailey, in "Agenda for the Nation," Brookings Institution, 1968, pp. 301-321)

The President of the United States faces a crisis of public confidence in the capacity of the federal government to manage itself and to carry out with efficiency, equity, and dispatch its own legislative mandates.

The seriousness of this issue can hardly be overstated. In question is the capacity of an eighteenth century constitutional arrangement of widely diffused and shared powers and a nineteenth century system of political pluralism to deal effectively with twentieth century problems of technological, social, and economic interdependencies—at home and abroad.

Unless the President devotes substantial attention to making the system work—an effort involving persistence and the employment of high political skills—the consequences for the future of the American polity could be serious in the extreme.

The programs and policies of the government of the United States are currently carried out by a diverse collection of political, administrative, and judicial systems. (The last of these is not treated in this paper.)

The descriptive and taxonomic problems alone are almost grotesque in their complexity. One may list and classify the obvious. The federal government of 1968 contains: three constitutional branches—legislative, executive, and judicial; an Executive Office of the President with a half dozen major constituent units and scores of minor councils and committees; four operating agencies exclusively responsible to the Congress, which itself is divided into two houses, forty standing committees, and more than two hundred subcommittees; twelve cabinet departments; fifty independent agencies, nine of which are independent regulatory commissions with both quasi-legislative and quasi-judicial authority; fifty-statutory interagency committees; 2.8 million civilian employees, 90 percent of whom are employed in federal field offices outside of the Washington, D.C., area; and 3 million military employees.

This gross breakdown suggests the magnitude and diversity of the enterprise, but it is only the tip of the iceberg. For federal policies are today carried out through a bewildering number of entities and instrumentalities: subdepartmental and subagency offices, branches, divisions, units—headquarters and field; hundreds of nonstatutory, but more or less permanent, intra-agency and interagency committees and commissions; grants-in-aid to fifty-five state and territorial governments and their hundreds of subdivisions, including tens of thousands

of local governments, with more than 20,000 local school districts; a growing number of quasi-public, nonprofit corporations; scores of international and regional organizations; and myriad contracts to private industries, universities, professional groups, and charitable institutions.

Many of these subsidiary agents have their own separate identities, legal bases, and agenda of priorities apart from their instrumental (and often incidental) role in federal policy implementation.

This almost limitless diffusion presents internal problems of communication and control and often makes terms like "accountability" and "responsibility" words of art to cover a kaleidoscope of administrative fragmentation.

Even if the scene were not so cluttered, even if the formal structure of executive departments, agencies, and personnel were exclusively responsible for the implementation of federal policy, our constitutional system of shared powers and the pluralistic and oligarchical nature of political parties and interest groups would interfere with any neat model of hierarchical loyalty and public accountability. Elmer E. Schattschneider once commented that the history of the federal government could be written in terms of a struggle between the President and the Congress for control of the bureaucracy. But even this is too simple. For the struggle is not just between the President and the Congress: within the Congress, committee and subcommittee chairmen, often allied with powerful private group interests, exercise extraordinary control over the policies and administrative arrangements of subdepartmental and subagency units of the bureaucracy.

If we lived in a simpler and less apocalyptic age, such a complex arrangement might be tolerated without fear of untoward disruptions to basic social values. But this is not the case. The American national government is confronted with unprecedented factors that place an absolute premium upon improved managerial competence in the public sector:

Government decisions involve increased stakes and risks, while mistakes are much harder to retrieve.

Science and technology have penetrated national security, environmental, and social strategies in a way that imposes acute moral and philosophical burdens upon public policy.

The dimensions of public spending require a modern President to monitor spending, taxing, and wage-price relationships with unprecedented precision, and to take stabilization actions without regard to the costs to his political credit balances; he is now obliged to be a conscientious student of economics.

"People" problems no longer lend themselves to straight-line solutions, and a President finds that he must work overtime to compensate for failures of administrative response and to teach a new administrative style to reluctant bureaucrats and congressmen.

Shortened decision intervals and reaction times drive a President to form his calculus of strategy on the run, as it were, placing a premium on accurate and adequate information systems and analytic support.

The modern President lives with a relentless social criticism that generates dissatisfactions with the quality of life and leadership and tends to force his timing and priorities.

In this kind of world, the President, by the logic of his position, must have two overriding managerial concerns:

How can the federal government identify, mobilize, train, and release the energy of the most impressive talent in the nation for developing and carrying out federal policy?

How can staff and line arrangements in

the executive branch contribute to more rational and imaginative policy inputs to political decision making, and how can they contribute to more effective and coordinated policy implementation?

These two concerns must be specifically related to the modern President's inevitable preoccupations in the field of public policy: national security, economic stability and growth, environmental management and control, and human resource development.

Concretely, in national security affairs modern Presidents cannot afford a series of "Bay of Pigs" episodes, nor can they afford contradictions between diplomatic and military initiatives. In domestic affairs, they cannot afford to allow brave legislative responses in the fields of environmental management and control and human resource development to be blunted by ineptness and confusion in implementation, as has been the case with much of the Great Society legislation of 1964-65. In economic affairs, Presidents cannot afford to return to earlier days when the varying power centers of economic stabilization policy making (notably key congressional committees, the Budget Bureau, the Council of Economic Advisers, the Treasury, and the Federal Reserve Board) went their separate ways. To do so would be to invite economic disaster.

The difficulty is that the magnitude of the political as well as administrative tasks in assuring some modicum of competence and coherence in these preeminent areas of public policy is staggering. For there are no organizational gimmicks capable of overcoming the enormous centrifuge of governance in our pluralistic society.

An attack upon the managerial inadequacies of the federal government should encompass at least the Executive Office of the President, the departmental and agency structure, the federal field office structure, the devolution system for the transfer of federal funds and functions to nonfederal agencies, and the federal personnel system. As we shall note later, none of these five points of attack can be negotiated without major presidential attention to the configurations of power dominating the Congress.

Before examining policy alternatives and recommendations relating to each of these separately and in combination, a brief review of federal reorganization efforts of the past several decades is in order, for future possibilities are inevitably conditioned by the legacy of the past.

#### REORGANIZATION: A BRIEF HISTORY

Concern with the organization and management of the national government goes back a long way. The first study was commissioned by the Continental Congress in 1780. For the first century of this nation's history, however, investigations into these issues were feeble and intermittent.

It was only when the federal budget approached the billion-dollar mark, during the administration of President William Howard Taft, that a major attempt was made to examine questions of overall structure and procedures. And even the Taft Commission on Economy and Efficiency (the Cleveland Commission, 1910-13) devoted most of its energies to minute problems of internal management. The major fruit of its labors was the Budget and Accounting Act of 1921, which established the Bureau of the Budget (BOB) in the executive branch and the General Accounting Office in the legislative branch. The Bureau of the Budget was the first nonwar-time centripetal staff agency available to the President for the conduct of his managerial responsibilities.

The 1920s witnessed a variety of additional proposals, both legislative and executive, focused on administrative reorganization. Most of the major recommendations got nowhere. Occasional authorizations were given to the President for minor reassignments of functions across agency lines, but Congress

systematically pigeonholed or voted down any major delegation of power to the President for reorganizing executive branch functions.

In 1932, President Herbert Hoover submitted a message to the Congress calling for a massive reorganization of the executive branch. In a classic statement of the "practical difficulties of such reorganization," he commented as follows:

"Not only do different fractions of the Government fear such reorganization, but many associations and agencies throughout the country will be alarmed that the particular function to which they are devoted may in some fashion be curtailed. Proposals to the Congress of detailed plans for the reorganization of the many different bureaus and independent agencies have always proved in the past to be a sign for the mobilization of efforts from all quarters which has destroyed the possibility of constructive action."<sup>1</sup>

How penetrating this observation was can be judged by the fact that after the law was passed every executive order submitted by President Hoover to implement the act was disapproved. Furthermore, the law itself provided for key exceptions to the President's sphere and requested him to set up consolidations of the following governmental activities:

"Public Health (except that the provisions hereof shall not apply to hospitals now under the jurisdiction of the Veterans Administration), Personnel Administration, Education (except the Board of Vocational Education shall not be abolished) . . . and to merge such other activities, except those of a purely military nature, of the War and Navy Departments, as . . . may be common to both . . . except that this section shall not apply to the United States Employees Compensation Commission."<sup>2</sup>

This was not the first nor was it to be last of such explicit exceptions to the reorganization authority of Presidents.

The coming of the New Deal brought a totally new dimension to the policies and organization of the executive branch. A bevy of new laws created a host of new agencies and a variety of new functions within old agencies. And President Franklin D. Roosevelt had no institutional machinery for rationalizing and resolving emerging administrative issues, or for supervising in any meaningful sense the hundred-odd separate departments and agencies that reported directly to him.

In 1936, President Roosevelt created the Committee on Administrative Management under the chairmanship of Louis Brownlow. The report of the Brownlow Committee was probably the most sensible and impressive ever made on federal government organization. Many of its recommendations, notably those concerned with the independent regulatory commissions, the Civil Service, the General Accounting Office, and new cabinet departments, were largely ignored by the Congress. Its lasting contribution was the successful recommendation to create an Executive Office of the President (EOP) containing an expanded White House staff, the Bureau of the Budget (until then housed in the Treasury Department), and a National Resources Planning Board. Although the last was killed by congressional action in withholding appropriations in the early 1940s, the essential rubric of the Executive Office has remained. It is inconceivable that the government could have successfully

negotiated the turbulent currents of the past quarter century without it.

The Second World War saw the inevitable proliferation of war-related agencies, most of which disappeared at the end of the conflict. But the experience of war, especially the difficulties of relating separate military services to the consolidated demands of amphibious warfare and the serious problems of interrelating diplomatic and military initiatives and intelligence, led in 1947 to the National Security Act which created a National Defense Establishment, a National Security Council, and a Central Intelligence Agency. It would take time for these components to emerge into any kind of structural coherence, but the 1947 act set the foundation stone for the future.

In the immediate postwar years, the other major organizational development was the creation of the Council of Economic Advisers in the Executive Office of the President. This added staff resource has been of invaluable help to the President and the Congress in analyzing the state of the economy, in planning fiscal policy, and in acting as the major catalyst of interagency (BOB, Federal Reserve, Treasury) cooperation on fiscal matters.

Also in 1947 President Harry Truman asked Congress to create a bipartisan, twelve-man Commission on Organization of the Executive Branch of the Government.

The Commission (the First Hoover Commission) reported, and at length, in 1949. A number of its recommendations were adopted, under President Truman and later under President Dwight D. Eisenhower: the creation of a Department of Defense (replacing the National Defense Establishment); the assignment of the National Security Council to the Executive Office of the President; the creation of a cabinet-level department of Health, Education, and Welfare (HEW); and the centralization of increased authority in department heads, cutting away at some of the statutory authority that Congress had assigned at the subdepartment level. But many sacred cows were left undisturbed, and the commission's pleas for a "sharp reduction" in the number of federal administrative agencies fell upon deaf congressional ears.

A Second Hoover Commission was created in the mid-1950's; but its mandate, to examine governmental functions which should be discontinued, was preposterous, for it invaded the constitutional prerogatives of President and Congress. The commission's effective residue was little more than a chemical trace.

Aside from Secretary Robert S. McNamara's progress in transforming Defense from a *de jure* to a *de facto* department, the creation of an Office of Science and Technology in the Executive Office of the President, and the assigning of a White House role to the chairman of the Civil Service Commission, no substantial success greeted the John F. Kennedy administrations' various attempts to reorganize the government.

President Lyndon B. Johnson has succeeded in adding two new cabinet departments: Housing and Urban Development (HUD), and Transportation. He also added the Office of Economic Opportunity (OEO) to the Executive Office of the President. During his administration a number of task forces have addressed themselves to questions of government organization—especially in the increasingly tangled thicket of intergovernmental relations as they relate to problems of poverty, race, welfare, urbanism, and education.

However, most of the underlying problems of organization remain. These have been illuminated time and again by presidential task forces, by congressional committees, by journalists, pamphleteers, and scholars. Congressional literature is particularly rich. Notable in recent years have been the studies

of the Jackson Subcommittee on National Security Staffing and Operations and the Muskie Subcommittee on Intergovernmental Relations of the Senate Committee on Government Operations. More recently committees in both the Senate and the House have examined the adequacy of federal organization for mounting a coherent attack upon problems of the physical environment.<sup>3</sup>

Although these various studies, investigations, and proposals have differed in viewpoint and attack, there has emerged in recent years a consensus on two major issues: (1) the federal government lacks machinery for the effective development, implementation, and coordination of public policy; and (2) the conduct of the government's business is overcentralized in Washington.

Proposed remedies have included recommendations for the enlargement and restructuring of the Executive Office of the President; the consolidation of federal programs and functions into a few major departments; the strengthening of staff offices at the level of the secretary; making a departmentwide (secretary's) presence felt in federal field establishments; upgrading the quality and enlarging the power and discretion of federal field offices at home and abroad; devolving the conduct of federal business increasingly upon state and local authorities and upon private or quasi-public instrumentalities; and reform of the career services and upgrading of public personnel charged at various levels of government with the conduct and control of federal policy.

Whatever merit these various recommendations have had (and this paper will later explicate and endorse a number of them), they have tended to suffer from two overriding limitations: first, as commonly set forth, they have ignored the realities of congressional power, the rigidities of the present congressional committee structure, and the mutual deference patterns within the legislative branch, all of which affect the organization and conduct of federal programs; second, many of them have failed to articulate some of the administrative and policy costs and consequences possibly attendant upon their adoption. It is possible, for example, that unless extreme care is taken program coordination can be the enemy of program energy. "Keeping track" may be the enemy of "making tracks."

It may be argued, of course, that this dilemma is false; that topside planning and coordination is the precondition, not the enemy, of effective subordinate energy; that if program coordination is not rationally produced at the top it will be irrationally and wastefully accomplished through survival-of-the-fittest skirmishes at lower levels. This, in fact, is the author's own considered judgment. But to state the ideal is a far cry from realizing it in practice, and history suggests that arrangements constructed to achieve this ideal are inherently unstable—tending to veer toward the Scylla of a debilitating overcentralization on the one hand, or the Charybdis of programmatic anarchy on the other. All one can say at this moment is that historically in the United States more bones have been scattered around Charybdis than around Scylla. To change the idiom, constitutional and political beliefs and forces tend to run against generalist "kings" in favor of functional "barons."

#### THE LIMITATIONS OF EXISTING DEVICES

The validity of the foregoing proposition hardly needs elaboration. It can be readily documented by examining the weakness of centripetal devices now in vogue or recently

<sup>1</sup> W. Brooke Graves (comp.) *Reorganization of the Executive Branch of the Government of the United States: A Compilation of Basic Information and Significant Documents, 1912-1948*, Library of Congress, Legislative Reference Service, Public Affairs Bulletin No. 66 (1949), p. 96.

<sup>2</sup> Graves (comp.), *Reorganization of the Executive Branch* (emphasis supplied.)

<sup>3</sup> See esp. *Managing the Environment*, Report of the House Committee on Science and Astronautics, 90 Cong. 2 sess. (1968); and *Report of the Joint House-Senate Colloquium to Discuss National Policy for the Environment*, 90 Cong. 2 sess. (1968).

tested in almost every level and branch of government.

First, there is the device of statutory or ad hoc interdepartmental and interdepartmental committees. There are thousands of them in the federal government alone, including a number in the Executive Office of the President. Most of them suffer from three chronic ailments: (1) confederationitis, (2) progressive deputization, and (3) implemental anemia. The first leads to common-denominator "paper" solutions for problems frequently calling for uncommon-denominator practical solutions. The second, marked by preoccupied secretaries requesting under secretaries to sit in for them, who in turn deputize assistant secretaries, who in turn deputize deputy assistant secretaries, ad infinitum, leads inevitably to a loss in the plenipotentiary capacity of the committee members, and to the necessity of referring every important issue back to each agency for topside clearances. The third means that, even if and when consensus can be reached within an interdepartmental committee, such consensus is not self-enforcing and can, in fact, be rendered inoperable by the failure of constituent units to implement the decision reached. When such committees are established by congressional mandate, further complications arise, for they cannot easily be disbanded nor their agenda adapted to new issues. If they become well-staffed and effective, they may interpose themselves between the President and his department heads and develop a policy line out of phase with both.

Necessary as such committees are, their numbers should be drastically pruned, and in any case they are no solution to most problems of program planning, coordination, and operational effectiveness that afflict the public sector.

Second, the "lead agency" notion, however attractive in theory, seems to have similar limitations. Bringing all relevant agencies together for specific program purposes under the chairmanship of the head of the department that has major concern or competence in a particular policy area would seem on its face to be a reasonable approach. But, since everyone likes to coordinate and few like to be coordinated—especially by one's peers—this device tends to degenerate into a simple interdepartmental committee with all of the inadequacies suggested above. Low-level issues may be thrashed out and clarified; tough issues of jurisdiction and authority rarely are, for disgruntled committee members have the option of appeal to centers of power in the presidency or in the Congress that can effectively override the decisions of the lead agency. The history of OEO, HUD, and HEW in that role is not encouraging, although some promise can be found in some of the lead-agency functions performed in foreign affairs by the Department of State.

A third device is coordination by presidential advisers, White House assistants, or by other representatives of the Executive Office structure. This has been attempted in various forms over the past decades. Sometimes the job has been given to individual men of considerable stature and ability (for example, Colonel Edward M. House, Harry Hopkins, "Jimmy" Byrnes, Sherman Adams, a vice president). The de facto "prime" minister, or executive vice president, device suffers, however—at least, in our form of government—from two intractable flaws. If he is strong, he tends to shield the President from issues, information, and forces essential to presidential judgment and power; if he is weak, he tempts others to go around him, thereby creating rather than solving problems for the chief executive.

More often, the President has used his "anonymous" White House assistants and his major institutional staffs in the Executive Office of the President to assist him in program planning and coordination. However successful this fairly flexible arrangement has

been (and, if it had not been partially successful, the federal government could not operate at all), it has serious weakness. If the President defends his intimate staff too often, he has created a supercabinet; if he does not defend them at all, they are powerless. If he institutionalizes them, their time is preoccupied with managing their own subordinates, limiting their time and tolerance for intimate contacts with the President; if he does not institutionalize them, they become swamped by paper from below and expectations from above. And in many areas of public policy where the President himself is weak (programs under the jurisdiction of independent regulatory commissions; agencies like the Atomic Energy Commission and the Army Corps of Engineers that are effectively controlled by congressional committees), presidential staff, no matter how brilliant, are limited by legal and political reality.

This rather melancholy sample of centripetal coordinating devices and their weaknesses is not meant to suggest that nothing has been done or can be done to improve the coordination of policy planning and implementation in the federal government. There have been many evidences of at least partially successful endeavors along these lines. The Bureau of the Budget at its best is a remarkable and indispensable coordinating device, especially when buttressed by informational and analytical skills of cognate agencies like the Council of Economic Advisers and the Office of Science and Technology. Presidential assistants play out a daily drama of conflict resolution and program rationalization. The transformation of the Department of Defense under Robert McNamara is an indication of what at the departmental level can be done, in Paul Appleby's felicitous phrase, "to make a mesh of things." The development of analytical instruments like PPBS (Program Planning and Budgeting System) shows promise of making resource allocation choices more coherent and rational.

But enormous inadequacies remain and they cannot be redressed effectively without a sober recognition of the fact that the battle for improved federal management must be fought on a number of fronts simultaneously. The five major salients already identified need particular attention: the Executive Officer of the President; departmental arrangements; federal field establishments; the devolution system; and personnel systems at all levels.

#### *Executive Office of the President*

The presidency is the only institution in the American polity where overarching and long-range public imperatives can be coherently analyzed and melded. This is true both because of the ubiquity of the presidential constituency, and because the President is mandated to recommend to the Congress a coherent program for allocating resources to and within the executive branch.

The structure of the Executive Office of the President must reflect the prime concerns of the nation as viewed from the vantage point of the chief executive. In the present age, as already noted, these prime concerns are four: national security, economic stability and growth, the integrity and viability of the physical environment, and the promotion of human welfare and of human resource development. In these four areas, the President must have at his disposal institutional arrangements that can help him plan wisely, sort options judiciously, and effect coordinated responses.

Because priorities change and, more important, because each President has his own leadership style, he must be given very substantial latitude in organizing, reorganizing, and adjusting the constituent units of his executive office. He must also have at his disposal substantial discretionary funds (\$25,000,000 per year as a minimum) to permit him to tap selective expertise across the nation on an ad hoc basis, and to initiate

in-house experimental capabilities for improving the planning and management functions of the office. The present discretionary funds of the President for "special projects" (\$1.5 million) are totally inadequate.

If the President can secure from Congress the right to structure and manage his own office without restriction—including the right to make in-office appointments without Senate confirmation and the right to create, shift, and abolish constituent units and personnel assignments as he deems necessary for the effective conduct of presidential business—he will have won a major victory for effective public management. These prerogatives are essential if he is to have authority anywhere near commensurate with his administrative and policy-making responsibilities.

Granted this kind of authority and discretion, what should he do with it? Although each President will and must use them according to his own temperament and administrative proclivities, three weaknesses exist in Executive Office of the President capabilities so glaring as to merit special emphasis.

First is the office's weakness in policy development. The presidency is perched on top of what one astute observer has called "a bottom-heavy administrative system." Policy proposals tend to emerge from levels of operational enthusiasm, which are likely to be the lower and middle governmental levels, coupled with discrete, single interest segments of the private sector. Aside from ad hoc task forces (many of which have been extremely productive and catalytic), there is no effective agent or agency in the Executive Office of the President charged with the study of emerging public problems and the development of effective programs to deal with them in terms of continuing and changing presidential perspectives of the public interest. This is less true, of course, in the occult fields of economic stabilization policy and national security policy where the Council of Economic Advisers and the staff of the National Security Council have increasingly strengthened their policy-review capabilities. But in the increasingly troublesome and important areas of environmental management and "people" programs (health, poverty, education, welfare, housing, urban renewal, and the like) the EOP is patently deficient. Existing budgetary and legislative clearance reviews are inadequate. There is no underlying statistical and informational system of social and environmental indicators comparable to the economic indicators available to and through the Council of Economic Advisers. Whatever its original intent, the Office of Economic Opportunity has become an operational advocate, not a reflective center of governmentwide policy analysis. Since the demise a quarter of a century ago of the National Resources Planning Board, no presidential staff has concerned itself full-time with ecological interdependencies. The only gestures in this direction in recent years have been the Committee on Environmental Quality of the Office of Science and Technology, and a Water Resources Council independent of the Executive Office structure. The former is too small and weak to be effective (ideally, it should be reconstituted as a separate, strongly staffed office in the Executive Office of the President); the latter is limited by statute to water resources alone.

Whether effective policy analysis staffs in the environmental and human resource areas should be combined or kept separate, should be created inside the Bureau of the Budget or as a new and separate agency within the EOP (on balance, the author's choice) is perhaps of secondary importance. What is essential is that such a capability exists in the Executive Office of the President. Coherence and rationality in federal programming in these areas is impossible

without such a capability. This is true in Washington; it is increasingly true in the complex arena of intergovernmental relations. State and local governments are federal partners in the purveyance of public services; their capacity to develop programs that effectively complement and implement national policies is today a matter of crucial importance. Too often they are bound by rigidities and categorical overprescriptions imposed by federal legislation and by administrative regulations and guidelines. There is a pervasive need to loosen existing categorical boundaries without destroying the basic thrust of federal categorical grants designed to promote the national interest.

One possible device to meet this need might be for the President to assign staff from his executive office and/or relevant departments and agencies to ride budgetary circuits in the fall of each year. Such staffs, with advance congressional approval, might be empowered to permit state and local governments to shift up to, say 25 percent of approved categorical federal grants from one category to another; this would make the grants more relevant to varying state and local needs and would promote a series of useful dialogues between the partners of the federal system.

The second weakness of the President's office is the inadequacy of machinery for command and control within the sphere of his own executive competence. As suggested earlier, there are many areas of policy in which for reasons *de jure* or *de facto* the President has authority only to persuade and cajole, or in which he must repair to informal powers deriving from his political rather than his constitutional status. But even when his legal authority is clear, he lacks efficient means of enforcing his political will. Little is gained in strengthening the policy analysis capabilities of his office unless he can effect more coherence in policy implementation. It is true that knowledge can be power, and the President's directive responsibilities can probably be exercised with greater effectiveness if his policy analysis staffs are able to create information systems that include hard and systematic evaluations of federal programs. But the President's present span of control is so unwieldy, his budgetary flexibility is so limited, and his managerial universe is so ponderous that intelligence alone will not give his directives appropriate clout. If two or more agencies chart collision courses or if they determine to ignore presidential guidance, there is little the chief executive can do short of ultimate sanctions (such as firing) that often have prohibitive political costs.

It is this reality, of course, that has led a number of administrative reformers to suggest that the President needs one or more executive vice presidents or presidential coordinators to whom he can delegate command functions over parts of the executive branch, including his cabinet departments, in Washington and in federal field establishments. The inconveniences and political hazards of such devices and developments have already been traced. But the problem remains, and the need is real.

There is no single and easy solution to the problem, but if the President is given the kind of flexible control over his own office called for above, he should certainly use this elaborated discretion to experiment with a number of command-control devices. At the very least, he should create a team of two or three or four presidential "administrators" or "expeditors," removed from the day-to-day preoccupations of existing White House aides, who could be assigned on an ad hoc and short-term basis as troubleshooters to straighten out jurisdictional conflicts among agencies, both in Washington and (on an itinerant basis) in the field. "Ad hoc" and "short-term" must be underlined, for permanent and long-term portfolios for such assistants could only produce impossible tensions

with cabinet secretaries, agency heads, and key legislators. Furthermore, they might easily create centers of power in the executive branch competitive with, rather than derivative of, presidential authority. Such administrators or expeditors must be men of considerable personal stature. As surrogates for the chief executive in a system inherently unfriendly to surrogates, they must be skilled in mediation, soft of voice, wise in the ways of politics, and utterly devoted to the President—institutionally and personally. The President must be prepared to support their judgments in the overwhelming majority of cases while being willing on occasion to overrule them on appeal. This complex prescription may prove to be impossible of implementation, but it is the only one that, in the judgment of this author, gives promise of success.

The third and final major weakness of the presidential office is in communicating with the public and with state and local officials. Here, too, there are constraints. Too "open" a presidency can build impossible expectations, induce claimants to bypass channels of access to departments and to Congress, clog the President's information system, and preclude that measure of confidentiality necessary for face-saving negotiations. Too frequent use by the President of the mass media dilutes the President's "Nielsen rating" with the consequent danger of limiting his impact when real crises appear.

But inadequate communications, both inward and outward, can be equally perilous. Fresh ideas from creative citizens, and from public officials at all levels of government, can be lost or ignored. A public bewildered by complex public problems can be denied the clarifying and unifying voice of the President. In such circumstances, the chief executive can easily become vulnerable to surprise and miscalculations.

Adequately mandated policy analysis staffs and presidential expeditors with sensitive antennae can remedy some of the existing defects in communication flows, but far more needs to be done to help the President develop effective techniques and policies. A public information competence must be built into the White House, possibly in an enlarged office of the press secretary, and at least one unit in the White House should be devoted to intergovernmental liaison with governors and with top officials of local government.

There are still other weaknesses in the Executive Office at the President. First, there are far too many statutory and ad hoc interdepartmental councils and committees with fuzzy mandates, little or no power, and only intermittent and unsatisfactory access to the President himself; these should be abolished or consolidated with more permanent staff operations. For example, the National Aeronautics and Space Council and the Marine Resources Council should probably be placed under a comprehensive Office of Environmental Analysis. The whole structure of citizens' advisory committees to the President should be reviewed and rationalized.

Second, the White House needs an even greater capability to identify talent for appointive federal positions in both domestic and international departments and agencies. It is an unfair strain upon the chairman of the Civil Service Commission to serve both as director of the President's personnel operations and as the policy chairman of the major career service of the federal government.

Third, the operational aspects of the Office of Emergency Planning (for mobilizing the services of all levels of government to meet emergencies of war or natural disaster) and the Office of Economic Opportunity should devolve upon other agencies (the General Services Administration for Emergency Planning; HEW and/or Labor for OEO), although

in the case of OEO extreme care must be taken to insure that the innovative and flexible characteristics of many of its programs are not destroyed by transfers to more traditional and conservative bureaucratic superiors. It should be possible for some civilian counterpart to the "Green Beret" or Marine Corps mission-oriented services, often competitive with more massive and sodden bureaucracies, to be established (and disestablished) within existing departments or as functions of independent agencies. The Executive Office of the President is not the appropriate rubric for these kinds of operating line activities.

Fourth, the staff competence within the Executive Office (presumably within the Bureau of the Budget) for studying and recommending structural changes and procedural improvements throughout the executive branch organization, on a continuing basis, needs to be strengthened in quality, size, and funding.

All of these are important addenda to the three essential areas of concern identified earlier. Progress along all of these lines can best be promoted by giving to the President effective control over the organization, staffing, and missions of the Executive Office of the President. If this is to happen, as we shall note below, the President must ask for and receive the understanding, support, and assistance of the United States Congress.

#### Departmental structure

One of the basic tenets of public administration is "span of control." In its simplistic form, at least in the federal government, it is a silly notion. The number of units reporting to a single administrator is not the essential factor in determining topside control. Ten units are too many if each has its own base of power in the legislature or in clientele groups of significant political influence. A hundred units are manageable if most of them lack an independent base of power, and if their mission is precise and low voltage. Little is gained or lost in terms of "good management" in the executive branch if the Corregidor-Bataan Memorial Commission, the American Battle Monument Commission, the Commission of Fine Arts, the Foreign Claims Settlement Commission, and the Panama Canal Company are allowed to continue as independent, free-wheeling agencies. Those who would tidy up the administrative structure of the executive branch by putting everything under four or five giant-sized superdepartments, or under fifteen of twenty economy-sized regular departments, on the ground that only then can the President enjoy a manageable "span of control," overestimate the importance of the precept and underestimate the difficulties of achieving intradepartmental, let alone interdepartmental, coherence in anything as complex and diffuse as the federal government.

This is not to say, however, that the present structure of departments and agencies is either logical or efficient. Some regrouping and much internal reorganization, especially at the bureau level, is patently necessary. But since both of these kinds of moves involve political headwinds of gale force, a President should pick and choose a few major objectives and should calculate his political rations with extreme care.

The difficulty is that across-the-board generalizations about federal departments and agencies are inherently dangerous or irrelevant. Some are probably too large and heterogeneous (for example, HEW); some are too small and/or clientele-oriented (Labor, Commerce, Veterans Administration (parts of Interior, Agriculture, and HUD)); some are too independent (certain regulatory commissions); some are too dependent upon Congress (Atomic Energy Commission, the Corps of Engineers, the FBI); some are miscast as cabinet departments (Post Office); some are too plagued with ingrown career service elit-

ism (State); some lack the internal capacity or external support to generate and sustain high morale (Agency for International Development). A general diagnosis and a general therapy are, in short, effectively impossible.

It is possible, however, to raise questions about departmental and agency structure relating to at least two of the four overarching concerns of the President: environmental management and control, and human resource development.

This is not to say that is well in the field of administering national security policy and economic stabilization policy—though the administrative machinery in the latter field has functioned relatively smoothly in recent years. While space does not permit an extended discussion here of problems in the national security area, it must be noted that the overseas mishmash of federal agency representatives still escapes effective control by the ambassador in the field or by the Department of State in Washington. The inflow of information and intelligence by cable and pouch has long since passed the point of digestibility. Horizontal and lateral clearances absorb an unconscionable amount of time and effort and involve delays that are sometimes dangerous. Some of these difficulties defy organizational rationalization; others might be partially obviated by an appropriate delegation of authority to regional assistant secretaries of state and by a more elaborate and effective staffing of the office of the Secretary of State. In 1962 the Herter Committee on Foreign Affairs Personnel recommended an executive under secretary of state, a further administrative option that deserves careful consideration.

On major and critical issues of foreign affairs the threat of apocalyptic consequences has a way of crystallizing small cadres of influential under the immediate direction of the President. Emerging policies may not always be wise, and the ponderousness of the structure and the system of communications may at times create crossed signals of serious consequence (as when in 1966, peace negotiations with North Vietnam were reputedly shattered by the President's unrecalled prior approval of bombing selected targets near Hanoi). But after a decade of review of national security machinery, the Jackson Subcommittee, although it has recommended a number of incremental improvements, has found no magic formula for a major structural reorganization. All that can be said is that the importance of the issue suggests that urgent and continuing attention must be given to the adequacy of staff arrangements for serving the President in this area of preeminent executive concern.

On the domestic front some major structural changes may well be needed in organization. Those involving the Executive Office of the President have already been discussed. At the departmental and agency level, four questions especially warrant hard analysis and viable answers:

First, how can the management responsibilities of cabinet secretaries and the heads of important line agencies be strengthened without throwing a wet blanket on the morale, energy, and discretion of subordinate operating bureaus?

Second, how can a gigantic hydra like HEW be split up without losing the benefits that logically accrue from reviewing health, education, and welfare as interrelated programs and values?

Third, how can the rule-making power of independent regulatory commissions be more effectively related to the policy mandates assigned by Congress to the President and to departments and agencies without jeopardizing the integrity of the quasi-judicial role of regulatory commissions?

Fourth, how can agency functions be re-grouped in the human and environmental

resources area in such a way as to promote more coherent program planning and implementation without taking on more battles with vested interests than any single administration can afford?

Again, there are no simple answers to any of these dilemmas, but certain directions seem more promising than others.

On the first question, the essential controls of an agency head over constituent units are three, and only three: (1) control of legislative proposals; (2) control of budgetary totals; and (3) control of major personnel appointments and assignments. Each department secretary and agency head should have a staff, a management information system, and adequate legal and political authority to develop and maintain competence in these areas. The staff need not be large, but it must be highly competent and must be supported with a flow of information that will enable it to present rational policy alternatives to the agency head. With these tools of general, overall management at his disposal, an agency head can delegate to line subordinates a substantial amount of operating discretion. He can also be equipped to serve the President and the Congress in their roles of making politically accountable decisions. Many departments lack the staff, the information system, and the legal and political authority essential for responsible management. The President should urge, and Congress should support, reforms leading to the improvement of this condition.

On the second question, there is probably more to be gained than lost in splitting up HEW. The issue is not the number of employees; Defense, Post Office, Agriculture, and the Veterans Administration all have a larger civilian work force. The issue is the heterogeneity of constituent functions, the size of the budget (HEW's budget is five times greater than the next largest civilian agency), the extensiveness of mandated intergovernmental relations, and the limitations that the present structure imposes on attracting top-grade personnel to man programs of extraordinary national consequence—education, for example. A separate Department of Education would not only symbolize the importance of the federal government's commitment to an essential and growing public function; it would serve as a rubric for gathering together at least some of the educational activities being carried out by departments and agencies outside of HEW (for example, National Science Foundation, OEO, Veterans Administration, National Humanities Foundation, Bureau of Indian Affairs). A Department of Health and Welfare should have no more difficulty in relating to a Department of Education than HEW presently has in relating its disparate activities to cognate functions in HUD, Labor, OEO, in the human resource development area; or to Interior, Agriculture, and the Corps of Engineers in the area of environmental management and control. Granted that these difficulties are substantial, a strengthened program planning and implementation capacity in the Executive Office of the President could more than compensate for any loss in integrating functions now lodged unsuccessfully in the top echelons of an overgrown HEW.

On the rule-making authority of certain independent regulatory commissions, the analyses and advice of the Cushman Report (part of the Brownlow Committee study, 1937) and of the First Hoover Commission (1949) need rereading and studied implementation. America will never have a coherent transportation policy until the rule-making functions (making general legislative mandates specific) of the Interstate Commerce Commission and the Federal Maritime Commission are integrated with the policy responsibilities of the new Department of Transportation. America will never

have a coherent power policy until the rule-making functions of the Federal Power Commission and the Atomic Energy Commission are consolidated with those carried out by the Department of the Interior. There have been until now sufficient political barriers to changing the structure and functions of independent regulatory commissions to raise serious questions about the viability of new or reiterated recommendations. But the problem is real, and there are no inherent difficulties in separating rule making from the quasi-judicial functions (making judgments about the legality of activities pursued under laws and rules) of regulatory agencies, preserving the integrity of the latter while making the former subject to responsible and coordinated political control.

The fourth question, on the regrouping of agency functions in the human and environmental resource areas in the face of vested interests, is the toughest. It can be answered in practice only by sophisticated management studies buttressed by executive-legislative concordats. In the absence of major structural changes, some experiments in establishing multiagency operational task forces under the command of presidential designees might well be undertaken—at least where target problems are fairly precise and short-term.

#### EXHIBIT 3

#### NIXON TASK FORCE URGES CREATION OF TOP-LEVEL ENVIRONMENTAL AFFAIRS POST (By Peter Khiss)

President-elect Nixon has received a strong recommendation for naming a Special Assistant for Environmental Affairs, working out of the White House for the first time to dramatize concern over increasing pollution.

"The real stake is man's own survival—in a world worth living in," one of 10 task forces he named on domestic planning has reported to Mr. Nixon in an opening report that said Federal performance in the field thus far had been "disappointingly low."

"The gap between need [as indication by authorized funding] and appropriations in the air and water pollution abatement programs is critical and growing," the task force advised Mr. Nixon.

"For example, in fiscal 1969, in the water pollution control program, there is an authorization of \$836-million, an appropriation of \$302.8-million and a possible demand in available state and local matching funds of \$1.2-billion," it was stated.

The initial report was submitted to the President-elect last Saturday in New York by a 20-member Task Force on Resources and Environment, headed by Russell E. Train, president of the Conservation Foundation.

On that same day Mr. Train was reported to be under consideration for the post of Under Secretary of the Interior and was briefing the Secretary-designate, who is Gov. Walter J. Hickel of Alaska.

#### DETERIORATION CITED

Urging that "improved environmental management be made a principal objective of the new administration," the task force cited "progressive environmental deterioration," including the following:

"The poisoning of our lakes and rivers, the pollution of our air, the changing carbon dioxide content of the atmosphere, the progressive deterioration of the organic fertility of our soils, the pesticides and other chemicals that permeate our living environment, visual ugliness and urban sprawl, the growing inhumanity of our cities, the rising tide of human numbers that threatens to overwhelm us and our civilization."

The group said it was not suggesting any "mammoth new programs" but rather putting emphasis on "performance—on making existing programs work."

While noting that "a host of conservation-environmental legislation" had been enacted,

it said the disappointing performance had "a similarity here to the civil rights and poverty fields."

Appointment of a special assistant in the field, it was said, "would give the President for the first time a means of effectively influencing environmental policy across a wide range of agencies."

The new office, it was suggested, would "deal with the problems of compartmentation and conflict—often between Cabinet officers—that arise constantly in resources and environmental matters."

#### LIAISON FORESEEN

The new assistant, the report went on, should work closely with the President's science adviser, the chairman of the Council of Economic Advisers and the Budget Director.

It was also proposed that the new assistant be executive secretary of a new President's Council on the Environment, which would represent a broadening of the present inter-agency Council on Recreation and Natural Beauty.

The task force proposed that Vice President-elect Spiro T. Agnew serve as chairman of the reconstituted council "to provide leadership superseding the interests of any single department."

"Federal programs with major environmental impacts, such as highway construction," it was said, "should take into account the side effects, such as air pollution, which are the program responsibility of completely separate agencies. Present structure and, more important, present practice are grossly inadequate in this respect."

A supplementary paper on pollution asserted that "appropriations should be brought up close to authorizations" in Federal programs, but suggested that it would be better to reduce authorizations rather than let states and localities delay action "in unwarranted hope of Federal contributions."

#### SUGGESTION ON COSTS

This suggestion for possible Federal cuts drew a note from one task force member, Lelan F. Sillin, Jr., president of Northeast Utilities in Hartford, Conn., that it "should be eliminated."

The report's discussion of difficulties in tax incentives for reducing pollution or effluent charges as a means of control drew adverse comment from another member, John H. Meier, executive aide of Hughes-Nevada Operations, of Las Vegas, Nev.

Mr. Meier's comment was that "most of the polluters involve large-scale industry" and "should be required to carry the burden of removing the danger to the rest of the environment."

"If sufficient standards are set to guarantee public health and the enforcement is not interfered with by special interests who lobby against regulation rather than spend money on cleaning it up, the problem can be solved," Mr. Meier wrote.

Other task force members include:

Edward A. Ackerman, executive officer, Carnegie Institution.

Stanley A. Cain, professor, University of Michigan.

Charles H. Callison, executive vice president, National Audubon Society.

Joseph L. Fisher, president, Resources for the Future.

Loren V. Forman, vice president, Scott Paper Company.

Charles H. W. Foster, consultant, Conservation Foundation.

Maurice K. Goddard, Secretary of Forests and Waters, Pennsylvania.

Norman B. Livermore, Jr., Secretary of Resources Agency, California.

Charles F. Luce, chairman, Consolidated Edison Company.

H. Byron Mock, Salt Lake City lawyer.

Bernard L. Orell, vice president, Weyerhaeuser Company.

Nathaniel P. Reed, conservation adviser to Governor of Florida.

S. Dillon Ripley, secretary, Smithsonian Institution.

Laurance S. Rockefeller, chairman, Citizens Advisory Committee on Recreation and Natural Beauty.

John O. Simonds, Pittsburgh landscape architect.

M. Frederik Smith, American Conservation Association.

John W. Tukey, Princeton professor and executive-director of Bell Laboratory.

#### S. 1076—INTRODUCTION OF YOUTH CONSERVATION CORPS ACT OF 1969

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to establish a Youth Conservation Corps. This program would be administered by the Departments of Interior and Agriculture with the objective of providing summer employment opportunities for the youth of this country in conservation programs on National Park lands, National Wildlife Refuges, National Forests, and areas administered by the Bureau of Land Management. This program would be open to young men and women of all socio-economic background.

As envisioned in the Youth Conservation Corps Act of 1969, the Corps would be composed of young men and women 14 through 18 years of age. They would be employed for periods not to exceed 90 days in any 1 year by the Secretaries of Interior and Agriculture. Their employment would be without regard to Civil Service classification laws or regulations. Members of the Corps would be considered Federal employees only for purposes of the Tort Claims Act, and laws relating to compensation for injuries. Rates, hours and other conditions of employment would be jointly determined by the two Secretaries, and each would be authorized to make appropriate provisions for transportation, lodging, and subsistence.

Mr. President, many of our Nation's youth—not just the underprivileged and the school dropouts—but also the average teenager often never have an adequate opportunity to be engaged in meaningful employment during the summer months. Because of the employment problems these young men and women face, especially in our urban areas, they are tempted to roam the streets in pursuit of less desirable goals. The Youth Conservation Corps could help correct this problem by providing an alternative. The alternative is employment. Jobs which would furnish young people an opportunity to get off the streets and to engage in productive work and important learning experiences in our parks, forests, and our public lands.

This program is in some respects a preventive measure. It would offer many young people an alternative to the boredom and the frustration of inactivity which often arises during the summer recess from school. It would create an opportunity for young people to earn, to learn, and to work in meaningful programs which are important to their future and to the future of this country.

As members of the Senate are aware,

once a young man or woman becomes a school dropout, once they have had a brush with the law, once their attitudes toward family and society take an anti-social turn, rehabilitation becomes an exceedingly difficult, expensive, and frequently unsuccessful task. It is appropriate that we should continue to improve and expand our rehabilitation programs. But, it is also important that we treat the root causes of boredom, anger and frustration by providing employment opportunities for our young people.

Projects which could be undertaken by members of the Corps include the maintenance and construction of campgrounds, bridges, trails, water control structures, picnic facilities, plus assistance in forest reseedling, timber stand improvement and other basic forest, soil and conservation and wildlife habitat measures. Time would also be devoted to teaching these young men and women the basic concepts of ecology, fish and game management, forest and range management, and other principles which would give them a greater appreciation and understanding of our Nation's great natural resources and the necessity for preserving and maintaining this great national heritage.

Knowledge and understanding are essential to the development of responsibility. It is my judgment that exposure to public service conservation projects could be a maturing, stabilizing influence for the young people of this country which would return benefits in later years that are now incapable of being assessed.

There is today a great backlog of conservation work of all kinds which must be reduced if we are to permit ourselves to believe that we are properly managing our natural resources. Present personnel and budgetary limitations have not permitted employment of sufficient staff to meet the increased demand for maintenance and services. Participants in the programs I envision could perform tasks within their capabilities, thus freeing permanent employees for other crucial work.

I also firmly believe that participation in this program would be both constructive and instructive to young people and, in many instances, would afford them an experience which many of the participants might not otherwise have.

The total benefits accruing from this program would far exceed just the tangible results of their work. These young men and women would return to their homes and schools with an understanding of why a national park or a national forest is an irreplaceable national asset. Too many of our young people never see the side of America which our parks and forests represent. When they see the Federal Government in action firsthand, it is too often in the form of the military draft or some Federal regulatory activity.

In addition, these young people would return to their homes and schools with a sense of accomplishment for having bettered our environment, and a sense of involvement in this Nation's efforts to provide a quality life and quality surroundings for all Americans. They would acquire an appreciation for our natural

special concern must be given to our young people. In the past 3 years a significant number of them have experimented with LSD and similar drugs. Their use of these drugs manifests more than youthful curiosity. It denotes at least a temporary withdrawal from the responsibilities of organized society. Preventive and punitive measures must be taken to halt the illicit drug traffic. But these actions alone are not a long-term answer to drug abuse. Society must channel the tensions, pressures, and anxieties which young people feel, into constructive alternatives. Drugs are no answer to today's problems, especially for the Nation's youth. As the report says:

Young people must be shown that the challenges and rewards of involvement in the real world are more satisfying for the individual and society than the isolation of the world of drugs.

Finally, Mr. President, we must recognize that the problems represented by LSD are not new. They are as old as the relation of government and science. Each new discovery tests the ingenuity of government to guide the results of invention into paths which benefit society. This is a test of men as well as institutions. If we are to master the sometimes menacing product of our increasing scientific knowledge we will need flexible institutions responsive to change and men who can weave the delicate thread that links freedom of inquiry for the individual scientist with enlightened regulation in the public interest.

This will require that government and science realize their reciprocal responsibilities to each other. It is the duty of government to encourage sound experimentation, evaluate critically the results and act appropriately on them. Correspondingly, it is the obligation of the scientist to conduct his work in an objective manner with due regard for its effect upon the public.

This is the foundation for mutual respect and harmony between government and science. Such an attitude and approach can help contain the social poison carried by LSD and similar drugs.

**REPORT ENTITLED "THE MIGRATORY FARM LABOR PROBLEM IN THE UNITED STATES"—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 91-83)**

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent for the filing of the annual report of the Subcommittee on Migratory Labor, together with the individual views of the senior Senator from California (Mr. MURPHY). Approved for filing by the full Committee on Labor and Public Welfare on January 29, 1969, the report is filed pursuant to Senate Resolution 222, agreed to March 15, 1968.

The VICE PRESIDENT. The report will be received; and, without objection, the report will be printed, as requested by the Senator from New Jersey.

**BILLS AND JOINT RESOLUTIONS INTRODUCED**

Bills and joint resolutions were introduced, read the first time and, by unani-

mous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 1077. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

By Mr. GURNEY:

S. 1078. A bill to authorize and direct the Secretary of the Treasury to cause the vessel *Moby Dick II*, owned by Richard B. Campbell, of Hollywood, Fla., to be documented as a vessel of the United States with coastwise privileges; to the Committee on Commerce.

By Mr. SCOTT (for himself, Mr. SCHWEIKER, Mr. JAVITS, Mr. GOODELL, Mr. TYDINGS, and Mr. MATHIAS):

S. 1079. A bill consenting to the Susquehanna River Basin Compact, enacting the same into law thereby making the United States a signatory party, making certain reservations on behalf of the United States, and for related purposes; to the Committee on the Judiciary.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 1080. A bill for the relief of Coe A. Boardman and his wife, Martha E. Boardman, and the estate of Frank J. Smith and his widow, Therese E. Smith; to the Committee on the Judiciary.

By Mr. EAGLETON (for himself and Mr. SYMINGTON):

S. 1081. A bill to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library; to the Committee on Banking and Currency.

(See the remarks of Mr. EAGLETON when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 1082. A bill for the relief of Arlene W. Chang; and

S. 1083. A bill for the relief of Howard Staub; to the Committee on the Judiciary.

By Mr. HARRIS:

S. 1084. A bill for the relief of Lu Jan Tan; to the Committee on the Judiciary.

By Mr. NELSON:

S. 1085. A bill to be cited as the "Environmental Quality Preservation Act of 1969"; to the Committee on Public Works.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 1086. A bill for the relief of John Lee Adams and the estates of his wife, Althela J. Adams, and of his sons, David John Adams and Mark Edward Adams; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 1087. A bill for the relief of Vernon Louis Hoberg; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. SCHWEIKER, Mr. RANDOLPH, Mr. EAGLETON, Mr. NELSON, Mr. HUGHES, and Mr. MURPHY):

S. 1088. A bill to be cited as the "Veterans' Employment and Relocation Assistance Act of 1969"; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. EAGLETON:

S. 1089. A bill for the relief of Peter Pock; to the Committee on the Judiciary.

By Mr. MUSKIE (for himself, Mr. AIKEN, Mr. BROOKE, Mr. CANNON, Mr. DODD, Mr. EAGLETON, Mr. ERVIN, Mr. FULBRIGHT, Mr. HARRIS, Mr. HART, Mr. HOLLINGS, Mr. INOUYE, Mr. JAVITS, Mr. JORDAN of North Carolina, Mr. KENNEDY, Mr. MCCARTHY, Mr. MCINTYRE, Mr. MONDALE, Mr. MOSS, Mr. NELSON, Mr. PASTORE, Mr. PELL, Mr. PROKMIRE, Mr. RANDOLPH, Mr. TALMADGE, Mr. THURMOND, Mr.

YARBOROUGH, and Mr. YOUNG of Ohio):

S. 1090. A bill to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965 as amended, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. MUSKIE when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself, Mr. BAYH, Mr. BROOKE, Mr. EAGLETON, Mr. HARTKE, Mr. INOUYE, Mr. KENNEDY, Mr. MCCARTHY, Mr. METCALF, Mr. STEVENS, and Mr. YARBOROUGH):

S. 1091. A bill to amend the Fish and Wildlife Act of 1956 to provide technical and financial assistance to the commercial fishing industry in meeting the requirements of the Wholesome Fish and Fishery Products Act of 1969; to the Committee on Commerce.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself, Mr. BAYH, Mr. BENNETT, Mr. BROOKE, Mr. EAGLETON, Mr. FONG, Mr. GOODELL, Mr. HARTKE, Mr. HUGHES, Mr. INOUYE, Mr. KENNEDY, Mr. MCCARTHY, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MONDALE, Mr. MONTAYA, Mr. MOSS, Mr. PERCY, Mr. STEVENS, Mr. YARBOROUGH, and Mr. YOUNG of Ohio):

S. 1092. A bill to regulate interstate commerce by amending the Federal Food, Drug, and Cosmetic Act to provide for the inspection of facilities used in the harvesting and processing of fish and fishery products for commercial purposes, for the inspection of fish and fishery products, and for cooperation with the States in the regulation of intrastate commerce with respect to State fish inspection programs, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S. 1093. A bill to amend the Federal Power Act in order to provide for the regulation of the amount of project reservoir storage capacity that may be allotted for water quality control; to the Committee on Commerce.

(See the remarks of Mr. ERVIN when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 1094. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S.J. Res. 50. Joint resolution to establish a joint congressional committee to study and investigate matters pertaining to national security; to the Committee on Armed Services.

(See the remarks of Mr. Tower when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. ERVIN (for himself and Mr. JORDAN of North Carolina):

S.J. Res. 51. Joint resolution to designate the month of May as "National Arthritis Month"; to the Committee on the Judiciary.

(See the remarks of Mr. ERVIN when he introduced the above bill, which appear under a separate heading.)

**S. 1079—INTRODUCTION OF SUSQUEHANNA RIVER BASIN COMPACT BILL**

Mr. SCOTT. Mr. President, I introduce for appropriate reference a bill to grant

altering its natural balance in ways which can be very destructive to marine life.

Thus maintaining a proper flow of high quality water from the Susquehanna is literally a matter of life or death for the renowned oysters, crabs, and clams of Chesapeake Bay. It is a matter of economic health and growth for the Baltimore region. It is also a knotty problem for water management experts and the governments involved.

The river basin compact, developed through over 6 years of painstaking work by representatives of the States involved, provides a framework for sound regional management of the Susquehanna now and in the years ahead. I trust that the appropriate committee will consider this legislation without delay.

**S. 1081—INTRODUCTION OF BILL TO PROVIDE FOR THE STRIKING OF MEDALS IN HONOR OF THE DEDICATION OF THE WINSTON CHURCHILL MEMORIAL AND LIBRARY**

Mr. EAGLETON. Mr. President, on behalf of myself and Senator SYMINGTON, I introduce, for appropriate reference, a bill which would cause the Secretary of the Treasury to strike a medal in honor of the dedication of the Winston Churchill Memorial and Library at Westminster College in Fulton, Mo., in May 1969.

Mr. President, Winston Churchill delivered his world-renowned Iron Curtain speech at Westminster College on March 5, 1946.

As a high school student, I was privileged to be in attendance at the time of his great address and shall always treasure it as one of the truly unforgettable experiences of my life.

A medal commemorating the dedication of this memorial and library is not only a proper tribute to the occasion at hand, but also a fitting tribute to a world statesman, a tangible recollection of one of the great public addresses of modern times, and a worthy recognition of a fine midwestern academic institution, Westminster College.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1081) to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library, introduced by Mr. EAGLETON (for himself and Mr. SYMINGTON), was received, read twice by its title, and referred to the Committee on Banking and Currency.

**S. 1085—INTRODUCTION OF THE ENVIRONMENTAL QUALITY PRESERVATION ACT**

Mr. NELSON. Mr. President, the most urgent current business of our Nation is to reverse the accelerating deterioration of our environment. We are now moving rapidly on a course that can threaten to destroy man's habitat and that of most other living creatures. Irreparable damage has been done already and great energies must be directed to reversing this alarming trend.

The menace to our environment posed by a vast tide of air and water pollution, by our increasing urban sprawl, and by the products and byproducts of our rapidly burgeoning technology is staggering indeed. The indiscriminate use of poisonous pesticides are contaminating our environment. Pollution has all but destroyed our lakes and it is threatening our supply of fresh water. Many of our Nation's finest forests have been ravaged and destroyed. Stripminers and bulldozers have forever marred the beauty of our natural landscape. Automobiles powered by the internal combustion engine are filling the air we breathe with noxious gases. Industrial plants pour ever increasing amounts of harmful residue into the atmosphere at a terrifying rate. These grim facts are shocking.

In order to help our governments, Federal, State, and local, to meet the environmental crisis, I am introducing today a bill—the Environmental Quality Preservation Act of 1969.

Title I of the bill would create a Council on Environmental Quality in the Executive Office of the President to oversee the programs of the Federal, State, and local governments to determine to what extent these activities are contributing to the achievement of environmental quality and to gather, analyze, and interpret conditions and trends in environmental quality.

The principal task of the Council will be to develop within a 5-year period comprehensive national policies and programs to improve and maintain the quality of our environment. This is a job of enormous import not only to us today but also to many generations to come.

Under title II of the bill, the Secretary of the Interior is authorized to conduct studies of natural environmental systems in the United States to document and define changes in these systems, and to develop and maintain an inventory of natural resource development projects and other related projects which may make significant modifications in the natural environment.

Further, the Secretary of the Interior is directed to establish a clearinghouse for information on ecological problems and studies and to disseminate information about progress in the field and to establish a program in which representative natural environments on Federal lands can be set aside for scientific study and for preservation. Also, the Secretary of the Interior will assist and encourage the establishment of similar natural preserves on State and private lands.

Title III of the bill would establish, under the Secretary of Health, Education, and Welfare, a comprehensive waste management research program, coordinating all such research now being done under a number of different Federal programs. The Secretary of Health, Education, and Welfare is also directed to compile a national inventory of waste management needs and problems and of waste management technology.

In addition, the bill would establish a clearinghouse for information on all aspects of air, water, and soil pollution and waste disposal. This information

would be made available to business, industry, municipalities, and the general public.

Our natural resources are a precious commodity and we must begin to more prudently marshal our efforts to stop this senseless destruction of our environment.

The effort that we must make has to be thorough and comprehensive. We need the support of every citizen and of every public official at all levels of government, from city and county government right up to the White House.

The time is long overdue for constructive action and the promulgation of a national directive in this regard.

The Environmental Quality Preservation Act of 1969 can meet this challenging objective.

I ask unanimous consent that this bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1085) to be cited as the "Environmental Quality Preservation Act of 1969," introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

**S. 1085**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act may be cited as the "Environmental Quality Preservation Act of 1969".*

**SEC. 2** The Congress finds and declares—

(a) that the quality of the environment of the Nation—its air, water, and soil—has substantially deteriorated and is continuing to do so at an increasing rate;

(b) that this decline in environmental quality is threatening the health and survival of plant and animal life, and indeed of man himself; is depriving man of esthetic and recreational values increasingly important to his physical and mental health; and is obstructing, and indeed may eventually prevent, the economic, social, and material development necessary to meet the grave problems of an expanding population, and continuing urbanization and industrialization;

(c) that present pollution control programs, directed as they are to specific problems of pollution of water, air, or soil, do not together constitute a comprehensive environmental quality program and cannot maintain overall environmental quality at a level sufficient for the emerging needs of the Nation; and

(d) that the purposes of this Act therefore are to provide for the formulation and recommendation to the Congress of a comprehensive national environmental quality program; to foster interest in and attention to the problems of environmental quality by the Congress and throughout the executive branch; and to recognize and redirect existing research programs, and establish new programs, in order to expand rapidly knowledge of all kinds in the areas of environmental quality, pollution control, and waste management.

**TITLE I—COUNCIL ON ENVIRONMENTAL QUALITY**

**SEC. 101.** The President shall transmit to the Congress annually beginning not later than June 30, 1969, an Environmental Quality Report (hereinafter referred to as the "Report") which set forth (1) the status

and condition of the major natural, man-made, or altered environmental system of the Nation, including, but not limited to the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; and (2) current and foreseeable trends in management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

SEC. 102. (a) There is hereby created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate, each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret environmental information of all kinds, to appraise the environmental quality programs of Federal, State, and local governments, and to formulate and recommend national policy to promote the improvement of the quality of the environment.

(b) The Council may employ such officers and employees as may be necessary to carry out its functions under this title. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this title, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

(c) It shall be the principal duty of the Council to develop comprehensive national policies and programs to improve and maintain the quality of the environment needed to meet the emerging social, economic, material, and other requirements of the Nation. The recommendations of the Council shall be transmitted by the President to the Congress by January 1, 1973.

(d) In addition to those in subsection (c), it shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the Environmental Quality Report;

(2) to gather timely and authoritative information concerning the conditions and trends in environmental qualities both current and prospective, to analyze and interpret such information and to compile and submit to the President studies relating to such conditions and trends;

(3) to appraise the various programs and activities of Federal, State, and local government for the purpose of determining the extent to which such programs and activities are contributing to the achievement of environmental quality, and to make recommendations to the President with respect thereto;

(4) to make and furnish such studies, reports, and recommendations with respect to matters of policy and legislation as the President may request; and

(5) to foster study and research in the social, technical, administrative, economic, political, and other aspects of environmental quality at institutions of higher learning throughout the Nation.

(e) In exercising its powers, functions, and duties under this title—

(1) the Council shall consult with such representatives of science, industry, agriculture, labor, conservation, State and local governments, and other organizations and groups, as it deems advisable; and

(2) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of public and private agencies, organizations, and individuals, in order that duplication of effort and expense may be avoided.

#### TITLE II—ECOLOGICAL RESEARCH

SEC. 201. The Secretary of the Interior (hereinafter referred to as the "Secretary"), in order to carry out the purposes of this title, is authorized—

(1) to conduct investigations, studies, surveys, research, and analyses;

(2) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(3) to develop and maintain an inventory of natural resource development projects, engineering works, and other major projects such as, but not limited to, eradication projects contemplated or planned by public or private agencies or organizations which may make significant modifications in the natural environment;

(4) to establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals;

(5) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps;

(6) to initiate and utilize ecological information in the planning and development of resource-oriented projects;

(7) to encourage other public or private agencies planning development projects to consult with the Secretary on the impact of the proposed projects on the natural environment;

(8) to encourage and assist public (non-Federal) or private agencies or organizations, including educational institutions, museums, and botanical and zoological gardens, and other scientific or conservation organizations, or individuals, to acquire, designate, and maintain representative samples of important natural environmental systems, including natural areas for observation and for manipulation, and to encourage such agencies, organizations, and individuals to utilize existing areas under their control or jurisdiction for such purposes;

(9) to establish through interagency coordination, on federally owned lands, a Federal system of natural areas for scientific purposes and develop the means and methods for withdrawal of such areas from nonconforming uses, and provide for their management and protection to serve the natural research needs of all agencies, both public and private; except that in developing standards governing any such withdrawals, the Secretary shall give due consideration to future alternative uses of such areas subject to withdrawal; and

(10) to assist and advise the Council on Environmental Quality established under title I of this Act.

SEC. 202. The Secretary is further authorized for the purposes of this title (1) to make grants and enter into contracts or cooperative agreements with public or private agencies or organizations, or individuals, (2) to accept and use donations of funds, property, personal services, or facilities, (3) to acquire selected areas of lands or interests in lands by donation, acquisition with donated funds, devise, or exchange for acquired lands or public lands under his jurisdiction which he finds suitable for disposition, (4) to administer such lands or interests for experimental purposes, including the observation and manipulation of natural areas, and (5) to issue such regulations as he deems necessary with respect to the administration of such lands.

SEC. 203. Activities authorized under this title may be carried out on lands under the

jurisdiction or control of other departments or agencies of the Government only with the approval of the head of the department or agency concerned.

SEC. 204. The Secretary shall consult with and provide technical assistance to departments and agencies of the Government, and he is authorized to obtain from such departments and agencies such information, data, reports, advice, and assistance as he deems necessary or appropriate, and which can reasonably be furnished by such departments and agencies in carrying out the purposes of this title. Any Federal agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement by the Secretary.

SEC. 205. Nothing in this title is intended to give, or shall be construed as giving, the Secretary any authority over any of the authorized programs of any other department or agency of the Government, or as repealing, modifying, restricting, or amending existing authorities or responsibilities that any department or agency may have with respect to the natural environment. The Secretary shall consult with the heads of such departments and agencies for the purpose of identifying and eliminating duplication of effort.

SEC. 206. (a) The Secretary is authorized to establish such advisory committees as he deems desirable for the purpose of rendering advice and submitting recommendations to him relating to the carrying out of the purposes of this title. Such advisory committees shall render advice and submit recommendations to the Secretary upon his request and may submit recommendations to the Secretary at any time on their own initiative. The Secretary may designate employees of the Department of the Interior to serve as secretaries to the committee.

(b) Members of advisory committees appointed by the Secretary may receive not to exceed \$100 per day when engaged in the actual performance of their duties, in addition to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

SEC. 207. The Secretary is authorized to participate in environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations if he determines that such activities will contribute to the objectives and purposes of this Act.

#### TITLE III—WASTE MANAGEMENT RESEARCH

SEC. 301. (a) (1) The Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") shall organize the research and related activities authorized by the Clean Air Act, as amended, and the Solid Waste Disposal Act, as amended, into a comprehensive program for research in waste management. The Secretary shall insure that the program is organized, planned, and conducted with singleness of purpose and maximum effectiveness, and for this purpose the most advanced management and research methods and techniques, including systems analysis and systems engineering, shall be employed.

(2) The Secretary is authorized to consult with the Secretary of the Interior for the purpose of including research and related activities authorized by the Federal Water Pollution Control Act, as amended, in the program authorized in this title, and the Secretary of the Interior is authorized to cooperate to the extent practicable with the Secretary for such purpose.

(b) As a foundation for the work of the waste management research program established by subsection (a) of this section, the Secretary shall have compiled a national inventory of waste management needs and problems, and of present waste management

methods, including the costs of these methods.

(c) The Secretary shall also establish within the Department of Health, Education, and Welfare (hereinafter referred to as the "Department") an office to collect from appropriate sources and to disseminate actively to the general public, to agricultural, industrial, and commercial groups and their representatives, and to Federal, State, and local government agencies and their representatives, such information as is available regarding all aspects of air, water, and soil pollution, including in particular the extent and dangers of such pollution, and the financial and technical assistance available from the Federal Government for research on, and prevention and abatement of, such pollution.

(d) The Secretary shall assist and advise the Council on Environmental Quality established under title I of this Act.

SEC. 302. (a) The Secretary shall encourage and arrange for full and complete cooperation between the waste management research programs established under section 301(a), and those programs of other departments and agencies of the Federal Government engaged in research and development work on any aspect of waste management.

(b) The Secretary is hereby authorized to request, and the departments and agencies of the Government are directed to grant, the use of the waste disposal installations and facilities of any such department or agency for the purpose of testing and evaluating new methods, procedures, and equipment for waste management: *Provided*, That in the judgment of the department or agency concerned, such test and evaluation work will not disrupt, disorganize, or in any way interfere with the normal activity, operations, and functioning of such agency or department: *Provided further*, That any expense incurred in such test and evaluation work above and beyond the normal and usual expense of operating the waste disposal installations and facilities of the agency or department concerned shall be borne by the department.

SEC. 303. When used in this title—

(a) the term "waste" means the unwanted solid, liquid, and gaseous materials from agricultural, industrial, commercial, domestic, and community production and consumption activities, discarded or discharged into or onto the atmosphere, water courses, or the ground;

(b) the term "waste management" means the planned, organized, and efficient collection, treatment, reclamation, and disposal of waste to minimize or prevent air, water, and soil pollution; and

(c) the term "research" means (1) studies, investigations, and experiments for the development of basic and applied knowledge bearing on waste management in the physical, biological, social, and earth sciences; and (2) the design, development, and testing of equipment, methods, and processes for waste management.

#### TITLE IV—APPROPRIATIONS

SEC. 401. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1968, and for each of five succeeding fiscal years, such amounts as may be necessary for the purposes of this Act.

#### S. 1088—INTRODUCTION OF BILL RELATING TO VETERANS EMPLOYMENT AND RELOCATION ACT

Mr. JAVITS. Mr. President, on behalf of myself and Mr. SCHWEIKER, Mr. MURPHY, Mr. RANDOLPH, Mr. EAGLETON, Mr. NELSON, and Mr. HUGHES, I introduce the "Veterans Employment and Relocation Assistance Act of 1969," a measure designed to help Vietnam veterans find

job opportunities to match their skills and provide financial assistance where relocation is necessary. This legislation is aimed at assisting veterans returning to areas in which there is no market for the skills they have acquired while in military service. It would direct such veterans away from areas of high unemployment, whether in inner city slums or depressed rural areas.

Approximately 900,000 men will be discharged from the armed services this year and it is estimated that about 450,000 of these men will seek postdischarge employment assistance. This bill would assist our returning veterans in finding employment opportunities which are commensurate with their military training and experience, no matter where such opportunities exist.

Many veterans have had such difficulty obtaining jobs that they have had to rely on unemployment compensation. Throughout the Nation, 168,841 recent discharges—men who had served in the armed services during 1968—filed for unemployment compensation and drew these benefits for an average total of 9 weeks.

The key feature of the bill I introduce today is job mobility. It is its objective to assist those veterans who would be returning to areas of high unemployment by directing them to other sections of the country where the skills and training they received while in military service are in need and would be utilized. Military service interrupts the life experience of many young men. We should take advantage of this fact and seek to turn such circumstance into an opportunity for significant social and economic breakthrough. Those men who have left depressed urban ghettos to serve in the armed services should have the opportunity, if they wish, of going where employment opportunity exists after their military service has been completed. Not only could such a program benefit the men involved, but it could contribute to the national economy by promoting labor mobility and overcoming manpower skill shortages on a national basis.

Many of our returning veterans acquire skills in the military which have counterparts in the civilian economy. Each serviceman generally learns from one to three "military occupational specialties"—MOS. Many, although not all, of the MOS's have immediate civilian relevance. For those men who are to leave the armed services unequipped to make the transition to civilian life and who need assistance in preparing for a job, in addition to postdischarge training benefits offered under the cold war GI bill, the military is beginning to offer other sources of relevant skill training.

In particular, I refer to Project Transition of the Department of Defense. This program seeks to train men about to be discharged for jobs which will exist, for skills which are needed, in the civilian labor market. This is done by offering specific MDTA courses at each of the armed services separation points in the United States and, in addition, by utilizing direct support from business in the form of company-sponsored courses taught on the bases.

The American Legion magazine of Feb-

ruary 1969 reports that the Department of Defense now has in operation VEVER, Vietnam era veterans' employment referral, an automated system whereby a Vietnam veteran who meets certain eligibility requirements may make a single application for civilian employment with Federal Defense or any other agency's installations anywhere in the United States and have it referred to the agencies at the geographic location of his choice. This is a step forward in matching a suitable vacancy in an area selected with skills and employment desires.

The Veteran's Employment and Relocation Assistance Act represents an effort to build upon and to supplement military training and programs such as the Vietnam era veterans' employment referral program and Project Transition. One of the greatest limitations to Project Transition is lack of mobility. In an article in the Reporter entitled "A Belated Job Program for Vietnam Veterans," John I. Brooks noted that—

Much of Project Transition's success depends on a man's willingness to go where the job is . . . the returning veteran is at "a point of high mobility" in his life because of his recent separation from home and his travels in the service.

This bill would take advantage of that potential mobility. It would seek to stimulate those veterans whose homes are in areas of high unemployment to relocate in those sections of the country where they could more easily acquire useful and relevant employment. This will be done through a process of compilation and matching of relevant data and a program of financial relocation assistance.

Some of the data relevant to this program of veterans' assistance is already available. The U.S. Employment Service of the Bureau of Employment Security in the Department of Labor is presently charged with maintaining a system of employment offices throughout the Nation which collects and furnishes information on employment opportunities in each area. Moreover, these local USES offices are to offer specific job counseling assistance to veterans.

First, this act would require USES to collect and compile information about employment and training opportunities on a national basis through the establishment of a so-called Veterans' employment and relocation assistance center. It would also require the Secretary of Defense to compile, each month, a list of persons who are to be discharged, together with their homes of record and any special education, training, or skill such person may possess, including his MOS, both primary and secondary. This information, which could be crucial to placing a veteran in a civilian job which builds upon his most relevant and most recently acquired skill, is not now generally available nor is it utilized by USES in counseling and placing veterans in jobs.

Second, the act would seek to match the skills the veterans have acquired in the armed services with employment and training opportunities available on a national basis. Each local USES office would continue its present practice of seeking out veterans returning to its area, counseling them, and assisting them to find

This prejudice and bigotry have promoted irrationality and prevented a truly lasting settlement to the political problems of the Middle East. While the history of man is checkered with these illogical hatreds, it seems to me that modern man must make progress toward solving these primitive biases.

The persecution of innocent people must cease and the intolerable conditions ought not to be permitted by the Arab governments. Meaningful steps must be taken by responsible government officials to still the shrill cries of hatred that trumpet throughout many Arab lands.

Today I am cosponsoring a resolution calling for an end to the intimidation of Jews in Iraq, and the spirit of it applies equally to other nations of the world. This Senate resolution specifically urges that Jewish citizens be free to emigrate from their native land if they wish to do so.

The deprivation of basic human rights and civil liberties is senseless and cannot be allowed to exist free of dissent.

**NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY**

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Louis O. Aleksich, of Montana, to be U.S. marshal for the district of Montana for the term of 4 years, vice George A. Bukovatz.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Tuesday, April 1, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

**NOTICE OF HEARINGS ON OMNIBUS JUDGESHIP BILL**

Mr. TYDINGS. Mr. President, the Subcommittee on Improvements in Judicial Machinery will begin hearings on S. 952, the omnibus judgeship bill, and related bills, including, S. 474, S. 567, S. 585, S. 852, S. 898, S. 1036, and S. 1216, on April 15 and 16, at 10 a.m. in room 6226, New Senate Office Building.

All persons wishing to be heard on these bills or on the need for additional Federal judgeships and related matters should contact immediately the subcommittee in room 6306, New Senate Office Building.

**NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY**

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Harold O. Bullis, of North Dakota, to be U.S. attorney for the district of North Dakota for the term of 4 years, vice John O. Garaas.

George W. F. Cook, of Vermont, to be U.S. attorney for the district of Vermont for the term of 4 years, vice Joseph F. Radigan.

James L. Treece, of Colorado, to be U.S. attorney for the district of Colorado for the term of 4 years, vice Lawrence M. Henry.

Benjamin F. Holman, of the District of Columbia, to be Director, Community Relations Service, for the term of 4 years, vice Roger W. Wilkins.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, April 1, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

**NOTICE OF HEARING**

Mr. JACKSON. Mr. President, I would like to announce for the information of the Senate and the public that the Senate Committee on Interior and Insular Affairs will hold an open hearing on the nomination of Mr. Harrison Loesch, of Montrose, Colo., to be Assistant Secretary of the Interior for Public Land Management. The hearing will be held on Monday, March 31, 1969, at 10 a.m. in the committee room, 3110 New Senate Office Building.

Any Member of the Senate who is interested is invited to attend and participate in the hearing.

Mr. President, I ask unanimous consent that a biographical sketch of Mr. Loesch be printed in the RECORD at this point.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

**DATA: HARRISON LOESCH**

Family: Born Chicago, Illinois, March 10, 1916, to Joseph B. Loesch and Constance Harrison Loesch; married to Louise Mills, June 19, 1940; children, one son, Jeffrey H. Loesch, born June 14, 1946.

Education: Montrose Colorado school; B.A., Colorado College, 1936; Denver University Law School, 1936-1937; LL.B. Yale University, 1939.

Military service: Enlisted Pvt. AUS, 3-1942; OCS, Field Intelligence training, commission 10-1942, assigned 314th T.C. Gp., 9th A.F., North Africa (1943), Sicily, England, France, Germany. Distinguished Unit Citation, Air Medal (Cluster). Discharged, major, 10-1945.

Bar admissions: Admitted to Bar, Colorado, 1939; United States District Court; United States Court of Appeals, 10th Circuit.

Professional associations: Moynihan & Huges, Associate, 1939-1942; Strang & Loesch, 1945-1956; Loesch & Kreidler, 1956-1961; Loesch, Kreidler & Durham, 1961 to date.

Bar association memberships: Seventh Judicial District (President 1956); Colorado (Board of Governors 1950-1952; 1960-1963; President 1961-1962); American.

Organizations: Rotary, Elks, University Club of Denver, VFW, American Legion, Boy Scouts of America.

Politics: Republican.

Religion: Protestant (Preference, Episcopal).

Public land law experience: As a Colorado lawyer, I have had extensive representational experience with the Bureau of Land Management and all phases of the Taylor Grazing

Act including process, procedure, administrative appeals and litigation covering rights and duties of permittees, exchanges, sales of isolated tracts, withdrawals, grazing districts, and homestead entries.

During the uranium boom of the 1950's, I became experienced in the AEC procedures involving exploratory permits, leases and claims on withdrawn lands, as well as the ordinary process concerning mining claims on open public lands. These latter are of course the same as lode mining matters which had already been a substantial part of my practice.

In connection with the establishment and enlargement of the Black Canyon National Monument, I have dealt with the hierarchy of the National Park Service on trades, purchases, re-surveys and other administrative procedures, and have been instrumental in effecting compromises which benefited both the public and the land owners.

Of late years, I have handled the procedures provided for granting title to small residential tracts to long-time occupants of invalid (or invalidated) mining or mill-site claims.

I claim expertise in Colorado water law, and have handled all phases of individual and ditch company appropriation procedures, development, and litigation. I have dealt with the Bureau of Reclamation, the Uncompahgre Project Association, and the Tri-County Water Conservancy District on administrative accommodations for development of municipal and rural domestic supply for the entire area. Water matters have become of particular moment with progress of Colorado River development upstream from Glen Canyon, and have intimate connection with the use and disposition of public lands in the entire 5-state area, so acquaintance with Bureau of Reclamation rules, regulations and procedures is pertinent.

I have handled negotiations for access roads to public lands and have participated in litigation concerning them. I have some knowledge of the procedures involved in obtaining licenses for transmission line rights of way across public lands, and the rules and regulations involved in the process of building access roads to private lands.

This experience has afforded me a reasonable knowledge of the organization, structure and function of the Bureau of Land Management, the Bureau of Reclamation, the Rural Electrification Administration, the Forest Service, the Geological Survey, the Land Office, the Bureau of Mines, and the state organizations which interact with and supplement them.

**NOTICE OF HEARINGS**

Mr. JACKSON. Mr. President, for the information of Members of the Senate and the public, the Senate Interior and Insular Affairs Committee has scheduled the following hearings before the full committee through April 30:

March 27, full committee: 10 a.m., executive, room 3112. Briefing and information hearing on operations under Outer Continental Shelf Lands Act.

March 31: Nomination hearing of Harrison Loesch, Assistant Secretary for Public Lands.

April 15 and 16, full committee: 10 a.m., open, room 3110. S. 1075 and other measures to establish a national environmental policy.

April 22, full committee: 10 a.m., open, room 3110. S. 1076, Youth Conservation Corps bill.

April 29 and 30, full committee: 10 a.m., open, room 3110. Alaska native land claims.

At the April 15 and 16 hearings on S. 1075 and other measures to establish a national environmental policy, the committee will hear testimony from representatives of the administration and from the general public.

At the April 22 hearing on S. 1076, a bill to establish a Youth Conservation Corps, testimony will be received from representatives from the administration and the general public.

At the April 29 and 30 hearings on Alaska Native land claims, testimony will be received from the representatives of the administration, the State of Alaska, the Alaska natives, and the general public. At the present time, there are no bills pending before the committee on this subject. Last February I requested the Department of the Interior to draft legislation designed to implement recommendations for a proposed legislative settlement which were made by the Federal Field Committee for Development Planning in Alaska. When this drafting service is completed, the measure will be introduced for the committee's consideration together with other bills which may be introduced prior to the hearing.

#### RICHARD BREVARD RUSSELL

Mr. BYRD of West Virginia. Mr. President, earlier this month, I stated to the Senate my great pleasure whenever I see tribute paid to the extraordinary capabilities of Senator RICHARD RUSSELL, one of the Senate's true true giants of all times.

It has been good to note the remarks of Senators on both sides of the aisle in tribute to him this week, and I want to add my own words to the expressions of warm wishes for more carefree days ahead for the able senior Senator from Georgia.

The news of his illness is hurtful to me, as it surely is to all who know him. I wish that it lay within my power to perform some deed that would take away this trouble which has come to him.

This legislative body and this Nation have real need of his wisdom, his tremendous capacities for dedicated service, his proven abilities for leadership and conciliation, and his talent for making his associates want to stand tall in relation to his own great personal stature.

Indeed, when I think of the current wide usage of the term "charisma," I feel surprise that many years ago it was not applied to RICHARD BREVARD RUSSELL. Webster's dictionary describes the term as "a quality of extraordinary spiritual power attributed to a person capable of eliciting popular support in the direction of human affairs."

Can there be any doubt in anyone's mind, who has seen and heard the Members of the Senate speaking on the floor this week and in the years gone by, that the words spoken are testimony to a man—RICHARD BREVARD RUSSELL—who through his own great quality of spirit leads others to rise beyond and above themselves to serve the best interests of this Republic?

I believe that deep measure of charisma would have redounded to even

greater benefit for this Nation had the turn of the wheel of political fortune placed him in the White House, giving to all Americans a greater exposure to his influence and added opportunity to achieve new levels.

#### THE SLEEPING BEAR DUNES NATIONAL LAKESHORE

Mr. HART. Mr. President, I have introduced this year a bill to establish the Sleeping Bear Dunes National Lakeshore in Michigan.

The purpose of this legislation is to perpetuate for the benefit and enjoyment of people now and in future generations, the special beauty and values of the Sleeping Bear Dunes landscape.

The 61,000 acres which we have carefully designated for this national lakeshore encompass an expensive diversity of scenic beauty. Crowning it all are the great dunes, themselves. Yet, our objective is not only to preserve the dunes, but also the setting of forested hills and natural lakeshore in which they are found.

Again, today, I stress the urgency of this project. This nationally significant landscape stands poised on the edge of decision. This Congress must decide. We can act now to pass S. 1023 and the identical House bill, H.R. 4287, establishing the Sleeping Bear Dunes National Lakeshore, to adequately protect and appropriately plan for the development of this landscape. If we do not, this special landscape cannot long withstand the threats of cottage subdivision, commercial development, and honky-tonk encroachment. These destructive forces have gathered pressure in recent years. Now, they are closing in for the kill.

Mr. President, never before in the 10 years that I have been actively working for this project have I felt this heavy weight of utter urgency. This is the year the die will be cast.

I am delighted, therefore, to call to the attention of my colleagues the editorial support of the New York Times for the Sleeping Bear Dunes National Lakeshore.

Mr. President, I ask unanimous consent that the editorial, "Of Men and Dunes," from the Sunday New York Times for March 16, 1969, be included at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### OF MEN AND DUNES

Natural sand dunes, the unending masterpiece of wind and water, are among nature's more fascinating and useful creations. To the human eye, their clean lines and fantastic and changing shapes are a delight. To shore birds and migratory birds, they nurture and protect life itself. Birds nest in the beachgrasses and depend for food on the salt ponds and fresh-water pools behind the dunes. To the sea and the lakes, dunes are nature's own barrier to the devastation effects of violent storms.

But something there is in many men that does not love a dune. The only wild, clear call that they hear at the edge of the sea is the screech of profit and the bulldozer's mournful crunch. The land speculator and the summer cottage builder, the highway contractor and the jetport planner, all these

see only a beach to be leveled and subdivided into lots and paved with blacktop and sold for dollars.

In recent years, the struggle to save surviving sections of the nation's seashores and lakeshores has made progress. From Cape Cod and Fire Island to Texas's Padre Island and California's Point Reyes, some dunes have been saved by Federal law. But more remains to be done, and old battles have sometimes to be won a second and a third time.

The dunes created by Lake Michigan provided two such battlegrounds. The Indiana Dunes, just east of Chicago at the southern end of the lake, were rescued after a long fight between conservationists led by former Senator Paul H. Douglas and steel companies which wanted to build a deep water port. But the Chicago, South Shore and South Bend Railroad is now pressing the National Park Service for permission to construct a marshalling yard within the boundaries of the lakeshore.

Before this railroad issue is even settled, there is already talk in Indiana that a new jetport may be built immediately south of the national lakeshore. If the so-called Chesterton site is selected, jets would spew oil and fumes as well as roaring noise over the dunes.

Far to the north at the western edge of the State of Michigan, the lake has created the beautiful Sleeping Bear Dunes, so named because their profile from a distance resembles a great bear curled in sleep. Ten years ago the National Park Service identified these dunes as one of the dozen shoreline areas in the nation most worth saving. Michigan's Senators introduced a bill to protect them as a national lakeshore in 1959. The years have passed but the bill has not.

Intensive private development now menaces the viability of Sleeping Bear as a national lakeshore. Meanwhile, the cost of the Government of acquiring the land has risen by one-third. The bill has been reintroduced in both houses of Congress, but hearings have been delayed until the Nixon Administration makes its position known. It is imperative that legislative action be completed this year. Congress waits, but the grasping hands of the land speculators are busy. Soon the Sleeping Bear may not be sleeping but dead.

Mr. HART. Mr. President, this welcome expression from a great national newspaper well known for its concern with conservation is another illustration of the growing support for the Sleeping Bear Dunes National Lakeshore. It is my hope now that the new administration will move with dispatch to support this legislation, and that the Congress will address itself to this matter with the sense of urgency that is required.

#### SENATOR GOLDWATER ADDRESSES THE ASSOCIATION OF AMERICAN FIGHTER PILOTS

Mr. TOWER. Mr. President, on Friday, March 21, my good friend and colleague, Senator BARRY GOLDWATER, addressed the Association of American Fighter Pilots in Houston, Tex. His remarks on that occasion have, I believe, an important and significant bearing on numerous matters now under consideration in the Congress of the United States.

In short, Mr. President, the Senator from Arizona deplors what he describes as a deliberate campaign being directed against the concept of military strength in the United States. Because of its timeliness and importance I ask unanimous

When the Israeli destroyer Elath was attacked by missiles fired from an Egyptian patrol boat in June, 1967, at Port Said harbor, there were Russian ships in the same harbor. Their presence prevented the Israelis from taking counter-action against the patrol boat unit if they had wanted to do so because it would have created a direct confrontation with the soviet forces.

"The mere presence of one soviet ship in a harbor causes another nation to make an evaluation of whether any move toward that harbor could cause retaliation by the soviets; thus you can see the political effect," said a senior naval officer attached to the American naval staff in Naples.

EXPECT NO U.S. ACTION

The Institute of Strategic Studies in London reported that the Red fleet rules out a repeat performance of the American landing in Lebanon in 1958 and makes unlikely American aid to Israel in case of a new Arab-Israeli clash. Soviet ships stationed in the vicinity might be a cause of confrontation.

From a psychological aspect, nations ringing the Mediterranean may have had little fear of the Russians when evidence of their power was not present.

If one of the NATO nations in the Mediterranean thought the Russian force was getting so strong, its leaders might think NATO forces would be unable to provide adequate defense. Out of fear, they might begin making friendly overtures with the soviets, resulting in increased trade and political submission.

SEE NEW KREMLIN POLICY

Some military experts predict the Russians' Mediterranean fleet is only the beginning of a new Kremlin policy aimed at challenging American naval supremacy thruout the world, a supremacy that forced the Kremlin to back down after sending missiles to Cuba and to accept Egypt's defeat by Israel in June, 1967.

"The Russians have learned that naval forces can be used as a form of diplomacy and for political pressure," Rivero said.

Many experts here believe there is a strong military basis to the Russian diplomatic interest in middle east. The Russians want the Suez canal to be open, a need that undoubtedly will not be realized so long as Israel holds Sinai.

"The Russians are highly interested in the Suez canal, their only way of passing thru to the Indian ocean, receiving supplies and reinforcements, and eventually linking up with the fleet they have at present operating in the Persian gulf," Rivero said.

"Probably, in this case, the political and diplomatic factors are largely the consequence of a military requirement," said Rivero, who is responsible for the NATO defense of Italy, Greece, and Turkey.

Also of concern to American and NATO naval forces are the auxiliary fleets [those of Yugoslavia, Syria, Egypt, and Algeria] equipped with a missile capability. Such vessels are called Osa and Komar class boats and are a speedier and more sophisticated version of the American torpedo [PT] boat of World War II.

"I believe that these two classes of vessel represent a real threat to our lines of communication," said Rivero. "This would be all the more true if Syria, Egypt, and Algeria were seriously involved against our countries.

"However," said Rivero, "these vessels' missiles have a very limited range whereby, if the vessels operate far from convoys and escorts ships, it is very easy to keep a check on them, especially by means of aerial observation, which is always intense in our units' operational area. The most important thing is never to be taken by surprise."

ALLIES WATCHED FROM AIR

Another naval officer said, however, that an Osa and Komar-type vessel could approach an allied naval warship by moving

amid one of hundreds of small fishing fleets in the sea. Tho naval authorities assert their ships would operate beyond the range of the Osa and Komar boats, some officers contend the boats might be able to obtain fuel, as well as cover, from the fishing boats with which it traveled.

Steady surveillance activity by Egyptians flying Russian manufactured reconnaissance aircraft also causes concern among the allied navies.

"These planes are equipped with highly sophisticated gear," said Rivero. "Whenever there is a NATO or 6th fleet exercise, they keep watch."

Asked if Russian crews manned the planes, Rivero said:

"I can say that you can hypothesize that due to the very highly sophisticated equipment in those aircraft that at least some of the crews probably are soviet, but you can't prove it."

Tho the Russians use four Mediterranean ports (Algiers, Alexandria, Port Said, and Latakia in Syria) extensively, and one port (Tartus in Syria) to a lesser degree for repair and resupply, they depend mainly on anchorages, areas where the sea is more than 100 feet deep, across the Mediterranean.

RUSS KEEP INDEPENDENT

While tied in anchorages under relatively calm circumstances, the crews can carry out repair, load supplies, and rest. NATO authorities believe the Russian admiralty makes use of these anchorages in order to reduce to a minimum its having to depend on the good will of any other country.

The use of anchorages are said to be a great inconvenience in bad weather and rough seas, and can be a factor in limiting higher crew morale thru offering little exercise and eliminating the purchase of fresh foods in shore markets.

LACK OF BASES A PROBLEM

Among the anchorages most frequently used by the soviets are the international waters near the coast of North Africa off Alboran, Hammamet, and the Island of La Galite; one off Greece at Kithira; and one between Cyprus and the Levantine coast. An area east of Malta, known as Hurd bank, also is frequently used.

The lack of bases they can call their own poses a serious problem for the soviets. Many Europeans and American naval commanders are concerned the Russians may try to develop such a base at Mirs-el-Kebir, the large naval facility at Oran, Algeria, which was turned over to that nation by the French in 1967 after they withdrew from NATO.

"Bases are not essential for a fleet operating far from its home ports, but without doubt they can greatly facilitate operations," said Rivero. "The soviets cannot do important maintenance in the anchorages which they have in the Mediterranean area. They can do more in ports such as Port Said and Alexandria, where their ships have free access.

USE PORTS AS THEIR OWN

"But the importance of a port also depends on the equipment existing and the supplies stored there," he said. "In these two Egyptian ports there are also docks which enable the soviets to carry out work on their ships' hulls. This is of course less than what the soviets could do at home.

In any case, the soviets calmly use Port Said and Alexandria as if they were their permanent bases. It does not much matter whether these bases belong to Egypt or to the Soviet Union, because the Egyptians give them a free hand. On the other hand, the soviets do no have this possibility in the western Mediterranean.

Asked if he thought the presence of the soviets at Mers-el-Kebir would be dangerous for the defense of the Mediterranean, Rivero replied:

"I don't think it would be any more dangerous whether they were there or not. The

great advantage for them would be that of being able to effect all their maintenance work and supplies in the western part of the Mediterranean, without being obliged to return to the eastern part each time. However, all this would not appreciably alter the military operation capability of the soviet fleet."

NATIONAL WILDLIFE FEDERATION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 26, 1969

Mr. DINGELL. Mr. Speaker, our friend and colleague, Congressman JOHN L. OTTINGER, on March 1, 1969, made an address to the 33d annual meeting of the National Wildlife Federation in Washington, D.C. In his considered and thoughtful address, the gentleman from New York called for the creation of a Federal "environmental ombudsman" to protect our natural resources from damage and destruction by reason of actions of Federal departments and agencies.

So that my colleagues will have an opportunity to be familiar with Congressman OTTINGER's views on this matter, I include the text of his address at this point in the CONGRESSIONAL RECORD:

ADDRESS OF THE HON. RICHARD L. OTTINGER, NATIONAL WILDLIFE FEDERATION—33D ANNUAL MEETING, STATLER-HILTON HOTEL, WASHINGTON, D.C., SATURDAY, MARCH 1, 1969

I am indeed honored to have been invited to participate in this 33d annual meeting of the National Wildlife Federation.

This is one of the really outstanding events of the year for all who are concerned with conservation of our dwindling natural resources and preservation of our threatened environment.

But this annual meeting has a particular and personal significance for me. First, because of the Federation's decision to honor the Scenic Hudson Preservation Conference as the Conservation Organization of the year. And second, because—by that action and by the agenda for this general session we are opening here this morning—the Federation is taking the lead in expanding the horizons of traditional concepts of conservation to include resource and environmental problems of the urban-suburban complex.

The honor to be paid to Scenic Hudson tonight is particularly gratifying to those of us who have been identified with that organization's long, and often seemingly hopeless, battle to save Storm King Mountain and the incomparable assets of the Hudson Gorge and Highlands.

For many years Scenic Hudson stood alone in asserting that a natural asset has a value over and above that which can be measured in terms of development potential. The Conference fought for the principle that this value is enhanced rather than diminished by the fact that the asset is a part of a growing urban complex.

Whatever the final outcome of the Storm King fight—and I am pleased to note that the odds have changed considerably over the past six years—Scenic Hudson will have made an important contribution to the national conservation effort and thereby to the quality of life in this country.

Through the decision of the Second Circuit Court, Scenic Hudson has established that the concerned public has a defendable interest in the disposition of a natural resource—and that government agencies have an affirmative responsibility to protect that interest.

Equally important, through its patient, persistent educational efforts, Scenic Hudson has created a new public awareness of importance of environmental factors in every action that we propose to take to meet the needs of our growing urban-suburban complex.

By honoring Scenic Hudson for these achievements, the National Wildlife Federation has helped to focus the attention of the conservation community on its vital problem and, as I am sure Secretary Hickel could tell you, that community has come to represent a very potent force in our society.

The environmental pollution generated by urbanization has a very direct effect upon the natural resources that have been the traditional objects of conservation concern. I doubt if there is any park, refuge or wildlife preserve that has not felt the impact in some way. It may come in a direct way from the growing volume of water pollution and air pollution. It may come from the effects of highway proposals, powerlines, industrial encroachment or just plain people pollution.

If we need justification for turning our attention to the wise conservation of urban resources, it is very simply stated: survival.

We have to face the fact now that we live in a finite environment. Perhaps there was a time when we had so much elbow room that we could ignore the limits of our resources. But now, our growing population and the tremendous technological development that is necessary to support it, are demanding so much of our environment that the end is, if not in sight, at least in mind.

Not only is our environmental system finite, it is also complex and its factors are closely inter-related. Everything we do can have a significant and unexpected impact on crucial environmental factors—often an adverse impact.

We hear a lot these days about the dangers of the "finger on the nuclear trigger" and its potential for the cataclysmic destruction of life on this planet. It is a very real danger and one that deserves a lot of attention. But I would point out that a nuclear catastrophe requires a positive, deliberate action—a decision to destroy.

Today, man has his finger on an "environmental trigger" which is, in the long run, no less real, no less dangerous to our survival than the nuclear trigger. And the environmental trigger can be pulled by accident, by indifference, by merely continuing to do the things we have always done in the same careless way. Each resource we squander, each infusion of pollution that we dump into our environment brings the apocalyptic day of reckoning closer.

Take a simple thing like transportation. One of the keys to making one of these vast new urban complexes work is the development of an efficient transportation system. Why should this be a conservation concern? Because our traditional approach to transportation, the highway, is rapidly assuming major proportions as an environmental threat.

We are caught in a vicious cycle. The more highways we build, the more we rely on cars, trucks and buses. The more we rely on cars, trucks and buses, the more highways we need to keep pace with our growing population.

In many areas, the citizenry already finds itself locked in mortal combat with this highway monster that would disrupt and even destroy their homes and communities.

In our cities the public health is seriously threatened by pollution from the internal combustion engine which accounts for two-thirds of the poison that we dump in our air. Even the most optimistic view of the effectiveness of abatement devices indicates that we would barely manage to maintain this unhealthy status quo if we stopped growing right now.

These are obvious and quite serious problems, but by no means the only ones.

Highways, for example, have a real, if unheralded, impact on water resources. Not just in run-off pollution but through actual curtailment of supply.

An important source of fresh water is the aquifer, the underground supply that is replenished largely by rain seeping into the ground. However, a growing amount of rain never gets there. It falls on highways, pavements or other run-off areas, is collected in sewers and carried directly into streams and rivers to be lost forever in the oceans. Major U.S. highways alone are estimated to cost us well over 335 billion gallons of water a year and the highways that are to be built by the year 2000 will cost another 1.5 trillion a year.

Viewed in light of the Water Resources Council's report to the President, this highway issue takes on new long-range significance. The Council warned that by the year 2010 the demand for fresh water will match the total available supply. We will then be able to expand our resources only by desalination, by a massive conservation effort, and by recycling and reuse.

The alternative to highway madness is the development of clean, fast, efficient mass transit. Yet today under pressure from the highway lobby we allocate \$2.5 billion to urban highways and only 7 per cent as much, \$175 million, to mass transit.

The lengths to which the modern highwaymen will go just to keep building are amazing and sometimes ridiculous. In some cities we are building highways over highways and in my own Westchester County the state highwaymen, having run out of space on land, now propose to pave a substantial stretch of the Hudson River.

Perhaps the ultimate absurdity was reported in a news item in the New York Times three months ago, which reads:

"Trenton—December 13—New Jersey's Department of Transportation is constructing an inter-state highway link that could wind up under water if the State's Department of Conservation and Economic Development goes ahead with its present plans to build a dam on the Passaic River . . .

"A spokesman for the transportation Department said its engineers had completed the designs for the highway two years ago. Conservation officials countered that plans for the development of the Passaic Valley had been under consideration for 35 years . . .

"(The) Commissioner of Transportation said that he was not completely familiar with the plans for the reservoir but it seems there will be a substantial impact on present and planned highway construction especially on Routes 78, 80 and 280.

"(The) Conservation Commissioner . . . could not be reached for comment."

Isn't that grand?

For the first time, it's the dam-builders versus the highwaymen, and the mind boggles at the consequences.

Fish ladders for commuters?

Spillways for the evening rush hour?

In the words of the late Henry Ford, "Let's you and him go fight."

Make no mistake about it. The highwaymen are no more than a modern version of the ruthless exploiters that would already have ravaged our forests and stripped our land in the name of economic progress if they had not been resisted by earlier conservationists.

Today we fight the same battle, this time in a complex new urban environment and for even higher stakes.

Of course, highways are not the only, nor even the worst, threat to our urban environment. Power plants, transmission lines, ill-considered land-use planning, industrial development, and hundreds of other actions, all pose challenges to the quality of environment that are at least equally serious.

But highways are illuminating in that they do provide a good illustration of the way thoughtless development that seems merely

irritating can eventually result in quite important environmental conflicts.

Even the very actions we take to protect our environment can themselves be perverted to environmental threats in the new, highly complex, urban experience.

Take waste treatment for example.

The main thrust of our waste treatment effort has been to reduce raw sewage to a level of purity such that it could be accommodated by the natural cleansing actions of our waterways. The process produces water that is rich in nutrients but deficient in the oxygen that is essential to keeping our waterways alive.

The cumulative effect of this effluent could well be to "kill" our rivers and eventually to turn them into noxious algal breeding grounds.

The simple fact of the matter is that the demands of new urban-oriented way of life are so great that we are continually embarking on small projects which taken in themselves have only minimal effect, but which taken in the whole add up to major environmental assaults.

It's interesting how each example of the issues of new conservation reveals significant parallels with the experience of the traditional conservation.

The key to the success of the earlier effort was convincing the general public that our resources were not limitless and that only through the wise husbanding of those left in our stewardship could we assure abundance for the future. Step by painful step, a legal structure was enacted to protect timber, land, recreation and scenic assets, wildlife and the other resources that could be identified as finite and threatened.

Considering the so-called frontier psychology of Americans which viewed such resources as pouring forth from a never ending horn of plenty for the express purpose of exploitation and development by man, this was no mean achievement. Can you imagine trying to persuade a frontiersman of the early 19th Century that he had to practice selective harvesting of resources or leave some area forever wild?

We are in much the same position today with regard to the developers and the essentials of our urban environment. Obviously we face a tremendous educational effort. And, in my opinion, our most important priority is to create a new legal structure that can provide the new protections that we need. Unfortunately, this is easier said than done.

In the first place, there is a great need for more knowledge and better dissemination of knowledge about the new threats to our environment that are being discovered by the scientific community. To achieve this end I recently joined with 90 Congressmen and 97 leading environmental scientists in the formation of an Ad Hoc Committee on the Environment.

It is my hope that this committee will give the scientific community the opportunity to evaluate each new legislative proposal and to alert lawmakers to possible adverse environmental consequences. The Committee will also provide an effective vehicle through which lawmakers can be informed of environmental issues which require legislative action.

Already this program has made significant contributions. As a result of the advice from the scientific community Senator Kennedy, Congressman Moss and I recently introduced legislation proposing a major revision of the Federal Power Act which we believe proposes the first effective and comprehensive environmental protections in the important area of power generation and transmission.

One provision of this new legislation sets forth a new concept in government. It creates a National Council on the Environment to act as "devils advocate" on behalf of natural resources in Federal Power Commission proceedings. You might call it an "environ-

mental ombudsman." The Council consists of five representatives of the scientific and conservation communities appointed by the President with the advice and consent of the Senate and will be wholly independent of the Federal Power Commission.

It will have its own expert staff and independent funding. It will have the authority to suspend Power Commission actions if it finds they would have an adverse effect on the environment. If, in the end, it is overruled by the Commission it would have standing in court to challenge the Commission's decision.

As envisaged in the existing legislative proposal, this Council would only have authority over projects covered under the Federal Power Act. However, I propose to introduce legislation next week which will expand the power of the Council to cover the procedures of all Federal agencies insofar as they can effect the environment.

As you are all aware, there are a number of proposals before Congress now to create Councils to advise or consult on environmental problems. These are simply not adequate to meet the challenge. If such a Council is to make an effective contribution it must have meaningful enforcement powers.

I would point out for example, that a Council with such powers could well have prevented the current oil disaster off Santa Barbara, California.

As you know, the proposals for drilling in this area were opposed by many informed conservation and scientific experts. Interior Secretary Stewart Udall approved the licenses in spite of this opposition and against the advice of several of his Department's own top officials. In doing so, he bowed to pressure from the oil companies because they represent an effective constituency which can influence Interior's actions. The environment as yet has no equally powerful constituency to represent its interests.

The Interior Department, of course, is not alone in this problem. Practically every agency of the Government has a constituency that dominates its deliberations and actions. For the Federal Power Commission, it is private utilities. The Federal Highway Administration has the highway lobby; the Federal Aviation Administration, the airline industry. And so on down the list.

Each agency has a tendency to become the captive of the industry that it is to regulate.

To meet this problem an intervenor is required whose constituency is the environment and our natural resources and whose sole concern is their protection and enhancement.

The creation of a National Council on the Environment with the power to stay disputed Federal actions and to challenge adverse rulings in the courts would be an important advance to this goal.

Beyond such an intervenor, however, what is needed, in my opinion, is a broad new mandate setting the protection of environmental quality as a matter of national policy much as we set the protection of individual rights over and above all the rest of our legal structure in adopting the Bill of Rights as amendments to the Constitution.

To achieve this further goal, I have proposed a new constitutional amendment which has come to be known as the "Conservation Bill of Rights." Personally, I think it would be more accurately described as the "Environmental Bill of Rights." But by whatever name it is called, I believe that such a broad statement of national policy is an essential element needed to meet the environmental challenge of the future.

The proposal is not complicated. It merely recognizes the established and undeniable national interest in preserving and protecting the essential elements of our environment. It defines this interest as an individual "right" no less important than our rights to free speech, free assembly and due process. By declaring this as national policy we are

providing the most effective protection within our power. Each law, each governmental action would be subject to test against this standard: does it diminish the common interest in a livable environment? Any action which would endanger the individual interest in such essentials as breathable air, drinkable water or any other natural resource would be against national policy and subject to the same legal challenge as any abridgment of our other constitutional rights.

This general session today offers an exciting and promising new departure. We will have an opportunity to learn in greater detail of the specific challenges facing the urban environment. Our authority will be no less than Governor Theodore McKeldin who will draw upon his extensive experience first as mayor of one of the nation's leading cities and then as governor of one of our fastest growing states.

Then one of our foremost scientific pollsters, Dr. George Gallup, will give us the invaluable guidance in planning our course of action for the future by revealing a scientific measurement of public attitudes towards environmental problems. I am not privy for the results of this study but from polls I have had taken in my own Congressional District, I feel sure that you will be both amazed and heartened at the extent of the public demand for effective action.

The noted lecturer and writer, J. Lewis Powell, and air pollution expert, Dr. John Middleton, will give us an idea of what we must do to keep abreast of the new demands of our environment in this changing world. I am convinced that each person will leave this program with a renewed sense of the urgency of the challenge of the new conservation.

It is none too soon. One of our leading biologists has recently reminded us that of all the forms of life that existed on this earth 99 per cent are now extinct and—to take literary license with the imperatives evolutionary theory—they were all *trying* to survive.

Man alone of all the species has the capacity to exercise control over his environment. Yet, as Dr. Ernst Mayer, director of the Harvard Museum of Comparative Zoology recently noted, "almost everything we do is harmful to the species and works against our survival."

Whether we pull the environmental trigger; whether we follow the well-traveled road to extinction or blaze a new trail to a better world through the enhancement and preservation of our great environmental assets is entirely up to us.

Thank you.

**"BLOCKBUSTING" IN BALTIMORE**

**HON. SAMUEL N. FRIEDEL**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 26, 1969

Mr. FRIEDEL. Mr. Speaker, the great majority of Americans have either welcomed or peacefully accepted the movement of Negroes toward full enjoyment of equal rights. To better secure and protect these rights the last Congress passed additional legislation known as the Civil Rights Act of 1968, which includes a new Federal open housing law.

Among the many provisions of the new act of Congress is one designed to eliminate so-called "blockbusting" practices which make it illegal for anyone "for profit to induce or attempt to in-

duce, any person to sell or rent any dwelling by representations regarding the entry, or prospective entry into a neighborhood of person or persons of a particular race, color, religion, or national origin."

In this connection, the Baltimore Sun recently carried a very illuminating and interesting article entitled, "Blockbusting in Baltimore: Less Blatant and Rapacious," written by a gifted member of the Sun of Baltimore staff, Douglas Connah, Jr. This article is based on a paper he had presented at a seminar at the Law School of the University of Maryland.

Believing this article to be of such importance and interest to my colleagues as well as the general public, I, under unanimous consent, would like it to be reprinted in the CONGRESSIONAL RECORD. The article is as follows:

**BLOCKBUSTING IN BALTIMORE: LESS BLATANT AND RAPACIOUS—THE OLD PHENOMENON IS BEGINNING TO APPEAR IN SOME SUBURBS AS WELL**

(By Douglas Connah, Jr.)

Between April, 1965, and July, 1966, a well-known Baltimore real estate speculator bought 25 row houses from white people along two blocks of the Alameda south of 33d street and sold or rented them to Negroes. Typical among the houses was one that was bought for \$6,500 and sold two months later for \$11,950.

In Baltimore county, during a six-month period in 1968, eight single-family houses were sold to Negroes in a single block of a once all-white subdivision off Liberty road.

Residents of some parts of Northwood have recently begun to notice speculators expressing renewed interest in their homes. This follows a decision by the state's attorney's office not to prosecute a speculator for admittedly breaking the city's anti-blockbusting ordinance.

**RAPID TURNOVER**

These are all examples of a common Baltimore phenomenon—the panic flight of white families and creation of Negro ghettos by the systematic sale of homes to Negroes only, with the encouragement of the real estate community, once the first Negro has moved into a neighborhood.

This is called blockbusting, using the term broadly. Ten years ago, a blatant, nakedly rapacious form of blockbusting flourished here and caused rapid neighborhood turnover until laws were enacted to curb it. Although this open phase of the practice seems to have passed its peak, a more patient, subtle form continues to drive out the whites, more slowly, but at a tidy profit, undisturbed by the law or real estate ethics.

Even today, when a Negro family moves in next door or across the street, Baltimoreans tend to think of the block as "broken," and real estate people regard it as fair game for stepped-up activity.

*Stuffed with poor people*

With the city's Negro population expanding steadily since World War II, the process of neighborhood change, and the deterioration that has often accompanied it, has tended to develop a life of its own that is hard to stop. The whites move to new suburbs, the Negroes of means follow to the abandoned older white suburbs and the poor Negroes and Appalachian whites expand the crowded inner city.

Houses once occupied by single families are bought by speculators, stuffed with poor people, and "milked"—allowed to deteriorate so badly that the neighborhood becomes ripe for urban renewal and the government pays the speculator back his original investment.

By Mr. MATHIAS:

S. 1725. A bill to amend the Internal Revenue Code of 1954 to provide for a deduction from gross income for expenses of one visit annually between a member of the U.S. Armed Forces and his immediate family; to the Committee on Finance.

By Mr. DIRKSEN (for Mr. GOLDWATER):

S. 1726. A bill for the relief of Melinda Batista Pachengo; to the Committee on the Judiciary.

By Mr. TOWER:

S. 1727. A bill for the relief of Col. Howell T. Walker, U.S. Air Force, retired; to the Committee on the Judiciary.

By Mr. PEARSON:

S. 1728. A bill for the relief of Dr. and Joao Fanganiello; and

S. 1729. A bill for the relief of Dr. and Mrs. Gerald Smith; to the Committee on the Judiciary.

By Mr. PACKWOOD:

S. 1730. A bill for the relief of Kimball Bros. Lumber Co.; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 1731. A bill for the relief of Au Yeung Kwai Wing; to the Committee on the Judiciary.

By Mr. CHURCH:

S. 1732. A bill to designate certain lands in the Craters of the Moon National Monument in Idaho as wilderness; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CHURCH when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 1733. A bill to amend the Public Health Service Act to provide for grants for the construction and modernization of public health centers and public and nonprofit private facilities for long-term care, rehabilitation facilities, and diagnostic or treatment centers, to provide for loan guarantees for nonprofit private hospitals and other medical facilities, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. MONDALE, Mr. RANDOLPH, Mr. SCHWEIKER, and Mr. WILLIAMS of New Jersey):

S. 1734. A bill to amend the Elementary and Secondary Education Act of 1965 in order to authorize a program of grants to strengthen local educational agencies; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 1735. A bill to increase from \$600 to \$1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Finance.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 1736. A bill to reimburse the Ute Tribe of the Uintah and Ouray Reservation for tribal funds that were used to construct, operate, and maintain the Uintah Indian irrigation project, Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. NELSON:

S. 1737. A bill for the relief of Chen Yeh Chang; and

S. 1738. A bill for the relief of Wal Keung Tsang; to the Committee on the Judiciary.

By Mr. GORE:

S. 1739. A bill to extend the health insurance program established by title XVIII of the Social Security Act to disabled workers

who have not attained age 65 but are receiving disability insurance benefits under title II of the Social Security Act or the Railroad Retirement Act of 1937, and to amend title II of the Social Security Act to provide for cost-of-living adjustments in the benefits payable thereunder and to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits to which they are entitled thereunder; to the Committee on Finance.

(See the remarks of Mr. GORE when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 1740. A bill for the relief of Tzan Etos Melidonis;

S. 1741. A bill for the relief of Lap Wo Tsan;

S. 1742. A bill for the relief of Kei Yuen;

S. 1743. A bill for the relief of Chi Keung Ho;

S. 1744. A bill for the relief of Chau Chim;

S. 1745. A bill for the relief of Yuet Kwan Wong;

S. 1746. A bill for the relief of Wea Lum Phuan;

S. 1747. A bill for the relief of Wo Wa Cheng; and

S. 1748. A bill for the relief of Yuk Lam Chan; to the Committee on the Judiciary.

By Mr. MILLER:

S. 1749. A bill to provide for improved employee-management relations in the Federal services, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MILLER when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (for himself, Mr. CANNON, Mr. EASTLAND, Mr. GRAVEL, Mr. HATFIELD, Mr. HOLLAND, Mr. MCGEE, Mr. MCGOVERN, Mr. MONTOYA, Mr. NELSON, Mr. SPARKMAN, Mr. HARRIS, and Mr. METCALF):

S. 1750. A bill to amend the Small Business Act to authorize assistance to small business concerns in financing structural, operational, or other changes to meet standards required by Federal law or State law enacted in conformity therewith; to the Committee on Banking and Currency.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 1751. A bill to declare that certain federally owned land is held by the United States in trust for the Lac du Flambeau Band of Lake Superior Chippewa Indians; and

S. 1752. A bill to authorize the Secretary of the Interior to conduct studies, surveys, and research relating to the Nation's natural resources, and ecological systems; to establish a Council on Environmental Quality, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. NELSON when he introduced the second above bill, which appears under a separate heading.)

By Mr. NELSON:

S. 1753. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as DDT; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE (for himself and Mr. HART):

S. 1754. A bill to protect consumers from abuses relative to excessive charges for life, health, and accident insurance pursuant to consumer credit transactions; to the Committee on Banking and Currency.

(See the remarks of Mr. PROXMIRE when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS:

S. 1755. A bill for the relief of Paolo Di Martino, his wife, Maria Di Martino, and their son, Agatino Di Martino; to the Committee on the Judiciary.

By Mr. MCGOVERN:

S. 1756. A bill to amend the Packers and Stockyards Act of 1921, as amended, in order to require packers and chain store firms to make public certain information relating to the number of cattle fed by them each week; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MCGOVERN when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 1757. A bill to amend the Internal Revenue Code of 1954 to provide that a child's insurance benefit received by an individual under the Social Security Act shall be disregarded in determining whether such individual is a dependent of a taxpayer; to the Committee on Finance.

(See the remarks of Mr. MOSS when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (for Mr. GOLDWATER):

S.J. Res. 85. A joint resolution to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week"; to the Committee on the Judiciary.

By Mr. JAVITS (for himself and Mr. GOODELL):

S.J. Res. 86. A joint resolution to authorize the President to issue annually a proclamation designating the 7-day period beginning October 19 and ending October 25 of each year as "National Play Schools Week"; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BIBLE:

S.J. Res. 87. A joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

(See the remarks of Mr. BIBLE when he introduced the above joint resolution, which appear under a separate heading.)

## S. 1736—INTRODUCTION OF A BILL TO REIMBURSE UTE TRIBE

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to reimburse the Ute Tribe of the Uintah and Ouray Reservation for tribal funds that were used to construct, operate, and maintain the Uintah Indian irrigation project, Utah, and for other purposes.

I introduced a similar bill in the 89th Congress (S. 1765) but objections were made to it by the Department of Justice and the Bureau of the Budget. Since that time a complete investigation has been made and the Department of the Interior has suggested some amendments. Those amendments are included in the bill I am introducing today.

The estimated cost of the bill is about \$3½ million. The amounts in the bill have been verified by the Ute Tribe and the Bureau of Indian Affairs.

The remedy sought by this legislation will not set a precedent for other tribes since similar remedies have already been made available, in one way or another, to the Crow, Blackfoot, Flathead, Fort Peck, and Wind River Indians.

For these companies to comply with the standards previously applicable only to large, interstate plants, will involve substantial outlays of capital for new machinery and new construction. If they do not conform to the Federal specifications they will be out of business.

It is apparent to many of us that these firms will need a ready source of funds to finance the purchase of the new equipment and construction. The meatpacking industry traditionally is a low-profit-margin operation, as has been made clear to our Small Business Committee on several occasions.<sup>11</sup>

Many of these companies, of course, are in a position to take care of themselves, and will do so. Others may not be so fortunately situated. They may be in remote areas where banking resources are smaller or already strained—the expenditures may be large in relation to the current income of the firm. Or, the terms on which loans can be granted, might not match the needs created by this legislation.

I feel strongly that the 2-year deadline is a special factor which greatly increases the pressure on our smaller firms. After all, the useful life of meat-processing equipment has been declared to be 12 years.<sup>12</sup> I question whether the great majority of the businesses affected can get loans on such terms.

In view of the circumstances, Senator SPARKMAN and I are submitting the resolution which I now send to the desk and ask unanimous consent that it be printed in the RECORD following my remarks.

It is in the form of a Senate resolution, calling upon the Small Business Administration to make a study of the needs for capital of small firms in the meat processing and meat packing industries as a result of the Wholesome Meat Act.

As a result of such study, we in the Senate could discover the magnitude of the need, how much of it can be met by conventional sources of funds such as local banks, the extent to which the resources of the SBA and other Government agencies could respond to the excess requirements, and what, if any, additional authority or funds the SBA might need.

It is my hope that the major trade associations and their membership, as well as the Agriculture Department and the Library of Congress, will join this preparatory inquiry which will enable us in the Congress to determine what further steps should be taken to protect the interests of small businesses in the meat industry.

A further complication is that this is an era of tight money on the part of agencies such as the Small Business Administration, which are supposed to be the lenders of last resort in emergency situations such as this.

In addition to the impact of the international situation on the budget of SBA, this agency is also being called upon to devise special programs of assistance to the small manufacturers which must meet deadlines for upgrading their equipment and processes because of new water and air pollution standards.

However, the interest of our small firms in the meatpacking industry, and of the communities they service, are also immediate and pressing. It is my hope that, with the information gathered by the Small Business Administration pursuant to this study, we will

<sup>11</sup> See "Industry Survey—the Meat Packing Industry etc." prepared by Carl M. Loeb, Rhodes & Co. of New York; contained in hearings on the Expansion of Livestock Exports, May 18 and 19, 1966, pages 40-45. See also "The Meat Packers" from "The Exchange", magazine of the New York Stock Hearings, loc. cit. pages 341-43.

<sup>12</sup> Depreciation, Guidelines and Rules, Revenue Procedure 62-21, Internal Revenue Service Publication 456, page 7.

be able to fashion sound and effective measures to assist industry in meeting these needs.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 290) was referred to the Committee on Agriculture and Forestry, as follows:

"S. Res. 290

"Whereas the Wholesome Meat Act requires all meat plants, not previously subject to Federal regulation, to conform to strict standards under Federal or State law; and

"Whereas for many small business enterprises compliance with this Act may require substantial outlays of capital for new machinery and plant facilities; and

"Whereas meeting such capital needs will be extremely difficult if not impossible for many such enterprises without assistance; and

"Whereas Federal assistance to small business concerns in the interest of preserving free competitive enterprise is a declared policy of the Congress: Now, therefore, be it

"Resolved, That the Small Business Administration is requested (1) to undertake a study to determine the extent to which financial assistance under statutes administered by it is available to small business concerns in effecting compliance with the requirements of the Wholesome Meat Act, and (2) to report to the Senate at the earliest practicable date, in no event later than 30 days after the approval of this resolution, the results of its study, together with such recommendations for additional legislation as it deems necessary."

TECHNICAL EXPLANATION OF DEADLINE-COMPLIANCE LOAN BILL, S. 1750

The proposed financial assistance provisions would be added to Section 7(b) of the Small Business Act which contains the authorization for emergency disaster lending (Public Law 536, 86th Congress, 15 U.S.C. 631, at Section 636). In order to understand this placement, a review of the present structure of this legislation, subsection (b) (1) provides for loan assistance after major disasters such as floods or hurricanes, when such condition is declared by the SBA Administrator.

Subsection (2) covers the same kind of natural disasters, as may be declared by the President when federal facilities are damaged, or by the Secretary of Agriculture under other conditions.

Subsection (3) provides for loan assistance when small business firms are displaced by federally aided urban renewal or highway construction.

Subsection (4) allows loans to small firms who are unable to market food products because of an outbreak of disease, such as occurred in the Great Lakes Region some years ago.

A more detailed explanation of these programs may be found in a statement by Logan B. Hendricks, Associate Administrator for Financial Assistance, before the Small Business Subcommittee, Senate Banking and Currency Committee, February 6, 1969.

There are several analogies between these existing programs and the deadline-compliance loan concept. There is a similarity to subsections (1) and (2) in legal principal, in that natural disasters and acts of a sovereign power have long been related in insurance law. The deadlines with which the bill is concerned are as a result of acts by the sovereign United States Government, which require action under the drastic penalty of closing the business. Both types of action are beyond the control of the individual business, and the sovereign is immune from any legal recourse, unless it consents to allowing such relief.

Subparagraph (3) is an example of an instance where the Federal Government has consented to providing a remedy for the economic injury which its actions have caused. This is quite similar to the deadline-compliance problem in terms of the source of the action. However, the nature of the injury is different because damage will be total if it is allowed to occur at all. Many of the businesses involved, under the meat and poultry processing statutes produce a staple commodity. It is likely that if such a firm is closed, its accounts will migrate to other manufacturers. To be effective, help must be preventive. The legal and financial proceedings must begin sufficiently before the deadline so that a business seeking compliance has adequate lead-time to make improvements required by the law. This prospective feature is explicit in the bill.

There is similarity at Subsection (4) also, in that food processing is involved. However, although the bill was prompted originally by complaints from firms affected by the Wholesome Meat Act, its application would be more general. For instance, if the evidence elicited in hearings so justifies, it would apply to small businesses under comparable deadlines posed by federal poultry and fish processing legislation, the Air Quality Act of 1967, the Water Quality Act of 1965, and other statutes creating national health and safety standards with which small companies must make capital improvements under short-term federal deadlines.

Care has been taken that the bill provide equally for equivalent State standards pursuant to a federal deadline statute, so that States will not be discouraged from coming forward with their own programs by any possible discrimination under such a bill if it is enacted.

Because of the foregoing similarities and differences, the deadline-compliance proposal has been cast as a separate Subsection (5) which would be inserted serially after the other four subsections of 7(b) of the Small Business Act.

The terms and conditions of such loans would be under regulations established by the Small Business Administration to assure balanced standards so that the companies that are deserving are included in the program, and those which are able to take care of themselves or be serviced by commercial financing are excluded.

It is intended that the Small Business Administration would provide for administrative procedures insuring a full and fair hearing to any applicant for assistance who is threatened with going out of business under a statutory deadline of this character. The rate of interest proposed would be the "market rate", i.e., one-quarter of 1% above the actual cost to the Federal Government of borrowing the money, as is now applicable in Section 7(b) (3). The terms, to be set by regulation adopted by the Small Business Administration within the 30 year maximum applying to Section 7(b) assistance, should be long enough to allow the small firm to repay its loan out of future earnings.

S. 1752—INTRODUCTION OF A BILL TO ESTABLISH A COUNCIL ON ENVIRONMENTAL QUALITY

Mr. NELSON. Mr. President, I introduce a bill to authorize the Secretary of the Interior to conduct studies, surveys, and research relating to the Nation's natural resources, and ecological systems; to establish a Council on Environmental Quality, and for other purposes, and ask unanimous consent that the text of the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred;

and, without objection, the bill will be printed in the RECORD.

The bill (S. 1752) to authorize the Secretary of the Interior to conduct studies, surveys, and research relating to the Nation's natural resources, and ecological systems; to establish a Council on Environmental Quality, and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1752

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Resources, Conservation, and Environmental Quality Act of 1969".

DECLARATION OF POLICY

SEC. 2. It is the purpose of this Act to produce an understanding of the Nation's natural resources and the environmental forces affecting them, to promote and foster means and measures which will prevent or effectively reduce any adverse effects on the quality of the environment in the management and development of the Nation's natural resources, and to create and maintain a national policy and conditions under which man and nature can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations of Americans through a comprehensive and continuing program of study, research, review, and coordination.

TITLE I—ECOLOGICAL RESEARCH

SEC. 101. The Secretary of the Interior (hereinafter referred to as the "Secretary"), in order to carry out the purposes of this title, is authorized—

- (1) to conduct investigations, studies, surveys, research, and analyses;
- (2) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;
- (3) to develop and maintain an inventory of natural resource development projects, including reclamation projects, engineering works, and other major projects such as, but not limited to, eradication projects contemplated or planned by public or private agencies or organizations which may make significant modifications in the natural environment;
- (4) to establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals;
- (5) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps;
- (6) to initiate and utilize ecological information in the planning and development of resource-oriented projects;
- (7) to encourage other public or private agencies planning development projects to consult with the Secretary on the impact of the proposed projects on the natural environment;
- (8) to encourage and assist public (non-Federal) or private agencies or organizations, including educational institutions, museums, and botanical and zoological gardens, and other scientific or conservation organizations, or individuals, to acquire, designate, and maintain representative samples of important natural environmental systems,

including natural areas for observation and for manipulation, and to encourage such agencies, organizations, and individuals to utilize existing areas under their control or jurisdiction for such purposes;

(9) to establish through interagency coordination, on federally owned lands, a Federal system of natural areas for scientific purposes and develop the means and methods for withdrawal of such areas from nonconforming uses, and provide for their management and protection to serve the natural research needs of all agencies, both public and private; except that in developing standards governing any such withdrawals, the Secretary shall give due consideration to future alternative uses of such areas subject to withdrawal; and

(10) to assist and advise the Council on Environmental Quality established under title II of this Act.

SEC. 102. The Secretary is further authorized for the purposes of this title (1) to make grants and enter into contracts or cooperative agreements with public or private agencies or organizations, or individuals, (2) to accept and use donations of funds, property, personal services, or facilities, (3) to acquire selected areas of lands or interests in lands by donation, acquisition with donated funds, devise, or exchange for acquired lands or public lands under his jurisdiction which he finds suitable for disposition, (4) to administer such lands or interests for experimental purposes, including the observation and manipulation of natural areas, and (5) to issue such regulations as he deems necessary with respect to the administration of such lands.

SEC. 103. Activities authorized under this title may be carried out on lands under the jurisdiction or control of other departments or agencies of the Government only with the approval of the head of the department or agency concerned.

SEC. 104. The Secretary shall consult with and provide technical assistance to departments and agencies of the Government, and he is authorized to obtain from such departments and agencies such information, data, reports, advice, and assistance as he deems necessary or appropriate, and which can reasonably be furnished by such departments and agencies in carrying out the purposes of this title. Any Federal agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement by the Secretary.

SEC. 105. Nothing in this title is intended to give, or shall be construed as giving, the Secretary any authority over any of the authorized programs of any other department or agency of the Government, or as repealing, modifying, restricting, or amending existing authorities or responsibilities that any department or agency may have with respect to the natural environment. The Secretary shall consult with the heads of such departments and agencies for the purpose of identifying and eliminating duplication of effort.

SEC. 106. (a) The Secretary is authorized to establish such advisory committees as he deems desirable for the purpose of rendering advice and submitting recommendations to him relating to the carrying out of the purposes of this title. Such advisory committees shall render advice and submit recommendations to the Secretary upon his request and may submit recommendations to the Secretary at any time on their own initiative. The Secretary may designate employees of the Department of the Interior to serve as secretaries to the committee.

(b) Members of advisory committees appointed by the Secretary may receive not to exceed \$100 per day when engaged in the actual performance of their duties, in addition to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

SEC. 107. The Secretary is authorized to participate in environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations if he determines that such activities will contribute to the objectives and purposes of this Act.

TITLE II—COUNCIL ON ENVIRONMENTAL QUALITY

SEC. 201. (a) There is hereby created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate, each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret environmental information of all kinds, to appraise the environmental quality programs of Federal, State, and local governments, and to formulate and recommend national policy to promote the improvement of the quality of the environment.

(b) The Council may employ such officers and employees as may be necessary to carry out its functions under this title. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this title, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

(c) It shall be the principal duty of the Council to develop comprehensive national policies and programs to improve and maintain the quality of the environment needed to meet the emerging conservation, social, economic, material, and other requirements of the Nation.

(d) In addition to those in subsection (c), it shall be the duty and function of the Council—

- (1) to assist and advise the President in the preparation of the Environmental Quality Report required to be transmitted under Section 202;
  - (2) to gather timely and authoritative information concerning the conditions and trends in environmental qualities both current and prospective, to analyze and interpret such information and to compile and submit to the President studies relating to such conditions and trends;
  - (3) to appraise the various programs and activities of the Federal government (including proposed programs and activities), for the purpose of determining the extent to which such programs and activities affect environmental quality, and to make recommendations to the President with respect thereto;
  - (4) to make and furnish such studies, reports, and recommendations with respect to matters of policy and legislation as the President may request; and
  - (5) to foster study and research in the social, technical, administrative, economic, political, and other aspects of environmental quality at institutions of higher learning throughout the Nation.
- (e) In exercising its powers, functions, and duties under this title—
- (1) the Council shall, on or before December 1, 1969, make a written report to the President, which report shall contain a comprehensive and detailed account of all the activities of the Council since its establishment, together with its conclusions, findings, and recommendations, and shall thereafter, on or before December 1 of each year, make such a report to the President covering any period not covered by such a report previously submitted;
  - (2) the Council shall consult with such representatives of science, industry, agriculture, labor, conservation, State and local

governments, and other organizations and groups, as it deems advisable; and

(3) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of public and private agencies, organizations, and individuals, in order that duplication of effort and expense may be avoided.

Sec. 202. The President shall transmit to the Congress, on or before January 20 of each year, an Environmental Quality Report which shall set forth (1) the status and condition of the major natural, manmade, or altered environmental systems of the Nation, including, but not limited to the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; (2) current and foreseeable trends in management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation; and (3) his recommendations on the formulation and implementation of national policies to protect and enhance the quality of the environment.

#### TITLE III—JOINT COMMITTEE ON ENVIRONMENTAL QUALITY

Sec. 301. (a) There is hereby established a joint congressional committee which shall be known as the Joint Committee on Environmental Quality. The joint committee shall be composed of eight Members of the Senate, to be appointed by the President of the Senate, and eight Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. In each case, the majority party shall be represented by five members and the minority party shall be represented by three members. The joint committee shall select a chairman and a vice chairman from among its members.

(b) Vacancies in the membership of the committee shall not affect the authority of the remaining members to execute the functions of the committee.

(c) A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

(d) No legislative measure shall be referred to the committee, and it shall have no authority to report any such measure to the Senate or the House.

Sec. 302. It shall be the duty of the joint committee to—

(1) conduct a comprehensive study and investigation of appropriate matters contained in any Environmental Quality Report transmitted to the Congress pursuant to title I of this Act and of such matters related thereto as will provide means of coordinating programs in order to further the purposes of this Act, and recommend any such studies and investigations to the appropriate standing committees of the Congress; and

(2) make an annual report to the Congress and the appropriate committees of Congress on or before March 1 of each year on the Environmental Quality Report transmitted to the Congress pursuant to title I of this Act, which report shall contain the findings and recommendations of the committee with respect to the views and recommendations of the President contained in such Environmental Quality Report, and to make, from time to time, such additional reports to the Congress and the appropriate committees of Congress concerning the results of the committee's studies and investigations, together with its recommendations, as it may deem desirable.

Sec. 303. (a) In carrying out its duties under this title the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings; to sit and act

within or outside the United States at such times and places; to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths; to take such testimony; to procure such printing and binding; and to make such expenditures as it deems advisable. The committee may make such rules respecting its organization and procedure as it deems necessary.

(b) Subpenas may be issued over the signature of the chairman of the committee or by any member designated by him or the committee, and may be served by such person as may be designated by such chairman or member. The provisions of sections 102-104 of the Revised Statutes (2 U.S.C. 192-194) shall apply in the case of any failure of any witness to comply with a subpoena or to testify when summoned under authority of this section.

Sec. 304. (a) The committee is authorized to appoint and fix the compensation of such experts, consultants, technicians, and staff employees as it deems necessary and advisable.

(b) Members of the committee, and its employees and consultants, while traveling on official business for the committee within or outside the United States, may receive either the per diem allowance authorized to be paid to Members of the Congress or its employees, or their actual and necessary expenses provided an itemized statement of such expenses is attached to the voucher.

Sec. 305. The expenses of the committee shall be paid from the contingent fund of the Senate from funds appropriated for the committee, upon vouchers signed by the chairman of the committee or by any member of the committee duly authorized by the chairman.

#### TITLE IV—APPROPRIATIONS

Sec. 401. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1969, and for each of five succeeding fiscal years, such amounts as may be necessary for the purposes of this Act.

#### S. 1753—INTRODUCTION OF A BILL TO IMPOSE NATIONWIDE BAN ON DDT PROPOSED

Mr. NELSON. Mr. President, today I am introducing legislation for appropriate reference, to establish a nationwide ban on the use of the pesticide DDT.

The accumulation of DDT in our environment and in fish and wildlife is reaching catastrophic proportions. The path of this persistent pesticide's deadly contamination has left its mark from the reindeer of Alaska to the penguin of the Antarctic.

In a single generation, DDT has polluted our environment on a worldwide basis, infiltrating the atmosphere, the water and the tissues of most of the world's creatures, pushing some, like the peregrine falcon and the bald eagle, to the brink of extinction.

The seizure of 21,000 pounds of contaminated Lake Michigan Coho salmon by the Food and Drug Administration could be the straw that breaks DDT's back. The presence of dangerous concentrations of DDT in these Lake Michigan fish indicate that the pesticide pollution of the lake has reached a critical level and immediate action is necessary.

This bill would prohibit the interstate sale or shipment of DDT in the United States.

I have also urged Food and Drug Administration Commissioner Herbert Ley to intensify his agency's inspection pro-

grams on pesticide residues for all marine life taken from the Great Lakes.

Despite the fact that the DDT traveled hundreds of miles through the air, soil, water, and the food chains of perhaps a half dozen organisms, it still had such tremendous persistence that it concentrated in very dangerous levels in the Coho salmon.

This should serve as a warning signal for all local, State, and Federal food monitoring agencies to closely review pesticide concentrations in all food products susceptible to pesticide residues.

FDA analyses have shown the concentration of DDT in the salmon to be up to 19 parts per million and have shown the concentration of a more toxic pesticide, Dieldrin, to be just short of three tenths of a part per million. The coho were taken in Michigan streams bordering the eastern side of Lake Michigan and were processed in Michigan. They are now under an embargo in storage in Wisconsin and Minnesota.

At last year's Lake Michigan Water Pollution Conference a spokesman for the U.S. Bureau of Commercial Fisheries testified that the concentration of pesticides in Lake Michigan could reach a level lethal to both man and aquatic life if the use of pesticides was continued at such a heavy rate in the Lake Michigan Watershed.

The discovery of these pesticide-contaminated coho salmon certainly substantiates that testimony. The future of all the Great Lakes will be imperiled unless action is taken soon to stop this poisoning of our waters by these pesticides.

Last spring, pesticides were also blamed for the death of nearly 1 million coho salmon fry. This finding has raised a serious question about the future of salmon reproduction in the waters of Lake Michigan.

There is also growing concern among scientists that the reproduction capabilities of other fish may be harmed. This is especially the case with the lake trout, which spend 6 or 7 years in the water before sexual maturity as compared with only about 2 years for the salmon.

I ask unanimous consent that the text of the bill be printed in the Record at this time.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1753) to prohibit the sale or shipment for use in the United States of the chemical compound known as DDT, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

#### S. 1753

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163; 7 U.S.C. 135-135k) is amended by adding at the end thereof a new section as follows:*

"Sec. 17. Notwithstanding any other provision of this or any other Act, after June 30, 1970, it shall be unlawful for any person to distribute, sell, or offer for sale in any territory or in the District of Columbia, or to

to act as a deterrent, and few men have a sense of imminency about death.

As for precluding recidivism, it would well be argued that once having committed a murder, a person, out of fear of capital punishment, might actually commit additional murders to prevent capture. These types of crime must be classified under the heading of recidivism as well as crimes committed by persons after serving jail sentences.

It can also be argued that, inasmuch as studies indicate that paroled murderers are no more and probably less likely to commit first degree murder than other paroled felons, capital punishment prisoners, and other felons should be handled in the same way.

And, of course, if the death penalty does indeed preclude recidivism, it also precludes the exercise of a prisoner's right to continue to try to prove his innocence after conviction.

I have already touched on the question of the death penalty as public retribution.

If indeed public retribution were to be sought in executions, a premise I reject out of hand, the death penalty should not only be carried out in public, but as swiftly as possible so the crime is still fresh in the public's mind.

Inasmuch as proponents of the death penalty cite the time-taking legal procedures open to a person convicted of murder as protection against the execution of an innocent man, proponents cannot argue retribution as a reason for retaining the death penalty.

Mr. President, each of these arguments in favor of capital punishment are based on conjecture impossible of substantiation.

To use such conjectures to take a man's life, to force other humans to make a final decision about the life of another, to perhaps deprive an innocent man of his life, to continue to brutalize the human spirit is to undermine, indeed to cheapen, the value of human life in these United States.

If this Nation stands for anything, it stands for the belief that the life of each individual is to be cherished, whether he is rich or poor, black or white.

Statistics show that it is the black and the poor who most often are sentenced to death, adding a new dimension to the case against the death penalty.

Many other nations and 13 of our States have abolished the death penalty.

Congress should follow suit.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2301) to abolish the death penalty under all laws of the United States, and for other purposes, introduced by Mr. HART (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

#### SENATE JOINT RESOLUTION 114— INTRODUCTION OF A JOINT RESOLUTION HONORING THE CITIZEN-JUROR AND THE MOD- ERN JURY SYSTEM

Mr. CRANSTON. Mr. President, in London, some 300 years ago, Edward

Bushell resisted an English court's pressures to change the verdict of a jury that was trying William Penn, then 25, for unlawful assembly.

In spite of threats from the bench to "set a mark" on him, regardless of a total of 2 days the jury spent locked in a room "without meat, drink, fire, and tobacco," Bushell, the leader of the jury, refused to convict young Penn for preaching to a group of Quakers.

The outraged court fined each member of the jury 40 marks—about \$500 now—and when they did not pay, sent them to Newgate prison, along with Penn, who had spoken out against the "intolerable threatening" of the jury.

Bushell, a wealthy sugar importer, applied for a writ of habeas corpus and in the subsequent trial, Chief Justice Sir John Vaughn decided a jury should be independent and free from duress and punishment.

It was a landmark decision. It was the beginning of the jury system as we know it today. To be sure, there had been juries probably since the 8th century, but they had always been liable to punishment for "incorrect" verdicts.

William Penn, as we all know, came to America to found a colony. So did the benefits of that great decision come to America, and now some 200,000 times a year, our juries deliver their unfettered opinions according to constitutional guarantees. The jury system is a bulwark of our democracy, so unquestioned now that we are apt to take it for granted.

I am introducing today a joint resolution that would recognize 1970 as the tercentenary of the founding of the modern jury system and designate 1970 as "National Citizen-Juror Year."

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 114) to honor the citizen-juror and the modern jury system, introduced by Mr. CRANSTON, was received, read twice by its title, and referred to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. COOK. Mr. President, at the request of the Senator from Arizona (Mr. GOLDWATER), I ask unanimous consent that, at its next printing, the names of the senior Senator from Nevada (Mr. BIBLE), the junior Senator from Nevada (Mr. CANNON), and the Senator from South Carolina (Mr. THURMOND) be added as cosponsors of the joint resolution (S.J. Res. 85) to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SENATE RESOLUTION 206—SUBMIS- SION OF A RESOLUTION AUTHO- RIZING THE PRINTING OF A SENATE DOCUMENT

Mr. DIRKSEN, for Mr. SPARKMAN, submitted the following resolution (S. Res. 206); which was referred to the Committee on Rules and Administration:

S. RES. 206

*Resolved*, That the report of the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency entitled "Effect of Lumber Pricing and Production on the Nation's Housing Goals" be printed with an illustration as a Senate document, and that there be printed one thousand additional copies of such document for the use of that committee.

#### SENATE RESOLUTION 207—SUBMIS- SION OF A RESOLUTION AUTHO- RIZING THE PRINTING OF A SENATE DOCUMENT

Mr. ELLENDER submitted the following resolution (S. Res. 207); which was referred to the Committee on Rules and Administration:

S. RES. 207

*Resolved*, That the Annual Report of the National Forest Reservation Commission for the fiscal year ended June 30, 1968, be printed with an illustration as a Senate document.

#### NATIONAL ENVIRONMENTAL POLI- CY ACT OF 1969—AMENDMENT

AMENDMENT NO. 25

Mr. MANSFIELD, for Mr. JACKSON, submitted an amendment intended to be proposed by him to the bill (S. 1075) to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality, which was ordered to be printed and referred to the Committee on Interior and Insular Affairs.

(See reference to the above amendment when submitted by Mr. MANSFIELD, for Mr. JACKSON, which appears under a separate heading.)

#### NATIONAL ENVIRONMENTAL POLI- CY ACT OF 1969—AMENDMENT

AMENDMENT NO. 25

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Washington (Mr. JACKSON), I submit an amendment intended to be proposed by him to the bill (S. 1075) to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality, and ask unanimous consent that a statement by him relating to the amendment be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, appropriately referred, and, without objection, the statement will be printed in the RECORD.

The amendment was referred to the Committee on Interior and Insular Affairs.

STATEMENT BY SENATOR JACKSON

Mr. JACKSON. Early in this session of the Congress, I introduced proposed legislation to establish a national policy for the environment. I introduced this measure because it is my view that our present knowledge, our established policies, and our existing institutions are not adequate to deal with the growing environmental problems and crises the nation faces.

The inadequacy of present knowledge, policies, and institutions is reflected in our nation's history, and our national attitudes, and in our contemporary life. We see this inadequacy all around us: haphazard urban growth, the loss of open spaces, strip-mining, air and water pollution, soil erosion, deforestation, faltering transportation systems, a proliferation of pesticides and chemicals, and a landscape cluttered with billboards, powerlines, and junkyards.

Traditional governmental policies and programs were not designed to achieve these conditions. But they were not designed to avoid them either. As a result, they were not avoided.

As a Nation, we have failed to design and implement a national environmental policy which would enable us to weigh alternatives, and to anticipate the undesirable side effects which often result from our ongoing policies, programs and actions.

Today it is clear that we cannot continue to perpetuate the mistakes of the past. We no longer have the margins for error and mistake that we once enjoyed.

It was in view of this background and these considerations that I introduced S. 1075, a bill to establish a national environmental policy.

The purpose of the proposed legislation is threefold: *First*, to establish a national policy on the environment; *Second*, to authorize expanded research and understanding of our natural resources, the environment, and human ecology; and *Third*, to establish in the Office of the President a properly staffed Council of Environmental Quality Advisors.

During the hearings on this measure on April 16, Dr. DuBridge, the President's Science Advisor, and Secretary of the Interior Hickey announced that the President is considering the establishment of an interagency environmental council composed of selected Cabinet officers. As I stated at the hearings, this indicates to me: "that the President and officials in the executive branch share the belief of many of us in Congress that some reorganization is necessary. The President apparently agrees that the existing administrative establishment is inadequate for the task we face, and that a focal point for the environmental considerations of government should be designated."

It was the initial view of the Administration's representatives that the President's proposed interagency council would make an independent Council of Environmental Advisors as proposed in my bill unnecessary.

For the most part, the members of the Committee and the public witnesses did not agree with their position. There was, however, general agreement by all concerned that there is a need to restructure the Federal government to provide a focal point for environmental considerations.

It is my view that what is needed is an impartial, objective, full-time Council of Environmental Advisors in the Executive Office of the President. The interagency Council the President is considering would be useful for implementing action proposals, but the President also needs independent and impartial advice as to what action to take. The Council I have proposed would be properly staffed and equipped to provide this advice.

As a result of the April 16 hearing on S. 1075 and subsequent discussions with the Administration, I believe that there is now general agreement on the need for both an interagency Council as proposed by the President, and a high level independent body as proposed in my bill.

It is my understanding that an announcement will be made today that the President has signed an executive order to establish the interagency Council on the environment. I applaud the President's action. I intend to seek early Senate action on S. 1075 so that the President and the American people

may have the benefit of the independent and impartial staff support and advice of the Council which I have proposed.

During the April 16 hearing on S. 1075, the Administration agreed that there is an urgent need to enact into law a statement of national policy with respect to environmental management, and that they would support a statutory declaration of national policy. Subsequent to the hearings, I directed the Interior Committee staff to draft an expanded statement of national environmental management goals, and to grant new authority to Federal agencies which, at the present time, have no mandate or responsibility for the management and protection of the human environment.

This expanded statement of national policy has been prepared as an amendment to S. 1075. It will become Title I of the bill and the other titles will be appropriately redesignated. Mr. President, I ask unanimous consent that this amendment be printed in the Record at the conclusion of my remarks.

A statement of environmental policy is more than a statement of what we believe as a people and as a nation. It establishes priorities and gives expression to our national goals and aspirations. It serves a constitutional function in that people may refer to it for guidance in making decisions where environmental values are found to be in conflict with other values.

Many operating agencies do not at present have a mandate within the body of their enabling laws to give substantive attention to environmental values. This is especially true of the older Federal programs.

A properly drafted Congressional statement of national environmental policy, along with a requirement for official statements of environmental findings in Federal decisions and legislative proposals, will effectively make the quality of the environment everyone's responsibility. No agency will then be able to maintain that it has no mandate or no requirement to consider the environmental consequences of its actions.

I am introducing this policy statement as an amendment to S. 1075 at present because I want the statement to be available to the Administration prior to the informational hearings of the Committee on Interior and Insular Affairs on June 3 and 11 on the Everglades National Park. At the June 3 hearings, I will want to have the judgment of the Administration witnesses on what the effect of this policy statement would have been had it been enacted at the time the Park was created by Congress.

Mr. President, an environmental policy is a policy for people. Its primary concern is with man and his future. The basic principle of the policy is that we must strive, in all that we do, to achieve a standard of excellence in man's relationship to his physical surroundings.

It is my belief that the amendment I am introducing today will go far towards ensuring that the Federal government both sets and abides by standards of excellence; standards which will ensure that our generation fulfills its responsibilities as trustees of the environment for future generations.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 29, 1969, he presented to the President of the United States the following enrolled bills:

S. 278. An act to consent to the New Hampshire-Vermont Interstate School Compact; and

S. 408. An act to liberalize the eligibility requirements governing the grant of assistance in acquiring specially adapted housing for certain service-connected disabled veterans, to increase the amount of such

grant, to raise the limit on the amount of direct housing loans made by the Veterans' Administration, and for other purposes.

#### NOTICE OF HEARING

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, June 6, 1969, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nomination:

David W. Williams, of California, to be U.S. district judge for the central district of California, vice Pearson M. Hall, retired

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi (Mr. EASTLAND), chairman; the Senator from Nebraska (Mr. HRUSKA), and myself.

#### NOTICE OF HEARING

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, June 5, 1969, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

George Harold Carswell, of Florida, to be U.S. circuit judge for the Fifth Circuit, vice a new position created under Public Law 90-347, approved June 18, 1968.

John F. Kilkenny, of Oregon, to be U.S. circuit judge for the Ninth Circuit, vice a new position created under Public Law 90-347, approved June 18, 1968.

Donald E. Lane, of the District of Columbia, to be associate judge, U.S. Court of Customs and Patent Appeals, vice Arthur M. Smith, deceased.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi (Mr. EASTLAND), chairman; the Senator from Nebraska (Mr. HRUSKA), and myself.

#### NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

John L. Bowers, Jr., of Tennessee, to be U.S. attorney for the eastern district of Tennessee for the term of 4 years, vice John H. Reddy, retired.

Dean C. Smith, of Washington, to be U.S. attorney for the eastern district of Washington for the term of 4 years, vice Smithmore P. Myers, resigned.

Edward J. Michaels, of Delaware, to be U.S. marshal for the district of Delaware for the term of 4 years, vice Joseph Novak.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Thursday, June 5, 1969, any representations or objections they may wish to present concerning the above

By Mr. McKNEALLY:

H.R. 11854. A bill to reclassify certain key positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11855. A bill to modernize the U.S. Postal Establishment, to provide for efficient and economical postal service to the public, to improve postal employee-management relations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McKNEALLY (for himself and Mr. McCULLOCH):

H.R. 11856. A bill to amend the Voting Rights Act of 1965; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 11857. A bill to prohibit the leasing of submerged lands in Lake Erie for exploration, development, and removal of minerals, and to rescind all such existing mineral leases; to the Committee on Interior and Insular Affairs.

By Mr. PERKINS:

H.R. 11858. A bill to amend title II of the Social Security Act to provide that the special monthly benefits which are payable thereunder to uninsured individuals at age 72 shall be payable without regard to the time at which such age is attained; to the Committee on Ways and Means.

By Mr. PODELL (for himself, Mr. FINDLEY, Mr. ANNUNZIO, Mr. CONTE, Mr. ETLBERG, Mr. PRYOR of Arkansas, Mr. RAILSBACK, Mr. FULTON of Pennsylvania, Mr. EVANS of Colorado, Mr. MINISH, Mr. GREEN of Pennsylvania, Mr. NIX, Mr. MURPHY of Illinois, Mr. CAREY, Mr. HAWKINS, Mr. DANIELS of New Jersey, Mr. STEIGER of Wisconsin, Mr. DENT, Mr. STOKES, Mr. CHARLES H. WILSON, Mr. LUJAN, Mr. FEIGHAN, Mr. COUGHLIN, Mr. TUNNEY, and Mr. MADDEN):

H.R. 11859. A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates; to the Committee on Government Operations.

By Mr. SHIPLEY:

H.R. 11860. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMSON of Wisconsin:

H.R. 11861. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

H.R. 11862. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. VANIK:

H.R. 11863. A bill to provide Federal grade standards for bacon; to the Committee on Agriculture.

By Mr. VANIK (for himself and Mr. RODINO):

H.R. 11864. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of \$80; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 11865. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. WRIGHT:

H.R. 11866. A bill to amend the Internal Revenue Code of 1954 to provide that any

unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

H.R. 11867. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. COUGHLIN (for himself, Mr. BLACKBURN, Mr. LUJAN, Mr. FULTON of Pennsylvania, Mr. POWELL, Mrs. HECKLER of Massachusetts, Mr. SEBELIUS, Mr. CAMP, Mr. WOLD, Mr. LUKENS, and Mr. FITZ):

H.R. 11868. A bill to provide appropriations for sharing of Federal revenues with States and their local governments; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 11869. A bill to amend section 312 of title 38 of the United States Code to provide that poliomyelitis developing a 10-percent degree of disability within 1 year from the date of discharge of certain veterans shall be held and considered to be service connected; to the Committee on Veterans' Affairs.

By Mr. KLUCZYNSKI (for himself and Mr. DENNEY):

H.R. 11870. A bill to amend section 127 of title 23, United States Code, relating to vehicle weight and width limitations on the Interstate System; to the Committee on Public Works.

By Mr. NIX:

H.R. 11871. A bill to expedite delivery of special delivery mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of Texas (for himself and Mr. BROWN of California):

H.R. 11872. A bill to amend chapters 34 and 35 of title 38, United States Code, in order to increase the rates of educational assistance and special training allowance paid to eligible veterans and persons under such chapters; to the Committee on Veterans' Affairs.

H.R. 11873. A bill to amend chapters 34 and 35 of title 38, United States Code, in order to increase the rates of educational assistance and special training allowance paid to eligible veterans and persons under such chapters; to the Committee on Veterans' Affairs.

By Mr. VANIK:

H.R. 11874. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

By Mr. WATSON:

H.R. 11875. A bill to provide transportation allowances to wives of servicemen stationed in the Vietnam area for visits by them to their husbands under certain conditions; to the Committee on Armed Services.

By Mr. ZWACH:

H.R. 11876. A bill to amend section 1482 of title 10 of the United States Code to provide for the payment of certain expenses incident to the death of members of the Armed Forces in which no remains are recovered; to the Committee on Armed Services.

By Mr. ASHBROOK:

H.R. 11877. A bill to provide for the inscription in the courtroom in the U.S. Supreme Court Building of the phrase "In God We Trust"; to the Committee on Public Works.

By Mr. BELL of California:

H.R. 11878. A bill to provide for the establishment of a model demonstration pro-

gram in the field of vocational-technical education under the aegis of a joint powers board of education operating a regional occupational center located in the south bay area of Los Angeles County, Calif.; to the Committee on Education and Labor.

By Mr. BUTTON:

H.R. 11879. A bill to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative in the treatment of disease; to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs; and for other purposes; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 11880. A bill to provide that the receipts from all Federal gasoline and automotive excise taxes shall be placed in the highway trust fund to be used for road improvement purposes only, to eliminate the State matching requirements in the Federal-aid highway program, and to provide Federal assistance for State and local highway purposes; to the Committee on Ways and Means.

By Mr. FALLON:

H.R. 11881. A bill to amend the River and Harbor Act of 1965 to increase the authorization for certain works in connection with the Chesapeake Bay Basin; to the Committee on Public Works.

By Mr. PELY:

H.R. 11882. A bill to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salary of employees from withholding for tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence; to the Committee on Interstate and Foreign Commerce.

H.R. 11883. A bill to amend the Merchant Marine Act of 1936 in order to exempt certain wages and salary of employees from withholding for tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. REID of New York:

H.R. 11884. A bill to provide additional protection for the rights of participants in employee pension and profit-sharing retirement plans, to establish minimum standards for pension and profit-sharing retirement plan vesting and funding, to establish a pension plan reinsurance program, to provide for portability of pension credits, to provide for regulation of the administration of pension and other employee benefit plans, to establish a U.S. Pension and Employee Benefit Plan Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. STRATTON:

H.R. 11885. A bill to designate the Defense Intelligence School as the "National Defense Intelligence College," and to establish the grade for the position of commandant of such college; to the Committee on Armed Services.

By Mr. TUNNEY:

H.R. 11886. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ULLMAN:

H.R. 11887. A bill to revise the laws relating to post offices and post roads, and for other purposes; to the Committee on Post Office and Civil Service.

and being at the very last of the list with Yemen and a few others. Finally the President of the United States then asked Congress at least to ratify three, one against slavery, the one against forced labor, and the one for political rights of women. Do you know that in the government of the United States finally, with the most tremendous effort, the Senate ratified one—the Covenant against Slavery; but on recommendation, God knows for what reason, of the American Bar Association, they decided not to ratify the Convention on Equal Rights for Women of the Convention against Forced Labor. And so I would say that one of the most important political things we can do practically is to see that our government ratifies the covenants on human rights.

... One thing that disappointed so many of us who have been working for human rights through the United Nations was that when the General Assembly commenced to talk about enforcement, commenced to talk about some provisions by which pressures could be brought to bear on people who were opposed to human rights, some of the countries from which you would have expected the quickest response, did not respond. They were afraid to have the authority of the United Nations interfere with their domestic concerns at the same time wishing the authority of the United Nations to take action against these terrible situations in Africa. . . It's a very interesting situation.

... I believe that the situation in human rights around the world has some very bright spots. Under the organization of the Western states of Europe there is actually a human rights court and an individual can be summoned before that court for a violation of human rights. I look forward to the time when the world can call a government to account for a violation of human rights. I believe in world government and I believe the time will come when a situation in human rights throughout the world will be as important as strict sovereignty of the individual nation. The road is going to be long.

... Now in this country we are undergoing a self examination in the face of violence which I do not need to describe. . . I can remember the time when people were opposed to the United Nations because they said the human rights provisions of the United Nations will lead to a greater degree of human rights in this country, a breaking down of racial restrictions. I can remember friends in the South who worried about what the charter of the United Nations might do for the movement of human rights in this country, and I think we could say that the UN Charter and the Declaration of Human Rights have all added to the ferment throughout the world, the awareness of a violation of human rights and the need to achieve them. It may be that some of the travail through which we are now passing and that the rest of the world, at least part of it, is now passing is the result of an awareness of injustices that we scarcely were aware of before. And a world conscience that I think came about through the realization of the United Nations, its Declaration of Human Rights, and the Covenants that came with it, has played a part in encouraging the struggle for human rights and fundamental freedoms throughout the world.

#### NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

Mr. JACKSON. Mr. President, on May 29, at my request and on my behalf, the senior Senator from Montana (Mr. MANSFIELD) submitted a statement for the RECORD and introduced an amendment to S. 1075, my bill to establish a

national policy for the environment. Due to a printing error, the amendment was not printed in the RECORD.

Mr. President, I ask unanimous consent that portions of the statement and the text of the amendment be printed in the RECORD.

Mr. President, I also ask unanimous consent that an article from the June 4, 1969, western edition of the Christian Science Monitor, by Mr. Robert Cahn, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR JACKSON

Early in this session of the Congress, I introduced legislation in the Senate to establish a national policy for the environment. I introduced this measure because it is my view that our present knowledge, our established policies, and our existing institutions are not adequate to deal with the growing environmental problems and crises the nation faces.

The inadequacy of present knowledge, policies, and institutions is reflected in our nation's history, in our national attitudes, and in our contemporary life. We see this inadequacy all around us: haphazard urban growth, the loss of open spaces, strip-mining, air and water pollution, soil erosion, deforestation, faltering transportation systems, a proliferation of pesticides and chemicals, and a landscape cluttered with billboards, powerlines, and junkyards.

Traditional governmental policies and programs weren't designed to achieve these conditions. But they weren't designed to avoid them either. And, as a result, they were not avoided.

As a nation, we have failed to design and implement a national environmental policy which would enable us to weigh alternatives, and to anticipate the undesirable side effects which often result from our ongoing policies, programs and actions.

Today it is clear that we cannot continue to perpetuate the mistakes of the past. We no longer have the margins for error and mistake that we once enjoyed.

It was in view of this background and these considerations that I introduced S. 1075, my bill to establish a national environmental policy.

The purpose of this legislation is threefold: *First*, to establish a national policy on the environment; *Second*, to authorize expanded research and understanding of our natural resources, the environment, and human ecology; and *Third*, to establish in the Office of the President a properly staffed Council of Environmental Quality Advisors.

During the hearing on this measure on April 16, Dr. DuBridge, the President's Science Advisor, and Secretary Hickel of the Department of the Interior, announced that the President is considering the establishment of an interagency environment council composed of selected Cabinet officers. As I stated at the hearings, this indicates to me: "that the President and officials in the executive branch share the belief of many of us in Congress that some reorganization is necessary. The President apparently agrees that the existing administrative establishment is inadequate for the task we face, and that a focal point for the environmental considerations of government should be designated."

It was the initial view of the Administration's representatives that the President's proposed interagency council would make an independent Council of Environmental Advisors as proposed in my bill unnecessary.

For the most part, the members of the Committee and the public witnesses did not agree with their position. There was however, general agreement by all concerned that there is a need to restructure the Federal

government to provide a focal point for environmental considerations.

It is my view that what is needed is an impartial, objective; full-time Council of Environmental Advisors in the Executive Office of the President. The interagency Council the President is considering would be useful for implementing action proposals, but the President also needs independent and impartial advice as to what action to take. The Council I have proposed would be properly staffed and equipped to provide this advice.

As a result of the April 16 hearing on S. 1075 and subsequent discussions with the Administration, I believe that there is now general agreement on the need for both an interagency Council as proposed by the President, and a high level independent body as proposed in my bill.

During the April 16 hearing on S. 1075, the Administration agreed that there is an urgent need to enact into law a statement of national policy with respect to environmental management, and that they would support a statutory declaration of national policy. Subsequent to the hearings, I directed the Interior Committee staff to draft an expanded statement of national environmental policy which defined our national environmental management goals, and to grant new authority to Federal agencies which, at the present time, have no mandate or responsibility for the management and protection of the human environment.

This expanded statement of national policy has been prepared as an amendment to S. 1075. It will become Title I of the bill and the other titles will be appropriately redesignated. Mr. President, I ask unanimous consent that this amendment be printed in the RECORD at the conclusion of my remarks.

A statement of environmental policy is more than a statement of what we believe as a people and as a nation. It establishes priorities and gives expression to our national goals and aspirations. It serves a constitutional function in that people may refer to it for guidance in making decisions where environmental values are found to be in conflict with other values.

Many operating agencies do not at present have a mandate within the body of their enabling laws to give substantive attention to environmental values. This is especially true of the older Federal programs.

A properly drafted Congressional statement of national environmental policy, along with a requirement for official statements of environmental findings in Federal decisions and legislative proposals, will effectively make the quality of the environment *everyone's* responsibility. No agency will then be able to maintain that it has no mandate or no requirement to consider the environmental consequences of its actions.

Mr. President, an environmental policy is a policy for people. Its primary concern is with man and his future. The basic principle of the policy is that we must strive, in all that we do, to achieve a standard of excellence in man's relationship to his physical surroundings.

It is my belief that the amendment I am introducing today will go far towards ensuring that the Federal government both sets and abides by standards of excellence: standards which will ensure that our generation fulfills its responsibilities as trustee of the environment for future generations.

S. 1075

On page 1 strike all after the enacting clause and on page 2 strike lines 1 through 6 and insert in lieu thereof the following:

#### SHORT TITLE

This Act may be cited as the "National Environmental Policy Act of 1969".

#### PURPOSE

Sec. 2. The purposes of this Act are: To declare a national policy which will encour-

age productive and enjoyable harmony between man and his natural environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Board of Environmental Quality Advisers.

#### TITLE I

##### DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

Sec. 101. (a) The Congress, recognizing that man depends on his biological and physical surroundings for food, shelter, and other needs, and for cultural enrichment as well; and recognizing further the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances on our physical and biological surroundings, and on the quality of life available to the American people; hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and, coordinate Federal plans, functions programs and resources to the end that the Nation may:

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other unintended, unanticipated, and undesirable consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, diversity and variety;

(5) achieve a balance between population and resources use which will permit high standards of living and a wide sharing of life's amenities; and

(6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(b) The Congress recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

Sec. 102. The Congress authorizes and directs that the policies, regulations and public laws of the United States be interpreted and administered in accordance with the policies set forth in this Act, and that all agencies of the Federal Government:

(1) utilize to the fullest extent possible a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and decision-making which may have an impact on man's environment;

(2) identify and develop methods and procedures which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decision-making along with economic and technical considerations;

(3) include in every recommendation or report on proposals for legislation or other significant Federal actions affecting the quality of the human environment, a finding by the responsible official that:

(1) the environmental impact of the proposed action has been studied and considered;

(1) any adverse environmental effects which cannot be avoided by following reasonable alternatives are justified by stated considerations of national policy;

(11) local short-term uses of man's environment are consistent with maintaining and enhancing long-term productivity; and

(iv) any irreversible and irretrievable commitment; of resources are warranted.

(4) study, develop and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of land, water or air.

(5) recognize the worldwide and long-range character of environmental problems and lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment.

(6) review present statutory authority, administrative regulations and current policies and procedures for conformity to the purposes and provisions of this Act and propose to the President and to the Congress within one year after the date of enactment such measures as may be necessary to make their authority consistent with this Act;

Sec. 103. The policies and goals set forth in this Act are amendatory and supplementary to, but shall not be considered to repeal the existing mandates and authorizations of Federal agencies.

Renumber remaining Titles and sections accordingly, and

Amend the title so as to read: "To establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers."

[From the Christian Science Monitor,  
June 4, 1969]

##### U.S. CLEANUP: PUBLIC PRESSURE WINS ANTI-POLLUTION PRIORITY (By Robert Cahn)

WASHINGTON.—The wheels of government are moving, at long last, to catch up with the growing citizen concern over the quality of the environment.

Public-opinion polls, letters to the President, to Congress, and to newspapers, and countless local citizen-action committees reveal the determination to do something about the mounting threats from air, water, and noise pollution; inadequate disposal of solid waste; loss of wilderness and open space to development, industrial, and commercial uglification, and all the effects of technology and "progress" which have led to deterioration of many environmental values.

Now the President and Congress are showing signs of action on the environmental front.

President Nixon has established by executive order an Environmental Quality Council on the same level as the National Security Council, and the Urban Affairs Council. The council, chaired by the President and composed of the Vice-President and six designated Cabinet members, will be, according to Mr. Nixon, "the focal point for this administration's effort to protect all of our natural resources."

The new group will replace the President's Council on Recreation and Natural Beauty which has been formed by President Johnson and was chaired by Vice-President Hubert H. Humphrey.

##### AGREEMENT OBTAINED

Henry M. Jackson, Senate Interior Committee chairman, has obtained an agreement from the White House not to oppose (or veto if it is passed) legislation now being pushed in both houses to establish an independent council of environmental quality advisers in the Office of the President. Such a group of experts would conduct studies, issue annual reports, and advise the President in the same way the Council of Economic Advisers now operates.

Senator Jackson has also added to his own bill a suggested policy for the national environment. This policy defines national environmental management goals for all federal agencies. And the proposed law would grant new authority when needed to federal agencies to manage and protect the environment. The administration has promised to support this effort to legislate a national environmental policy.

Rep. John D. Dingell (D) of Michigan, sponsor of a House bill for a council of environmental advisers, similar to the Jackson proposal, plans to seek broad citizen reaction by holding hearings in several cities.

Henry S. Reuss (D) of Wisconsin, chairman of the House operations subcommittee on conservation and natural resources, has been conducting hearings on environmental issues. And Edmund S. Muskie (D) of Maine, chairman of the Senate operations subcommittee on intergovernmental relations, has been holding hearings on his bill to establish a select committee of the Senate on environmental matters.

##### COMMITTEE ESTABLISHED

As a companion group to the Cabinet-level Environmental Quality Council, President Nixon has established a Citizens Advisory Committee on Environmental Quality, chaired by Laurence S. Rockefeller. This 15-man committee replaces and gives an expanded role to the 12-man Citizens Advisory Committee on Recreation and Natural Beauty (also chaired by Mr. Rockefeller) which had been formed by President Johnson.

Several high-level White House staff members are on the alert to challenge impending departmental or agency actions that may have severe environmental impact and on which all possible alternative solutions may not have been considered. In one recent case, the Army Corps of Engineers was instructed by the President to find another site for a flood-control dam they were about to build in an area that would irreparably damage natural values.

A committee of the Urban Affairs Council composed of four Cabinet members has been set up to examine the problem of land use as it affects the environment.

These actions, however, are only first steps and will require meaningful implementation at both congressional and executive levels.

##### OBJECTIVE OUTLINED

The congressional statement of environmental goals, if passed, would declare as an overall objective that "each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment."

A key provision in Senator Jackson's suggested policy statement would establish a four point standard to be applied on every legislative proposal or other significant federal action affecting the quality of the environment.

The responsible federal official would be required to furnish a finding that: (1) the impact of the proposed action had been studied and considered; (2) adverse environmental effects which cannot be avoided by following reasonable alternatives are justified by stated considerations of national policy; (3) local short-term uses of man's environment are consistent with maintaining and enhancing long-term productivity; and (4) any irreversible and irretrievable commitments of resources are warranted.

Mr. Nixon's Environmental Quality Council is designed primarily to provide direction and coordination for a federal attack on all problems affecting the environment. It is to review existing policies and programs which affect the environment, project the impact of new technologies on the environment, obtain greater cooperation be-

tween the United States and other countries on common environmental concerns, between various levels of American government, and between governmental and relevant non-governmental organizations.

PRIORITY DESIGNATED

The President's science adviser, Dr. Lee A. DuBridge, who will direct staff work on the Environmental Quality Council, says that immediate priority will be given in the council to the harmful effects of prolonged use of DDT, methods of solid-waste disposal, and air pollution.

White House sources indicate that the new council will consider all types of major environmental, recreation, natural-resource, and land-use issues. But the council will not be asked to deal with specific projects.

For example, letters to the President from conservationists and newspaper articles have alerted the White House staff to a potential problem over location, of a new expressway in San Antonio, Texas, that would penetrate several public park areas. Ordinarily, a decision approving federal assistance to a state for an expressway would be made by the Secretary of Transportation and his highway administrator without White House guidance.

One of Mr. Nixon's top assistants, however, has asked for a report on the situation "before" the decision is made. This is the type of action that would be considered informally at the White House and might possibly be decided by the President if it were of sufficient national environment significance.

REVIEW OF DECISION?

The new Environmental Quality Council, however, could review whatever decision is made on the San Antonio expressway as part of a general policy for environmental considerations in highway placement.

It was not mere coincidence that on the same day President Nixon announced establishment of the Cabinet-level council, Senator Jackson released the wording of his proposed national policy for the environment.

These actions actually reflected a compromise reached after several weeks of behind-the-scenes negotiations between Senator Jackson and the White House. The presidential executive order also settled a protracted squabble among presidential staff members over how to organize the high-level group on the environment.

A draft of the executive order establishing the new council was first sent to the White House Feb. 24 by Dr. DuBridge. When its contents leaked out, Senator Jackson let his opinion be known.

ARGUMENT ADVANCED

At Senate Interior Committee hearings in April, several senators, leaders of conservation groups, and environmental experts took the position that a Cabinet-level group of environmental advisers would be ineffective. Such a group did not have expertise in environmental matters, and Cabinet members would not be willing to attack programs of other Cabinet members, it was argued.

Opposition was also expressed to the provision that the council would be directed by the President's science adviser and staffed by the Office of Science and Technology. The critics argued that environmental problems needed attention from advisers with expertise in economics, law, business, and social disciplines even more than from the experts in the physical sciences who now dominate the small staff in the Office of Science and Technology.

Dr. DuBridge, Interior Secretary Walter J. Hickel, and other administration witnesses testified against the provision of the Jackson bill that would establish in the Office of the President an independent council of environmental quality advisers. Senator Jackson later convinced the White House what the independently staffed council of environmental quality advisers could supple-

ment the President's Cabinet-level environmental council.

While Senator Jackson was negotiating with the White House, some members of the presidential staff were seeking a substitute for the presidential Cabinet-level council. They argued (unsuccessfully) that it would be more feasible for environmental concerns to be handled by a committee of the Urban Affairs Council.

When Mr. Nixon's decision was made last week, the resulting executive order followed closely the Feb. 24 draft prepared by Dr. DuBridge. The Secretary of Commerce has been added to the membership of the Environmental Quality Council which originally included only the Secretaries of Agriculture, Interior, Transportation, Housing and Urban Development, and Health, Education, and Welfare.

Provision has been made for the Budget Bureau director, Council of Economic Advisers chairman, and the Urban Affairs Council executive secretary to participate in meetings, as well as for heads of other departments or agencies to attend meetings when matters affecting their interests are scheduled for discussion.

THE 1100TH ANNIVERSARY OF CONSTANTIN THE PHILOSOPHER

Mr. FULBRIGHT. Mr. President, this is the 1100th anniversary of the death of the creator of the Slav script, the Bulgarian and Slav educator, Constantin the Philosopher, generally known as Cyril. I think it is appropriate that a short statement in commemoration of the work of Constantin Cyril the Philosopher be noted in the RECORD. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE LIFEWORK OF CONSTANTIN-CYRIL THE PHILOSOPHER

Bulgaria is commemorating the 1100 anniversary of the death of the creator of the Slav script. The great Bulgarian and Slav educator Constantin the Philosopher, known in the last period of his life as Cyril, has done more than any other scholar for the cultural development of the Slavonic world.

Constantin was born in 826-27 at Salonica, where his father was Assistant-Governor of the city. After finishing school at his hometown, Constantin was accepted at the Magnaur School in Constantinople, which was the highest educational institution of Byzantium in those days.

After graduating from the Magnaur School, he was asked to teach there for some time—a rare acknowledgement of his knowledge, religious and worldly wisdom.

As a gifted orator, he was sent in 851 on a mission to the Saracens in Arabia. His assignment was both diplomatic and missionary. He defended Christianity in official disputes with some of the most eminent Moslem religious leaders. Cyril then joined his brother Methodius at a monastery where they both engaged in scholastic work until the year 860, when they were sent on an official mission to the Khazars.

The fame of the two brothers spread throughout the Slavonic world when they were sent on a mission to Moravia in 862-863, which proved to be of historic importance to the Bulgarian people and to Slavdom as a whole.

Cyril-Constantin the Philosopher died in Rome on February 14th 869, when he was only forty-two, and was buried in the basilica of San Clemente.

The creation of the Slavonic alphabet and a new literature was an extremely difficult

task. The very idea of writing books and holding church services in the Slavonic language was an unusually daring venture in those early days. As Cyril himself noted, anyone thinking about it could be branded heretic. Cyril stood against the medieval dogma which recognized only three literary and religious languages: Hebrew, Greek and Latin. He therefore had to struggle for the ideal of giving the Slav peoples a basis of equality with the other enlightened nations in Europe.

The spread of the Slavonic alphabet laid the foundation of a rapidly flourishing culture in a language which the common people could read, speak and understand. While translating most of the books used in church services, Cyril and Methodius also wrote original works. This was another factor establishing old Bulgarian as the written tongue of the Slavonic world in those distant days.

The Bulgarian Academy of Sciences, the Bulgarian people and, by decision of UNESCO, many other countries in the world are now commemorating the 1100th anniversary of the death of Constantin-Cyril the Philosopher. A special Scientific Session has been called to meet in Sofia in conjunction with the Day of Culture on May 24th, which will hear reports by many Bulgarian and foreign scholars.

Meetings have been called all over the country on May 23rd and a collection of scientific works by Constantin the Philosopher has been compiled and sent to the printers as part of the celebrations.

IS JOB PREFERENCE TO NEGROES CONSTITUTIONAL?

Mr. FANNIN. Mr. President, I have often maintained that the Equal Employment Opportunity Commission and the Office of Federal Contract Compliance in their eagerness to prohibit discrimination in employment have instead embarked upon a policy of forced preferential treatment for Negroes, or what I refer to as discrimination in reverse. It is now generally recognized that these two agencies are going about the country forcing employers and labor unions to undertake programs to give actual preference to Negroes over others. No longer is any attempt even made to hide this fact.

Neither Congress nor the executive branch has ever supported such an approach, and it is galling to think that these two agencies can so arrogantly push the American public around. The curious thing to me is the silence on the part of those who complain the loudest about discrimination. Their complaints seem to flow only in one direction.

Mr. Richard Wilson wrote an excellent article published in the Evening Star of June 4, 1969, entitled, "Is Job Preference to Negroes Constitutional?" I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS JOB PREFERENCE TO NEGROES CONSTITUTIONAL?

(By Richard Wilson)

A strong case is being made by business interests that the zeal of federal officials to enforce integration in employment has created a new evil, discrimination against whites. The federal enforcers are accused of arbitrary preferential treatment for blacks in direct contravention of the terms of the laws they are called upon to enforce.

Mr. FLOWERS: Committee on the Judiciary. H.R. 1698. A bill for the relief of Joeek Kuncek; with amendment (Rept. No. 91-292). Referred to the Committee of the Whole House.

Mr. MANN: Committee on the Judiciary. H.R. 2037. A bill for the relief of Robert W. Barrie and Marguerite J. Barrie; with amendment (Rept. No. 91-293). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 2209. A bill for the relief of Carlo DeMarco; with amendment (Rept. No. 91-294). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 3723. A bill for the relief of Robert G. Smith; with amendment (Rept. No. 91-295). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 3920. A bill for the relief of Beverly Medlock and Ruth Lee Medlock (Rept. No. 91-296). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 4105. A bill for the relief of Dr. Emil Bruno; with amendment (Rept. No. 91-297). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 4658. A bill for the relief of Bernard L. Coulter; with amendment (Rept. No. 91-298). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 5337. A bill for the relief of the late Albert E. Jameson, Jr. (Rept. No. 91-299). Referred to the Committee of the Whole House.

Mr. RAILSBACK: Committee on the Judiciary. H.R. 9488. A bill for the relief of Mrs. Ruth Brunner; with amendment (Rept. No. 91-300). 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. BROOMFIELD:

H.R. 11921. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. BROTZMAN:

H.R. 11922. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 11923. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

H.R. 11924. A bill to adjust the postal revenues and to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California:

H.R. 11925. A bill to amend chapters 31, 34, and 35 of title 38, United States Code, in order to increase the rates of vocational rehabilitation, educational assistance, and special training allowance paid for eligible veterans and persons under such chapters; to the Committee on Veterans' Affairs.

By Mr. BURTON of California:

H.R. 11926. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. CELLER:

H.R. 11927. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. CHISHOLM:

H.R. 11928. A bill to amend the act of September 5, 1962 (76 Stat. 435), providing for the establishment of the Frederick Douglass home as a part of the park system in the National Capital; to the Committee on Interior and Insular Affairs.

H.R. 11929. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. COHELAN:

H.R. 11930. A bill to amend title III of part I of the Foreign Assistance Act of 1961 to provide for a program of investment guarantees in Latin American countries to encourage local participation in self-help community development projects; to the Committee on Foreign Affairs.

H.R. 11931. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

H.R. 11932. A bill to amend the public assistance provisions of the Social Security Act to increase the Federal share of a State's expenditures under the public assistance programs (including administrative expenses) to 90 percent, to provide for the establishment of nationally uniform minimum standards for aid or assistance thereunder, and to repeal the freeze on the number of children with respect to whom Federal payments may be made under the aid to families with dependent children program; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 11933. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. ECKHARDT (for himself, Mr. BINGHAM, Mr. BRADENAS, Mr. BROWN, of California, Mr. BURTON of California, Mr. CONYERS, Mr. FRIEDEL, Mr. FULTON of Pennsylvania, Mr. HALPERN, Mrs. HANSEN of Washington, Mr. HUNGATE, Mr. LEGGETT, Mr. McDONALD of Michigan, Mr. MATSUNAGA, Mr. MIKVA, Mr. MOSS, Mr. PATTEN, Mr. POWELL, Mr. REES, Mr. ST GERMAIN, Mr. SCHEUER, Mr. STOKES, Mr. THOMPSON of New Jersey, Mr. WALDIE, and Mr. WOLFF):

H.R. 11934. A bill to extend to every person classified or processed under the Selective Service Act the right to legal counsel to the end that the rights and privileges afforded under law may be known and secured; to the Committee on Armed Services.

By Mr. ECKHARDT (for himself, Mr. ADDABBO, Mr. BUTTON, Mr. CORBETT, Mr. FARBSTEIN, Mr. HASTINGS, Mr. KOCH, Mr. LOWENSTEIN, Mr. MOORHEAD, Mr. ROYBAL, and Mr. YATRON):

H.R. 11935. A bill to extend to every person classified or processed under the Selective Service Act the right to legal counsel to the end that the rights and privileges afforded under law may be known and secured; to the Committee on Armed Services.

By Mr. EDWARDS of Alabama:

H.R. 11936. A bill to restore to persons having claims against the United States their right to be represented by legal counsel of their own choosing; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 11937. A bill to establish a national policy for the environment; to authorize the

Secretary of the Interior to conduct investigations, studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers; to the Committee on Interior and Insular Affairs.

H.R. 11938. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GALLAGHER:

H.R. 11939. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 11940. A bill to provide full Federal financing of payments made under the public assistance provisions of the Social Security Act to recipients who do not meet the duration-of-residence requirements of the applicable State plan, where such payments must nonetheless be made because of court determinations that such requirements are unconstitutional; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon (for herself, Mr. ERLBORN, Mr. DENT, Mr. AYRES, Mr. PUCINSKI, Mr. QUIE, Mr. BELL of California, Mr. SCHERLE, Mr. DELLENBACK, Mr. ESCH, Mr. ESHLEMAN, Mr. STEIGER of Wisconsin, Mr. COLLINS, Mr. LANDGREBE, Mr. HANSEN of Idaho, and Mr. RUTH):

H.R. 11941. A bill to encourage institutions of higher education to adopt rules and regulations to govern the conduct of students and faculty, to assure the right to free expression, to assist such institutions in their efforts to prevent and control campus disorders, and to amend the Higher Education Act of 1965; to the Committee on Education and Labor.

By Mrs. GRIFFITHS:

H.R. 11942. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GUDE:

H.R. 11943. A bill to establish the Potomac National River in the States of Maryland, Virginia, West Virginia, and the District of Columbia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HELSTOSKI:

H.R. 11944. A bill to authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs, and for other related educational purposes; to the Committee on Education and Labor.

By Mr. HOWARD:

H.R. 11945. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. MORTON (for himself, Mr. GARMATZ, Mr. GUDE, Mr. LONG of Maryland, Mr. HOGAN, and Mr. BEALL of Maryland):

H.R. 11946. A bill to amend the River and Harbor Act of 1965 to increase the authorization for the Chesapeake Bay Basin study, the construction of a hydraulic model of the Chesapeake Bay Basin and associated technical center; to the Committee on Public Works.

By Mr. OLSEN:

H.R. 11947. A bill to repeal section 372-1 of title 25, United States Code, relating to the

gaged in certain hazardous occupations; to the Committee on Post Office and Civil Service.

By Mr. STAGGERS:

H.R. 12067. A bill to amend the Public Health Service Act to provide authorization for grants for communicable disease control; to the Committee on Interstate and Foreign Commerce.

H.R. 12068. A bill to amend the first section of the Federal Power Act; to the Committee on Interstate and Foreign Commerce.

By Mr. VANDER JAGT:

H.R. 12069. A bill to amend the Internal Revenue Code of 1954 to treat certain foster children of an individual as his natural children for purposes of the dependency exemption; to the Committee on Ways and Means.

By Mr. WAMPLER:

H.R. 12070. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Massachusetts:

H.R. 12071. A bill to assist students who, to attend college, are relying on their own wage-earning capacity rather than depending on others; to the Committee on Education and Labor.

H.R. 12072. A bill to amend title 39, United States Code, to provide work clothing for postal field service employees engaged in vehicle repair or maintenance, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GALIFIANAKIS:

H.R. 12073. A bill for the relief of Siler City, N.C.; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 12074. A bill to supplement the anti-trust laws of the United States by providing for fair competitive practices in the termination of franchise agreements; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 12075. A bill to amend section 7902 of title 5 of the United States Code so as to provide for the establishment of a Federal employee accident prevention program; to the Committee on Education and Labor.

By Mr. MILLER of Ohio:

H.R. 12076. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 12077. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PERKINS:

H.R. 12078. A bill to amend the Railroad Retirement Act of 1937 to provide that a spouse otherwise qualified may become entitled to a full spouse's annuity at age 65; to the Committee on Interstate and Foreign Commerce.

H.R. 12079. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12080. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Florida:

H.R. 12081. A bill to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as "wilderness"; to the Committee on Interior and Insular Affairs.

By Mr. SANDMAN:

H.R. 12082. A bill to establish fee pro-

grams for entrance to, and use of, areas administered for outdoor recreation and related purposes by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 12083. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. SKUBITZ (for himself, Mr. WATKINS, Mr. MOSS, Mr. VAN DEERLIN, Mr. HASTINGS, Mr. ADAMS, Mr. OTTINGER, Mr. SAYLOR, Mr. RUPPE, Mr. MCCLURE, Mr. EDMONDSON, Mr. WAGGONNER, Mr. RANDALL, Mr. ANDREWS of North Dakota, Mr. BELCHER, Mr. CAMP, Mr. RABICK, Mr. LONG of Louisiana, Mr. BERRY, Mr. REIFEL, Mr. SCHERLE, Mr. LUJAN, Mr. KYL, Mr. WINN, and Mr. SEBELIUS):

H.R. 12084. A bill to amend section 13a of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H.R. 12085. A bill to amend the Clean Air Act to extend the program of research relating to fuel and vehicles; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLFF:

H.R. 12086. A bill to amend the Fish and Wildlife Coordination Act to authorize certain activities not to be undertaken and to permit the refusal of Federal licenses or permits for such activities; to the Committee on Merchant Marine and Fisheries.

By Mr. WYMAN:

H.R. 12087. A bill to amend title 38 of the United States Code to entitle certain veterans of peacetime service to hospitalization for non-service-connected disabilities on the same basis as veterans of period of war; to the Committee on Veterans' Affairs.

By Mr. BELCHER:

H.J. Res. 773. Joint resolution authorizing the President to invite the States of the Union and foreign nations to participate in the International Petroleum Exposition to be held at Tulsa, Okla., May 15 to 23, 1971; to the Committee on Foreign Affairs.

By Mr. DUNCAN:

H.J. Res. 774. Joint resolution proposing an amendment to the Constitution of the United States to authorize Congress, by two-thirds vote of both Houses, to override decisions of the Supreme Court; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.J. Res. 775. Joint resolution to authorize the President to award appropriate medals honoring those astronauts whose particular efforts and contributions to the welfare of the Nation and of mankind have been exceptionally meritorious; to the Committee on Science and Astronautics.

By Mr. FULTON of Pennsylvania:

H. Con. Res. 288. Concurrent resolution expressing the sense of Congress that the United States should have one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number; to the Committee on Interstate and Foreign Commerce.

#### MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

212. By Mr. ULLMAN, Mrs. GREEN of Oregon, Mr. DELLENBACK and Mr. WYATT: Memorial of the 55th Legislative Assembly of the State of Oregon, memorializing Congress to amend the existing Wholesome Poultry and Wholesome Meat Acts to permit the interstate shipment of Oregon-inspected meats

and poultry which meet Federal inspection standards; to the Committee on Agriculture.

213. Also, memorial of the 55th Legislative Assembly of the State of Oregon, memorializing Congress to make available to the U.S. Forest Service a fixed percentage of the revenue from national forest lands for investment in intensive forest management practices and roads in order to increase the productivity of the national forests; to the Committee on Agriculture.

214. Also, memorial of the 55th Legislative Assembly of the State of Oregon, memorializing Congress to direct the Secretary of Agriculture and the Secretary of the Interior to direct the U.S. Forest Service and the Bureau of Land Management to establish an annual harvest volume of alder and other hardwood timber on the lands under their jurisdiction; to evaluate and establish a workable hardwood management program; and to add a member of the Northwest hardwood industry to the Pacific Northwest Advisory Committee on the regional forester; to the Committee on Agriculture.

215. Also, memorial of the 55th Legislative Assembly of the State of Oregon, memorializing the Secretary of Agriculture to cause to be adopted for forests administered by the U.S. Forest Service management and production policies which will provide the needed lumber for housing, employment opportunities, and recreational purposes for the present and for renewal of the forests for future; to the Committee on Agriculture.

216. Also, memorial of the 55th Legislative Assembly of the State of Oregon, memorializing the President and the Congress of the United States to continue the initiative in exercising every peaceful effort to bring about a cease-fire in Biafra and to extend aid to the starving peoples of Biafra; to the Committee on Foreign Affairs.

217. Also, memorial of the 55th Legislative Assembly of the State of Oregon petitions Congress to support legislation now pending which would establish a quota-tariff on undressed mink imports; to the Committee on Ways and Means.

218. By the SPEAKER: Memorial of the Legislature of the State of Minnesota, relative to limiting the right of nonfarm corporations and individuals to write off farm losses against nonfarm profits, for Federal income tax purposes; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12088. A bill for the relief of Giuseppe and Grazia Compantao and minor children, Angelo, Giancarlo, and Giuseppina Compantao; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 12089. A bill for the relief of Rose Minutillo; to the Committee on the Judiciary.

H.R. 12090. A bill for the relief of Mrs. Raisla Stein and her two minor children; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 12091. A bill for the relief of Robert D. Lange; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 12092. A bill to authorize and direct the District of Columbia to convey certain real property to the Washington International School, Inc.; to the Committee on the District of Columbia.

By Mr. WRIGHT:

H.R. 12093. A bill for the relief of Carlos Manuel Nogueira-Martins; to the Committee on the Judiciary.

Fourth Presbyterian church on Jan. 2, 1922. The bride never showed up.

The photographers were set up with their cameras in the January winds, still waiting, when the guests and attendants began to leave.

Mrs. Baker took her daughter to England, Mrs. Baker died in Sussex in 1955, leaving an estate of \$770,000 divided equally between a daughter in California and the spinster daughter who never wed.

Miss Mary Landon Baker, who had 66 suitors and never did marry, died at 61.

Mike Meredith remembered the spring floods of 1913 on the Wabash and Ohio rivers. To reach the flood he took a train to St. Louis, a government boat down the Mississippi, and then up the Ohio to Shawneetown.

Meredith traveled with a reporter for the Chicago Tribune, the late Ted Phillips.

At Shawneetown, Meredith and Phillips found officials of the city and the Red Cross who gave them details of the tragedy. They each rented an outboard motorboat and began a race for the nearest telegraph station at Washington, Ind. Meredith won. He said:

"I got the only telegraph operator in town and told him to send the railroad timetable and I wrote my story. I scooped Phillips on his own trick."

Talbot recalled the time when bears became such a problem to Wisconsin farmers that the state declared an open season on the animals for hunters. The editor sent Talbot to northern Wisconsin to hunt bear.

"When I got there, I learned a hunting license would cost \$50. I phoned the editor and he told me he would not pay any such fee. I suppose I was supposed to bite the bear to death," Talbot recalled.

But the intrepid huntsman hired a guide who had both a gun and a hunting license. For 3 days they tramped the woods, seeing nothing larger than a squirrel. Then the editor changed his mind and Talbot returned home empty handed.

Milton Hart remembered most vividly "the nightmare" of Friday, Nov. 22, 1963; the day President Kennedy was assassinated. Every detail of those bulletins, one following the other, stands out in Hart's mind.

Mrs. Thompson said she has found, over her years as director of the newspaper's food department, that readers are most interested in three recipes: pound cake, carrot cake, and gelatine mold salads and desserts.

Miss McGinn said she was most impressed to find among newspaper workers "a genuine sympathy for people stricken by tragedy." She remembered the 1958 fire at Our Lady of Angels school, the Speck murder of eight nurses, and the assassinations of the Kennedy brothers.

HAPPY ANNIVERSARY, DEAR SARAH

HON. RICHARD WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1969

Mr. WHITE. Mr. Speaker, I know there are a good many Members of this body who would like to join me today in saying "Happy anniversary, dear Sarah." And, I need not go further for many of you, for you will know I am referring to Sarah McClendon, who is celebrating this week her 35th anniversary as a reporter on Capitol Hill.

Sarah, who represents the El Paso Times, one of the great newspapers of the Southwest, has seen a great deal of history made in those 35 years, and has reported it with diligence, skill, and per-

sistence in the highest traditions of vigorous journalism. Today, I want to express to her my thanks for having gone the extra mile, on many an occasion, to assure proper coverage of issues in Congress with which I have been concerned.

But let us not dwell longer on her great achievements of the past. Although she has recently become a proud grandmother, Sarah will be with us for a long time to come and I know many of my colleagues will join me in best wishes for the continued satisfaction of a job well done.

THE ENVIRONMENTAL QUALITY COUNCIL

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1969

Mr. HOSMER. Mr. Speaker, President Nixon's decision to establish a Cabinet-level Environmental Quality Council comes as welcome news to those who have been directly involved in the fight against pollution and other forms of ecological mismanagement. Those who have served in the front lines of this battle realize that public apathy and bureaucratic inertia have been our greatest enemies.

The President demonstrated both his understanding of this problem and his commitment to its solution in setting up this council. As he pointed out during last year's presidential campaign:

We need a high standard of living, but we also need a high quality of life . . . We need a strategy of quality for the seventies to match the strategy of quantity of the past.

Mr. Speaker, I am pleased that the wheels of Government are moving at last to put our ecological house in order. The work of the Environmental Quality Council deserves the enthusiastic support of all Americans.

With this in mind, I would like to share two editorials praising the Council with my fellow Members which support the President's decision. They are from the Washington Post of June 3, and the Christian Science Monitor of June 4:

[From the Washington Post, June 3, 1969]

NATIONAL POLICY OF ENVIRONMENTAL PROTECTION

The chief question raised by President Nixon's creation of a cabinet-level Environmental Quality Council is whether it will be equal to the major tasks which the country faces in this sphere. The destruction of natural resources and the pollution of water and air have assumed proportions which make drastic action imperative. Many observers fear that even a Council headed by the President and including all the Cabinet heads directly concerned may not be able to reverse the trends which now threaten us.

It is not merely a matter of cleaning up the Nation's rivers and attacking the problem of smog, vital as these objectives may be. The country must wake up to the fact that the quality of our living space is seriously deteriorating on a broad scale. Open space is gobbled up for superhighways, airports, factories and suburban developments without much thought of what the consequences will be for both present and future generations. Reckless use of the land strips it of fertility and at the same time fouls once

beautiful and useful streams. The proliferation of pesticides threatens to upset the balance of nature and to leave poison residues that may afflict man as well as wildlife. And the spread of urban sprawl, messy industrial areas, junkyards, billboards and power lines gravely detracts from the amenities of life.

No doubt the public will have a chance to air many views through the Citizens' Advisory Committee on Environmental Quality which is to be headed by Laurance S. Rockefeller. Nevertheless, the larger problem seems to be to infuse all governmental programs with a policy of protecting the environment. Fortunately there is agreement between the White House and leaders on Capitol Hill on the need for legislation that will leave no doubt of the national intention to stop fouling our living space.

Senator Jackson, chairman of the Interior and Insular Affairs Committee, has amended his bill to establish a national environmental policy so as to supplement the step the President has already taken. The bill would declare a national policy of preventing and eliminating damage to the environment. It would seek to "assure for all Americans safe, healthful, productive and aesthetically and culturally pleasing surroundings"; to attain the widest beneficial use of resources compatible with conservation and protection of the environment, and the preservation of historic, cultural and natural values.

Probably the most significant aspect of the bill is that it would recognize for each person a "fundamental and inalienable right to a healthful environment" and impose on each a "responsibility to contribute to the preservation and enhancement of the environment." Every governmental agency would be required to carry out its functions in the light of the new congressional policy that the bill would set up. In the past protection of the environment has been nobody's business. Under this proposed legislation it would become the responsibility of every agency whose activities have any bearing on the environment.

Only experience will point to the precise kind of organization that is necessary. But the enactment of a sound legislative policy, the authorization of research and the provision of adequate trained personnel are certainly essential first steps. Congress should lose no time in supplementing the President's efforts.

[From the Christian Science Monitor, June 4, 1969]

SAVING OUR ENVIRONMENT

Every step taken now to protect mankind's physical environment—to restore and safeguard earth's atmosphere, water, and natural resources—is a move made in an area of urgency. For it is unfortunately true that industrial development, the population explosion, and humanity's very mastery of the world's resources are threatening, in the long run, to make this planet uninhabitable.

So President Nixon's appointment of a Cabinet-level advisory group to battle the "deterioration of the environment" is tremendously welcome news. Congress should come along with parallel efforts, as by Senator Muskie's proposed select committee to study environmental problems.

President Nixon's committee will include himself, the Vice-President, six Cabinet secretaries and Dr. Lee A. DuBridge, White House scientific adviser, as executive secretary. A 15-member Citizens Advisory Committee, also appointed, will bring nongovernmental expertise into the effort.

What is needed is a thorough awareness everywhere of how severely men have polluted their surroundings, and what grave consequences can ensue unless the drift is reversed. We are told, for instance, that in 10 years sewage and waterborne wastes will be sufficient to consume all the oxygen in America's main river systems. Through use

of the internal combustion engine mankind is waiting skyward enough carbon dioxide to overwhelm eventually the balance of oxygen in the atmosphere. Enough DDT has been loosed so that it is discoverable even in Antarctic penguins. California is bulldozing away its richest arable land to build housing.

In effect, man's very progress threatens to overwhelm him. Fortunately a wide awakening is evident. But it is still not sufficiently realized that, from now on, every industrial development, every massive timber felling, every major real estate project, every surface-stripping mining operation will need to include—in its price-tag and prospectus—the additional cost of maintaining the environment safe from despoliation. Sometimes that cost is going to be very high if, for instance, rivers are no longer to be sewage cesspools.

Thorough studies may propose drastic remedies. Dr. DuBridgde mentions the possibility that electric autos may have to replace internal-combustion cars if smog is to be defeated. (Perhaps even the campus militants could engage themselves in this environment-preserving crusade.) The saving effort can go forward vigorously, and it should. As President Nixon remarks: "Together we have damaged the environment and together we can improve it."

TO HONOR THE U.S. FLAG

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1969

Mr. MONTGOMERY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following copy of a letter from a constituent and his enclosure:

YAZOO CITY, MISS.,  
June 9, 1969.

Mr. JAMES D. HESSMAN,  
Managing Editor, Armed Forces Journal,  
Washington, D.C.

DEAR JIM: 14 June is Flag Day. On 12 June the House of Representatives will be conducting appropriate ceremonies to honor the 192nd anniversary of the Resolution of the Continental Congress which authorized the first Stars and Stripes of thirteen stars and thirteen stripes.

This week is a good time to think also of the fact that our Nation has had only two Statutes on the design of our National Flag and Ensign: The Flag Law of 8 January 1794, effective 1 May 1795 and Our Permanent Flag Law of 4 April 1818, effective 4 July 1818.

The Journal has been the Spokesman for the Services since 1863. During this span of 106 years (when you reach your next birthday in August of 1969) our U.S. Flag has had, pursuant to and in accordance with the U.S. Statute of 4 April 1818, effective 4 July 1818, 15 Stars added to the union of blue on our Flag for the 15 States which have been admitted to the Union since your first issue of publication.

The three laws on the design of our Flag are brief, interesting and informative. In the fond hope you will lay them before your readers I am pleased to send you herewith my "Our Flag Laws—A Chronology".

A well-informed public is America's greatest security.

Public relations is an all-hands job.  
ROBERT W. COLLINS,  
Commander, U.S. Naval Reserve, retired, and former history major from the Old "Ole Miss."

OUR FLAG LAWS—A CHRONOLOGY  
(By Comdr. Robert W. Collins, U.S. Naval Reserve, Retired)

THE STARS AND STRIPES

Continental Congress June 14, 1777:  
*Resolved*, That the flag of the thirteen United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation.

THE STAR SPANGLED BANNER, MAY 1, 1795

U.S. Flag Law, January 8, 1794:  
*Be it enacted*, That from and after the 1st day of May, A.D. 1795, the flag of the United States be fifteen stripes, alternate red and white. That the Union be fifteen stars, white in a blue field.

Our permanent flag law, April 1, 1818:  
*Be it enacted*, That from and after the 4th day of July next, the flag of the United States be thirteen horizontal stripes, alternate red and white; that the union have twenty stars, white in a blue field. That on the admission of every new State into the Union, one star be added to the union of the flag; and that such addition shall take effect on the 4th of July next succeeding such admission.

SOME SOUND ADVICE FOR  
SENATOR MCGOVERN

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1969

Mr. PUCINSKI. Mr. Speaker, last weekend Senator GEORGE MCGOVERN was in Chicago with his commission on studying the structure of the Democratic Party, and while his basic mission is to discuss ways to make the Democratic Party more democratic and more responsive to the needs of the voters, obviously the Senator could not resist a temptation to inject himself into the pending legal proceedings against those who created so much violence last August in Chicago.

Senator MCGOVERN drifted far afield of his basic assignment and in a manner that clearly indicates his impatience with the judicial process in our Republic. Senator MCGOVERN suggested that Mayor Daley use his influence to drop the charges against the rioters.

This is an astonishing suggestion by a supposedly responsible Member of the other body. It is tantamount to almost publicly urging the mayor of Chicago to "fix" the trial of those indicted for inciting to riot.

To his everlasting credit and good judgment, Mayor Daley in effect told Senator MCGOVERN to go and jump into Lake Michigan with this naive suggestion. The mayor quite properly told the good Senator that the indictments have been properly obtained and those under indictment will have due process under the law. If they are innocent they will obviously be freed, and if they are guilty they should suffer the penalty of the law.

Mayor Daley's earthy, good, common-sense apparently is too far advanced for some of our ultrasophisticates who get their ideas from their marble temples in Washington.

These same sophisticates, like the good Senator from South Dakota, go around

this country maligning Chicago and its sense of justice when, in fact, maybe we ought to look at the concepts of justice in South Dakota because maybe in South Dakota they can fix grand jury indictments. But obviously, this is not the case in Chicago.

I am astounded to think that one who goes around this country preaching a new concept of morality should himself suggest these devious means to promote what he calls better harmony in the Democratic Party.

Senator MCGOVERN, through this very foolish and tactless suggestion, proves once again how little patience some of the self-styled saviours of America, such as Senator MCGOVERN, have with the constitutional institutions of this great Republic.

There is not an iota of proof or any suggestion that those currently under indictment will in any way be denied a fair trial under due process of the law.

It is revealing that men like Senator MCGOVERN obviously have a double standard, one for themselves and one for the other fellow.

Senator MCGOVERN totally ignores the fact that this entire proceeding is the result of a very extensive investigation by the Federal grand jury. These indictments were reported after a great deal of testimony and evidence was presented to the jury.

Those indicated are now out on bond and will have their day in court in a Federal judicial proceeding.

For the Senator to suggest that somehow Mayor Daley ought to use his influence to drop these indictments is to make a complete mockery of the judicial process in this country. This sophomoric suggestion is pretty much par for the course on other views and other proposals emanating from the office of the good Senator.

I strongly suggest he seriously consider getting a new set of speech writers because obviously this line of logic which he expounded in Chicago shows his basic disbelief in the fundamental, constitutional processes of this Republic.

I was very pleased to note that the very highly respected Chicago Sun Times took editorial comment of the Senator's proposal and in very direct and meaningful terms, told him to keep politics out of our courts.

I hope the Senator will read carefully the Sun Times editorial and then proceed with the basic mission of his Commission, which is to come up with meaningful ways of strengthening the democratic process and not dumping it to political expediency.

The Chicago Sun Times editorial follows:

KEEP POLITICS OUT OF COURTS

After the street violence that attended the Democratic National Convention last August, we said on this page that there should be no legal sweeping under the rug of lawbreaking on both sides of the police lines.

This, in effect, is what Sen. George S. McGovern (D-S.D.) proposed in Chicago last weekend to promote Democratic Party harmony.

Specifically, McGovern proposed that Mayor Daley encourage officials to dismiss all

By Mr. CAREY:

H.R. 12134. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CORMAN:

H.R. 12135. A bill to amend the Internal Revenue Code of 1954 to permit coordination with corrective action by the States where exemption from tax is denied to certain organizations described in section 501(c)(3) of such code; to the Committee on Ways and Means.

By Mr. FLOOD:

H.R. 12136. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Pennsylvania:

H.R. 12137. A bill to amend title 38 of the United States Code to provide that World War II and Korean conflict veterans entitled to educational benefits under any law administered by the Veterans' Administration who did not utilize their entitlement may transfer their entitlement to their children; to the Committee on Veterans' Affairs.

By Mr. HUNGATE:

H.R. 12138. A bill to amend title 10 of the United States Code to provide a more adequate survivors' annuity plan for the uniformed services; to the Committee on Armed Services.

By Mr. JACOBS:

H.R. 12139. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California (for himself and Mr. BARING):

H.R. 12140. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; to the Committee on Interior and Insular Affairs.

By Mr. JONES of Tennessee:

H.R. 12141. A bill to exempt from the anti-trust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 12142. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption to a taxpayer supporting a dependent who is mentally retarded; to the Committee on Ways and Means.

By Mr. NEDZI:

H.R. 12143. A bill to amend the Fish and Wildlife Coordination Act to establish a national policy for the environment, to establish a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PUCINSKI:

H.R. 12144. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 12145. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide that the procurement of certain transportation and public utility services shall be in accordance with all applicable Federal and State laws and regulations governing carriers and public utilities, and for other purposes; to the Committee on Government Operations.

H.R. 12146. A bill to amend the Interstate Commerce Act to strengthen and improve the enforcement of Federal and State economic laws and regulations concerning highway transportation; to the Committee on Interstate and Foreign Commerce.

H.R. 12147. A bill to amend the Interstate Commerce Act to provide assistance to the States in establishing, developing, and ad-

ministering State motor carrier programs to enforce the economic laws and regulations of the States and the United States concerning highway transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12148. A bill to amend section 410 of the Communications Act of 1934 to permit the Federal Communications Commission to pay the expenses of certain State officials serving in joint hearings with the Commission; to the Committee on Interstate and Foreign Commerce.

H.R. 12149. A bill to amend the Interstate Commerce Act to provide assistance to the States in establishing, developing, and administering State motor carrier safety programs to insure the safe operation of commercial motor vehicles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12150. A bill to amend the Communications Act of 1934, as amended, to establish a Federal-State Joint Board to prescribe 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; to the Committee on Interstate and Foreign Commerce.

H.R. 12151. A bill to amend the Natural Gas Pipeline Safety Act of 1968 to establish a formula for the division of Federal grants among State agencies, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12152. A bill to amend the Communications Act of 1934, as amended, to redefine State and local governmental authority over communications primarily of local concern; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. BRASCO, and Mr. MURPHY of New York):

H.R. 12153. A bill to amend the Public Health Service Act to provide authorization for grants for communicable disease control; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.R. 12154. A bill to amend the Agriculture Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. TEAGUE of Texas (by request):

H.R. 12155. A bill to amend title 38, United States Code, so as to provide mustering-out payments for those with military service after August 4, 1964; to the Committee on Veterans' Affairs.

H.R. 12156. A bill to amend title 38, United States Code, to provide that psychosis developing a 10-percent degree of disability or more within 2 years after separation from active service during a period of war shall be presumed to be service connected; to the Committee on Veterans' Affairs.

H.R. 12157. A bill to amend title 38, United States Code, to assure that the United States shall bear all of the cost of servicemen's group life insurance traceable to war; to the Committee on Veterans' Affairs.

H.R. 12158. A bill to amend chapter 7, title 24, United States Code, to exclude from burial in national cemeteries those persons convicted of treasonous and capital crimes; to the Committee on Veterans' Affairs.

H.R. 12159. A bill to amend title 38 of the United States Code to provide for a pension of \$100 per month for unmarried widows of men awarded a Medal of Honor posthumously; to the Committee on Veterans' Affairs.

H.R. 12160. A bill to amend 38 U.S.C. 5001 (a) (3) so as to increase to 6,000 the number of beds in Veterans' Administration facilities

for the provision of nursing home care to eligible veterans; to the Committee on Veterans' Affairs.

H.R. 12161. A bill to amend title 38, United States Code, so as to provide for the payment of transportation allowances for veterans dying in Armed Forces hospitals; to the Committee on Veterans' Affairs.

By Mr. VANIK:

H.R. 12162. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work, and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. BLACKBURN, Mr. FINDLEY, Mrs. GREEN of Oregon, Mr. ICHORD, Mr. MATHIAS, and Mr. MURPHY of New York):

H.R. 12163. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 12164. A bill to amend the Packers and Stockyards Act of 1921, as amended, to prohibit slaughter of livestock under certain conditions which reduce the bargaining power of livestock producers generally and interfere with a free market, and for other purposes; to the Committee on Agriculture.

H.R. 12165. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOREMAN:

H.R. 12166. A bill to provide for the withdrawal of second-class and third-class mailing permits of mail users who have used these permits in the mailing of obscene, seditious, lewd, or pandering mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOLIFIELD (for himself, Mr. PRICE of Illinois, and Mr. HOSMER):

H.R. 12167. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. MOSS:

H.R. 12168. A bill to prohibit any air carrier from refusing transportation to U.S. marshal escorting a prisoner in his custody, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PETTIS:

H.R. 12169. A bill to establish certain policies with respect to certain leases or permits issued by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. POAGE:

H.R. 12170. A bill to amend the Submerged Lands Act to establish the coastline of certain States as being, for the purposes of that act, the coastline as it existed at the time of entrance into the Union; to the Committee on the Judiciary.

By Mr. RIVERS (by request):

H.R. 12171. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

By Mr. STEIGER of Wisconsin:

H.R. 12172. A bill to permit the President to authorize the sale of savings bonds yielding not more than 5 percent per annum; to the Committee on Ways and Means.

By Mr. POFF:

H.J. Res. 778. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.J. Res. 779. Joint resolution creating a

the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 12. Concurrent resolution to express the sense of Congress on participation in the Ninth International Congress on High Speed Photography, to be held in Denver, Colo., in August 1970; to the Committee on Foreign Affairs.

#### ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2667. An act to revise the pay structure of the police force of the National Zoological Park, and for other purposes.

#### BILL PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on June 16, 1969, present to the President, for his approval, a bill of the House of the following title:

H.R. 4622. An act to amend section 110 of title 38, United States Code, to insure preservation of all disability compensation evaluations in effect for 20 or more years.

#### ADJOURNMENT

Mr. OBEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 10 minutes p.m.) the House adjourned until tomorrow, Wednesday, June 18, 1969, 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:

860. A letter from the Comptroller General of the United States, transmitting a report on improvements in the management of Government parking facilities by the General Services Administration; to the Committee on Government Operations.

861. A letter from the Chairman, Federal Trade Commission, transmitting the 54th annual report of the Commission, covering fiscal year 1968; to the Committee on Interstate and Foreign Commerce.

862. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

863. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes; to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce, H.R. 11702. A bill to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes; with an amendment (Rept. No. 91-313). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: House Resolution 440. Committee on Rules. A resolution providing for the consideration of S742. An act to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes; with amendment (Rept. No. 91-314). Referred to the House Calendar.

Mr. HOLIFIELD: Joint Committee on Atomic Energy, H.R. 12167. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 91-315). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 12180. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BLATNIK:

H.R. 12181. A bill to amend the Internal Revenue Code of 1954 to increase the standard deduction and the minimum standard deduction allowable to individuals; to the Committee on Ways and Means.

H.R. 12182. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. BRINKLEY:

H.R. 12183. A bill to limit the jurisdiction of Federal courts in cases brought by a Representative or Senator against the House of Representatives or the Senate of the United States and any of its officials; to the Committee on the Judiciary.

By Mr. BUSH:

H.R. 12184. A bill to establish the Interagency Committee on Mexican-American Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CORMAN:

H.R. 12185. A bill to amend the Internal Revenue Code of 1954 to disallow any deduction for depreciation for a taxable year in which a residential property does not comply with requirements of local laws relating to health and safety, and for other purposes; to the Committee on Ways and Means.

H.R. 12186. A bill to amend the act of October 19, 1949, entitled "An Act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Ways and Means.

By Mr. DADDARIO:

H.R. 12187. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any persons to qualify for employment consistent with his highest potential and capability and for other purposes; to the Committee on Education and Labor.

By Mr. EVINS of Tennessee (for himself, Mr. CORMAN, Mr. KLUCZYNSKI,

Mr. ADDABRO, Mr. CONTE, Mr. BROY-HILL of North Carolina, and Mr. BURTON of Utah):

H.R. 12188. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

By Mr. FLYNT:

H.R. 12189. A bill to limit the jurisdiction of Federal courts in cases brought by a Representative or Senator against the House of Representatives or the Senate of the United States and any of its officials; to the Committee on the Judiciary.

By Mr. HALEY:

H.R. 12190. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 12191. A bill to provide that certain members of the Retired Reserve shall be entitled to retired pay; to the Committee on Armed Services.

H.R. 12192. A bill to grant a Federal charter to the Meals for Millions Foundation; to the Committee on the Judiciary.

By Mr. HARVEY:

H.R. 12193. A bill to promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HASTINGS:

H.R. 12194. A bill to provide appropriations for sharing of Federal revenues with States and their local governments; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 12195. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 to the Social Security Act (and individuals retired for disability under the Railroad Retirement Act of 1937) shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

H.R. 12196. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

By Mr. MIKVA:

H.R. 12197. A bill to amend the Immigration and Nationality Act to permit adjustment of status of nonimmigrants to that of persons admitted for permanent residence without regard to country of origin, and for other purposes; to the Committee on the Judiciary.

By Mr. O'NEAL of Georgia:

H.R. 12198. A bill to limit the jurisdiction of Federal courts in cases brought by a Representative or Senator against the House of Representatives or the Senate of the United States and any of its officials; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts (for himself and Mr. CLEVELAND):

H.R. 12199. A bill to authorize the Secretary of the Interior to establish the Bunker Hill National Historic Site in the city of Boston, Mass., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PEPPER:

H.R. 12200. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H.R. 12201. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12202. A bill to amend chapter 83, title 5, United States Code, to eliminate the re-

duction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 12203. A bill to amend chapter 89 of title 5, United States Code, relating to enrollment charges for Federal employees' health benefits; to the Committee on Post Office and Civil Service.

H.R. 12204. A bill to amend the Internal Revenue Code of 1954 to provide that the first \$5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. PODELL (for himself and Mr. PATMAN):

H.R. 12205. A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates; to the Committee on Government Operations.

By Mr. PODELL (for himself and Mr. PERKINS):

H.R. 12206. A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates; to the Committee on Government Operations.

By Mr. PRICE of Illinois:

H.R. 12207. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 12208. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 12209. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SKUBITZ:

H.R. 12210. A bill to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. TIERNAN:

H.R. 12211. A bill to amend the Public Health Service Act to provide for the establishment of a National Lung Institute; to the Committee on Interstate and Foreign Commerce.

By Mr. WALDIE:

H.R. 12212. A bill to expedite delivery of special delivery mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WHITEHURST:

H.R. 12213. A bill to expedite delivery of special delivery mail, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12214. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BLATNIK:

H.R. 12215. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States

and for other purposes; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 12216. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to provide for the continued payment of supplemental annuities in accordance with present law; to the Committee on Interstate and Foreign Commerce.

By Mr. MACGREGOR:

H.R. 12217. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the only son of a family, and for other purposes; to the Committee on Armed Services.

H.R. 12218. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

H.R. 12219. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. MATSUNAGA (for himself, Mr. HOLIFIELD, Mr. ANDERSON of California, Mr. ANNUNZIO, Mr. BOLLING, Mr. BYRNE of Pennsylvania, Mr. CLAY, Mr. EVANS of Colorado, Mr. FARBSTEIN, Mr. WILLIAM D. FORD, Mr. GALLAGHER, Mr. GONZALEZ, Mr. HANNA, Mr. HANSEN of Idaho, Mr. HICKS, Mr. HORTON, Mr. LEGGETT, Mr. LONG of Maryland, Mrs. MINK, Mr. MOSS, Mr. NEDZI, Mr. PODELL, Mr. REES, Mr. ROSENTHAL, and Mr. ROYBAL):

H.R. 12220. A bill to repeal the Emergency Detention Act of 1950 (title II of the Internal Security Act of 1950); to the Committee on Internal Security.

By Mr. HOLIFIELD (for himself, Mr. MATSUNAGA, Mr. JOHNSON of California, Mr. O'HARA, Mr. O'NEILL of Massachusetts, Mr. SCHEUER, Mr. SISK, Mr. TEAGUE of California, Mr. TUNNEY, Mr. UDALL, Mr. ULLMAN, Mr. WALDIE, and Mr. CHARLES H. WILSON):

H.R. 12221. A bill to repeal the Emergency Detention Act of 1950 (title II of the Internal Security Act of 1950); to the Committee on Internal Security.

By Mrs. MAY (for herself, Mr. GERALD R. FORD, Mr. MCKNEALLY, Mr. ZWACH, Mr. ANDERSON of Illinois, Mr. ANDREWS of North Dakota, Mr. AYRES, Mr. BROOMFIELD, Mr. BROWN of Michigan, Mr. BUFTON, Mr. CAMP, Mr. DON H. CLAUSEN, Mr. CONTE, Mr. ESCH, Mr. FISH, Mr. GUDE, Mr. HALPERN, Mr. HOSMER, Mr. KUYKENDALL, Mr. MCCLOSKEY, Mr. MCDADE, Mr. MACGREGOR, Mr. MICHEL, Mr. RHODES, and Mr. SAYLOR):

H.R. 12222. A bill to amend the Food Stamp Act of 1964, as amended; to the Committee on Agriculture.

By Mrs. MAY (for herself, Mr. SCHWENGL, Mr. STEIGER of Wisconsin, Mr. SHRIVER, Mr. TAFT, Mr. Talcott, Mr. RUPPE, Mr. FINLEY, Mr. WHITEHURST, and Mr. ROBISON):

H.R. 12223. A bill to amend the Food Stamp Act of 1964, as amended; to the Committee on Agriculture.

By Mr. POAGE:

H.R. 12224. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 12225. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RIVERS:

H.R. 12226. A bill to amend article 85 of the Uniform Code of Military Justice (10 U.S.C. 885), relating to the offense of desertion from the Armed Forces of the United States; to the Committee on Armed Services.

By Mr. SHIPLEY:

H.R. 12227. A bill to amend section 2412 (a) of title 28, United States Code, to make the United States liable for court costs and attorney's fees to persons who prevail over the United States in actions arising out of administrative actions of agencies of the executive branch; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 12228. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SKUBITZ:

H.R. 12229. A bill to amend the Railroad Retirement Act of 1937 and title II of the Social Security Act to eliminate those provisions which restrict the right of an individual to receive survivor benefits simultaneously under both acts; to the Committee on Interstate and Foreign Commerce.

By Mr. VANDER JAGT:

H.R. 12230. A bill to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MAHON:

H.J. Res. 782. Joint resolution making further continuing appropriations for the fiscal year 1969, and for other purposes; to the Committee on Appropriations.

By Mr. CORBETT:

H. Con. Res. 289. Concurrent resolution relating to an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H. Con. Res. 290. Concurrent resolution relating to an Atlantic Union delegation; to the Committee on Foreign Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BIAGGI:

H.R. 12231. A bill for the relief of Winston G. Smith; to the Committee on the Judiciary.

By Mr. KEE:

H.R. 12232. A bill for the relief of Pietro Bertolino, his wife, Giovanna Accardi Bertolino, and their two children, Angela and Antonino; to the Committee on the Judiciary.

By Mr. MCCLOSKEY:

H.R. 12233. A bill for the relief of Elena V. Revilla; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 12234. A bill for the relief of Harvard Specialty Manufacturing Corp.; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 12235. A bill to provide for the free entry of certain cotton bags for Hamilton Specialties, Inc., of Brooklyn, N.Y.; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 12236. A bill for the relief of Lt. Col. Harold E. Gladstone and Elsie Gladstone; to the Committee on the Judiciary.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. BUSH:

H.R. 12259. A bill to provide for the sharing with the State and local governments of a portion of the tax revenues received by the United States; to the Committee on Ways and Means.

By Mr. CLANCY:

H.R. 12260. A bill to provide for special programs for children with learning disabilities; to the Committee on Education and Labor.

By Mr. CONYERS:

H.R. 12261. A bill to amend the District of Columbia Election Act to permit individuals 18 years of age or older to vote in elections held in the District of Columbia; to the Committee on the District of Columbia.

H.R. 12262. A bill to amend the Voting Rights Act of 1965, and for other purposes; to the Committee on the Judiciary.

H.R. 12263. A bill to amend title 28, United States Code, section 753(e), to eliminate the maximum and minimum limitations upon the annual salary of reporters; to the Committee on the Judiciary.

By Mr. FARBERSTEIN:

H.R. 12264. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 12265. A bill to establish a Joint Committee on Environmental Quality; to the Committee on Rules.

By Mr. FRIEDEL (by request):

H.R. 12266. A bill to amend the Interstate Commerce Act to provide assistance to the States in establishing, developing, and administering State motor carrier safety programs to insure the safe operation of commercial motor vehicles and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12267. A bill to amend the Interstate Commerce Act to strengthen and improve the enforcement of Federal and State economic laws and regulations concerning highway transportation; to the Committee on Interstate and Foreign Commerce.

H.R. 12268. A bill to amend the Interstate Commerce Act to provide assistance to the States in establishing, developing, and administering State motor carrier programs to enforce the economic laws and regulations of the States and the United States concerning highway transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Tennessee:

H.R. 12269. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. JACOBS:

H.R. 12270. A bill to amend the Internal Revenue Code of 1954 to provide that a portion of an individual's wages, salary, or other income shall be exempt from levy to enforce the payment of Federal taxes; to the Committee on Ways and Means.

By Mr. MAYNE:

H.R. 12271. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storm Service; to the Committee on Interstate and Foreign Commerce.

By Mrs. MINK:

H.R. 12272. A bill to amend the U.S. Housing Act of 1937 to increase by \$1,000 per room the statutory limit on the cost of a low-rent housing project; to the Committee on Banking and Currency.

H.R. 12273. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind

persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. MORTON:

H.R. 12274. A bill to amend the Food Stamp Act of 1964, as amended; to the Committee on Agriculture.

By Mr. MURPHY of Illinois:

H.R. 12275. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. PODELL (for himself, Mr. BARRETT, Mr. BELL of California, Mr. BLACKBURN, Mr. CAFFREY, Mr. CHAPPELL, Mr. DINGELL, Mr. EDWARDS of Louisiana, Mr. FULTON of Tennessee, Mr. GONZALEZ, Mr. GROVER, Mr. GUDE, Mr. HAYS, Mr. KLUCZYNSKI, Mr. KYL, Mr. MESKILL, Mr. MICHEL, Mr. MONTGOMERY, Mr. MOSHER, Mr. PATTEN, Mr. PREYER of North Carolina, Mr. VANDER JAGT, Mr. WALDIE, Mr. WHALEN, and Mr. YATES):

H.R. 12276. A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates; to the Committee on Government Operations.

By Mr. RYAN:

H.R. 12277. A bill to amend the Economic Opportunity Act of 1964 to permit the use of funds, services, and personnel in connection with programs assisted thereunder for voter registration activities; to the Committee on Education and Labor.

By Mr. STEIGER of Arizona:

H.R. 12278. A bill to provide for adequate annual financing of deficit operating costs which accrue to the Grand Canyon Hospital by the provision of hospital services and facilities to park visitors and employee-residents within Grand Canyon National Park; to the Committee on Interior and Insular Affairs.

By Mr. TUNNEY:

H.R. 12279. A bill to promote the orderly adjustment of tobacco production and marketing; to the Committee on Agriculture.

By Mr. BOB WILSON:

H.R. 12280. A bill for the general revision of the patent laws, title 35 of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 12281. A bill to amend the Small Business Act to make crime protection insurance available to small business concerns; to the Committee on Banking and Currency.

H.R. 12282. A bill to repeal the Emergency Detention Act of 1950 (title II of the Internal Security Act of 1950); to the Committee on Internal Security.

H.R. 12283. A bill to expedite delivery of special delivery mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WYMAN (for himself, Mr. WATKINS, and Mr. SCHADEBERG):

H.R. 12284. A bill to protect collectors of antique glassware against the manufacture in the United States or the importation of imitations of such glassware; to the Committee on Interstate and Foreign Commerce.

By Mr. OTTINGER:

H.R. 12285. A bill to establish a National Commission for Protection of the Environment, and for other purposes; to the Committee on Government Operations.

By Mr. ROGERS of Florida (for himself, Mr. SIKES, Mr. PEPPER, Mr. KYROS, Mr. BARRETT, Mr. HATHAWAY, Mr. WYMAN, Mr. BRINKLEY, Mr. WHALEY, Mr. BROOMFIELD, Mr. MCCLOSKEY, Mr. DONOHUE, Mr. CHAPPELL, Mr. VAN DERLIN, Mr. HAMILTON, Mr.

HECHLER of West Virginia, Mr. BLANTON, Mr. MOSS, Mr. ADAMS, Mr. FRIEDEL, Mr. GETTYS, Mr. MADDEN, Mr. BURKE of Florida, Mr. FULTON of Pennsylvania, and Mr. TUNNEY):

H.R. 12286. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish further standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HANLEY:

H.J. Res. 783. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BRASCO:

H.J. Res. 784. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. CONYERS:

H.J. Res. 785. Joint resolution authorizing the President to proclaim August 20, 1969, as "Afro-American Heritage Day"; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.J. Res. 786. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H. Con. Res. 291. Concurrent resolution to provide for the printing of inaugural addresses from President George Washington to President Richard M. Nixon; to the Committee on House Administration.

By Mr. CASEY (for himself, Mr. GROSS, Mr. PICKLE, Mr. HALL, Mr. CABELL, Mr. WAGGONER, Mr. GRIFFIN, Mr. KUYKENDALL, Mr. GETTYS, and Mr. RABICK):

H. Res. 442. Resolution relating to the recovery of Government funds improperly expended for private purposes by Adam Clayton Powell, Representative in Congress from the State of New York; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FULTON of Tennessee:

H.R. 12287. A bill for the relief of Daniel Dumuk Aguila and his wife, Norma Aguila; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 12288. A bill for the relief of Magdalena C. Benedictos; to the Committee on the Judiciary.

By Mr. McCLURE:

H.R. 12289. A bill for the relief of Mr. Caleb Carter; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

148. The Speaker presented a petition of the Board of Supervisors, Chautauqua County, N.Y., relative to taxation of State and local government securities, which was referred to the Committee on Ways and Means.

which is used or sold for use in the production of special fuels.

Subsection (h) of section 304 of the bill makes a conforming change to section 4082 (c) of the code, which permits a producer or importer of gasoline to use gasoline free of tax in the production of other gasoline or of special motor fuels.

Sec. 305. *Effective Dates.* This section sets forth the effective dates of the amendments and repeals contained in Title III of the bill.

Subsection (a) of section 305 of the bill provides that the amendments and repeals made by section 303 of the bill, relating to tax transportation by air, are to apply to amounts paid for in connection with such transportation which begins after June 30, 1969.

Subsection (b) of section 305 of the bill provides that the amendments and repeals made by Title III of the bill with respect to taxes on gasoline and special fuels are to apply to sales or uses thereof after June 30, 1969.

Subsection (c) of section 305 of the bill provides that all other amendments made by Title III of the bill are to take effect on July 1, 1969.

#### TITLE IV—MISCELLANEOUS

Sec. 401. *Procurement Procedures.* This section amends the Federal Aviation Act of 1958 to authorize the Secretary to negotiate without advertising purchases and contracts for technical or special property related to, or in support of, air navigation that he determines to require substantial initial investment or an extended period of preparation for manufacture, and for which he determines that formal advertising would likely result in additional cost to the Government by reason of duplication of investment or would result in duplication of necessary preparation which would unduly delay the procurement of the property.

Sec. 402. *Repeat and Saving Provisions.* This section repeals the Federal Airport Act, but continues in effect all determinations, regulations, contracts, grants, and privileges issued, made, granted, or allowed to become effective under that Act.

#### SUMMARY OF S. 2437

##### 1. DESIGNATED ACCOUNT

Establishes in the Treasury an airport and airways "designated account" (see section 101) from which funds are to be made available, as provided by appropriation acts, for meeting obligations incurred under the grant programs for airport planning and airport development established by Title II of the bill, and obligations incurred under the Federal Aviation Act relating to the planning, research and development, construction, operation, and maintenance of the Federal airway system. It appropriates to the account amounts obtained from the aviation user tax measures contained in Title III of the bill (see paragraph 10 below), and provides for the appropriation to the account of such additional sums as may be required to make expenditures for the purposes for which the account is established.

##### 2. COST ALLOCATION STUDY

Requires the completion within two years of a study and report respecting the appropriate method for allocating the cost of the airport and airway system among the various users (see section 103).

##### 3. AIRPORT SYSTEM PLANNING

Requires the Secretary (see section 202) to publish, and revise at least every two years, a plan setting forth for at least a ten-year period the type and estimated cost of airport development necessary to provide a system of public airports adequate to anticipate and meet the needs of civil aeronautics.

##### 4. AIRPORT PLANNING GRANTS

Authorizes the Secretary (see section 203) to make grants for airport system planning

to areawide planning agencies designated under the Demonstration Cities and Metropolitan Development Act of 1966, and to any public agency for planning with respect to the development of a specific airport. In effect, the bill establishes a five-year program. The total funds obligated for the program could not exceed \$50 million, and the total funds obligated in any one fiscal year could not exceed \$10 million. No grant could exceed two-thirds of the cost incurred in the accomplishment of the project.

5. FINANCIAL AID FOR AIRFIELD DEVELOPMENT  
Authorizes the Secretary (see section 204) to make grants for airport development by grant agreements as follows:

\$140 million in fiscal year 1970 and \$180 million in fiscal year 1971 for developing airports served by air carriers certificated by the CAB and for developing "reliever" airports.

\$25 million in each of the fiscal years 1970 and 1971 for developing airports serving aviation other than air carriers certificated by the CAB.

\$805 million for the period fiscal years 1972 through 1974 for purposes set out in the above two items of this paragraph.

#### G. DISTRIBUTION OF FUNDS FOR AIRFIELD DEVELOPMENT

a. *Air carrier and reliever airport funds (fiscal years 1970 and 1971)*

Provides for distribution of the amounts set out in section 204 for air carrier and reliever airports as follows (see section 205(a)(1)):

\$67.9 million for fiscal year 1970, and \$87.3 million for fiscal year 1971 to the states in accordance with the area-population formula presently used in the administration of the Federal Airport Act.

\$2.1 million for fiscal year 1970, and \$2.7 million for fiscal year 1971 to Hawaii, Puerto Rico, and the Virgin Islands on a 40 percent, 40 percent, 20 percent ratio.

\$35 million for fiscal year 1970, and \$45 million for fiscal year 1971 for airports located in areas the CAB designates as large hubs (distributed on the basis of the number of passengers enplaned in each large hub).

\$35 million for fiscal year 1970, and \$45 million for fiscal year 1971 to be distributed at the discretion of the Secretary.

b. *General aviation airport funds (fiscal years 1970 and 1971)*

Provides for distribution of the \$25 million for general aviation airports in each of the fiscal years 1970 and 1971 as follows (see section 205(a)(2)):

\$18,375,000 to the states in accordance with the area-population formula referred to above.

\$375,000 to Hawaii, Puerto Rico, and the Virgin Islands on a 40 percent, 40 percent, 20 percent ratio.

\$6,250,000 to be distributed at the discretion of the Secretary.

c. *Air carrier and general aviation airport funds (fiscal years 1972 through 1974)*

Provides for the apportionment of amounts appropriated for airport development grants for fiscal years 1972, 1973, and 1974 as subsequently provided by law (see section 205(a)(3)).

#### 7. PROCEDURES FOR ADMINISTRATION OF GRANT PROGRAM FOR AIRPORT DEVELOPMENT

Continues in effect for the grant program for airport development nearly all of the procedures for administering the existing grant-in-aid program under the Federal Airport Act. Generally (see section 207), the United States share payable on account of any airport project could not exceed 50 percent of the allowable project costs.

#### 8. GRANTS TO STATE AERONAUTICS AGENCIES

Authorizes the Secretary (see section 212) to make grants to agencies designated by the states for the purpose of assisting those

agencies in carrying out state programs for airport planning and development. Participation by the states would be optional. Total funds obligated for such grants could not exceed \$25 million, and the total funds obligated in any one fiscal year could not exceed \$5 million. Grants would be apportioned to states in accordance with the area-population formula.

#### 9. OTHER CHANGES TO THE EXISTING FEDERAL-AID AIRPORT PROGRAM

Makes Indian tribes eligible to receive financial assistance for airport development (see section 201(11)).

Includes in the definition of "airport development" (see section 201(2)) navigation aids used by aircraft taking off from, or landing at, a public airport.

Includes in the definition of "airport development" land needed for future airport development.

#### 10. AVIATION USER TAXES

Establishes in Title III a new and revised schedule of aviation user taxes as follows:

Increases the existing passenger ticket tax from 5 percent to 8 percent; imposes a new tax of \$3 on passenger tickets for most international flights beginning in the United States, and for flights between the contiguous 48 States and Hawaii, Alaska, or outlying possessions of the United States (see section 303(a)).

Imposes a new tax on air freight waybills of 5 percent (see section 303(b)).

Provides a full refund to air carriers of the four cents per gallon gasoline tax (see section 304(a)).

Increases the effective tax rate on gasoline used by general aviation from the present two cents per gallon to nine cents per gallon (see section 302(a)).

Imposes a new tax on other fuels used by general aviation of nine cents per gallon (see section 302(a)).

#### ADDITIONAL COSPONSORS OF BILLS

S. 1075

Mr. ALLEN. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Nevada (Mr. BIBLE), the Senator from Idaho (Mr. CHURCH), the Senator from Wisconsin (Mr. NELSON), the Senator from Colorado (Mr. ALLOTT), the Senator from Idaho (Mr. JORDAN), the Senator from Wyoming (Mr. HANSEN), the Senator from Oklahoma (Mr. BELLMON), and the Senator from New Mexico (Mr. ANDERSON) be added as cosponsors of the bill (S. 1075), to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

S. 1461

Mr. HRUSKA. Mr. President, at the request of the Senator from North Carolina (Mr. ERVIN), I ask unanimous consent that, at its next printing, the name of the Senator from Arizona (Mr. GOLDWATER) be added as a cosponsor of the bill (S. 1461), to amend section 3006A of title 18, United States Code, relating to representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

the appointment of Robert Strange McNamara as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 126. Joint resolution to increase the appropriation authorization for the food stamp program for fiscal 1970 to \$750 million; to the Committee on Agriculture.

#### ENROLLED JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 790. Joint resolution making continuing appropriations for the fiscal year 1970, and for other purposes.

#### SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 123. Joint resolution to extend the time for the making of a final report by the Commission to Study Mortgage Interest Rates.

#### ADJOURNMENT

Mr. PREYER of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Thursday, June 26, 1969, 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:

888. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report on the amount of Export-Import Bank insurance and guarantees issued in May 1969, in connection with U.S. exports to Yugoslavia, pursuant to the provisions of the Export-Import Bank Act of 1945, as amended, and the applicable Presidential determination thereunder; to the Committee on Foreign Affairs.

889. A letter from the Comptroller General of the United States, transmitting a report of the study of the acquisition of peripheral equipment for use with automatic data processing systems; to the Committee on Government Operations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 471. A bill to amend section 4 of the act of May 31, 1933 (48 Stat. 108); with amendment (Rept. No. 91-326). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRIEDEL: Committee on House Administration. House Resolution 357. Resolution providing for an additional clerk for all

House Members; with amendment (Rept. No. 91-327). Ordered to be printed.

Mr. COLMER: Committee on Rules. House Resolution 455. Resolution for consideration of H.R. 4229, an act to continue for a temporary period the existing suspension of duty on heptanoic acid (Rept. No. 91-328). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12401. A bill to amend section 8336(c) of title 5, United States Code, to include the position of customs inspector in the category of hazardous occupations; to the Committee on Post Office and Civil Service.

By Mr. ESCH:

H.R. 12402. A bill to establish the calendar year as the fiscal year of the U.S. Government; to the Committee on Government Operations.

By Mr. FLYNT:

H.R. 12403. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

By Mr. HARVEY:

H.R. 12404. A bill to authorize the disposal of nickel from the national stockpile; to the Committee on Armed Services.

By Mr. KLUCZYNSKI:

H.R. 12405. A bill to amend title 39, United States Code, to extend to city, county, and State governments the third-class bulk mail rates for qualified nonprofit organizations; to the Committee on Post Office and Civil Service.

By Mr. MESKILL:

H.R. 12406. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to all unmarried widows and widowers and to all individuals who have attained age 21 and who have never been married or who have been separated or divorced for 3 years or more; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 12407. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

By Mr. MOSHER:

H.R. 12408. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 12409. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MURPHY of New York:

H.R. 12410. A bill to amend chapter 13 of title 38, United States Code, to increase dependency and indemnity compensation for widows and children, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 12411. A bill to modify the reporting requirement and establish additional income exclusions relating to pension for veterans and their widows, to liberalize the bar to payment of benefits to remarried widows of veterans, to liberalize the oath requirement for hospitalization of veterans, and for other

purposes; to the Committee on Veterans' Affairs.

H.R. 12412. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of pension, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 12413. A bill to amend chapter 19 of title 38, United States Code, in order to increase from \$10,000 to \$15,000 the amount of servicemen's group life insurance for members of the uniformed services; to the Committee on Veterans' Affairs.

By Mr. PODELL:

H.R. 12414. A bill to amend chapter 137, title 10, United States Code, to limit, and to provide more effective control over, the use of Government production equipment by private contractors under contracts entered into by the Department of Defense and certain other agencies, and for other purposes; to the Committee on Armed Services.

H.R. 12415. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

By Mr. PODELL (for himself, Mr.

DON H. CLAUSEN, Mr. CLEVELAND, Mr. CULVER, Mr. DOWNING, Mr. FRASER, Mrs. HANSEN of Washington, Mr. KEE, Mr. MANN, Mr. MOLLOHAN, and Mr. STAFFORD):

H.R. 12416. A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates; to the Committee on Government Operations.

By Mr. RHODES:

H.R. 12417. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR (for himself, Mr. SKV-

BITZ, Mr. ZION, Mr. BYRNE of Pennsylvania, Mr. CAMP, Mr. EVINS of Tennessee, Mr. EDWARDS of Louisiana, Mr. BURTON of California, Mr. MACDONALD of Massachusetts, Mr. SEBELIUS, Mr. WATKINS, Mr. ANDERSON of California, Mr. CARTER, Mr. COUGHLIN, Mr. DULSKI, Mr. ROSENTHAL, Mr. LUKENS, Mr. ADAMS, Mr. OBEY, Mr. ESHLEMAN, Mr. REUSS, Mr. LONG of Louisiana, Mr. FOUNTAIN, Mr. SMITH of California, and Mr. HUNT):

H.R. 12418. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. TIERNAN:

H.R. 12419. A bill to expedite delivery of special delivery mail, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12420. A bill to amend the Internal Revenue Code of 1954 to exempt from income tax retirement annuities and pensions paid by the United States to its employees; to the Committee on Ways and Means.

H.R. 12421. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income tax exemption for a dependent who is mentally retarded; to the Committee on Ways and Means.

By Mr. ALEXANDER:

H.R. 12422. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing

Mr. SISK: Committee on Rules. House Resolution 463. Resolution for consideration of H.R. 6508, a bill to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters (Rept. No. 91-347). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 464. Resolution for consideration of H.R. 11702, a bill to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes (Rept. No. 91-348). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 12548. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL (for himself, Mr. LENNON, Mr. PELLY, Mr. DOWNING, Mr. KEITH, Mr. KARTH, Mr. DELLENBACK, Mr. ROGERS of Florida, Mr. POLLOCK, Mr. HANNA, Mr. GOODLING, Mr. LEGGETT, Mr. McCLOSKEY, Mr. ANNUNZIO, Mr. FREY, and Mr. BIAGGI):

H.R. 12549. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. EDWARDS of California:

H.R. 12550. A bill to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARSHA:

H.R. 12551. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. HOGAN:

H.R. 12552. A bill to direct the Commissioner of the District of Columbia to establish an Ambulance Service Corps in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LONG of Louisiana:

H.R. 12553. A bill to direct the Secretary of Commerce to reopen the Weather Bureau Station at Alexander, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. MESKILL:

H.R. 12554. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. MINSHALL:

H.R. 12555. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. NICHOLS:

H.R. 12556. A bill for the relief of the living descendants of the Creek Nation of 1814; to the Committee on Interior and Insular Affairs.

By Mr. PODELL:

H.R. 12557. A bill to amend the provisions of the Public Health Service Act which relate to student loans so as to provide for the making of direct loans to U.S. citizens studying in foreign schools; to the Committee on Interstate and Foreign Commerce.

H.R. 12558. A bill to amend the Tariff Schedules of the United States with respect to the prohibition on the importation of certain fur skins; to the Committee on Ways and Means.

H.R. 12559. A bill to repeal the prohibition on the importation of certain fur skins; to the Committee on Ways and Means.

H.R. 12560. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education, and including certain travel; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 12561. A bill to equalize civil service retirement annuities, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12562. A bill to amend the Civil Service Retirement Act to extend to employees retired on account of disability prior to October 1, 1956, the minimum annuity base established for those retired after that date; to the Committee on Post Office and Civil Service.

H.R. 12563. A bill to amend section 8338, title 5, United States Code, to correct inequities applicable to those employees or members separated from service with title to deferred annuities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SIKES (for himself, Mr. FUGUA, Mr. BENNETT, Mr. HALEY, Mr. CHAPPELL, Mr. FASCELL, Mr. ROGERS of Florida, Mr. BURKE of Florida, Mr. PEPPER, Mr. CRAMER, Mr. FREY, and Mr. GIBBONS):

H.R. 12564. A bill to rename a pool of the Cross-Florida Barge Canal "Lake Ocklawaha"; to the Committee on Public Works.

By Mr. TEAGUE of Texas (by request):

H.R. 12565. A bill to provide for the appointment of a layman as Deputy Chief Medical Director of the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. THOMSON of Wisconsin:

H.R. 12566. A bill to amend the Small Business Act to make crime protection insurance available to small business concerns; to the Committee on Banking and Currency.

H.R. 12567. A bill to amend the Communications Act of 1934 to prohibit the granting of authority by the Federal Communications Commission for the broadcast of pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. WYDLER:

H.R. 12568. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. DENNEY:

H.J. Res. 802. Joint resolution authorizing and requesting the President to issue annually a proclamation respecting children's block parades in celebration of the anniversary of the Declaration of Independence; to the Committee on the Judiciary.

By Mr. MCKNEALLY:

H.J. Res. 803. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN (for himself, Mr. CONTE, Mr. McDADE, and Mr. WYMAN):

H. Res. 460. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Environment; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DUNCAN:

H.R. 12569. A bill for the relief of Mrs. George Mooney; to the Committee on the Judiciary.

S. 1531. An act for the relief of Chi Jen Feng.

#### EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House

## SENATE—Tuesday, July 1, 1969

The Senate met at 11 o'clock a.m. and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, from whom cometh every good and perfect gift, we give Thee thanks for life and thought, for work and love, for high craftsmanship and noble art, for parents and friends, for patriots and prophets, for teachers and statesmen; for this Nation rich in opportunity and promise, and all the many blessings for which we gratefully praise Thy bounteous providence. Enable us to live every day in the spirit of gratitude, and to use each hour and every faculty in repayment of Thy goodness and in

service to our fellow citizens. Give Thy higher wisdom, we beseech Thee, to the President of the United States, to those in Congress assembled, and to all whom we have set in authority over the Nation. In Thy holy name. Amen.

#### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on June 30, 1969, the President had approved and signed the following acts:

S. 1104. An act for the relief of Thi Huong Nguyen and her minor child, Minh Linh Nguyen; and

done by purchasing participation certificates in the bank's loan portfolio or even purchasing loans outright. In either event, the bank has additional loanable funds to continue its business lending activity.

The language in section 5 would make it clear that the Federal Reserve Board has adequate authority to bring this kind of borrowing under the regulation Q ceiling. I am convinced the Federal Reserve Board already has this authority under existing law, although there are some who are uncertain on this point. In order to remove any doubt, I am suggesting that Congress adopt the language under section 5 to clarify the authority which the Federal Reserve Board already has under the Federal Reserve Act.

#### EURODOLLAR BORROWING

Mr. President, another gaping loophole in the administration of regulation Q is the practice of large commercial banks borrowing Eurodollars. The overseas branches of U.S. commercial banks are free to bid for Eurodollar deposits held in other countries at rates considerably in excess of regulation Q ceiling. The overseas branches can then reloan the funds to the parent bank at the prevailing Eurodollar rate, thereby circumventing the regulation Q ceiling.

The Eurodollar loophole makes it possible for large commercial banks to offset the impact of tight money and to maintain its lending activity notwithstanding a considerable reduction in its conventional time deposits.

Governor Brimmer of the Federal Reserve Board has said publicly that the impact of monetary policy on the business sector is considerably delayed because of the Eurodollar inflow. If we are to restore monetary control by the Federal Reserve Board over large commercial banks, this loophole must be plugged.

The language of section 6 would permit the Federal Reserve Board to establish marginal reserve requirements on additional Eurodollars obtained by U.S. commercial banks. The additional increase in Eurodollars would be measured from a base date which the Federal Reserve Board would from time-to-time establish. The Board could subject these Eurodollar funds to a reserve requirement of up to 100 percent.

The Federal Reserve Board has recently issued a proposed regulation establishing a 10-percent reserve requirement on incremental Eurodollar debentures. While this reserve requirement would effectively raise the cost of Eurodollar borrowing, I am not entirely confident that it will do the job. We have seen commercial banks pay fantastic rates in order to obtain loanable funds, hence a 10-percent increase in the effective price of those funds will not be an effective long-term deterrent. However, a 100-percent reserve requirement, if applied by the Federal Reserve Board, could effectively close the Eurodollar loophole. Since any Eurodollar obtained by a bank would have to be placed in reserve, the bank would have no incentive to borrow additional Eurodollar funds. It is expected this authority would be used sparingly by the Federal Reserve Board.

But it would constitute a powerful tool which the Fed could exercise when necessary to insure the effectiveness of its monetary policy.

#### VOLUNTARY CREDIT RESTRAINT PROGRAM

Sections 7 and 8 of the bill would reactivate the authority under which the Federal Reserve Board administered a voluntary credit restraint program during the Korean war. This authority was contained in the Defense Production Act of 1950. It authorized the President to consult with representatives of the financial community in order to establish voluntary programs of credit restraint.

Under this authority the Federal Reserve Board established industry committees of banks, investment banking firms, life insurance companies, savings and loan associations, and mutual savings banks. These committees established voluntary lending criteria designed to channel credit to the most essential uses. While there were a number of problems in the implementation of the criteria, by and large the program achieved its objectives.

A National Voluntary Credit Restraint Committee issued a statement on March 10, 1952, evaluating the success of the program. This statement was published in the March 1952 Federal Reserve Bulletin and reads as follows:

At the outset of the Program, which was without precedent in the country's financial history, there was widespread skepticism as to what might be accomplished by a self-regulation effort in the highly competitive field of lending. This has been supplanted by a recognition that the Program has proved practicable, workable, and effective as a supplement to fiscal, credit, and other anti-inflationary weapons. . . . The Program has been an important factor in holding prices level during the first year of its operation. (Statement released by National Voluntary Credit Restraint Committee, March 10, 1952.)

Mr. President, I do not think the economy has reached the point where a voluntary credit restraint program is called for. Nonetheless, I do feel that the Federal Reserve Board should have this authority on a standby basis should its use be required in the future. I understand that William McC. Martin, Chairman of the Federal Reserve Board, in testimony before the House Banking and Currency Committee suggested that it might be useful to have such authority reactivated on a standby basis.

Mr. President, the measures I have suggested will not completely solve the problem of high interest rates but I believe that in total they will provide for a more reasonable allocation of the impact of tight money on our economy and in particular they will help to insure a reasonable supply of mortgage credit so that we do not fall further behind in meeting our national housing goals. In view of the pressing need for decent housing in our central cities, I do not see how we can permit another drastic reduction in the level of housing starts.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2577) to provide additional mortgage credit and for other purposes, introduced by Mr. PROXMIER,

was received, read twice by its title, and referred to the Committee on Banking and Currency.

#### ADDITIONAL COSPONSORS OF BILLS

S. 1075

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Washington (Mr. JACKSON), I ask unanimous consent that at the next printing of S. 1075, the National Environmental Policy Act of 1969, the names of the Senator from North Dakota (Mr. BURDICK), the Senator from Arizona (Mr. FANNIN), the Senator from Alaska (Mr. GRAVEL), the Senator from Oregon (Mr. HATFIELD), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), and the Senator from Utah (Mr. MOSS) be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1758

Mr. JAVITS. Mr. President on behalf of the Senator from Wyoming (Mr. HANSEN) I ask unanimous consent that, at its next printing, the name of the Senator from Nebraska (Mr. HRUSKA) be added as a cosponsor of the bill (S. 1758) to designate the Interstate System as the "Eisenhower Interstate Highway System."

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1827, S. 1828, AND S. 1829

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Oklahoma (Mr. HARRIS), I ask unanimous consent that at its next printing, the name of the Senator from Minnesota (Mr. MONDALE) be added as a cosponsor of the bills S. 1827, to amend the Internal Revenue Code of 1954 to impose a minimum income tax, to require the allocation of deductions allowed to individuals in certain circumstances, and for other purposes; S. 1828, to amend the Internal Revenue Code of 1954 to increase the minimum standard deduction; and S. 1829, to amend the Internal Revenue Code of 1954 to reduce and extend the tax surcharge and to suspend the investment credit during the remaining period of applicability of the tax surcharge.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2076

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Texas (Mr. YARBOROUGH) be added as a cosponsor of the bill S. 2076, the national wildlife disaster bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2524

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 2524) to adjust agricultural production, to provide a transitional program for farmers, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

for the northern textile industry, we are talking about a national industry.

Mr. BAKER. Mr. President, I would like to associate myself with the concern for the textile import problem that the distinguished junior Senator from South Carolina has expressed. The textile industry is the largest manufacturing employer in the State of Tennessee, with many plants being located in rural areas. I am particularly concerned that jobs for workers in these areas may be jeopardized. I am most hopeful that the Nixon administration will be able to negotiate a fair and reasonable voluntary import quota system.

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Florida for 15 minutes.

Mr. HOLLAND. Mr. President, I understand that the distinguished majority leader wishes me to yield briefly.

Mr. MANSFIELD. Without losing his rights to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

### NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 287, S. 1075.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1075) to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

#### SHORT TITLE

Sec. 1. That this Act may be cited as the "National Environmental Policy Act of 1969".

#### PURPOSE

Sec. 2. The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Board of Environmental Quality Advisers.

#### TITLE I

##### DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

Sec. 101. (a) The Congress, recognizing that man depends on his biological and physical surroundings for food, shelter and other needs, and for cultural enrichment as well; and recognizing further the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances on our physical and biological surroundings and on the quality of

life available to the American people; hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may—

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a widening of life's amenities; and

(6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(b) The Congress recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

Sec. 102. The Congress authorizes and directs that the policies, regulations, and public laws of the United States, to the fullest extent possible, be interpreted and administered in accordance with the policies set forth in this Act, and that all agencies of the Federal Government—

(a) utilize to the fullest extent possible a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment;

(b) identify and develop methods and procedures which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations;

(c) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a finding by the responsible official that—

(i) the environmental impact of the proposed action has been studied and considered;

(ii) any adverse environmental effects which cannot be avoided by following reasonable alternatives are justified by other stated considerations of national policy;

(iii) local short-term uses of man's environment are consistent with maintaining and enhancing long-term productivity; and that

(iv) any irreversible and irretrievable commitments of resources are warranted.

(d) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of land, water, or air;

(e) recognize the worldwide and long-range character of environmental problems and lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment; and

(f) review present statutory authority, administrative regulations, and current policies and procedures for conformity to the purposes and provisions of this Act and propose to the President and to the Congress

such measures as may be necessary to make their authority consistent with this Act.

Sec. 103. The policies and goals set forth in this Act are supplementary to, but shall not be considered to repeal the existing mandates and authorizations of Federal agencies.

#### TITLE II

Sec. 201. To carry out the purposes of this Act, all agencies of the Federal Government in conjunction with their existing programs and authorities, are hereby authorized—

(a) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(b) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(c) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps;

(d) to make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment;

(e) to initiate and utilize ecological information in the planning and development of resource-oriented projects;

(f) to conduct research and studies within natural areas under Federal ownership which are under the jurisdiction of the Federal agencies; and

(g) to assist the Board of Environmental Quality Advisers established under title III of this Act and any council or committee established by the President to deal with environmental problems.

Sec. 202. (a) In carrying out the provisions of this title, the President is authorized to designate an agency or agencies to—

(1) make grants, including training grants, and enter into contracts or cooperative agreements with public or private agencies or organizations, or individuals, and to accept and use donations of funds, property, personal services, or facilities to carry out the purposes of this Act;

(2) develop and maintain an inventory of existing and future natural resource development projects, engineering works, and other major projects and programs contemplated or planned by public or private agencies or organizations which make significant modifications in the natural environment;

(3) establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals; and

(4) assist and advise State and local government, and private enterprise in bringing their activities into conformity with the purposes of this Act and other Acts designed to enhance the quality of the environment.

(b) There are hereby authorized to be appropriated \$500,000 annually for fiscal year 1971 and 1972, and \$1,000,000 for each fiscal year thereafter.

Sec. 203. In recognition of the additional duties which the President may assign to the Office of Science and Technology to support any council or committee established by the President to deal with environmental problems and in furtherance of the policies established by this Act, there is hereby established in the Office of Science and Technology an additional office with the title "Deputy Director of the Office of Science and Technology." The Deputy Director shall be appointed by the President by and with the advice and consent of the Senate, shall perform such duties as the Director of the Office

of Science and Technology shall from time to time direct, and shall be compensated at the rate provided for level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315).

#### TITLE III

Sec. 301. (a) There is created in the Executive Office of the President a Board of Environmental Quality Advisers (hereinafter referred to as the "Board"). The Board shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. Each member shall, as a result of training, experience, or attainments, be professionally qualified to analyze and interpret environmental trends of all kinds and descriptions and shall be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interest of this Nation. The President shall designate the Chairman and Vice Chairman of the Board from such members.

(b) Members of the Board shall serve full time and the Chairman of the Board shall be compensated at the rate provided for Level II of the Executive Schedule Pay Rates (5 U.S.C. 5313). The other members of the Board shall be compensated at the rate provided for Level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315).

Sec. 302. (a) The primary function of the Board shall be to study and analyze environmental trends and the factors that effects these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation. In carrying out this function, the Board shall—

(1) report at least once each year to the President on the state and condition of the environment;

(2) provide advice, assistance, and staff support to the President on the formulation of national policies to foster and promote the improvement of environmental quality; and

(3) obtain information using existing sources, to the greatest extent practicable, concerning the quality of the environment and make such information available to the public.

(b) The Board shall periodically review and appraise Federal programs, projects, activities, and policies which affect the quality of the environment and make recommendations thereon to the President.

(c) It shall be the duty and function of the Board to assist and advise the President in the preparation of the annual environmental quality report required under section 303.

(d) The Board and the Office of Science and Technology shall carry out their duties under the provisions of this Act at the direction of the President and shall perform whatever additional duties he may from time to time direct.

Sec. 303. The President shall transmit to the Congress, beginning June 30, 1970, an annual environmental quality report which shall set forth: (a) the status and condition of the major natural, manmade, or altered environmental classes of the Nation; and (b) current and foreseeable trends in quality, management, and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

Sec. 304. The Board may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Board may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

Sec. 305. There are hereby authorized to be appropriated \$1,000,000 annually to carry out the purposes of this title.

Mr. JACKSON. Mr. President, the bill was reported unanimously from the Senate Committee on Interior and Insular Affairs. The ranking minority member of the committee, the Senator from Colorado (Mr. ALLOTT), is here. He will concur that the committee went into this matter in great detail. We have had it under consideration for some time, and the bill was given the unanimous support of the committee.

Mr. ALLOTT. Mr. President, that is entirely correct. I add that I concur in the statement which I believe the distinguished chairman of the committee is going to make for the RECORD.

Mr. JACKSON. Mr. President, S. 1075, the National Environmental Policy Act of 1969, as amended and as reported by the Senate Interior and Insular Affairs Committee on July 8, 1969, is in my judgment the most significant and important measure in the area of long-range domestic policymaking that will come before the 91st Congress. Without question, it is the most significant measure in the area of natural resource policy ever considered by the Congress.

As reported by the committee, S. 1075 provides a considered congressional statement of national goals and purposes for the management and preservation of the quality of America's future environment. The bill directs that all Federal agencies conduct their activities in accordance with these goals, and provides "action-forcing" procedures to insure that these goals and principles are observed. The bill specifically provides that its provisions are supplemental to the existing mandates and authorizations of all Federal agencies. This constitutes a statutory enlargement of the responsibilities and the concerns of all instrumentalities of the Federal Government.

Title II grants new authority to agencies of the Federal Government to engage in research and to incorporate the results of this ecological and environmental quality research into all of their planning and development activities. In addition, title II strengthens the Office of Science and Technology's capabilities in the area of coordinating Federal environmental management activities by adding the new position of Deputy Director.

Title III, of the measure creates a Board of Environmental Quality Advisers in the Executive Office of the President. Both the Board of Environmental Advisers and the Office of Science and Technology are to carry out their duties under the bill at the direction of the President.

The Board is directed to provide a continuing study and analysis of environmental trends, the factors which effect these trends, and to relate each area of study and analysis to the conservation, social, economic, and health goals of the Nation.

Finally, S. 1075 requires the submission by the President to the Congress and to the American people of an annual environmental quality report. The purpose of this report is to provide a statement of progress, to establish some baselines, and to tell us how well—or as some suspect, how bad—we are doing in manag-

ing the environment—the Nation's life support system.

In many respects, the only precedent and parallel to what is proposed in S. 1075 is in the Full Employment Act of 1946, which declared an historic national policy on management of the economy and established the Council of Economic Advisers. It is my view that S. 1075 will provide an equally important national policy for the management of America's future environment.

Mr. President, a statement of environmental policy is more than a statement of what we believe as a people and as a Nation. It establishes priorities and gives expression to our national goals and aspirations. It serves a constitutional function in that administrators may refer to it for guidance in making decisions which find environmental values in conflict with other values.

What is involved is a congressional declaration that we do not intend, as a government or as a people, to initiate actions which endanger the continued existence or the health of mankind. That we will not intentionally initiate actions which will do irreparable damage to the air, land, and water which support life on earth.

An environmental policy is a policy for people. Its primary concern is with man and his future. The basic principle of the policy is that we must strive, in all that we do, to achieve a standard of excellence in man's relationships to his physical surroundings. If there are to be departures from the standard, they will be exceptions to the rule and the policy. And as exceptions, they will have to be justified in the light of public scrutiny.

The Senate Interior and Insular Affairs Committee has devoted a great deal of time to this legislation over the past few years. The members of the committee and the Senate as a whole can be justifiably proud of this measure. It returns to the Congress the responsibility and the initiative for domestic policymaking in this important area of national concern. At the same time, the measure is designed to complement the President's recently established inter-agency, Cabinet-level Council on the Environment and the responsibilities of the Federal agencies in the field of environmental management.

Mr. President, I ask unanimous consent that selected portions of the committee's report on this measure be printed in the RECORD.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

EXCERPT FROM COMMITTEE ON INTERIOR AND INSULAR AFFAIRS REPORT ON S. 1075

#### INTRODUCTION

It is the unanimous view of the members of the Interior and Insular Affairs Committee that our Nation's present state of knowledge, our established public policies, and our existing governmental institutions are not adequate to deal with the growing environmental problems and crises the Nation faces.

The inadequacy of present knowledge, policies, and institutions is reflected in our Nation's history, in our national attitudes, and in our contemporary life. We see increas-

ing evidence of this inadequacy all around us: haphazard urban and suburban growth; crowding, congestion, and conditions within our central cities which result in civil unrest and detract from man's social and psychological well-being; the loss of valuable open spaces; inconsistent and, often, incoherent rural and urban land-use policies; critical air and water pollution problems; diminishing recreational opportunity; continuing soil erosion; the degradation of unique ecosystems; needless deforestation; the decline and extinction of fish and wildlife species; faltering and poorly designed transportation systems; poor architectural design and ugliness in public and private structures; rising levels of noise; the continued proliferation of pesticides and chemicals without adequate consideration of the consequences; radiation hazards; thermal pollution; an increasingly ugly landscape cluttered with billboards, powerlines, and junkyards; and many, many other environmental quality problems.

Traditional national policies and programs were not designed to achieve these conditions. But they were not designed to avoid them either. And, as a result, they were not avoided in the past. They are not being avoided today.

Traditional policies were primarily designed to enhance the production of goods and to increase the gross national product. As a nation, we have been very successful at these endeavors. Our gross national product is approaching \$900 billion a year. The American people enjoy the highest standard of living in the world. Our technological ability is unrivaled. But, as a nation, we have paid a price for our material well-being. That price may be seen today in the declining quality of the American environment.

As the evidence of environmental decay and degradation mounts, it becomes clearer each day that the Nation cannot continue to pay the price of past abuse. The costs of air and water pollution, poor land-use policies and urban decay can no longer be deferred for payment by future generations. These problems must be faced while they are still of manageable proportions and while alternative solutions are still available.

If the United States is to create and maintain a balanced and healthful environment, new means and procedures to preserve environmental values in the larger public interest, to coordinate Government activities that shape our future environment, and to provide guidance and incentives for State and local government and for private enterprise must be devised.

In spite of the growing public recognition of the urgency of many environmental problems and the need to reorder national goals and priorities to deal with these problems, (there is still no comprehensive national policy on environmental management. There are limited policies directed to some areas where specific problems are recognized to exist, but we do not have a considered statement of overall national goals and purposes.

As a result of this failure to formulate a comprehensive national policy, environmental decisionmaking largely continues to proceed as it has in the past. Policy is established by default and inaction. Environmental problems are only dealt with when they reach crisis proportions. Public desires and aspirations are seldom consulted. Important decisions concerning the use and the shape of man's future environment continue to be made in small but steady increments which perpetuate rather than avoid the recognized mistakes of previous decades.

Today it is clear that we cannot continue on this course. Our natural resources—our air, water, and land—are not unlimited.<sup>1</sup> We no longer have the margins for error that we once enjoyed. The ultimate issue posed by shortsighted, conflicting, and often selfish

demands and pressures upon the finite resources of the earth are clear. As a nation, and as a world, we face these conditions:

A population which is doubling at increasingly shorter intervals;

Demands for resources which are growing at a far greater rate than population; and

A growing technological power which is far outstripping man's capacity to understand and ability to control its impact on the environment.

The committee believes that America's capacity as a nation to confront these conditions and deal more effectively with the growing list of environmental hazards and problems resulting from these conditions can be improved and broadened if the Congress clarifies the goals, concepts, and procedures which determine and guide the programs and the activities of Federal agencies. Moreover, this can be done with the reasonable prospect that State, local, and private action will also be favorably influenced.

The committee is aware, as are other committees of both Houses which handle environmental legislation, that it is extremely difficult in our increasingly complex Government to achieve coordinated responses among the numerous Federal agencies<sup>2</sup> (aside from private enterprise and State and local agencies) involved in the multiple uses of our Nation's natural resources unless there are established common approaches to determine what actions are necessary to advance the public interest in healthful and quality surroundings. To provide a basis for advancing the public interest, a congressional statement is required of the evolving national objectives of managing our physical surroundings, our land, air, water, open space, and other natural resources and environmental amenities.

In view of this situation, the committee considered, amended and reported S. 1075 to the floor of the Senate.

#### PURPOSE

The purpose of S. 1075, the National Environmental Policy Act of 1969, is to establish, by congressional action, a national policy to guide Federal activities which are involved with or related to the management of the environment or which have an impact on the quality of the environment.

Recent years have witnessed a growing public concern for the quality of the environment and the manner in which it is managed. The cause of this concern appears to be twofold: First, the evidence of environmental mismanagement is accumulating at an ever-increasing rate as a result of population growth, increased pressures on a finite resource base, and advancing technological developments which have enlarged man's capacity to effectuate environmental change. Second, the American people—as a result of growing affluence, more leisure time, and a recognition of the consequences of continuing many present environmental trends—are placing a much higher value on the quality of the environment and their surroundings than ever before.

The public's growing concern has figured prominently in many different areas of Federal activity. Most often it is seen in the form of citizen indignation and protest over the actions or, in some cases, the lack of action of Federal agencies. Examples of the rising public concern over the manner in which Federal policies and activities have contributed to environmental decay and degradation may be seen in the Santa Barbara oil well blowout; the current controversy over the lack of an assured water supply and the impact of a super-jet airport on the Everglades National Park; the proliferation of pesticides and other chemicals; the indiscriminate siting of steam fired powerplants and other units of heavy industry; the pollution of the Nation's rivers, bays, lakes, and estuaries; the loss of publicly owned sea-

shores, open spaces, and other irreplaceable natural assets to industry, commercial users, and developers; rising levels of air pollution; federally sponsored or aided construction activities such as highways, airports, and other public works projects which proceed without reference to the desires and aspirations of local people.

S. 1075 is designed to deal with many of the basic causes of these increasingly troublesome and often critical problems of domestic policy. A primary purpose of the bill is to restore public confidence in the Federal Government's capacity to achieve important public purposes and objectives and at the same time to maintain and enhance the quality of the environment. It is the Committee's belief that S. 1075 will also provide a model and a demonstration to which State governments may look in their efforts to reorganize local institutions and to establish local policies conducive to sound environmental management. This objective is of great importance because many of the most serious environmental problems the Nation faces are within the scope and, often, within the exclusive jurisdiction of State action and State responsibility.

S. 1075 is also designed to deal with the long-range implications of many of the critical environmental problems which have caused great public concern in recent years. The challenge of environmental management, is, in essence, a challenge of modern man to himself. The principal threats to the environment and the Nation's life support system are those that man has himself induced in the pursuit of material wealth, greater productivity, and other important values. These threats—whether in the form of pollution, crowding, ugliness, or in some other form—were not achieved intentionally. They were the spinoff, the fallout, and the unanticipated consequences which resulted from the pursuit of narrower, more immediate goals.

The purpose of S. 1075 is, therefore, to establish a national policy designed to cope with environmental crisis, present or impending. The measure is designed to supplement existing, but narrow and fractionated congressional declarations of environmental policy.

The "National Environmental Policy Act of 1969" would contribute to a more orderly, rational, and constructive Federal response to environmental decisionmaking in five major ways. These are briefly set out below:

1. Management of the environment is a matter of critical concern to all Americans. Virtually every agency of the Federal Government plays some role in determining how well the environment is managed. Yet, many of these agencies do not have a mandate, a body of law, or a set of policies to guide their actions which have an impact on the environment. In fact, the authorizing legislation of some agencies has been construed to prohibit the consideration of important environmental values.

Section 101 of S. 1075 rectifies this by providing a congressional declaration that it is the continuing policy and responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal planning and activities to the end that certain broad national goals in the management of the environment may be attained.

2. A statement of national policy for the environment—like other major policy declarations—is in large measure concerned with principle rather than detail; with an expression of broad national goals rather than narrow and specific procedures for implementation. But, if goals and principles are to be effective, they must be capable of being applied in action. S. 1075 thus incorporates certain "action-forcing" provisions and procedures which are designed to assure

<sup>1</sup>Footnotes at end of article.

that all Federal agencies plan and work toward meeting the challenge of a better environment.

3. One of the major factors contributing to environmental abuse and deterioration is that actions—often actions having irreversible consequences—are undertaken without adequate consideration of, or knowledge about, their impact on the environment. Section 201 seeks to overcome this limitation by authorizing all agencies of the Federal Government, in conjunction with their existing programs and authorities, to conduct research, studies, and surveys related to ecological systems and the quality of the environment. This section also authorizes the agencies to make this information available to the public, to assist State and local government, and to utilize ecological information in the planning and development of resource-oriented projects.

Recognizing the leading role which the President has delegated to the Office of Science and Technology for the coordination of Federal activities in the area of environmental administration, the committee has adopted provisions designed to assist and strengthen this office. The committee also authorizes the President to designate one or more lead agencies to carry out a grant program, to maintain an inventory of development projects which make significant environmental modifications, to establish a data collection system, and to assist State and local governments.

4. Title III establishes an independent, high-level, three-member Board of Environmental Quality Advisers in the Executive Office of the President. The Board is patterned very closely after the Council of Economic Advisers which was established by the Full Employment Act of 1946.

The Board's function is to provide a continuing study and analysis of environmental trends and the factors which affect these trends, and to relate each area of study and analysis to the social, economic, health, and conservation goals of the Nation. The Board will provide an overview of how effectively the Nation is maintaining a quality environment for future and present generations. In addition, it will be uniquely equipped to serve an early warning function by identifying emerging environmental problems at an early date so that proper responses may be prepared before situations reach crisis proportions and before the costs of dealing with problems grow large.

The Board would also strengthen the Office of the President by providing advice, assistance, and staff support on the formulation of national policies and other measures to improve the quality of the environment. In addition, the Board would assist the President in the preparation of an annual environmental quality report.

5. Section 303 requires the President to submit to the Congress an annual environmental quality report on the current status and condition of the major natural, man-made, and altered environmental systems of the Nation. In addition, the report is to identify current and foreseeable trends in quality, management, and the utilization of these environmental systems and the effects of these trends on the social, economic, and other requirements of the Nation.

At present, there is no report available which summarizes and brings together in one convenient place an authoritative and periodic statement on the status of the environment. Instead, there are hundreds of reports which deal with some small aspects of environmental management. More often than not these are technical in nature and do not provide meaningful measures of how well the Nation is meeting environmental goals and objectives. The annual report required by S. 1075 would provide a baseline and

a periodic objective statement of national progress in achieving a quality environment for present and future generations of Americans.

#### BACKGROUND

##### *Legislative history*

S. 1075, the National Environmental Policy Act of 1969, was introduced in the 91st Congress on February 18, 1969, by Senator Jackson. Hearings on this and two related bills introduced by Senators Nelson (S. 1752) and McGovern (S. 237) were held on April 16, 1969, before the full Committee on Interior and Insular Affairs.<sup>8</sup> Following a staff study and consultations with the staff of the Office of Science and Technology and with representatives of a number of the Federal departments, the committee considered S. 1075 in executive session on June 18, 1969. Following the adoption of a number of committee amendments, the measure was ordered reported to the Senate on June 18, 1969. At the request of the Director of the Office of Science and Technology and representatives of the Bureau of the Budget, the committee voted, on July 8, 1969, to reconsider the measure for the purpose of considering additional amendments. The amendments were proposed by the Bureau of the Budget in a July 7, 1969, letter to the chairman of the committee. The proposed amendments to titles I and II of S. 1075 were adopted. Amendments proposed to title III by the Bureau of the Budget were adopted in part and rejected in part. Following the adoption of other amendments suggested by members of the committee, the measure was ordered reported to the Senate on July 8, 1969.

S. 1075, as introduced, was substantially the same measure as S. 2805 which was introduced in the 90th Congress on December 15, 1967, by Senators Jackson and Kuchel. The far-reaching objectives of S. 2805 and similar legislation introduced in the 90th Congress by Members of both Houses were considered at a unique joint House-Senate colloquium convened by the chairmen of the Senate Committee on Interior and Insular Affairs and the House Committee on Science and Astronautics on July 17, 1968, to discuss a national policy for the environment.<sup>4</sup>

Many of the concepts and ideas incorporated in S. 1075 were drawn from ambitious measures introduced in previous Congresses. Of particular relevance were S. 2549, the Resources and Conservation Act, introduced by Senator Murray in 1959 and S. 2282 introduced by Senator Nelson in the 89th Congress. The Murray bill, endorsed by a distinguished group of Senators in the 86th and subsequently in the 87th Congress, called for the establishment of more efficient machinery in the resident's Office to coordinate resource conservation on the basis of national goals. The Nelson bill included broad provisions to cope with inadequate use and application by Federal agencies of ecological knowledge and research methods for attaining better management of our physical environment. Extensive hearings were held on each of these and other environmental measures before the Senate Interior Committee.<sup>5</sup>

Other concepts and ideas incorporated into S. 1075 were drawn from the proceedings of the previously mentioned joint House-Senate colloquium, from technical reports, conferences and symposia, and from books and journals dealing with environmental problems.<sup>6</sup>

In addition, the committee has reviewed and drawn upon concepts and ideas incorporated into many measures introduced in this and previous Congresses related to various aspects of environmental management.<sup>7</sup>

##### *Need for the measure*

This committee has compiled a great deal of testimony demonstrating instances of shortcomings, problems, and even national crises arising in many respects from the in-

adequacies of the Nation's environmental management policies and practices. Similar evidence has been compiled by other congressional committees and is a recurrent topic in the news media and in popular and technical publications.

Extensive collections of commentary regarding specific examples of environmental problems along with commentary by recognized spokesmen and authorities in the field have been published by this committee in the transcripts of the joint House-Senate colloquium to discuss a national policy for the environment (90th Cong., second sess.), in the hearing on a national environmental policy (91st Cong., first sess.), and elsewhere.<sup>8</sup> The latter document includes an appendix entitled "Bibliography on Environmental Issues," which lists numerous books, papers, articles, and other published material dealing with the critical problems of the environment.

It would be impracticable to attempt a summary of this voluminous data in this report. Drawing upon the testimony presented to this and other committees, however, the committee believes that the following basic propositions summarize the situation of contemporary America and the Federal Government regarding the management of the environment:

1. Population growth and increasing per capita material demands are placing unprecedented pressures upon a finite resource base.

2. Advancing scientific knowledge and technology have vastly enlarged man's ability to alter the physical environment.

3. The combination of the foregoing conditions presents a serious threat to the Nation's life support system. The pursuit of greater material wealth and increased productivity, the quest for scientific knowledge, and the requirements of worldwide responsibilities have had unplanned and often unforeseen consequences in the form of resource depletion, pollution, ill conceived urbanization, and other aspects of environmental degradation.

4. The attainment of effective national environmental management requires the Nation's endorsement of a set of resource management values which are in the long-range public interest and which merit the support of all social institutions. The Federal role will involve in some measure nearly every Federal agency. Successful Federal leadership in environmental management must be based upon the best possible information and analyses concerning the status and trends of environmental conditions. Federal action must rest upon a clear statement of the values and goals which we seek; in short, a national environmental policy.

There is no general agreement as to how critical the Nation's present environmental situation has become. Some respected scholars insist that a number of crises already exist. Others maintain that there is yet time to prevent them. There is nearly unanimous agreement, however, that action is needed and that, at least in some instances, dangerous conditions exist.

The Senate Interior and Insular Affairs Committee has not concluded that the complex environmental problems we face are susceptible of easy solution. It is however, clear that the Congress cannot disavow its responsibility to establish basic policies and to exercise supervisory powers over the agencies it has created. The Senate Committee on the Judiciary stated this responsibility clearly:

"Policymaking is not a function that can be performed properly by a small group of appointed officials, no matter how able or well intentioned. Only in Congress, where the Members are directly answerable to the electorate, can competing political interests be adequately represented and properly accommodated."

Footnotes at end of article.

In gathering testimony on various aspects of national environmental policy over the past decade, the Senate Interior Committee has received broad support and encouragement from diverse segments of American society—from the scientific community, the universities, business and labor, and from public affairs groups. The committee believes that it is necessary to move ahead to define the "environmental" desires of the American people in operational terms that the President, Government agencies at all levels, the courts, private enterprise, and the public can consider and act upon.

#### RELATIONSHIP OF S. 1075 TO EXISTING POLICIES AND INSTITUTIONS

##### *Existing policies*

Congress over the past decade has passed a procession of landmark conservation measures on behalf of recreation and wilderness, national recreational planning, national water planning and research, wilderness preservation, review of public land policies, establishment of a system of national trails and a system of national scenic rivers, air and water pollution control, noise abatement, preservation of endangered wildlife, urban planning for open space, oceanography, beautification of highways, protection of shorelines and estuaries, and other related areas. Many of these measures originated in the Senate Interior and Insular Affairs Committee.<sup>8</sup> Others originated in other committees of both the Senate and House. All of them, in specific and specialized ways, constitute congressional mandates on various aspects of environmental policy. Taken together, these measures provide an impressive record of congressional action and concern.

Nevertheless, on the basis of recent hearings, seminars, colloquia, and staff studies conducted by the committee, it is clear that there is very real reason for concern for those areas in which no policies have been established or in which the conflicting operational policies of different agencies are frustrating and complicating the achievement of environmental quality objectives which are in the interest of all. Many older operating agencies of the Federal Government, for example, do not at present have a mandate within the body of their enabling laws to allow them to give adequate attention to environmental values. In other agencies, especially when the expenditure of funds is involved, an official's latitude to deviate from narrow policies or the "most economical alternative" to achieve an environmental goal may be strictly circumscribed by congressional authorizations which have overlooked existing or potential environmental problems or the limitations of agency procedures. There is also reason for serious concern over the activities of those agencies which do not feel they have sufficient authority to undertake needed research and action to enhance, preserve, and maintain the qualitative side of the environment in connection with development activities.

S. 1075, as reported by the committee, would provide all agencies and all Federal officials with a legislative mandate and a responsibility to consider the consequences of their actions on the environment. This would be true of the licensing functions of independent agencies as well as the ongoing activities of the regular Federal agencies.

In addition, by providing a statement of national environmental goals, policies, and procedures, S. 1075 would give renewed and vigorous emphasis to the importance of existing environmental programs and legislation.

The problem of providing for better Federal environmental management practices is not totally caused by the lack of a policy. As noted earlier, there are many specific and specialized legislative policies on some as-

pects of the environment. The present problem also involves the need to rationalize and better coordinate existing policies and to provide means by which they may be continuously reviewed to determine whether they meet the overall goal of a quality life in a quality environment for all Americans.

Titles II and III of S. 1075 provide coordinating and oversight measures which are designed to insure that a coordinated Federal response to the problems of environmental management are prepared.

##### *Existing institutions*

The Federal Government, at present, is not well structured for the administration of complex environmental issues or to offer meaningful alternatives to past methods of coping with environmental problems.<sup>10</sup> Compensatory measures have been sought through interagency agreements and understandings which require joint consultation and planning in specified cases of natural resources administration.<sup>11</sup>

While this represents an improvement in some areas of environmental administration and policymaking, the compensatory measures are more in the nature of palliatives than basic reforms, more in the nature of administrative statesmanship rather than basic policy determinations. In effect, they treat the symptoms rather than the basic problems.

Functions of oversight and assessment, insofar as they are presently fulfilled, are vested with a number of committees of the Congress and with the Bureau of the Budget. Budget's concern has proven to be more fiscal than policy oriented. The segmented committee structure of Congress, coupled with inadequate time and staff to survey the broad range of environmental quality problems, make it improbable that all of the committees of Congress will, or can be expected to provide a continuous and informed substitute for legislation through which a comprehensive environmental public policy can be developed and applied.<sup>12</sup>

The present administration has recognized that dealing with complex environmental questions requires the establishment of a focal point for the consideration of environmental values within the Federal Government. On June 3, 1969, President Nixon established by Executive Order 11472 an interagency Environmental Quality Council to be composed of six Cabinet officers and to be chaired by himself. The Executive order also established a Citizens' Advisory Committee on Environmental Quality, revoked a number of prior Executive orders, and delegated certain staff functions to the Director of the Office of Science and Technology.

During the April 16 hearings on S. 1075, members of the Committee expressed approval of the announcement by the Secretary of the Interior and the President's science adviser of the President's intent to establish this interagency Council on the environment. There was general agreement that the Council could be effective in dealing with environmental problems which were of concern to more than one Department of the Federal Government and which required "action."

Many members of the Committee did, however, question whether an interagency council alone could provide the objective and impartial advice and adversary support the President needs in dealing with environmental problems.

Senator Jackson, in a dialog with Dr. DuBridge, noted that—" \* \* \* the advice, with all due respect, that the President would receive from the departments will be advice that will not be adverse to them. It will be compromised advice. This has been the history of the agencies. It is hard for the President to get objective advice. This is why the Bureau of the Budget plays such an important role. This is why your office [Office of

Science and Technology] plays an important role. You have science in every department of the Government, and the President really needs to be armed with information with which he can effectively deal with the Cabinet departments. He needs to be armed with impartial advice, even advice of an adversary nature which will place the options for decision before the President.

"What I am concerned about, you see, is whether or not the President is going to be presented with a series of options that stem from an impartial source. This is casting no reflection on any department, but every Cabinet officer gets pressures right from the bottom on up."

Concern was also expressed by other members of the Committee over whether the President and the Cabinet officers involved would have the time and energy to provide the continuity of effort required. Concern was voiced over the level of staff support which the Office of Science and Technology would be able to make available to assist the President's Council.

Based upon a review of the strengths and weaknesses of both the President's Council and an independent board of environmental advisers as proposed in S. 1075, the Committee believes that both are needed. Their functions and activities as expressed in the Executive order and in title III of S. 1075 are not in conflict. They are complementary bodies: one action-oriented and composed of those Cabinet officers chiefly concerned with environmental matters, and the other providing objective and impartial advice as well as a long-range overview and problem identification function.

##### SUMMARY

Although historically the Nation has had no considered policy for its environment, the unprecedented pressures of population and the impact of science and technology make a policy necessary today. The expression "environmental quality" symbolizes the complex and interrelated aspects of man's dependence upon his environment. Most Americans now understand, far better than our forebears could the nature of man-environment relationships. The evidence requiring timely public action is clear. The Nation has in many areas overdrawn its bank account in life-sustaining natural elements. For these elements—air, water, soil, and living space—technology at present provides no substitutes. Past neglect and carelessness are now costing us dearly, not merely in opportunities foregone, in impairment of health, and in discomfort and inconvenience, but also in a demand upon tax dollars upon personal incomes, and upon corporate earnings. The longer we delay meeting our environmental responsibilities, the longer the growing list of "interest charges" in environmental deterioration will run. The cost of remedial action and of getting on to a sound basis for the future will never again be less than it is today.<sup>13</sup>

Natural beauty, increased recreational opportunity, urban esthetics and other amenities would be important byproducts of a national environmental policy. They are worthy and important public objectives in their own right. But the compelling reasons for a national policy are more deeply based. The survival of man, in a world in which decency and dignity are possible, is the basic reason for bringing man's impact on his environment under informed and responsible control. The economic costs of maintaining a life-sustaining environment are unavoidable. We have not understood the necessity for respecting the limited capacities of nature in accommodating itself to man's exactions, nor have we properly calculated the cost of adaption to deteriorating conditions. In our management of the environment we have exceeded its adaptive and recuperative powers, and in one form or another we must

Footnotes at end of article.

now pay directly the costs of maintaining air, water, soil, and living space in quantities and qualities sufficient to our needs. Economic good sense requires the declaration of a policy and the establishment of a comprehensive environmental quality program now. Today we have the option of channeling some of our wealth into the protection of our future. If we fail to do this in an adequate and timely manner, we may find ourselves confronted, even in this generation, with an environmental catastrophe that could render our wealth meaningless and which no amount of money could ever cure.

## FOOTNOTES

<sup>1</sup> An excellent up-to-date assessment of our present resource posture has been prepared by the Committee on Resources and Man, National Academy of Sciences-National Research Council. The summary of findings and recommendations is presented as appendix 1 of the hearings before the Senate Interior Committee, "National Environmental Policy," Apr. 16, 1969.

<sup>2</sup> A recent analysis conducted by the staff of the Senate Interior Committee showed that environmental programs are presently administered by 63 Federal agencies located within 10 of the 13 departments as well as 16 independent agencies of the executive branch.

<sup>3</sup> National environmental policy, hearings held before the Committee on Interior and Insular Affairs, U.S. Senate, 91st Cong., first sess., on S. 1075, S. 1752, and S. 237, Apr. 16, 1969. S. 1752, as introduced by Senator Nelson, would create a five-member Council on Environmental Quality in the Office of the President. This Council would be responsible for assisting the President in preparing an annual environmental quality report which would be transmitted to Congress. The report would be reviewed by a Joint Committee on Environmental Quality. The measure would also authorize the Secretary of the Interior to conduct studies of the natural environment, evaluate and disseminate such information, and consult with and provide technical assistance to departments and agencies of the Government.

S. 237, as introduced by Senator McGovern, would require that the President transmit to the Congress an annual report on the state of the environment. The measure would also authorize the creation of a Council of Advisers on Resources, Conservation, and the Environment which would be in the Executive Office of the President. The three-member Council would assist the President in the preparation of the annual report and in developing and recommending national policies to maintain and improve the environment. For the purpose of consideration of the annual report and plan, this bill would establish in the Senate and the House, special committees to be known as the Select Committees on Resources, Conservation, and Environment.

<sup>4</sup> The proceedings were published under the title: "Joint House-Senate Colloquium To Discuss a National Policy for the Environment," hearing before the Committee on Interior and Insular Affairs, U.S. Senate, and the Committee on Science and Astronautics, U.S. House of Representatives, 90th Cong., 2d sess., July 17, 1968.

Following the colloquium, a "Congressional White Paper" was prepared at the request of Cochairman Henry M. Jackson and George Miller by the Legislative Reference Service, Library of Congress. This document, issued as a joint committee print by the Senate Interior Committee and House Science and Astronautics Committee and distributed to the entire Congress in October 1968, summarized the key points raised in the dialog between Members of the Congress and the colloquium participants which included five Cabinet Secretaries, the President's Science Adviser, Mr. Laurance Rockefeller, and Dean Don K. Price of Harvard.

A special report to the Committee on Interior and Insular Affairs on "A National Policy for the Environment" was prepared for the committee's use and was printed as a committee print on July 11, 1968. The report was prepared by Dr. Lynton K. Caldwell of Indiana University and William J. Van Ness, special counsel to the committee. The report was used as a background document for the colloquium. It raises and discusses in detail many of the issues and questions implicit in establishing a national environmental policy.

<sup>5</sup> Proposed Resources and Conservation Act of 1960, hearings before the Committee on Interior and Insular Affairs, U.S. Senate, 86th Cong., second sess. on S. 2549, Jan. 25, 26, 28, and 29, 1960. Ecological Research and Surveys, hearings before the Committee on Interior and Insular Affairs, U.S. Senate, 89th Cong., second sess., April 27, 1966, on S. 2282.

<sup>6</sup> For a detailed listing of these documents see app. A, entitled "A Documentation on Environmental Problems," p. 25, in A National Policy for the Environment, committee print, Senate Interior and Insular Affairs Committee, July 11, 1968; see also the "Bibliography on Environmental Issues," pp. 192-204 in National Environmental Policy, hearing before the Committee on Interior and Insular Affairs, U.S. Senate, 91st Cong., on S. 1075, S. 237, and S. 1752, Apr. 16, 1969.

<sup>7</sup> In the closing days of the 90th Cong., the Legislative Reference Service tabulated over 100 bills which were directly concerned with environmental issues, covering a broad area of interest—cleaning up the Nation's rivers and better approaches to smog control, improving the use of open space and prevention of disorderly encroachment by superhighways, factories and other developments, improved protection of areas of high fertility, wiser application of pesticides, whose residues affect both man and wildlife, and the control of urban sprawl, unsightly junkyards, billboards, and power facilities that lower the amenities of landscape.

In the present Congress, an initial tabulation indicates that over 40 bills have been introduced which are concerned either with a national policy for the environment or the establishment of machinery to study the overall problems of the human environment. Of the 16 standing committees of the Senate, eight have broad jurisdiction of this type of legislation. Of the 21 House standing committees, 11 are similarly involved. See "A National Policy for the Environment," app. B, p. 29, committee print of the Senate Interior and Insular Affairs Committee, July 11, 1968; "Congressional White Paper on A National Policy for the Environment," app. p. 17, Senate Committee on Interior and Insular Affairs and the House Committee on Science and Astronautics, October 1968; and Legislative Reference Service Multith, TP 450, SP 170 entitled "Environmental Quality: Selected Bills and Resolutions," June 20, 1969.

<sup>8</sup> See, for example, "Selected Excerpts on Environmental Management Policy," in the Congressional Record, Feb. 6, 1968, by Senator Jackson, and the committee publications cited in previous footnotes.

<sup>9</sup> See for example, "A Brief Presentation of the Committee's History and Jurisdiction, and A Summary of its Accomplishments During the 90th Congress," committee print, Committee on Interior and Insular Affairs, U.S. Senate, 90th Cong., 2d Sess.

See, also the existing legislation which affects coordination of Federal, air quality, water quality, solid waste disposal, and related public works projects cited in S. 2391, introduced by Senator Muskie and others on June 12, 1969.

<sup>10</sup> This deficiency has been thoroughly discussed in two documents of the National Academy of Sciences: Paul Weiss, "Renewable Resources: A Report to the Committee on Natural Resources" (NAS-NRC Publ. No. 100A, 1962; "Resources and Man," NAS-NRC. (In press.)) Also see Lynton K. Caldwell, "Ad-

ministrative Possibilities for Environmental Control," in The Future Environments of North America (Natural History Press, 1966), and the hearings on S. 1075.

<sup>11</sup> The inadequacies of such compensatory measures are discussed in the following: Stephen K. Bailey, "Managing the Federal Government," in Agenda for the Nation (Brookings Institution, 1968).

<sup>12</sup> This fundamental issue was fully discussed in the "Congressional White Paper on a National Policy for the Environment," op. cit.

<sup>13</sup> For a discussion of the economic and social costs of continuing past environmental management practices see page 5, "A National Policy for the Environment," Committee Print, Senate Interior and Insular Affairs Committee, July 11, 1968.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

The title was amended so as to read: "A bill to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers."

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ALLOTT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JACKSON. Mr. President, I express my thanks to the distinguished senior Senator from Florida for making time available.

Mr. HOLLAND. Mr. President, I thank my friend, the Senator from Washington. I was happy to yield, and I support the measure which he has just carried through to passage.

#### SENATE JOINT RESOLUTION 133— INTRODUCTION OF A JOINT RESOLUTION REDESIGNATING CAPE KENNEDY AS CAPE CANAVERAL

Mr. HOLLAND. Mr. President, the tragic death of our late, beloved President John F. Kennedy, by an assassin's bullet, left this Nation and other free nations throughout the world stunned with grief. Along with millions of others, I shared the grief on that sad occasion.

Understandably, during our period of mourning some things were done without our properly thinking through the actions taken. Upon reflection and further study, we find that the action taken by the Board of Geographic Names of the Department of the Interior, upon the request of President Johnson, redesignating Cape Canaveral in Florida as "Cape Kennedy," was ill-advised. However, the President's Executive Order 11129, dated November 29, 1963, desig-

proval, bills of the House of the following titles:

On July 10, 1969:

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.

On July 11, 1969:

H.R. 4153. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishment for the Coast Guard.

#### ADJOURNMENT

Mr. MOSS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 15, 1969, 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:

948. A letter from the Secretary of Commerce, transmitting the 87th quarterly report on export control, covering the first quarter of 1969, pursuant to the provisions of the Export Control Act of 1949; to the Committee on Banking and Currency.

949. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the District of Columbia Bail Agency Act to increase the effectiveness of the Bail Agency, and for other purposes; to the Committee on the District of Columbia.

950. A letter from the Attorney General, transmitting a draft of proposed legislation to expand and improve public defender services in the District of Columbia; to the Committee on the District of Columbia.

951. A letter from the Attorney General, transmitting a draft of proposed legislation to reorganize the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

952. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness and administration of the community action program administered by the Gila River Indian community under title II of the Economic Opportunity Act of 1964, Gila River Indian Reservation, Ariz.; to the Committee on Education and Labor.

953. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness and administrative efficiency of the Department of Labor's Neighborhood Youth Corps program in Carroll, Chariton, Lafayette, Ray, and Saline Counties, Mo., under title I-B of the Economic Opportunity Act of 1964; to the Committee on Education and Labor.

954. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on schoolbus safety, pursuant to the provisions of title VI of the Elementary and Secondary Education Amendments of 1967; to the Committee on Education and Labor.

955. A letter from the Comptroller General of the United States, transmitting a report on an evaluation of two proposed methods for enhancing competition in weapons systems procurement, Department of Defense; to the Committee on Government Operations.

956. A letter from the Chairman, Federal Trade Commission, transmitting a report concerning the effectiveness of cigarette labeling, current practices and methods of cigarette advertising and promotion, and recommendations for legislation which are deemed appropriate, pursuant to the provi-

sions of section 5(d)(2) of the Federal Cigarette Labeling and Advertising Act; to the Committee on Interstate and Foreign Commerce.

957. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the act of February 11, 1903, commonly known as the Expediting Act, and for other purposes; to the Committee on the Judiciary.

958. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Bail Reform Act of 1966 to authorize consideration of danger to the community in setting conditions of release, to provide for pretrial detention of dangerous persons, and for other purposes; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of July 10, 1969, the following bills were reported on July 11, 1969:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 5967. A bill to amend the District of Columbia Traffic Act, 1925, to provide for the issuance of an additional congressional tag to Senators and Representatives (Rept. No. 91-372). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 8868. A bill to authorize the District of Columbia to enter into the interstate compact on juveniles (Rept. No. 91-373). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 12677. A bill to authorize the Commissioner of the District of Columbia to lease to the Jewish Historical Society of Greater Washington the former synagogue of the Adas Israel Congregation and real property of the District of Columbia for the purposes of establishing a Jewish Historical Museum (Rept. No. 91-374). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 255. A bill to authorize banks, savings and loan associations, and other regulated lenders in the District of Columbia to charge or deduct interest in advance on loans to be repaid in installments; with amendment (Rept. No. 91-375). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 12671. A bill to amend the act of May 29, 1928, to facilitate and encourage the employment of minors in the District of Columbia between the ages of 14 and 16 during the summer and other school vacation periods, and for other purposes (Rept. No. 91-376). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 12720. A bill to provide for the conveyance of certain real property of the District of Columbia to the Washington International School, Inc. (Rept. No. 91-377). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries: H.R. 12549. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; with amendment (Rept. No. 91-378). Referred to the Committee of the Whole House on the State of the Union.

[Submitted July 14, 1969]

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. PERKINS: Committee on Education and Labor. H.R. 11651. A bill to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children not now being reached (Rept. No. 91-379). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 12785. A bill to declare that the United States holds in trust for the Southern Ute Tribe approximately 213.37 acres of land; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 12786. A bill to amend title 37 of the United States Code to provide a dependents' allowance for certain persons in the Reserves and National Guard ordered to active duty for training for a period of more than 30 days; to the Committee on Armed Services.

H.R. 12787. A bill to amend section 5723 (b) of title 5, United States Code, relating to length of service required by teachers in Bureau of Indian Affairs schools when travel and transportation expenses are paid to first post of duty; to the Committee on Government Operations.

By Mr. BROOKS:

H.R. 12788. A bill to prohibit the mailing of certain obscene matter; to the Committee on Post Office and Civil Service.

By Mr. CARTER:

H.R. 12789. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. CELLER:

H.R. 12790. A bill to amend the act of February 11, 1903, commonly known as the Expediting Act, and for other purposes; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 12791. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. CORMAN (for himself, Mr.

HANNA, Mr. LEGGETT, Mr. ROYBAL, Mr. PUCINSKI, Mr. SISK, Mr. CHARLES H. WILSON, and Mr. UTT):

H.R. 12792. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 12793. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 12794. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income, for purposes of the individual income tax, certain monetary awards made by Federal agencies; to the Committee on Ways and Means.

By Mr. FALLON (for himself, Mr. GRAY, and Mr. CRAMER) (by request):

H.R. 12795. A bill to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws," to increase the amount au-

ment. It is still hard to believe that last night we watched Armstrong and "Buzz" Aldrin striding about in their ungainly spacesuits on the moon's surface, alternating the most sober scientific work with playful gamboling before the TV camera. The courage of these two men—and what the younger generations would call their "cool"—cannot be overemphasized.

Their achievement's lasting significance for mankind, of course, will be left to future historians. But I think a few tentative judgments can be offered now. The lunar exploration, for one thing, signals the true opening of the space age. It opens up entire new frontiers—frontiers in science, in exploration, in technology, in man's continuing quest to understand himself and his universe. Just the few handfuls of rock that Apollo 11 will return to the earth may tell us more about the evolution of the solar system than any other clues that science has uncovered to date.

Still another immediate benefit stems from the lunar mission—a benefit that may be remembered as the most significant of all. Apollo 11 demonstrates what astonishing feats man is capable of once he sets a goal and works arduously to achieve it. It demonstrates that this country's most nettlesome problems—racial strife, urban decay, crime, injustice—can be solved.

President Nixon, in his telephone message to the astronauts last night, expressed hope that the lunar landing will inspire us to come up with solutions to the problems I have just cited. The text of the President's message follows:

Hello Neil and Buzz. I'm talking to you by telephone from the oval room at the White House. And this certainly has to be the most historic telephone call ever made.

I just can't tell you how proud we all are of what you have done. For every American, this has to be the proudest day of our lives and for people all over the world I am sure they too join with Americans in recognizing what an immense feat this is.

Because of what you have done the heavens have become a part of man's world. And as you talk to us from the Sea of Tranquility it inspires us to redouble our efforts to bring peace and tranquility to earth. For one priceless moment in the whole history of man all the people on this earth are truly one. One in their pride in what you have done and one in our prayers that you will return safely to earth.

The moon program, starting from scratch just 8 years ago, overcame technical barriers science once considered insuperable. It took the work of literally hundreds of thousands of people in Government, in colleges and universities, in private institutions, in industry. As a ranking member of the House Appropriations Subcommittee on Housing and Urban Development and Independent Offices—the legislative body that handles the NASA budget—I am proud to have had a role in helping achieve the goals of the space program. After President Kennedy announced the national goal of putting a man on the moon by the end of the decade, I helped lead the struggle to fund the space program adequately. I will continue to do so. One of the greatest honors of my life is NASA's decision to inscribe my name, along with the names of certain other Congressmen and world leaders, on a sil-

icon disc the Apollo 11 astronauts placed on the moon.

I am sure my colleagues join me, Mr. Speaker, in wishing Neil Armstrong, "Buzz" Aldrin, and Michael Collins a safe journey back to earth.

Our prayers are with them.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. ADDABBO (at the request of Mr. JOELSON), for Monday, July 21, 1969, on account of official business.

Mr. KEE (at the request of Mr. MOLLOHAN), for today, on account of official business.

Mr. PETTIS (at the request of Mr. ARENDS), for today, on account of influenza illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOSMER (at the request of Mr. DENNIS), for 10 minutes, today, to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. JONES of Tennessee), to revise and extend their remarks and to include extraneous matter:)

Mr. RARICK, for 10 minutes, today.

Mr. FARSTEIN, for 20 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

#### EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. FASCELL to extend his remarks during debate on H.R. 11363.

Mr. BENNETT to extend his remarks during debate on H.R. 11363.

(The following Members (at the request of Mr. DENNIS), and to include extraneous matter:)

Mr. CONTE in two instances.

Mr. BUSH.

Mr. FULTON of Pennsylvania in five instances.

Mr. WYDLER.

Mr. KEITH in three instances.

Mr. BURKE of Florida.

Mr. FOREMAN in two instances.

Mr. CLEVELAND.

Mr. MIZELL.

Mr. HUNT.

Mr. WYMAN in three instances.

Mr. STEIGER of Wisconsin.

Mr. DERWINSKI in three instances.

Mr. POFF.

Mr. McCLOSKEY.

Mr. RUPPE.

Mr. ROBISON.

Mr. GUDE.

(The following Members (at the request of Mr. JONES of Tennessee) and to include extraneous matter:)

Mr. CHARLES H. WILSON in two instances.

Mr. LONG of Maryland.

Mr. DINGELL in four instances.

Mr. BOLAND in three instances.

Mr. HANNA.

Mr. EVINS of Tennessee in two instances.

Mr. RARICK in three instances.

Mr. FRIEDEL in two instances.

Mr. RIVERS in two instances.

Mr. ANDERSON of California in two instances.

Mr. BARING.

Mr. RODINO.

Mr. MIKVA in two instances.

Mr. VIGORITO.

Mr. GONZALEZ in four instances.

Mr. DULSKI in three instances.

Mr. NICHOLS.

Mr. CELLER in two instances.

Mr. FRASER.

#### ADJOURNMENT

Mr. JONES of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 54 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 22, 1969, 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:

979. A letter from the Comptroller General of the United States, transmitting a report on the administration and effectiveness of the work experience and training project in Carroll, Chariton, Lafayette, and Saline Counties, Mo., under title V of the Economic Opportunity Act of 1964, Department of Health, Education, and Welfare; to the Committee on Education and Labor.

980. A letter from the Chairman, Railroad Retirement Board, transmitting a report on the settlement of claims of civilian personnel during fiscal year 1969, pursuant to the provisions of 31 U.S.C. 241; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of July 17, 1969, the following bills were reported on July 18 and 19, 1969:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 11363. A bill to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes (Rept. No. 91-382). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 12549. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes (Rept. No. 91-378, pt. II). Referred to the Committee of the Whole House on the State of the Union.

[Submitted July 21, 1969]

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. MILLS: Committee on Ways and Means. H.R. 12829. A bill to provide an extension of the interest equalization tax, and for other purposes (Rept. No. 91-383). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROONEY of New York: Committee on Appropriations, H.R. 12964. A bill making appropriations for the Departments of State,

billion of pieces of mail a year—millions of pieces each day—with a smaller “error factor” than any giant corporation can boast in its operations.

“Certainly America’s big car manufacturers, now calling back thousands of defect-marred automobiles—can’t claim such a record,” he said.

While there are delays in delivery and operations are not always efficient, he continued, “the Post Office performs this service with such a high degree of integrity and honesty, that America’s trust in the mails is legendary.”

The postal problems, he said, spring from the fact that the Post Office “is woefully undercapitalized,” forced to use old structures in traffic-jammed streets, and burdened by “unrealistic rates” for circular mail—so-called junk mail.

“It is also burdened by a high rate of employe-turnover,” Meany added, “reflecting poor working conditions and inadequate wages in today’s job market.”

He then stressed that these and other problems can be resolved by adequate financing of the Post Office and improved postal management—reforms that can be achieved within the present structure.

He warned that the “widely advertised” efficiency of a postal corporation could be achieved only by eliminating services, such as home delivery of mail.

“We opposed the abandonment of such service,” he added. “Substantial reform—rather than a corporate setup—is the prudent realistic and workable approach to the problem.”

#### WORST FEATURES

The corporate structure legislation’s provisions pertaining to employes, Meany said, “combine the worst features of public and private labor laws” in that they would wipe out civil service while continuing to deny workers the right to strike.

“If the Administration has decided that postal employes should no longer be considered government employes,” he said “then it should go all the way and grant them the right all private employes have in a free country—the right to strike.”

He pointed out that Dulski’s bill contains reforms while retaining Congress’ right to “oversight” of postal operations, as well as financing them through appropriations.

Stripping Congress of its continuous right of review of postal operations, he stated, “would work an injustice on American mail users and taxpayers because they would lose a highly important opportunity to contribute their views through elected officials.”

#### THE ENVIRONMENTAL QUALITY AND PRODUCTIVITY ACT OF 1969

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

Mr. DADDARIO. Mr. Speaker, on behalf of Congressman CHARLES A. MOSHER and myself, I rise to propose the Environmental Quality and Productivity Act of 1969, which I shall include at the end of my remarks as exhibit 1. This Congress has had before it over 40 bills dealing with various aspects of the environment, certainly a major issue of our time. A review of all these pieces of legislation shows a remarkable degree of agreement on a national policy of restoring, maintaining, and enhancing the values found in our natural surroundings. At the same time, there is a bewildering variety of organizational proposals to put this policy into practice. Our bill is an attempt to simplify matters in a way which will assure that the executive and legislative

branches will be served with the information, advice, and coordinated constructive action which they demand.

Actually, the Congress is to be complimented in what it has already contributed to the betterment of environmental management. The intense interest in this problem over the past few years has caused many committees to look into different aspects including, of course, the basic legislation to abate air and water pollution. The result is that innovative alternatives have been generated for organization, policy, and programs. The executive branch has chosen to implement many of these legislative suggestions and thus a number of Members may now feel a well-justified satisfaction from leadership in the new emphasis on environmental quality and productivity.

In the case of our Science, Research, and Development Subcommittee, I would mention specifically four examples apparent from the excerpts appended to this statement.

First. In 1966 we recommended a system approach in environmental matters with coordination of all Federal R. & D. and operational programs. The FCST Committee on Environmental Quality was formed in 1967 to accomplish this assignment. See exhibit 2.

Second. In 1968, one of our reports called for a national policy to be expressed in legislation by both Houses, a step we are undertaking today. See exhibit 3.

Third. Our 1968 report called for an environmental Cabinet to assure conformity of Federal operations with the national policy for the environment. This suggestion has been implemented in the Cabinet-level Environmental Quality Council established by President Nixon. See exhibit 3a.

Fourth. We recommended a strengthening of OST and the recent Presidential announcement has assigned that office a major role in science related to the environment. See exhibit 3.

Thus, a considerable history of legislative influence in addition to specific laws can be demonstrated.

Title I of the bill we are introducing today is a declaration of policy. Its exact wording is not critical but nevertheless these words are the result of several years’ work by legislative and executive branch officials and their staffs. See exhibit 4. Title I affirms the great interdependence of man and his environment and the ultimate requirement for harmony between his actions and ecological principles. It recognizes a human right to a healthful environment and a personal responsibility for preservation and enhancement of these values.

The bill calls on all agencies to conform their activities to these policy statements. This directive should provide an administrative route for redress of grievances by citizens groups who now must go to court in order to bring the rights for environmental quality into balance with Federal or private operations.

The origin of national policy for the environment can be traced back over the past several years. There was an apparent and growing concern of citizens everywhere that the earlier guidelines of economic exploitation were yielding by-

products of deterioration, pollution, and esthetic offense. Many organizations in Government and the private sector began studies and programs to describe the cause-and-effect relationships between society’s actions and environmental quality. At the same time, increased productivity from the landscape was demanded by a growing world population and desire for higher living standards. These studies found that environmental quality and productivity go hand in hand. In fact, in the long run the most productive environment is one which is kept at a high state of quality.

We are pleased to recognize phrases in title I which have stemmed from the hearings and reports of the Subcommittee on Science, Research, and Development of the House Committee on Science and Astronautics. It is for this reason that we are prompted to advocate this bill as the best measure before the House, even though no hearings have been held on it per se. In effect, our committee and several others in both Houses have been holding appropriate hearings for years.

Title II of our bill would satisfy the clearly defined need for an independent advisory group by giving a statutory basis to the present Citizens’ Advisory Committee on Environmental Quality established by Executive Order 11472, May 29, 1969. Funds for adequate staffing would make this unit able to perform an information-gathering analysis and program review function which has been shown to be necessary by recent hearings in the House and the Senate. Since the present terms of the members of the CACEQ will expire in 1970, the President will have immediate opportunity to broaden and deepen the expertise in this group beyond the present makeup which stems from its former designation as the Citizens’ Advisory Committee on Recreation and Natural Beauty.

By establishing the CACEQ by legislation, the authority and concern of the Congress will be clear. Adequate appropriations for its functions will be defensible.

At the same time, no new agency would be added. We believe this is extremely important. President Nixon has announced the formation, by the same Executive order, of a Cabinet-level Environmental Quality Council. It is agreed by all that this is necessary to assure that the action programs of the Government are coordinated and conform to national policy. The President ultimately would resolve conflicts among the departments and agencies and so it is very encouraging to see him clearly accepting the responsibility as Chairman of the new Council.

The other Presidential moves are to redesignate the former Advisory Panel on Recreation and Natural Beauty as the Citizens’ Advisory Committee on Environmental Quality and to assign to the Office of Science and Technology the staff work for both the Cabinet Council and the Advisory Committee. On these two counts, the criticism has mounted. We would not take issue with those who doubt the ability of the CACEQ and OST to do what is necessary under present conditions of status and funding.

But it seems patently foolish for the Congress to add another new, unwanted

agency to the Executive Office of the President. Rather, we see great value in using the structure that the President is in favor of and providing for it the statutory base and funding support to assure the performance that the entire Nation desires.

The Citizens' Advisory Committee, when established by congressional action, would satisfy all the demands for independent, expert, balanced, widely representative assistance. The membership of 15 would allow the inclusion of the diversity of talent which environmental matters require. An executive secretary and staff of great competence should be attracted by the central role which the CACEQ will play. The participation of private sector leaders, including industry—which must bear the brunt of environmental enhancement while continuing efficient productivity—will give all citizens a direct access to governmental planning and priorities for the environment.

We believe we must take the President's announcement at face value and help him make it work, and strengthen the role of the Congress at the same time. The number of different bills before us illustrates the difficulty of agreement on these administrative formats. Surely we do not need an array of advisory groups, one selected by the President and one chartered by the Congress. The possibilities for conflict should be obvious to anyone. It is for this reason that our bill specifically directs the CACEQ to overview the functions of the many environmental advisory groups now proliferating in the agencies. Special task forces may be attached to the CACEQ to develop advice for any department or agency upon request. But a plurality of uncoordinated advisory groups is to be avoided.

Finally the CACEQ established by our bill will issue an annual report to the President, the Congress, and the Nation on the state of the environment. We will receive authoritative information on status and trends. We will have confidence in a balanced and independent review of Federal programs. We will obtain the depth of study and analysis which long-range planning demands. We will strengthen rather than confuse the President's arrangements. And we will bring the intent of the Congress directly to bear on the activities of the executive branch.

The exhibits referred to follow:

#### EXHIBIT 1

A bill to establish a national policy for the environment and to establish a Citizens' Advisory Committee on Environmental Quality

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Environmental Quality and Productivity Act of 1969".

The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Citizens' Advisory Committee on Environmental Quality.

#### TITLE I

##### DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

SEC. 101. (a) The Congress, recognizing that man depends on his biological and physical surroundings for food, shelter, and other needs, and for cultural enrichment as well; and recognizing further the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances on our physical and biological surroundings and on the quality of life available to the American people; hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practical means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may—

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(b) The Congress recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

SEC. 102. The Congress authorizes and directs that the policies, regulations, and public laws of the United States, to the fullest extent possible, be interpreted and administered in accordance with the policies set forth in this Act, and that all agencies of the Federal Government—

(a) utilize to the fullest extent possible a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment;

(b) identify and develop methods and procedures which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations;

(c) include in every recommendation or report on proposals for legislation and other Federal actions significantly affecting the quality of the human environment, a finding by the responsible official that—

(i) the environmental impact of the proposed action has been studied and considered;

(ii) any adverse environmental effects which cannot be avoided by following reasonable alternatives are justified by other stated considerations of national policy;

(iii) local short-term uses of man's environment are consistent with maintaining and enhancing long term productivity; and that

(iv) any irreversible and irretrievable commitments of resources are warranted.

(d) study, develop, and describe appropriate alternatives to recommend courses of action in any proposal which involves unresolved conflicts concerning alternative uses of land, water, or air;

(e) recognize the worldwide and long-range character of environmental problems and lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment; and

(f) review present statutory authority, administrative regulations, and current policies and procedures for conformity to the purposes and provisions of this Act and propose to the President and to the Congress such measures as may be necessary to make their authority consistent with this Act.

SEC. 103. The policies and goals set forth in this Act are supplementary to, but shall not be considered to repeal, the existing mandates and authorizations of Federal agencies.

#### TITLE II

##### CITIZENS' ADVISORY COMMITTEE ON ENVIRONMENTAL QUALITY

SEC. 201. (a) There is hereby established the Citizens' Advisory Committee on Environmental Quality (hereinafter referred to as the "Committee"). The Committee shall be composed of a Chairman, Vice Chairman, and not more than thirteen other members appointed by the President. Appointments to membership on the Committee shall be for staggered terms. The Vice Chairman shall perform the duties of the Chairman in his absence.

(b) Persons appointed as members of the Committee (1) shall be selected from among representatives of various State, interstate, and local government agencies and including, but not limited to, representatives of industry and commerce, public utilities, colleges and universities, land use planning, water resources management, conservation and beauty, recreation, and reclamation who have demonstrated competence, ability and foresight with regard to problems of the environment; (2) shall be selected solely on the basis of established records of distinguished service; and (3) shall be so selected as to provide representation of the views of all areas of the Nation.

(c) Members of the Committee shall receive no compensation from the United States by reason of their services, but shall be entitled to receive travel and expenses, including per diem in lieu of subsistence as authorized by law (5 U.S.C. 5701-5708) for persons in the Government service employed intermittently.

(d) The persons who on the date of the enactment of this Act are members of the Citizens' Advisory Committee on Environmental Quality established by part II of Executive Order 11472 of May 29, 1969, shall, until the expiration of their respective terms as such, and without further action by the President, be the initial members of the Committee established by this title. Upon the date of the enactment of this Act the Citizens' Advisory Committee on Environmental Quality established by part II of such Executive order shall cease to exist, and the Committee established by this title shall be its successor.

SEC. 202. (a) The function of the Committee shall be to study and analyze environmental trends and the factors that affect these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation. In carrying out this function, the Committee shall:

(1) report at least once each year to the President and to the Environmental Quality Council on the state and condition of the environment;

(2) provide advice, assistance, and staff support to the President on the formulation of national policies to foster and promote the improvement of environmental quality;

(3) obtain information using existing sources, to the greatest extent practicable, concerning the quality of the environment

and make such information available to the public; and

(4) perform such other activities or studies as the President may direct.

(b) The Committee shall periodically review and appraise Federal programs, projects, activities, and policies which affect the quality of the environment and make recommendations thereon to the President and to the Environmental Quality Council.

Sec. 203 (a) In order to promote efficient and coordinated Federal practices, the Committee is authorized to appoint special advisory commissions to render specific advice on agency operations, including those of wholly owned Government corporations.

(b) Members of the Commissions so appointed shall receive no compensation from the United States by reason of their services under this title but shall be entitled to receive travel and expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5701-5708) for persons in the Government service employed intermittently.

(c) It is the sense of Congress that agency heads, including the heads of wholly owned Government corporations, utilize the service and advice of the Committee insofar as practicable in planning and executing their respective programs.

(d) It is further the sense of Congress that any advisory group heretofore or hereafter created by regulation or law to advise any agency, including wholly owned Government corporations, on matters relating to the quality of the environment shall coordinate its activities with the Committee and shall keep the Committee fully and currently informed.

Sec. 204. The Committee shall render an annual report to the President for submission to the Congress on or before the 15th day of January of each year summarizing the activities of the Committee and making such recommendations as it may deem appropriate. Such report shall set forth (a) the status and condition of the major natural, manmade, or altered environmental classes of the Nation; and (b) current and foreseeable trends in quality, management, and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

Sec. 205. The Committee may employ a staff to be headed by a civilian executive secretary who shall be appointed by the President and shall receive compensation at a rate established by the President and not to exceed that of level II of the Federal Executive Salary Schedule. The executive secretary, subject to the direction of the Committee, is authorized to appoint and fix the compensation of such personnel, including not more than seven persons who may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and compensated at not to exceed the highest rate authorized for grade GS-18 by section 5332 of such title, as may be necessary.

Sec. 206. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

#### EXHIBIT 2

[Excerpts from report of the Subcommittee on Science, Research, and Development to the Committee on Science and Astronautics, House of Representatives, October 1966]

#### ENVIRONMENTAL POLLUTION—A CHALLENGE TO SCIENCE AND TECHNOLOGY

Environmental quality, pollution abatement, waste management—these are concepts closer to everyday life than some other highly technical programs such as military weapons or space projects. The intricacies of pollution are of keen interest (which leads to public awareness and consensus for action) because each one of us is immersed in the environment. We are the polluters and

the polluted, and our own senses tell us that the surroundings are not right. There is no need for detailed instrumental measurement or for emotional appeals of naturalists, we freely admit that we have a problem. Further definition of the problem, however, becomes a very difficult project involving natural and social sciences, economics, and governmental and private institutions. Making appropriate choices as we proceed will depend on much more knowledge than we now have.

Since man is very much a part of the biosphere, the living environment, he has always been changing and using the natural resources for his own benefit. Mistakes have been made and consequences have not always been foreseen, but civilization has advanced by taking risks which were largely overshadowed by obvious benefits. Furthermore, man is an adaptive creature, a product of evolutionary processes through which he could cope with these slow environmental changes.

Considering the powerful forces for ecological change which are at man's disposal, admitting the impossibility of complete foreknowledge of the consequences of many activities, and granting that a highly technical, over-populated world must continue to take risks with natural resources, an "early warning system" for unwanted consequences is extremely important. We do not have such a system at present.

Federal Government scientific activities are not yet channeled to support announced goals in pollution abatement. There is no organization or coordinating group capable of systems analysis and broad management of Federal projects. Insufficient funding has made support of research spotty and disproportionate among problem areas. Agency missions may inhibit long term and comprehensive ecological studies. "Pollution" can cover an enormous variety of Federal agency programs ranging from water resources research to agricultural engineering. Limitations of definition will be necessary for effective program coordination.

Technical manpower will be a limiting factor in abatement progress unless additional effort is organized into retraining, graduate education, and transfer of skills from other technology programs.

Ecology, as an organized profession, is not in good condition to become the umbrella for increased research. As a scientific discipline it is the logical focal point. As a point of view it is already effective in coordinating other sciences and this may be the most important function in the long run.

Complete solution of pollution problems may not be possible, but two trends are discernible. More recycling of materials is a way of managing and eliminating wastes as well as a sound conservation policy. The impact of recycling on the economy can be lessened by imaginative product and process design. The other trend is the controlled transport of unusable wastes to some sort of perpetual safe storage. The use of ocean depths, deep wells, salt domes, burial, and caves needs careful study to assure that there are no undesirable effects on the biosphere from such disposal.

To improve our knowledge of what we are about, scientific activity in ecology and related fields should be immediately expended to provide—

(a) Baseline measurements in plant and animal communities and the environment—an ecological survey.

(b) Continued monitoring of changes in the biosphere.

(c) Abilities to predict the consequences of man-made changes.

(d) Early detection of such consequences.

(e) Knowledge of the environmental determinants of disease.

Ecological surveys and research should be centralized as to management in some one

science-based Federal agency. The scientific activity should be performed (whether in Government laboratories or under contract by local universities and research institutes) in geographical regions which correspond generally to natural environmental boundaries.

To place pollution abatement on a comparable basis with other national technology programs, systems analysis and management capability should be established within the Federal Government. This approach should be used along with the "planning, programming, budgeting" technique to organize both near and long-term Federal research and operational efforts in pollution abatement. More attention should be paid to interfaces between agency missions which make the management of environmental problems difficult.

The Federal Government should undertake an analysis to identify and separate those abatement action programs which are well supported by facts and for which practical answers are available, from those problem areas where more R. & D. is needed. A public information program should make these differences clear to the Nation so that installation, enforcement, and research can each proceed on a logical timetable. Actions to decrease pollution should continue even though the ultimate criteria cannot be set at this time.

The Congress should endeavor to review its broad authorizations and appropriations for water, reclamation, transportation, and conservation in the context of environmental quality goals. The diversity of executive agency missions places an added responsibility on the legislative branch to avoid conflicts in large-scale engineering projects.

The scientific and engineering community should respond to the challenge of the pollution problem as a major opportunity to serve a public need. Work in this field should be recognized as interesting, rewarding, and important. Proposals for organization, funding, and schedules which will assure the participation of excellent technical personnel in adequate numbers should be the joint responsibility of Government and private sector research and development leaders.

#### EXHIBIT 3

##### MANAGING THE ENVIRONMENT—EXCERPTS

(NOTE.—In 1968, the subcommittee held hearings on bills to establish various versions of environmental advisory councils. The testimony reviewed environmental quality in considerable detail and resulted in a report, "Managing the Environment." Its conclusions and recommendations include the following.)

The human race is, in fact, managing the environment today. The powerful forces of technology at our disposal give us capabilities to alter and control the populations of other species, and the natural resources of air, water, minerals and food supplies. The task of optimizing the use of the world to the benefit of man is inescapable. There is no retreat to a passive, noninterfering, Eden-like relationship with nature.

The population of human beings is already great enough to require a careful and methodical approach to the environment, if all are to achieve a reasonable standard of living. There is little doubt that population pressures will increase for many years to come. Thus, the environment, both natural and artificial, will be subjected to heavier usage in the future than in the past.

One lesson of this technological age is that machines must be kept in good condition if they are to deliver high performance. This appears to apply to the mechanisms operating in ecosystems, as living things interact with each other and their physical surroundings. From this viewpoint, the maintenance of a high environmental quality is rationalized on the simple

basis that it is the best way to run the world. Degradation of the environment increases overall costs and may eliminate desired options of management. A high quality environment is also the most efficient environment in serving man's needs.

The long-term support for civilization must be based on a farsighted management of a healthy productive worldwide environment. The two are incapable of separation.

It is difficult to evaluate changes or uses for immediate gain in terms of their eventual effect on the status of the environment. There are conflicts when environmental quality is managed by different policies originating in conservation, agriculture, esthetics, recreation, economic development, human health, and so forth.

An overall policy for the environment must be established which integrates these purposes and objectives and which provides for choice when they are incompatible. Within such a policy, for example, pollution abatement would be balanced against other national needs and other threats to environmental quality. Choices are not always quantitative and trade-offs are not systematic.

It is the mistakes in management, and not the concept of management, which should be our concern. Science and technology must be employed to reduce the number of mistakes in environmental management and to improve our ability to take the long view.

Increased knowledge and a national policy can result in individual (and, therefore, institutional) attitudes toward the environment which will support a restoration and maintenance of quality. This personal responsibility is the only means of achieving the indicated goals. The ultimate quality of the environment depends on the discipline of its human inhabitants.

The human environment is recognized as a whole (the "web of life"), but virtually all activities are directed at small parts. A lifetime spans many years but is lived a day at a time. These simplistic facts mean that a comprehensive policy toward the environment cannot help but be philosophical rather than specific. Regardless, such a policy does exist in the habits and attitudes of a nation. Presumably, these can be changed by discussion and education to become more mature. The quality of the environment is not a human health issue, per se. It is more a matter of the unacceptability, at face value, of offensive odors, discolored water, low visibility, eye irritation, littered landscapes, and nuisance soiling.

The recent history of Federal legislation and its administration illustrates the searching of society for a better balance between immediate exploitation of resources and a recognition of noneconomic, long-term values. The present laws relate pollution to the impairment of a desired use. The refinement of the relationship depends on scientific knowledge and technical economics.

The intent of Congress in these laws is to avoid arbitrary regulation and to establish a fact-based, rational decisionmaking process which integrates all the needs of society. The evidence to date is that the laws are floundering due to inadequate information, and misinterpretation of existing facts. The translation of information into action has not been smooth.

Both administrative and judicial bodies are being asked to act without being able to document the basis for their decisions. Because the pace of technological change is rapid, and the pressures on natural resources from a rising standard of living and a growing population are great, actions cannot often be delayed. Some will be correct and others will turn out to be wrong. There is a difference between actions to correct clear and present dangers and those required for gradual eventual improvements which may take generations to accomplish. When the dif-

ference is not recognized, disappointing delays are likely to occur.

If errors in management are to be minimized, a greatly accelerated search for knowledge of the environment is necessary. Data must be organized and correctly interpreted. The physical, biological, and social sciences must be deployed to obtain this knowledge. A research strategy must be devised to get the relevant facts as soon as possible. An organizational structure of public and private institutions must use the facts efficiently and objectively.

The past several years have demonstrated this need but there is today no Federal Government plan to satisfy it. The short term, highly visible, demands on scientific resources are a barrier to formulating this strategy for ecological research and environmental engineering. But the leadership of the Nation, both public and private, must organize and carry out such a program. Otherwise, future subcommittees will again study the problem of environmental management and come to the same conclusion as does this one:

*A well intentioned but poorly informed society is haphazardly deploying a powerful, accelerating technology in a complex and somewhat fragile environment. The consequences are only vaguely discernible.*

### III. RECOMMENDATIONS

#### A. National policy for environmental management

1. A national policy of the United States for the environment should be developed for Government and private sector interests. Worldwide effects should be considered during the planning of this policy.

2. Hazards to human health from environmental degradation cannot be the sole basis of policy (although research to elucidate these relationships should be accelerated). Legally useful cause-and-effect data may be so difficult to obtain that dependence on human health as the determinant of abatement action may delay management progress.

3. Elements of the policy should include:

- a. Use of the environment for the benefit of all mankind;
- b. Maximized productivity of the environment consistent with continued usage into the very long-term future;
- c. Systematic management of applied science and technology to achieve best usage;
- d. Incentives to industry, land developers and local governments;
- e. International agreement on projects which have widespread or long-term effects;
- f. Anticipatory assessment of new and extended applications of science;
- g. Avoidance of speculative statements and emotional appeals in public relations;
- h. An increased education and information program for the public in ecological principles.

4. The policy should be expressed in legislation after due deliberation by both Houses of the Congress. Informal joint House-Senate study groups should be convened from time to time to coordinate national policy in operational programs.

#### B. Science and technology related to the environment

1. The Office of Science and Technology should coordinate allocations and priorities in Federal agency R. & D. funding so that a greatly expanded knowledge of the environment is secured. The activities of the Committee on Environmental Quality should be conducted in a more open manner and be summarized in a promptly issued annual report to the Congress.

2. Baseline ecological information should be obtained by adequate funding and organization of the international biological program and the environmental sciences and biology program of the National Science Foundation.

3. Social science information to reduce the need for subjective choice among environmental values should be developed rapidly under the leadership of the National Science Foundation.

#### C. Organization for environmental engineering management

1. The Department of the Interior should be designated as the lead agency in coordinating environmental engineering operations of all Federal programs.

2. The hearings record suggests that the major environmental engineering operations of all Federal agencies should be placed together in the Department of the Interior. For example, the domestic environment related activities of the Corps of Engineers should be transferred from the Department of Defense. The nonhealth programs of the National Center for Air Pollution Control and the Solid Waste Division within the Department of Health, Education, and Welfare should be separated and transferred to the Department of the Interior.

It is recommended that the appropriate committees of the Congress (including the Subcommittee on Executive and Legislative Reorganization of the House Committee on Government Operations and the Subcommittee on Executive Reorganization of the Senate Committee on Government Operations) should immediately undertake the study which will be necessary to implement this suggestion in its organizational detail. The Executive Office of the President should consider initiating reorganization plans which may be necessary.

3. Human health criteria for environmental contamination (including air and water) should continue to be constructed and published under the direction of the DHEW, but with the full participation of all interests in an open manner characterized by the scientific method.

4. In each agency with substantial programs related to the environment, a high level official should be designated to supervise and correlate such activities.

5. An "Environmental Cabinet" should be formed of the designated officials from each agency plus the Chairman of the FCST Committee on Environmental Quality. This group, under the leadership of the Secretary of the Department of the Interior, should assure conformity of Federal operations with the national policy for the environment. If this mechanism does not achieve coordination, then a legislatively created special council should receive further consideration.

6. The Congress should proceed to develop an independent capability for assessing the impact of technology on the environment.

#### EXHIBIT 4

#### JOINT HOUSE-SENATE COLLOQUIUM ON A NATIONAL POLICY FOR THE ENVIRONMENT

Last summer, a joint House-Senate colloquium was held on a National Policy for the Environment. A Congressional White Paper was written on the basis of these discussions and issued over the signatures of seven Representatives and Senators from both political parties. The elements of policy were stated in these words:

"It is the policy of the United States that: 'Environmental quality and productivity shall be considered in a worldwide context, extending in time from the present to the long-term future.'

"Purposeful, intelligent management to recognize and accommodate the conflicting uses of the environment shall be a national responsibility.

"Information required for systematic management shall be provided in a complete and timely manner.

"Education shall develop a basis of individual citizen understanding and appreciation of environmental relationships and participation in decisionmaking on these issues."

"Science and technology shall provide management with increased options and capabilities for enhanced productivity and constructive use of the environment."

Mr. Speaker, last November, the white paper referred to was sent to the Executive Office of the President for comment. A group of agency environmental experts was convened by the Federal Committee for Science and Technology in its Committee on Environmental Quality. In April 1969, they responded with an endorsement of the congressional views and some valuable additional policy elements. This correspondence was published in the CONGRESSIONAL RECORD on May 20, 1969—page 13148—for the benefit of the many Members and committees who were drafting legislation in this area.

#### PERSONAL EXPLANATION

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

Mr. LOWENSTEIN. Mr. Speaker, I am recorded as voting "yea" on rollcall No. 102, H.R. 11400, the conference report on the second supplemental appropriation bill. Title I of that bill contained additional funds for our military effort in Vietnam, and I had joined Congressman RYAN in moving to strike it when it came before the House on May 21. As I suspect everyone in the House knows by now, I am opposed to further military appropriations for Vietnam. At this point, I am not going to explain again why I oppose such appropriations. I have discussed that here several times, including once on July 9 in connection with the vote on the supplementary appropriations.

But I do want to be sure that the record is clear: that I am recorded as voting "yea" on rollcall No. 102 only because I had been misadvised about the parliamentary situation. I had been told that a "yea" vote would be consistent with moving again to delete title I; would in fact be the proper procedure if one approved of other items provided for by the supplemental appropriation. The distinguished majority leader, Mr. ALBERT, who was in the chair at the time recalled that when I explained my purpose to him, he informed me that my understanding of the parliamentary situation was incorrect. Since it was then too late to change my vote, he suggested that the best way to avoid confusion about my position would be to put an explanation in the permanent RECORD of the circumstances attending the vote on rollcall No. 102.

I realize this whole matter is of small moment since the vote in favor of H.R. 11400 was so overwhelming, but I do want the record to be clear that I was as opposed to the second supplemental appropriations bill when it came back from conference as I was when I voted against it on May 21 after we lost the motion to strike title I.

As I remarked on July 9, I cannot believe that it is healthy parliamentary practice, let alone in the best interests of representative government, to deny Members the opportunity to vote separately on matters that are separate or to deprive voters of a way to know how their representatives voted on matters of

great moment. But the procedures being what they are, I want to take this occasion to announce again that I am utterly opposed to all further military funding for Vietnam while our present policies there continue.

#### AIR SAFETY

(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, it is my privilege as chairman of an informal study group, formed over a year ago, to announce completion of an extensive research project into the problems and needs of air safety. Our study does not contain all the answers to the multitude of growing problems confronting air transportation. It does not include all the problems or all the solutions. But the sponsors of this study group paper, along with 25 other Members of Congress who have become associated with this project, believe the document contains recommendations and suggestions worthy of consideration by this Congress and the administration.

At this time, I would like to cite three other Members who joined with me as sponsors of this study group. They include FRANK HORTON, of New York, ROBERT T. STAFFORD, of Vermont, and J. WILLIAM STANTON, of Ohio.

The following Members of Congress have joined the study group in calling attention to our air safety needs by means of this study. They include:

JOHN B. ANDERSON, of Illinois;  
MARK ANDREWS, of North Dakota;  
ALPHONZO BELL, of California;  
WILLIAM E. BROCK, of Tennessee;  
GEORGE BUSH, of Texas;  
SILVIO O. CONTE, of Massachusetts;  
JOHN DELLENBACK, of Oregon;  
MARVIN L. ESCH, of Michigan;  
PAUL FINDLEY, of Illinois;  
PETER H. B. FRELINGHUYSEN, of New Jersey;  
PAUL N. McCLOSKEY, JR., of California;  
JOSEPH M. McDADE, of Pennsylvania;  
WILLIAM S. MAILLIARD, of California;  
CHESTER L. MIZE, of Kansas;  
F. BRADFORD MORSE, of Massachusetts;  
CHARLES A. MOSHER, of Ohio;  
HOWARD W. POLLOCK, of Alaska;  
ALBERT H. QUIE, of Minnesota;  
OGDEN R. REID, of New York;  
HOWARD W. ROBISON, of New York;  
PHILIP E. RUPPE, of Michigan;  
FRED SCHWENGEL, of Iowa;  
GARNER E. SHRIVER, of Kansas;  
ROBERT TAFT, JR., of Ohio; and  
CHARLES W. WHALEN, JR., of Ohio.

A new statement, now being released with the study, highlights the report. I am enclosing it at this time to be followed by "A Study of Air Safety":

#### REPUBLICAN CONGRESSMEN PROPOSE AIR SAFETY MEASURES

After a year of extensive research into the problems and needs of air safety, four Republican Congressmen today urged that the Federal government take positive steps to ensure safe air travel.

Their recommendations are contained in a study group paper prepared by James Harvey (Mich.), the group's chairman; Frank Horton (N.Y.); Robert Stafford (Vermont);

and William Stanton (Ohio). Twenty-five other Republican Congressmen joined the group in calling attention to our air safety needs by means of this study. They are concerned about our safety preparations for 1980 when four times as many Americans will be flying as in 1965.

The group emphasized that it was not in disagreement or in competition with the air transportation message presented by President Nixon on June 18th. They considered their study as complementing the Administration's proposals, some of which are nearly identical.

The authors assert that it is inadequate to concentrate our safety efforts on the airworthiness and crashworthiness of the aircraft itself when the causes of air accidents are increasingly found in the approach and landing phase, in unknown and hazardous weather and environmental conditions, and in the interaction of human factors with the system. They say that air safety efforts must focus on the interaction of all elements of air travel.

They point out that the systems management approach has not been used to control air traffic, that nearly half of the airports served by scheduled airlines are under-equipped, and that the plans for the development of new airports are still inadequately conceived.

The Congressmen recommend that the Federal government "prescribe a comprehensive air traffic system" and use a systems management approach to coordinate all its aspects. The FAA must give top priority to planning and Congress should provide the funds to develop the air traffic management that is necessary for us to be the masters rather than the victims of our technology.

One of the many recommendations is that the FAA receive funds to train and hire more air controllers. The pay, rest periods and vacations of air controllers must be increased and their administrative duties lightened to increase their effectiveness.

Also recommended are an Airport Trust Fund to help finance the development and operation of safe airports and the requirement of location signal devices to expedite the finding of missing planes.

#### A STUDY OF AIR SAFETY

##### INTRODUCTION

Our purpose is to define a new context within which to view the technological wonder of American air travel and to ask whether we are being swept along by the momentum of technology without adequate concern for the consequences of our acts—whether we have become the slave rather than the master of the revolution of technology.

This study has not been primarily concerned with passenger facilities on the ground, or in the air, or with hi-jackings, or airport delays, or scheduling foul-ups, or reservation mistakes, or noise levels in the suburbs. This study is not focused on the convenience of air travel, but on its safety. Implicit in our findings is the conclusion that too often the passengers, industry and government have sacrificed safety to convenience.

While the technical nature and vocabulary of today's aeronautical science defy in-depth understanding by the layman of all aspects of the air safety problem, we have tried to explore each aspect with the goal of establishing general familiarity with the subject matter.

This basic paper can serve both as an introduction to more complete discussions in the appendices—and as a summary of our findings and conclusions. It contains a series of facts and impressions which we strongly recommend to the attention of the Congress, the Administration and the American people.

The history of aviation accidents indicates that flying has been relatively safe in comparison to other modes of travel, but that the safety factor is not increasing. Rather,

rity payments, which is the only effective method immediately available to alleviate effects of inflation. The administration hears a pin drop at General Motors, United States Steel, or in the textile industry. But 20 million senior citizens can cry out in agony, and the Government makes no move to adjust its hearing aid.

That is why so many greet Secretary Finch's denial today with knowing looks, mingled with disappointment. We already know that Mr. Finch plans and the President decides. All these gentlemen will do is dash at already open doors with loud cries and beat already dead horses with large sticks from very respectful distances. How cruel it was to raise hopes and then dash them.

In the meantime, the elderly sit in silent pain everywhere, waiting for relief that they know will now not be forthcoming. Certainly not from these gentlemen. For the elderly, the watchword can be Bismarck helped the elderly in the 19th century, but President Nixon and Secretary Finch will not do the same in 1969.

#### ATTORNEY GENERAL SUPPORTS PROPOSAL FOR COMMISSION ON MARIHUANA

(Mr. KOCH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, yesterday Attorney General John N. Mitchell, testifying before the Senate Juvenile Delinquency Subcommittee, stated his support of a proposal for the creation of a commission to study marihuana, in his words, "so we can get to the bottom of this." Whenever the subject of marihuana is raised it causes extraordinary controversy with the opinions offered being oftentimes disparate and at total odds with one another.

There are fundamental questions which must be answered if we are to rationally legislate in this area. Among those questions are the following:

First. Does the use of marihuana cause violent crime or aggressive antisocial behavior?

Second. Does the use of marihuana produce conditions of dependence, psychosis, or other harmful effects requiring medical treatment?

Third. Does the use of marihuana lead to the use of heroin?

Fourth. Are the current criminal penalties for the possession of marihuana appropriate?

Nine of my colleagues and myself have cosponsored a bill, H.R. 10019, to establish a presidential commission comparable to the Warren and Kerner Commissions which would take testimony on all aspects of marihuana use and render a report. That report rendered by a blue ribbon commission would in my judgment be accepted by the American public and in particular the youth of today which refuses to accept the undocumented statements and mythology of the past. Marihuana may indeed be harmful or as some say no worse than liquor. I do not know the answer nor I suspect can Members of this House be

certain of that answer. The public and its legislators are entitled to the truth.

With the thought that it would be of interest to our colleagues I am annexing to my statement a copy of the New York Times editorial dated September 15, 1969 on this subject:

#### THE FACTS ON "POT"

The question of whether "taking pot" is a step toward self-destruction or merely an innocent diversion is being debated as though it could be decided by majority vote. Few young people concede any danger whatever in the practice, many of their elders are genuinely alarmed, and medical men, predictably, are divided. The argument might be a harmless pastime were it not for two glaring circumstances: If marijuana is indeed harmful, then a staggering percentage of the rising generation is headed for disaster and drastic curbs are in order. If it is not, then hundreds of innocent users, police, school officials and parents, are being put through an ordeal as useless as it is psychologically damaging.

Given these alternative possibilities—both deplorable and both based on ignorance of the facts—Representative Koch of New York makes the sensible suggestion that something be done to diminish that ignorance. He proposes a Presidential commission, comparable to the Kerner and Warren Commissions, to establish authoritatively how many Americans, and what kind, smoke marijuana; how effective the laws against it are; its psychological and physiological effects, taking the most exhaustive and reliable testimony; its relationship, if any, to crime; and, not least, its possible encouragement to the use of other drugs.

Other studies have, of course, been made. A committee appointed by Mayor La Guardia, in response to lurid charges about the prevalence of "reefers" in the schools, came up in 1944 with some reassuringly unsensational findings. A British Advisory Committee on Drug Dependence only a year ago found no evidence that marijuana-smoking led to violence or serious dependence. Beyond these studies and others like them a body of literature on "grass," "pot," "Acapulco gold," "weed" and "tea" goes back through the centuries.

Yet the fact remains that none of these studies, putting aside entirely the ancient and the legendary, is entirely applicable to the American situation today. The number of smokers, their degree of indulgence, and the potency of the drug—all these vary greatly from country to country and from time to time. There has been nothing in the United States comparable to the investigation proposed by Mr. Koch, either in scope or in the stature of the investigators. It is time the American people had the hard facts on a possibly soft drug.

#### ENVIRONMENTAL QUALITY IMPROVEMENT ACT OF 1969

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, of the many threats to civilization, deteriorating environmental quality must be placed among the major concerns of civilized man, along with war, hunger, disease, poverty, and crime. There are environmental rights to much the same degree as there are social, economic, and civil rights.

Environmental degradation has long been associated with the misuse and abuse of resources. Slashed forests, pol-

luted streams, overgrazed grasslands, belching smokestacks, and open dumps have been visual reminders of our carelessness.

Any concept of the environment—air, water, or land—as an infinite reservoir, with an infinite capacity to dilute, disperse, and assimilate waste is outmoded and irresponsible. Our resources are limited, and we have overdrawn our bank account.

As we have pushed back the frontiers of scientific knowledge and devised technologies to apply that knowledge, we have multiplied our opportunities for material wealth and comfort. We have increased our capacity to manipulate the environment. In the process we have multiplied our impact on the environment and through the misapplication of technology we have disrupted the environment.

We need to use political, economic, and social leadership to improve the quality of life, not to destroy it. We need to make technology serve man, not endanger him. We need to conserve our planet and the complex life systems which make it habitable, not disturb its balances for the sake of short term economic gains.

For these reasons, the concept of man's total environment has emerged in the last few years as a new focus for public policy. Not long ago, the idea of a governmental responsibility for the health of the individual, for the state of the economy, for consumer protection and for housing was considered revolutionary. Today we have come to take these responsibilities for granted. We must now proceed to make the concept of governmental responsibility for the quality of our surroundings an accepted tenet of our political philosophy.

It is time that we examined our national goals and purposes in managing the environment. New goals and new policies which are in the long-range public interest are clearly required. Their successful development will require the active participation of the States and private enterprise as well as the Federal Government.

In the Federal Government, and I suppose this may also be true of State government, we have sometimes indulged ourselves in the illusion that we are doing a grand job of environmental management. But the facts do not support this. Many of our approaches and programs have involved merely a cosmetic approach—clean up, paint up, and fix up. The conditions we are dealing with, however, are not to be cured by cosmetology. Many will require major surgery.

Our responses have been too narrow, too limited, and too specialized. In the past, we have established costly programs without a clear enough perception of the objectives and the goals we seek to attain. We have reached the point in our national life where this country can no longer rely on the time-worn method, every time there is a new environmental crisis, of simply convening ad hoc study groups and task forces to make recommendations which are easily filed away and forgotten. We are still reacting only to crisis situations in the

environmental field. What we should do is set up institutions and procedures to anticipate environmental problems before they reach the crisis stage.

We need to know what the risks are, and we need to know what options and alternatives are available in the development of our resources and in the administration of our environment. It is far cheaper in human, social, and economic terms to anticipate these problems at an early stage and to find alternatives before they require the massive expenditures which we are now obligated to make to control air, water, and land pollution.

It is my judgment that the bill I am introducing today will go a long way toward giving the Federal Government the capacity to anticipate and deal with environmental problems.

Title I of the Environmental Quality Improvement Act of 1969 would create a Council of Environmental Quality in the Executive Office of the President to oversee the programs of the Federal, State, and local governments to determine to what extent these activities are contributing to the achievement of environmental quality and to gather, analyze, and interpret conditions and trends in environmental quality.

The principal task of the Council will be to develop within a 5-year period comprehensive national policies and programs to improve and maintain the quality of our environment.

Under title II of the bill, the Secretary of the Interior is authorized to conduct studies of natural environmental systems in the United States, to document and define changes in these systems, and to develop and maintain an inventory of natural resource development projects which may make significant modifications in the natural environment.

Further, the Secretary of the Interior is directed to establish a clearinghouse for information on ecological problems and studies to disseminate information about progress in the field and to establish a program in which representative natural environments on Federal lands can be set aside for scientific study and preservation. Also, the Secretary of the Interior will assist and encourage the establishment of similar natural preserves on State and private lands.

Title III of the bill would establish under the Secretary of Health, Education, and Welfare a comprehensive waste management program, coordinating all such research now being done under a number of different Federal programs. The Secretary of Health, Education, and Welfare is also directed to compile a national inventory of waste management needs and problems and of waste management technology.

In addition, the bill would establish a clearinghouse for information on all aspects of air, water, and soil pollution and waste disposal. This information would be made available to business, industry, municipalities, and the general public.

#### ENCOURAGING PROGRESS OF IRAN

(Mr. SIKES asked and was given permission to extend his remarks at this

point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, last week I commented on the progress being made by Iran, and I emphasized the value of the stable government which Iran has enjoyed under the Shah. Now let me go a step further.

The close and cooperative relations between Iran and the United States in the postwar years have yielded significant benefits, not all of them readily apparent. Iran is, first of all, a success story, a visible demonstration to a sometimes doubting world that cooperation with the United States has paid off. In the early years after the war Iran's economy was weak and shaky, still suffering from the consequences of occupation and struggling to get development underway. Its political structure was rent by deep divisions and dissensions. The country turned to us for direct help for its military equipment, for financial and economic resources, and for technical capacity. We extended something less than \$2 billion in assistance, about half military and half economic. Iran used our help well. It is now booming along at a 10-percent annual economic growth rate, it buys considerable quantities of military equipment from us on credit terms repayable in hard currency, and it does a good job of managing its own economy with the impressive talents of highly competent Iranians.

This is a particularly notable performance among developing countries. In the process Iran has, of course, become more self-reliant and independent. We have welcomed this and our relations with Iran have continued to be strong and cordial, proving the validity of our position that we wish to help other countries to stand on their own feet and deal with us as independent equals.

Profiting from this economic strength and the able and farsighted leadership of the Shah, Iran has enjoyed a period of political stability almost unique among developing countries. With her domestic house in order her territory has been denied to any Communist intrusion and her continued participation in the CENTO organization has been significant. This stability has also made Iran something of a rock in the turbulent sea of the Middle East from which Iran has reached out to forge meaningful ties with her neighbors, not only her allies Turkey and Pakistan, but India and Afghanistan as well. Now in the Persian Gulf, as the British plan to leave, she faces increased responsibilities and has begun to develop with the moderate Arab States of the gulf area, particularly Saudi Arabia, cooperative and constructive relations. We have ample room for hope that the Persian Gulf will become one area where the regional powers will do a good job of avoiding serious conflicts and of building and maintaining their own peace and security. From his firm domestic base the Shah's counsel of restraint and moderation also carries weight with those countries seeking grounds for settlement of the difficult Arab-Israel dispute.

Notably, it is useful also to the United States to have the free and frank dialog it does have with Iran. As a devel-

oping country in touch with other developing countries and conversant with their problems but sharing much of our outlook and aspirations and seeking areas of cooperation, the views and counsel of friendly Iran gives an added dimension to our understanding of world affairs.

Iran, of course, has problems but the significant thing to me is that Iran has been able to move in little more than a generation from a feudal society into the accomplishments and responsibilities of a modern state. Education has made significant progress, and illiteracy is rapidly being reduced, even in remote villages. The lot of the individual has been improved very considerably through land reform, irrigation, and better farming methods. The Government recognizes that there is still much work to be done, and it is facing up to its responsibilities.

#### FLOOD INSURANCE SHOULD BE MADE AVAILABLE NOW

(Mr. ST GERMAIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ST GERMAIN. Mr. Speaker, last year's housing act created an important new program to provide federally aided flood insurance to help protect property owners from the disasters of hurricanes and other flood damage. This proposal had the strongest kind of support in the Congress but unfortunately because of the complex and time-consuming mechanics is now available only in three communities in the entire country. In other programs, such as mass transit and water and sewer grants, we recognized the necessary start-up time by providing an initial simplified procedure. It is obvious that this needs to be done for the flood insurance program as well. Therefore, it is my intention to offer an amendment when the Committee on Banking and Currency meets in markup session on pending housing legislation which will make flood insurance promptly available throughout the country.

My proposed amendment is very simple. It will provide that for a 2-year period the Secretary can make flood insurance available without waiting for the detailed work necessary to set the actuarial rates contemplated by the long-term program. Under the flood insurance program, losses are funded initially by the income from the premiums paid by the property owners and the Federal equalization payment. In the case of exceptionally bad years, further losses would be paid by the capital committed by private insurance plus Federal reinsurance. In the long run it is expected that these unusual losses would average out so that there would be no net use of the private capital. My amendment would provide that for an initial 2-year period the insurance coverage would be financed from the premium income and the Federal equalization payments. As in the basic program, the Secretary could provide this coverage only for communities which requested it and which agreed to meet the land use planning controls

Mr. BROYHILL of Virginia.  
 Mr. BROYHILL of North Carolina.  
 Mr. MICHEL.  
 Mr. DENNEY.  
 Mr. WHITEHURST.  
 Mr. WAMPLER.  
 Mr. TAFT in two instances.  
 Mr. CARTER.  
 Mr. REID of New York.  
 Mr. ASHBROOK in two instances.  
 Mr. BURKE of Florida.  
 Mr. McEWEN.  
 Mr. STEIGER of Wisconsin.  
 Mr. GUDE.

(The following Members (at the request of Mr. MANN) and to include extraneous matter.)

Mr. DENT.  
 Mr. MATSUNAGA in two instances.  
 Mr. ROONEY of Pennsylvania in three instances.  
 Mr. GAYDOS in three instances.  
 Mr. MOSS in two instances.  
 Mr. DINGELL.  
 Mr. KYROS in two instances.  
 Mr. ROONEY of New York in two instances.  
 Mr. LONG of Maryland in three instances.  
 Mrs. CHISHOLM.  
 Mr. ASHLEY.  
 Mr. McFALL in two instances.  
 Mr. THOMPSON of New Jersey in two instances.  
 Mr. SCHEUER in two instances.  
 Mr. FRIEDEL in two instances.  
 Mr. O'NEILL of Massachusetts in two instances.  
 Mr. KASTENMEIER.  
 Mr. JACOBS.  
 Mrs. SULLIVAN in three instances.  
 Mr. RARICK in four instances.  
 Mr. MIKVA.  
 Mr. SHIPLEY.  
 Mr. TIERNAN in two instances.  
 Mr. YATRON in two instances.  
 Mr. PICKLE in four instances.  
 Mr. HATHAWAY in two instances.  
 Mr. GONZALEZ in two instances.  
 Mr. BROWN of California in two instances.  
 Mr. BOLAND.

#### ENROLLED JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 775. Joint resolution to authorize the President to award, in the name of Congress, Congressional Space Medals of Honor to those astronauts whose particular efforts and contributions to the welfare of the Nation and of mankind have been exceptionally meritorious.

#### SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1686. An act relating to age limits in connection with appointments to the United States Park Police; and

S. 1766. An act to provide for the disposition of a judgment recovered by the Confederated Salish and Kootenai Tribes of Flat-

head Reservation, Montana, in paragraph 11, docket numbered 50233, United States Court of Claims, and for other purposes.

#### ADJOURNMENT

Mr. MANN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 48 minutes p.m.) the House adjourned until tomorrow, Wednesday, September 17, 1969, 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:

1153. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, as amended; to the Committee on the Judiciary.

#### 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. YOUNG: Committee on Rules. H. Res. 543. A resolution providing for the consideration of H.R. 850. A bill to designate the Desolation Wilderness, Eldorado National Forest, in the State of California (Rept. No. 91-491). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. H. Res. 544. A resolution providing for the consideration of H.R. 12549. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes (Rept. No. 91-492). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. H. Res. 545. A resolution providing for the consideration of H.R. 12884. A bill to amend title 13, United States Code, to assure confidentiality of information furnished in response to questionnaires, inquiries, and other requests of the Bureau of the Census, and for other purposes (Rept. No. 91-493). Referred to the House Calendar.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. H.J. Res. 224. Joint resolution to change the name of Pleasant Valley Canal, Calif., to "Coalinga Canal"; without amendment (Rept. No. 91-494). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:  
 H.R. 13811. A bill to amend section 358a (a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments; to the Committee on Agriculture.

By Mr. ANNUNZIO (for himself, Mr. ADDABBO, Mr. BIAGGI, Mr. BRASCO, Mr. BROWN of California, Mr. DIGGS, Mr. DINGELL, Mr. FEIGHAN, Mr. HANNA, Mr. HAWKINS, Mr. HORTON, Mr. LEGGETT, Mr. MATSUNAGA, Mr. MINISH, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. NIX,

Mr. PATTEN, Mr. PEPPER, Mr. PODELL, Mr. PRICE of Illinois, Mr. REES, Mr. RODINO, Mr. SCHEUER, and Mr. WHALEN):

H.R. 13812. A bill to amend title XII of the National Housing Act to provide, under the urban property protection and reinsurance program, for direct Federal insurance against losses to habitational property for which insurance is not otherwise available or is available only at excessively surcharged rates, to make crime insurance mandatory under such programs, to provide assistance to homeowners to aid in reducing the causes of excessive surcharges, and for other purposes; to the Committee on Banking and Currency.

By Mr. CELLER:

H.R. 13813. A bill to prohibit unauthorized entry into any building or the grounds thereof where the President is or may be temporarily residing, and for other purposes; to the Committee on the Judiciary.

By Mr. ESHLEMAN:

H.R. 13814. A bill to regulate the use of the mails with respect to the sending of material which is sexually oriented, to prohibit the sale of mailing lists for the illegal dissemination of such material, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FISHER:

H.R. 13815. A bill to amend the Internal Revenue Code of 1954 to clarify the status of motor vehicles under section 4041; to the Committee on Ways and Means.

By Mr. GARMATZ (for himself and Mr. CLARK):

H.R. 13816. A bill to improve and clarify certain laws affecting the Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. HANNA:

H.R. 13817. A bill to better enable savings and loan associations to serve the public; to the Committee on Banking and Currency.

By Mr. McCULLOCH:

H.R. 13818. A bill to prohibit unauthorized entry into any building or the grounds thereof where the President is or may be temporarily residing, and for other purposes; to the Committee on the Judiciary.

By Mr. MELCHER:

H.R. 13819. A bill to provide for the disposition of judgment funds of the Sioux Tribe of the Fort Peck Indian Reservation, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Florida:

H.R. 13820. A bill to amend section 4171 of the Revised Statutes to allow the endorsement on certificates of registry of alternate masters; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHERLE:

H.R. 13821. A bill to amend title 38 of the United States Code so as to entitle veterans of World War I and their widows and children to pension on the same basis as veterans of the Spanish-American War and their widows and children, respectively; to the Committee on Veterans' Affairs.

By Mr. SHIPLEY:

H.R. 13822. A bill to amend title 38 of the United States Code so as to entitle veterans of World War I and their widows and children to pension on the same basis as veterans of the Spanish-American War and their widows and children, respectively; to the Committee on Veterans' Affairs.

By Mr. WHALEN:

H.R. 13823. A bill to establish the calendar year as the fiscal year of the U.S. Government; to the Committee on Government Operations.

By Mr. HALPERN:

H.R. 13824. A bill to establish a grant-in-aid program to encourage the licensing by the States of motor vehicle mechanics; to the Committee on Interstate and Foreign Commerce.

Mr. GROSS. Has money been provided for the extension of the Capitol?

Mr. FALLON. This measure merely has to do with the Commission.

Mr. GROSS. Just the Commission for the Extension—in other words, the expansion of the west front of the Capitol.

Mr. FALLON. No. The measure would increase the Commission by the addition of two members. It has nothing to do with future legislation so far as the extension of the Capitol is concerned.

Mr. GROSS. Why are the additional members necessary in the absence of a final congressional decision as to whether there should be an expansion of the west front of the Capitol?

Mr. FALLON. This is a matter of representation on the Commission. As it stands now, the majority party in the Senate is not represented. By adding two members, we would add the majority leader of the Senate and the majority leader of the House. When and if the administration changes so that you would have a member of a different party who would act in that capacity, then the minority leader would become the member.

Mr. GROSS. Would the gentleman say that this proposal is designed to get support for the measure that was approved by the House last week to spend at least \$50 million—the Lord only knows how much—for the expansion of the west front of the Capitol? Is it intended for the purpose of securing more support for that expenditure?

Mr. FALLON. No, this bill is designed to make the Commission equally representative of both parties.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Iowa yield?

Mr. GROSS. I yield to the minority leader.

Mr. GERALD R. FORD. The present composition of the Commission is the Speaker, as Chairman, the Vice President, the minority leader of the Senate—that was Senator Dirksen—myself, and the Architect of the Capitol. Under the odd situation that developed, as a consequence of the last election, there is unequal balance between the Democratic Party and the Republican Party on the present Commission. By doing what the gentleman from Maryland has requested, we would equalize representation between the two parties on the Commission.

Mr. GROSS. Mr. Speaker, I thank both gentlemen for their explanations. I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1888

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the paragraph entitled "Extension of the Capitol" under the heading "Capitol Buildings and Grounds" in the Legislative Appropriation Act, 1956 (69 Stat. 515), is amended by inserting after the words "the Speaker of the House of Representatives," and before the words "the minority leader of the Senate," the following: "the majority leader of the*

Senate, the majority leader of the House of Representatives,".

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

A motion to reconsider was laid on the table.

#### COUNCIL ON ENVIRONMENTAL QUALITY

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 544 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 544

*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. 12549) to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, 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 Merchant Marine and Fisheries, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto for final passage without intervening motion except one motion to recommit. After the passage of H.R. 12549, it shall be in order in the House to take from the Speaker's table the bill S. 1075 and to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof of provisions contained in H.R. 12549 as passed by the House.*

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

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

Mr. Speaker, House Resolution 544 provides an open rule with 1 hour of general debate for the consideration of H.R. 12549 to amend the Fish and Wildlife Coordination Act to establish a Council on Environmental Quality. The resolution also provides that, after the passage of H.R. 12549, it shall be in order to take S. 1075 from the Speaker's table, move to strike all after the enacting clause and amend the Senate bill with the House-passed language.

The purpose of H.R. 12549 is to create a Council on Environmental Quality, consisting of five members appointed by the President, by and with the advice and consent of the Senate, one of whom the President shall designate as Chairman.

The Council may employ such officers and employees as necessary and may employ and fix compensation of such experts and consultants as necessary.

The duty and function of the Council shall be to assist the President in the preparation of an environmental quality report, which he shall transmit to the Congress annually beginning June 30, 1970; to gather, analyze, and interpret

information concerning conditions and trends in environmental qualities; to appraise the various programs and activities of the Government in this area; to develop and recommend policies to promote improvement of environmental quality; to make and furnish studies and make recommendations thereon.

Cost of the legislation is estimated at approximately \$1 million per year. In view of the rapidly deteriorating environment of ours, Mr. Speaker, this cost must be considered an investment, rather than an added expense to the taxpayer.

Time is not on our side and unless we take this action today we will have failed in our responsibility as the trustees of the welfare of the people we represent in Congress.

Mr. Speaker, I urge the adoption of House Resolution 544 in order that H.R. 12549 may be considered.

Mr. Speaker, I yield now to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I agree with all the statements just made by my friend, the gentleman from Hawaii, on this resolution.

I want to point out that the Rules Committee has had this resolution under consideration since July for the reason that there was a jurisdictional question which arose concerning a matter between the Committee on Merchant Marine and Fisheries and the Committee on Interior and Insular Affairs. It is our understanding now that the difficulties have been resolved and that, by an agreement between the two committees, when this matter goes to conference two members of the Committee on Interior and Insular Affairs will be on the conference committee.

Mr. Speaker, the purpose of the bill is to create a Council on Environmental Quality which shall have a broad and independent overview of current and long-term needs and programs to improve the quality of the national environment. The Council is to advise the President and, through him, the Congress on what steps should be taken to improve and upgrade the national environment.

The Council will be responsible directly to the President rather than to any governmental agency or body. It is to be composed of five members selected by the President, with the advice and consent of the Senate, one of whom the President shall designate as Chairman. All members of the Council are to be persons with expertise, training, and attainments which qualify them to analyze and interpret environmental information of all kinds and to formulate and recommend policies to improve the quality of our national environment.

The President is required to transmit to the Congress annually, beginning on June 30, 1970, an environmental quality report. The Council shall assist the President in the preparation of this report. It shall also carry on a continuing program of collecting and analyzing environmental information, conditions, and trends and shall interpret such information in order to advise the President in this field. The Council shall also evaluate existing Government programs

and make recommendations thereon to the President. It shall make an annual report to the President in May of each year.

Testimony received by the committee indicates that in order to staff the Council to the needed degree approximately 55 professional employees and 20 to 30 clerical employees will be needed. Based upon these figures, it is estimated that the cost of this legislation would be \$1 million per year. The Chairman of the Council is to be paid \$30,000 per year and the four other members of the Council will receive \$27,000 per year. No operational funds are authorized in the bill.

There are no minority views. A number of departments and agencies have submitted reports on the legislation as originally introduced (H.R. 6750) which is very similar to the reported bill. Generally, they support the aims of the legislation but point out that the President, on May 29, by Executive Order 11472, established an Environmental Quality Council and a Citizens Advisory Committee to the Council with broad responsibilities for advising and assisting the President with respect to environmental quality matters. Several departments and agencies question whether this Presidential action does not do all that is necessary now.

Mr. Speaker, I have no objection to the granting of this rule, and I yield back the balance of my time.

Mr. MATSUNAGA. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. MADDEN).

(Mr. MADDEN asked and was given permission to revise and extend his remarks and to include a tabulation.)

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

TAX REFORM, NOW—WATER AND AIR POLLUTION LEGISLATION, THIS SESSION

Mr. MADDEN. Mr. Speaker, I was startled to read in Saturday's Washington Post, the headline, "Nixon Aides Do Not Expect Tax Bill To Pass This Year." An Associated Press dispatch also quoted a prominent member of the Senate Finance Committee, that he "could not see action this year on the 'proposed revision' of the Nation's tax system."

Almost 7 weeks ago, after 4 months of hearings by the congressional tax writing House Ways and Means Committee, and also a week's debate on the floor of the House, the tax reform bill was passed. It has been juggled, postponed, and filibustered for weeks in the Finance Committee of the other body. Now we read that the White House seems to extend silent aid and comfort to the painstaking stalling and filibustering which the tax reform bill will undergo in the other body.

In this morning's mail I received 30 letters from my district, which has been the average daily mail I have been receiving, protesting the administration's recommendations that the promised appropriation of \$1 billion toward cleaning up water pollution should be cut to \$214 million. This proposed weakening of the battle to preserve the health of millions of Americans against the drinking of contaminated and occasionally poisonous water in the urban areas of the Nation is

beyond belief. The message which I am receiving from citizens, not only from my own district, but other parts of Indiana and the Midwest, is that they feel that this cut will be a major setback to cities and States and all citizens in their fight against water pollution and an effort to preserve the health of millions.

A great number of Members of the House, including myself, are sponsoring a bill and working for legislation to restore the \$1 billion in the 1970 budget which was set up to support the Clean Water Restoration Act.

The House and Senate both must take the initiative to provide the necessary matching funds to aid the States and cities to purify the Nation's water supply in our rivers and lakes. Our Government must give full support to compel the mammoth industries to install the proper machinery to terminate air pollution in our congested urban areas.

It is no excuse for the Government or the Congress to protest lack of sufficient funds to combat this water and air pollution scourge on the present and future health of millions of American families. The tax reform legislation if enacted this year will provide an additional \$8 billion to amply supply funds for water and air pollution, education, housing, poverty, health, and so forth.

The tax reform bill, it appears now, is receiving the old legislative trick of postponement and stalling with the hope that public interest for tax reform will subside. The bill passed by the House is now apparently dormant for this session in the other body, judging from the Associated Press dispatches in the papers yesterday. The postponing of this tax reform bill until next session of Congress will mean that the Federal Treasury will not only suffer a loss of many billions of Federal tax dollars from large tax loopholes, but it will afford a better opportunity for the continuation of the unnecessary 10-percent surtax for another year, running it into 1971.

A year ago last June I opposed and voted against the 10-percent surtax for the simple reason that had the Ways and Means Committee taken the tax reform bill up at that time and enacted the same a year ago, there would be no excuse whatsoever for the administration to extend the surtax and curtail needed money for air and water pollution, education, housing, poverty programs, health, and so forth. Now is the time for the American people to become aroused and notify their Senators and the executive department that money for these great domestic programs should not be curtailed, and insist that the President exercise his terrific power toward passing the tax reform bill which the House enacted almost 2 months ago. All segments of our economy should equally share the huge expenses to finance necessary Federal programs.

A number of Members of Congress and almost 90 percent of the wage and salary earning public have no comprehension of the stupendous amount of taxes our U.S. Treasury loses by reason of the fabulous, and in most cases fraudulent, tax loopholes which will be partially outlawed in the pending tax reform bill.

In the September edition of the CWA newspaper a breakdown of some of the major tax loopholes was set out estimating the 1968 revenue loss as a result of the major tax loopholes. I include the tabulation with my remarks.

1968 revenue loss as a result of major tax loopholes (estimated by U.S. Treasury)

[In millions]	
Nontaxed interest on tax-free bonds...	\$1,800
Depletion deductions (corporations included) .....	1,500
Intangible drilling deductions (oil and gas) .....	750
Travel and entertainment deductions (estimated excesses) .....	400
The 50 percent of capital gains not reported on tax returns .....	5,000
Capital gains that escape tax at death .....	2,000
Unreported dividends and interest .....	1,000
<b>Total loophole revenue loss in 1968 .....</b>	<b>12,450</b>

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

Mr. MADDEN. Yes. I yield to the gentleman from Iowa.

Mr. KYL. Can the gentleman from Indiana tell us if the tax bill, as it left the House, calls for increased or decreased revenue for the Federal Government in toto?

Mr. MADDEN. If the loopholes are closed and not changed over in the other body, it will bring in several billion dollars, especially in the field of the oil depletion allowance, reducing it from 27½ percent down to 20 percent, when it should have been wiped out entirely. It is estimated that the oil depletion allowance alone, if that 27½ percent were wiped out, would bring in something like \$3 billion into the Treasury, including exemptions on imported oil, gas, and so forth.

Mr. KYL. Will the gentleman yield further?

Mr. MADDEN. I yield to the gentleman.

Mr. KYL. Is it not a fact that as the bill left the House there is a loss of revenue?

Mr. MADDEN. No, there is not a loss of revenue. There would be an increase in revenue. Just the 7½-percent reduction from the oil-depletion allowance would bring in over \$1 billion or more.

Mr. LATTA. Mr. Speaker, I had no requests for time on this side, and I yielded back my time. I would like to ask unanimous consent that my time be reinstated, as I do have a request.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. LATTA. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I was very much interested in the remarks of the gentleman from Indiana (Mr. MADDEN) with respect to water and air pollution. I have driven the Indiana Turnpike a good many times since I have had the honor to be a Member of this body, and going west on the Indiana Turnpike you are made aware many, many miles east of Gary, Ind., that you are approaching that city. I wonder what the State of Indiana or the city of Gary, Ind., has done

or proposes to do about the terrible pollution that fills the air over Gary, Ind., and east of it when the wind is in the west.

Also, traveling by plane to Chicago, and crossing the lower end of Lake Michigan, there is no trouble at all in locating the pollution of Lake Michigan as supplied in part by the steel mills of Gary, and other industries.

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

Mr. GROSS. Yes; I am glad to yield to the gentleman from Indiana.

Mr. MADDEN. The Indiana State Legislature and the mayors of Gary and East Chicago and Whiting, Ind., as well as the city of Chicago, have been fighting this water pollution for a number of years. We have been trying to get help.

You must bear in mind that 90 percent of the pollution that comes about in that area comes from the terrific amount of industry—oil refineries and other industries. Automobiles traveling from the east going into Chicago and the automobiles from the west, out of Chicago and passing through our area. That contributes a great deal to the pollution problem. It is a problem that the Federal Government will have to commence to extend aid on in order to protect the health of the millions of people living in the Chicago and northern Indiana area. The chances are that the gentleman from Iowa drives through there and by doing so he perhaps contributes a little to the pollution problem.

Mr. GROSS. Thank you very much for my contribution to the pollution problem. But if those steel mills were not operating, you would not know there was an automobile in the vicinity insofar as air pollution is concerned.

There is usually a huge cloud of fumes and smoke over Gary, Ind., and the gentleman knows—since he lives there—that when you drive west on the Indiana Turnpike into Gary, Ind., within 25 or 30 miles of the city, if the wind is from the west, this pollution situation exists.

I would ask the gentleman from Indiana, When does the State of Indiana and the city of Gary propose to do something about it? I have been driving over that highway for more than 20 years, and I have noticed little improvement.

Mr. MADDEN. Mr. Speaker, if the gentleman will yield further, every city in the Calumet area, as the gentleman from Iowa knows, including the steel mills, are trying to work together in order to clean up this water and air pollution situation, but we will need some Federal assistance.

Mr. GROSS. Now you have gotten down to paydirt. That is what I thought this was all about.

Mr. MADDEN. But we have been working on these programs—

Mr. GROSS. In other words, the gentleman wants the taxpayers of the entire country to do something that Indiana and Gary ought to do.

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

Mr. GROSS. Yes, I yield to the gentleman from Illinois.

Mr. COLLIER. I do not want the RECORD as set forth in the colloquy previously

had between the gentleman from Iowa (Mr. KYL) and my good friend, the gentleman from Indiana (Mr. MADDEN) to be in error. I think it ought to be clearly established here that the tax reform bill which left this House will in no manner—and I repeat—in no manner leave any excess revenues, because of the provisions of the bill which provided for tax relief in the lower and middle income areas particularly will absorb—if it is passed in the form in which it passed the House by the other body—will absorb every dime that would otherwise have been realized by the reforms that were written into the bill.

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

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

Mr. MADDEN. I think if both the gentleman from Iowa (Mr. KYL) and the gentleman from Illinois (Mr. COLLIER) will make a resurvey, they will find that if these loopholes, even the paltry little 7½-percent oil depletion reduction and also the provisions dealing with foundations, real estate, stocks, and so forth, if they are increased in the other body, along with some other loopholes, the bill as passed here would bring in a couple of billion dollars into the Federal Treasury. However, it looks as though now that the White House is doing everything it can to stymie the tax reform bill that the House and the Committee on Ways and Means and our membership devoted so many hours and weeks in this session of Congress in order to have it passed at this session but that the White House is now working to continue it over for another year.

The SPEAKER. The time of the gentleman from Iowa (Mr. GROSS) has expired.

Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. COLLIER).

Mr. COLLIER. Mr. Speaker, I take this 1 minute to again try to straighten out the record.

I think it is totally unfair to even suggest that the administration is trying to scuttle the tax reform bill that passed this House. I would suggest to my good friend, the gentleman from Indiana (Mr. MADDEN), so that he might straighten out his own thinking on this issue, that he read the public statements issued by Members of the other body in his own political party. If the tax reform bill is scuttled that is where it will be done. And if it passes, as it did in the House, I certainly do not expect a Presidential veto—and I seriously doubt whether anyone else does, either.

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

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that a typographical error be corrected in House Resolution 544, by striking out on page 2, line 9, after the word "thereof," the word "of," and inserting in lieu thereof the word "the".

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

There was no objection.

Mr. MATSUNAGA. 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.

Mr. DINGELL. 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. 12549) to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan (Mr. DINGELL).

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 12549, with Mr. McCARTHY in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Michigan (Mr. DINGELL) will be recognized for 30 minutes, and the gentleman from Washington (Mr. PELLY) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. DINGELL).

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

Mr. Chairman, for centuries now, man has exploited and freely used the resources provided by his natural environment secure in his belief that nature's bounty would last forever, heedless of any consequences in his headlong rush toward greater power and prosperity.

More recently, Western man's attitude toward his environment has been characterized by an emphasis on economic motives. The industrial revolution which has provided us with the gift of technology has inaugurated specialization and division of labor as prerequisites for production for profit. In fact, our Nation's wealth was founded on technological progress spurred on by the profit motive.

However, mankind is playing an extremely dangerous game with his environment. Unless we change our ways, mankind faces the very real possibility of extinction from misuse of environment. We have been warned by scientists, citizens' organizations, public officials, and Government agencies of the dangers and consequences of such upsetting agents as air pollution, water pollution, explosion, and overenthusiastic use of pesticides. We have not yet learned that we must consider the natural environment as a whole and assess its quality continuously if we really wish to make strides in improving and preserving it.

Mr. Chairman, H.R. 12549 clearly expresses my conviction that we need the vigorous involvement of the Executive Office of the President of the United States in this problem. This concept of an independent advisory council to the President on environmental matters is

not new. It was the principal recommendation of a task force report to the Secretary of Health, Education, and Welfare in June of 1967. I—as well as several other Members of the House—introduced legislation to accomplish this purpose in the 90th Congress. However, no action—other than hearings—was taken on any of these bills.

In February of this year I again introduced legislation to carry out this concept.

After holding 7 full days of hearings, and hearing from a wide range of witnesses including scientists, engineers, ecologists, statisticians, economists, anthropologists, conservationists, and various departmental witnesses, my Subcommittee on Fisheries and Wildlife Conservation unanimously reported to the full Committee on Merchant Marine and Fisheries a clean bill in the form of H.R. 12549. H.R. 12549 was cosponsored by all of the members of my subcommittee, except one, and it was unanimously reported by our full Committee on Merchant Marine and Fisheries.

Mr. Chairman, briefly explained, section 1 of the bill would amend the Fish and Wildlife Coordination Act by inserting a new section in the act designated as section 5A.

Subsection (a) of the new section would recognize the impact of man's activities upon his environment and the critical importance of making that impact less adverse to his welfare. Accordingly, it states a basic and continuing policy that the Federal Government, in cooperation with all other interested parties, shall use all practicable means and measures, including financial and technical assistance, to assure that man's capacity to change his environment is devoted to making that change one for the better, while remaining consistent with his future social, economic, and other needs.

Subsection (b) of the new section would direct the President to transmit to the Congress at the close of each fiscal year an annual report setting forth an inventory of the American environment, broadly and generally identified, together with an estimate of the impact of visible future trends upon our future environment. This report would follow the report submitted by the Council in May of each year.

Subsection (c) (1) of the new section would create a five-man Council on Environmental Quality in the Office of the President. Although the original bills before the committee provided for a three-man Council, the committee felt that there was a clear need for a slightly larger Council with more personal resources available to it, and yet not so large as to be unwieldy; the Chairman of the Council would be designated by the President, since he would be acting as a major adviser to the President in this area. The qualifications of the Council members are stated broadly, since generalists are what the Council will require, and since it is impossible to define generalists adequately except in terms of their overall excellence and competence. Most critical in the selection of the Council members will be their commitment to

an understanding and resolution of the environmental problems which we confront as a society.

Subsection (c) (2) would authorize the Council to employ the necessary staff to assist it in carrying out its duties. The importance of attracting and holding an extremely high caliber staff is of great importance. This subsection would give the Council broad authority to obtain the services of experts and consultants, including advisory committees and task forces on specific environmental problems.

Subsection (c) (3) would specify the duties and functions of the Council. These include—

First, assisting the President in the preparation of the annual report;

Second, gathering information on the short- and long-term problems that merit Council attention, together with a constant analysis of these problems as they may affect the policies stated in subsection (a), and a constant inflow of information to the President on the significance of these problems;

Third, maintaining a constant review of Federal programs and activities as they may affect the policies declared in subsection (a), and keeping the President informed on the degree to which those programs and activities may be consistent with those policies;

Fourth, requiring the Council to review and to recommend policies to the President, on the basis of its activities, whereby the quality of our environment may be enhanced, consistent with our social, economic, and other requirements; and

Fifth, authorizing the Council to make studies and recommendations relating to environmental considerations, as the President may direct.

Subsection (c) (4) would direct the Council to make an annual report on its activities to the President.

Subsection (c) (5) would require the Council to maintain open lines of communication with all affected segments of society, and would instruct it to avoid duplication of work that has already been done by others, wherever that can be done. This will be of particular significance as the Council acts to set up the data bank referred to in (3) (B) of this subsection; certainly most of the information flowing into that bank will have to be derived from sources outside the Council, and it will become vital that the Council assure itself that this information continue to be available to it.

Section 2 of the bill would amend title 5 of the United States Code to add the Chairman of the Council to level II of the Executive pay schedule, and the balance of the Council members to level IV. Since this is the same compensation received by the Chairman and members of the Council of Economic Advisers, who devote their full time to carrying out their duties, likewise it would be expected that the Chairman and members of the Council on Environmental Quality will devote their full time in carrying out the work of this high-level Council.

Mr. Chairman, our Committee on Merchant Marine and Fisheries was impressed by the wide range of witnesses testifying at the hearings in support of

the legislation. In the main, all witnesses were in favor of the legislation. In fact, it is worthy to note that out of approximately 100 witnesses heard at the hearings there developed no substantive opposition on the part of the public to the legislation, and that the slight resistance on the part of witnesses for the departments stemmed from a feeling that the Council might in some way conflict with the interdepartmental Council on Environmental Quality established by Executive order of the President on May 29 of this year. It should also be noted that while the departments did not recommend enactment of the legislation, neither did they recommend against it. Witnesses from several agencies spoke highly of the potential of the Council contemplated by the legislation as complementary to the excellent steps already taken by the President. The only opposition to the legislation came from the Office of Science and Technology, which was based on the premise that the Council established by Executive order would accomplish the same purpose as the Council to be established by the legislation.

Mr. Chairman, our entire membership of the Merchant Marine and Fisheries Committee applauds the President on creating a Cabinet-level Council on Environmental Quality. However, we do not believe the Cabinet-level Council can devote a major proportion of their attention to the problems in the depth required. The problems are of several magnitudes larger than those which can be dealt with by this interdepartmental organization and its six staff members. On the other hand, we do realize that the interdepartmental Council can fill a clear and observed need of coordinating and resolving internal policy disputes between different executive agencies of the Government.

The purpose of this bill is to create by legislative action, standing outside the programs that can be done and undone by unilateral executive action, a council which can provide a consistent and expert source of review of national policies, environmental problems and trends, both long term and short term. Such a council would act entirely independently of the executive, mission-oriented agencies.

The President, the Congress, and the American people stand in need of this type of assistance. No organization, in existence or contemplated, except as provided for in this bill, shows any sign of meeting that need. It is for this reason that I strongly recommend the creation of such a council, through enactment of H.R. 12549.

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

Mr. DINGELL. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I note in the report that it is estimated that spending for this council will be in the neighborhood of \$1 million a year.

Mr. DINGELL. That was the estimate of the committee as to the cost of the program. That is correct.

Mr. GROSS. So far as the language in the bill that deals with financing—

Mr. DINGELL. If the gentleman will permit me, I should like to point out that an amendment setting out such a limitation is under contemplation. The committee has been informed of it. I am informed that such an amendment will be offered by the gentleman from Colorado (Mr. ASPINALL.)

Mr. GROSS. What will it provide?

Mr. DINGELL. It will provide a total annual limitation of \$300,000 for the first year, \$500,000 for the second year and \$1 million each year thereafter. I would say to my good friends on the subcommittee that we have discussed this matter and we intend to interpose no objection to the offer of that amendment.

Mr. GROSS. On page 3 of the bill, beginning with line 15 and running through to line 22 there is a provision for the employment and compensation of experts and consultants. I note that line 20 provides that it be "in accordance with section 3109 of title 5, United States Code—but without regard to the last sentence thereof." What is the meaning of that exception with respect to pay or employment?

Mr. DINGELL. That, I am informed, is standard language in this type of legislation.

Mr. GROSS. Why?

Mr. DINGELL. I point out that language comes exactly, word for word, from the language in the Full Employment Act of 1946, from which the language of H.R. 12549 was taken and which, as the gentleman well knows, is the Council of Economic Advisers. The Council on Environmental Quality, which is set up in the bill before us, contains the precise language that comes directly from that. It is to enable the hiring of certain kinds of experts for guidance and counseling.

Mr. GROSS. It permits unlimited hiring. Is that correct?

Mr. DINGELL. It would not, if the House adopts the amendment the gentleman and I were discussing. As I pointed out, there will be a limitation in total hiring by the agency in the amount of \$1 million, beginning with the third year of the program.

Mr. GROSS. In other words, they could hire so-called experts, consulting firms and contract employees at will, I suppose?

Mr. DINGELL. This does, let me say to my good friend, enable the Council to hire consultants to achieve that kind of assistance. It was the opinion of the committee that to do so would be much more desirable than to go out and establish a great big in-house operation. We think the functioning of the Council would be much more efficient if it is able to employ outside skills through the advice of consultants instead of taking people regularly on the payroll.

Mr. GROSS. How many of these environmental councils or offices do we have now in circulation in the Government? Does the gentleman have any idea?

Mr. DINGELL. Yes, there is one Council which was set up by the President pursuant to Executive order. There are distinctions, I would point out to my friend. I would refer him to the bottom

of page 4 and the top of page 5 of the report to see the distinction which exists between the Executive order Council and the provisions of the bill now before the House.

Mr. GROSS. I happened to be driving in Virginia only last Sunday and I came across an environmental setup out there occupying perhaps 300 acres of land with new buildings on it.

Mr. DINGELL. We are not setting up under this legislation such an institution. It is my intention as chairman of the subcommittee that brings this legislation to you to see that the agency functions efficiently and uses its services in the best manner possible.

Mr. GROSS. Mr. Chairman, can the gentleman tell me about this environmental setup out in Virginia?

Mr. DINGELL. Mr. Chairman, I have no knowledge of it. It is a private institution and I am not able to tell my good friend, the gentleman from Iowa, what it is and what it does.

Mr. GROSS. They call it the Environmental Sciences—that is at least part of the title that appears on the gate.

Mr. DINGELL. I wish I could tell my friend what it is, but it is a private institution, and I have no knowledge of it.

Mr. GROSS. But the point is, somebody ought to tell us how many environmental setups there are in existence in the Government now and the cost of them.

Mr. DINGELL. In Government there is one agency set up by the Presidential order, but it has functions which are very different from those in the bill.

I wish I could yield further to my friend, the gentleman from Iowa, but I have other demands on my time.

Mr. Chairman, the bill requires an annual report by the President to the Congress on a number of issues of environmental significance. Our committee will of course arrange for public hearings on that report and on any recommendations that the President or the Council may care to make, and will take every step possible to insure that the report receives the widest possible comment in the legislative and public communities.

We also recognize that practically every standing committee of this House has some concern with aspects of the environmental problems which we confront. We would expect, therefore, to do everything possible to see that each committee is kept fully informed on our plans for these hearings and that representatives of those committees will be given every opportunity to bring out points of concern in the report that may be relevant to their interests. Our intention will be not to inhibit public discussion on these issues, but rather to enrich it, and this we cannot do adequately without the cooperation and assistance of each committee.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Washington (Mr. PELLY).

Mr. PELLY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I wholeheartedly support the remarks of the distinguished

chairman of the Fisheries and Wildlife Conservation Subcommittee, the gentleman from Michigan (Mr. DINGELL), who has worked very hard to bring this important legislation to the floor. H.R. 12549, the clean bill to establish a Council on Environmental Quality, was unanimously reported by the Committee on Merchant Marine and Fisheries and has the bipartisan support of the members of that committee.

I have been asked, "Do we need another Presidential Commission or Council? Have we not enough experts in and out of Government concerned with the quality of our environment?" The answer to the second question explains the need. There are many experts within Government, industry and academic institutions concerned with various aspects of improving our daily life. We have experts in the field of transportation coping with the problem of moving people from one city to another in the least possible time with the greatest degree of safety. We have constructed a vast system of interstate highways to accomplish this. Yet at the same time, we have created serious problems of soil erosion, stream pollution and urban displacement. We have other experts concerned with assuring an adequate food supply for our ever-growing population. In conjunction with private industry, they have developed powerful chemicals to control pests and diseases that would otherwise destroy a substantial portion of the harvest, but these chemicals pollute our streams and lakes, and their residue is building up in our bodies. We have other experts who build dams to control floods and at the same time destroy irreplaceable stretches of wilderness.

Progress in transportation, agriculture, the prevention of natural disasters, and developments in many other areas where we have applied modern technology are essential in a country of over 200 million people. The experts have, by and large, done their job well, but we must remember that their job is building highways, increasing our food production, preventing floods, and so on. Their primary concern is not the quality of our environment considered as a totality. That is not to say, of course, that the Federal Government is not concerned about the impact of such programs upon the quality of life as a whole. There is a growing awareness on the part of the principal executive departments that they must look beyond the narrow confines of their particular responsibility. We must recognize, however, that there is a natural inclination to foster and promote programs. Rarely will we find a department head urging the curtailment of a program because of its long-range adverse impact upon the environment as a whole. Thus, within the Federal Government we have many groups working to improve our lives, frequently at cross purposes.

The President on May 29, 1969, issued an Executive order establishing an Environmental Quality Council composed of the Vice President and six Cabinet Secretaries. The Science Advisor to the President was appointed Executive Secretary of the Council and assists the

President in directing its affairs. The Office of the President's Science Adviser will furnish administrative and staff support for the Council. This is an extremely important development within our Federal Government in that it provides the machinery whereby the heads of principal departments will be able to interchange ideas concerning the impact of their programs and the goals of their agencies.

Again, however, we must bear in mind that the primary function of our Cabinet Secretaries is to administer and promote the efforts of their respective departments. I would not expect a Cabinet officer who is vigorously pursuing the mandate of his department to lay aside a program to which his department is committed simply because another department head raised doubts about its long-range impact upon the environment so long as there are short-run benefits to be gained. I believe, therefore, that while the President's Council on Environmental Quality will be a useful tool for the interchange of information and for some degree of coordination, we cannot expect that the parochial views of the respective departments will be entirely divorced from its deliberations and decisions.

Beyond the Federal Government, there is the vast area of State and local activity, which has an equal if not greater impact upon our environment. The fields of waste disposal, industrial pollution control, intelligent land use, and so forth, are primarily in the hands of our State and local governments. While the Federal Government through a variety of programs gives assistance, the ultimate responsibility rests at the State and local level, and the goal of an improved environment rests ultimately on the success achieved by our States and municipalities.

The third major area concerned with our environment is private industry encompassing large corporations, which are too frequently large polluters of our environment as well, all the way down to the smallest business entity that produces some form of refuse. The problems of industrial pollution are infinitely complex. Virtually every industrial process requires a different form of pollution control depending upon the raw materials employed and the end product of the process. In this regard, our committee received testimony from an official of one of our largest industrial corporations who outlined the tremendous complexity of pollution control and the great financial investment required, both to build pollution control into new plants as well as add it to existing, often old, economically marginal plants.

The problem that we face in the field of environmental quality is greatly complicated by the fact that no one of these groups alone can bring about any change for the better. Whatever is done will require the highest degree of coordination of programs and interchange of knowledge. The continued appropriation of money by Congress for pollution abatement programs administered by a variety of Federal agencies, often employing conflicting standards, will not of itself produce much return.

What is needed today is an organization devoted exclusively to the problem of reconciling the needs of a large industrial society with the desire for quality in our environment. By quality, I mean, among other things, air that is just air, not air diluted with lead and other industrial wastes—water that is just water, not fortified with DDT—wildlife flourishing in its natural habitat rather than recorded in a book of extinct species—and cities where people can satisfy their desire for economic prosperity without paying a heavy price in terms of physical and spiritual deterioration.

The President's Council on Environmental Quality cannot accomplish the task of coordinating the activities and often conflicting interests of our Federal agencies, State and local governments, and private industry. The responsibilities of our Cabinet officers are already too varied—the demands on their time too great.

Assuming, however, that the Cabinet Secretaries do have the time to get together and engage in a meaningful exchange of information and ideas, who will provide the groundwork for their deliberations? According to the President's Executive order, the Science Adviser and his staff will furnish the needed expert assistance on environmental matters. However, in testimony before our committee, Dr. Lee DuBridg, the President's Science Adviser, stated that the President has requested an appropriation for only six additional staff members to support the Environmental Quality Council, and there is no assurance that even these six would devote themselves exclusively to the Council.

The budget item covering these positions was included in the request for the Bureau of Outdoor Recreation of the Department of the Interior. However, the Appropriations Committee refused to act upon this request, and the bill as passed by the House did not include these funds. I understand that the other body agreed with our action yesterday. The report of the Appropriations Committee expressed the committee's concern for the environmental problems facing the Nation, but stated that the patchwork approach such as envisioned by the Executive order would be little better than nothing. The report further stated that the committee would be receptive and sympathetic to the funding requirements necessary to achieve the objectives stated in the various bills now pending in the Congress for the creation of a Council on Environmental Quality.

Mr. Chairman, the essential element of this legislation is the creation of an expert body whose members will devote their full time and attention to the difficult task of analyzing and interpreting environmental information, and who will be in a position to formulate and recommend to the President national policies to promote the betterment of our environment. Of equal importance is the requirement that the Council annually report to the President and the President, in turn, report to the Congress regarding the status of our environment. Only in this way can we gather the facts upon which to make intelligent decisions.

The Council will complement rather than conflict with the interagency council established by the President's Executive order. Hopefully, it will have a staff well versed in all aspects of our environmental problems. In my opinion, this staff will augment and be of great benefit to the office of the Science Adviser.

I have not attempted to discuss in any detail the great number of environmental problems facing the Nation today. These problems have been discussed at great length by many distinguished Members. Even a casual examination of the CONGRESSIONAL RECORD will illustrate the attention which our colleagues have given these problems. I have stressed the organizational aspects of our fight for environmental quality rather than simply catalog the many crises we are facing. The technological know-how exists today to produce clean air and water and to generally upgrade the quality of our environment. A recent report of the American Chemical Society entitled "Cleaning our Environment—the Chemical Basis for Action," stressed the fact that this country can take enormous strides now toward a cleaner environment if it is willing to devote sufficient energy and financial support to the task. We have identified many of the problems, we have the technical know-how to solve them. This legislation will establish a much-needed focal point to set priorities and channel the efforts of Government and industry in a coordinated program. I therefore strongly urge its passage.

Mr. DINGELL. Mr. Chairman, I am happy to yield 2 minutes to the distinguished chairman of the Committee on Merchant Marine and Fisheries, the gentleman from Maryland (Mr. GARMATZ).

Mr. GARMATZ. Mr. Chairman, as chairman of the House Committee on Merchant Marine and Fisheries, I am naturally concerned about all phases of the environment which affect fish, wildlife and our natural resources. The ugly and devastating disease of pollution has contaminated every aspect of our environment—air, land, and water.

The massive pollution that now stalks our Nation is a very real and dangerous threat. It constitutes a problem so vast and so inter-related, one segment of the environment cannot be separated from another. Since man's manifold activities are affecting all components of the natural environment, the only logical approach is a broad-ranging, coordinated Federal program.

Mr. Chairman, H.R. 12549 is designed to initiate such a program. This legislation proposes to create a Council on Environmental Quality. This Council, which would be composed of outstanding and qualified leaders of the scientific, industrial and business community, would oversee and review all national policies relating to our environment; it would report directly to the President and recommend national programs to foster and promote the improvement of the Nation's total environmental quality.

One of the vital functions of this council would be to consult with State and local governments and other interested groups and individuals, and to utilize the services, facilities and information of

these agencies and organizations. I consider this to be an extremely important and significant function, since, for the first time, it would establish an effective liaison between the Federal Government and individual States, thereby creating a long-needed central clearinghouse of information.

Establishing such a council will not immediately solve all our massive pollution problems. It will, however, constitute the most significant step yet taken because it will represent the very first concerted congressional attack upon all forms of abuse upon our natural resources.

Mr. Chairman, I urge passage of this legislation, and I hope it will be enacted as rapidly as possible.

Mr. PELLY. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. MAILLIARD).

Mr. MAILLIARD. Mr. Chairman, I shall not take very much time. I simply want to say that as the ranking minority member on the committee I support this bill.

In recent years, scientists—and in turn the public—have become increasingly aware that technological progress is a mixed blessing. This can perhaps be compared to the injection of a newly-developed drug into the human body. All too often while curing the disease, the drug will produce undesirable side effects. In some instances, these effects may prove fatal. Short of that, the drug must be administered with caution and the body's reactions carefully monitored. Fortunately, the average human body can tolerate a high degree of foreign substances intended to ward off or cure certain ills. Within a certain range, the body simply throws off anything in excess of its needs.

Our planet, earth, has demonstrated a similar ability to absorb the side effects of increased population and industrial development.

We did not begin polluting our environment in earnest until the 19th century. Birmingham and other English cities where iron and coal were brought together to form the basis of an industrial society first witnessed the intolerance of our atmosphere. The grime was an unmistakable sign that man was injecting far more than nature could absorb.

But this was a purely local condition—a very small raw spot. Annoying in the immediate area but hardly of much concern to the world as a whole. Generally, our ancestors stood in awe and marveled at the scientific and technical progress of the 1800's. The water became a bit murky and a smell began to pervade the air, but few noticed.

Some years after England first tasted—and smelled—the benefits of industrial progress the United States began the rapid development of a great industrial society. Our realization of its unpleasant side effects has been slow in coming, however.

In 1695, a man named Thomas Beveryly wrote a book in London in which he described the end of the world in 1697. He wrote a second book in 1698 claiming that the world had indeed ended but nobody had noticed.

Probably nobody will notice the day the earth begins to produce less oxygen than is consumed. Nor will anyone be aware of the precise moment when the accumulation of pesticides produces irreversible physical changes in all animal life including man.

The side effects of progress are difficult to monitor. We know so little about the fundamental processes of nature and even less about the impact of our interference with these processes.

To most laymen like myself these problems seem remote indeed. While there is some evidence, for example, that we are using up the world's oxygen supply, it is difficult to relate these questions to here and now. Yet someone must. We do not have the right to exploit the world's resources or apply our scientific knowledge without some regard for those who will inherit this world and this Nation.

Fortunately, this globe has a high degree of natural resistance to man's injections of progress. We have not yet exceeded its level of tolerance. We must, however, begin to monitor it and modify our activities when danger signals appear. This cannot be done haphazardly. It will require expert advice in all scientific and technical disciplines and coordinated action at all levels of government and economic activity.

I believe the Council on Environmental Quality as envisioned by this legislation can fulfill this vital role and I support its enactment.

Mr. PELLY. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin (Mr. SCHADEBERG).

Mr. SCHADEBERG. Mr. Chairman, I rise in support of the bill, H.R. 12549.

Mr. Chairman, I participated in many hearings at which experts in their respective fields of knowledge warned against action in making progress without regard to its ultimate effect on the quality of our environment and which causes irreparable damage to our streams and lakes and atmosphere. The fact is that the various segments of society working each in its own field has resulted in a situation in which the right hand of government does not know what the left hand is doing. It is certainly not in the best interests of the citizens of our country either as citizens desiring improved environment in which to live and as taxpayers to spend millions to build dams to provide flood control or recreational areas when such a project might add to the pollution of the streams and lakes through tampering with the natural flow of the stream that cleanses it. It is imperative that our efforts to make progress and to improve our environment be coordinated. This legislation is a step in the right direction.

Mr. Chairman, man has been able to progress to his present state of development by controlling his environment instead of having to adjust to its changing conditions. He has harnessed streams and rivers to provide power and transportation. He has dug deep into the earth to mine the minerals that provide energy, heat, and light. He has built himself protection from the natural elements

by using nature's natural products. But in so doing, he has upset the natural balance of the earth that has provided him with his wealth. If man is to survive, he must learn to work with, instead of against, this natural balance. Man is rapidly running headlong into disaster as a society as he desecrates the water, air, and land. Action is needed now.

Mr. Chairman, the general quality of the environment relates to the general welfare of the people of the United States and must, therefore, be a main priority of Congress. As we consider more and more legislation to combat the problems of environmental imbalance, Congress needs to have at hand an understanding of how to create and maintain conditions under which man and nature can exist in productive harmony, thereby fulfilling the social, economic, and other requirements of present and future generations. The Council proposed by the legislation now under consideration is necessary in order to provide this understanding. If such a council existed at the time of the invention of the automobile, perhaps we would have been able to realize the threat that would be presented to our atmosphere by the internal combustion of hydrocarbons before it was too late.

The great advantage in the council approach is that the findings will be shared by all agencies of the Federal Government, enabling them to develop meaningful environmental policies at the lower decisionmaking levels, and by the local and State governments.

Mr. Chairman, as I work with my district to preserve beautiful southern Wisconsin, I find the greatest problem is that there are many studies on particular problems, but there is no information available on the interrelatedness of all the proposed solutions. I support this legislation with the hopes that the Council on Environmental Quality can meet the needs of the American people. By providing a consistent review of national policies and environmental problems so that the present threat to our future can be approached in a comprehensive fashion.

Mr. PELLY. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Minnesota (Mr. MACGREGOR).

Mr. MACGREGOR. Mr. Chairman, I strongly favor the adoption by the committee of the bill to provide for the establishment of a Council on Environmental Quality. We badly need to create a Council with a broad and independent overview of current and long-term trends in the quality of our national environment, to advise the President, and through him the Congress and the American people on steps which may and should be taken to improve the quality of that environment.

I note from the hearings that the slight resistance on the part of witnesses for the executive departments stemmed from a feeling that the Council might in some way conflict with the interdepartmental Council on Environmental Quality established by Executive order of the President on May 29 of this year. But witnesses from several agencies spoke

highly of the potential of the Council contemplated by the legislation as complementary to the excellent steps already taken by the President to achieve consistent and coherent environmental policy within the executive agencies through the interdepartmental Council.

The Departments of Transportation and the Interior were of the opinion that should the Congress feel that establishment of a separate environmental advisory body in the Executive Office of the President along the lines contemplated by this legislation was desirable to assist the efforts of the President's Council, they would not object to such action. The Department of Health, Education, and Welfare stated that if the legislation were enacted into law, it stood ready to cooperate to the fullest in carrying out its praiseworthy purposes.

The testimony at the hearing also stressed the importance of the international aspects of the environmental problem. It is an unfortunate fact that many and perhaps most forms of environmental pollution cross international boundaries as easily as they cross State lines. Contamination of the oceans, with insufficient attention paid to its long-term consequences, appears to be a major problem to which far too little attention has been spent in the past. The international aspects are clearly a major part of the questions which the Council would have to confront, and I feel confident that these would receive early attention by the Council.

Several members of the scientific community have stressed the need for the development of an adequate information collection and retrieval system. There is today a 5- to 10-year gap between the development of basic research information and its technological implementation. Much of this basic research has significant implications for both improvement and degradation of man's environment, and activities in this area should more than repay the initial investment, to the extent that the Council could assist in making this information more accessible to the public and to the Federal Government.

State and local governments have a large stake in the common problem; it is also true that by no means all of the environmental problems which we see are caused, even indirectly, by the Federal Government alone. Witnesses at the hearings stressed the need for a continuing interchange between the Council and other agencies, including private citizens' groups, as a significant part of the environmental problems. There should be clear and open lines of communication between the Council and the public. The Council should also consider the impact of its activities upon the educational system, together with ways and means of continuing the growing trend toward public enlightenment on and concern with the important environmental issues that we confront.

(Mr. REID of New York (at the request of Mr. PELLY) was granted permission to extend his remarks at this point in the RECORD.)

Mr. REID of New York. Mr. Chairman, I rise in strong support of H.R. 12549, to

provide for the establishment of a Council on Environmental Quality.

This legislation is, if anything, long overdue, but greatly needed nonetheless. The dangers of polluting ourselves off the planet within a decade are not exaggerated, and unless we act without further delay to combat air and water pollution, we will find ourselves smothered and choked by our own lack of action and existing, inadvertent weather modification. I applaud this urgently needed legislation, but the existence of this Council must in no way be an excuse for lack of action by the interdepartmental Council on Environmental Quality established by Executive order of the President on May 29 of this year. I would hope in addition to annual reports that interim reports from both councils would be forthcoming in the near future as we can tolerate no further delay in national action.

Mr. DINGELL. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Florida (Mr. ROGERS).

Mr. ROGERS of Florida. Mr. Chairman, I rise in support of the bill, H.R. 12549, to amend the Fish and Wildlife Coordination Act to establish with the Executive Office of the President a Council on Environmental Quality.

I was pleased to join with my distinguished colleague from Michigan (Mr. DINGELL) and the other members of the Subcommittee on Fish and Wildlife Conservation in sponsoring this legislation, and I am confident that the House will recognize the import of this legislation and quickly voice its approval.

Time is of the essence, Mr. Chairman, in our struggle to restore our environment. Man simply does not have an eternity to right the wrongs he has done to the land, sea and air. Indeed, he may only have a generation. We must correct these wrongs and chart new directions which will guarantee that history does not repeat itself in the wanton and reckless use of the environment that God has provided for us.

This legislation would enable such new direction to be charted by providing the President and the Congress with annual environmental quality reports. The bill would also require the five-man Council to maintain a continuing review of Federal policies and activities with environmental implications. This is necessary because the various agencies and departments of the Federal government do not always act harmoniously in their concept and utilization of the land, sea and air upon which we must rely for our very existence.

Above all, this legislation would provide the first independent source of review of the total environmental situation, and this is most necessary in view of the fact that we are spending more and more each fiscal year to combat pollution and to restore our environment, and we will be spending more in the years to come if we are to successfully win the battle.

Mr. DINGELL. Mr. Chairman, I yield such time as he may consume to my distinguished friend the gentleman from Minnesota (Mr. KARTH).

Mr. KARTH. Mr. Chairman, I would like to begin by saying that I endorse the remarks just made by the distinguished chairman of our Subcommittee on Fisheries and Wildlife Conservation and wholeheartedly support his request for passage of H.R. 12549.

As one of the cosponsors of H.R. 12549, it is needless to say that I support H.R. 12549. However, I would like to emphasize several points which I think justify the establishment of an independent council on environmental quality.

First. The President's Cabinet level Environmental Quality Council can carry out decisions but has a built-in conflict of interest in arriving at proper conclusions due to statutory obligations for various operating programs.

Second. Environmental decisionmaking requires independent, consistent, and expert advice.

Third. No such capability exists today for the President, the Congress or the public.

Fourth. The Office of Science and Technology has a great number of important duties for a limited staff. Funding of additional environmental staff services in this office is therefore complicated and unlikely to produce the required level of effort.

Fifth. While science and technology can bring important facts to environmental decisionmaking, this information is only a part of what is necessary. Therefore, the emphasis on science, which the announced role of Office of Science and Technology suggests, is misleading and could decrease the availability of non-science inputs to the President.

Sixth. The present Citizen's Advisory Committee is a renaming of a former group established for recreation and natural beauty. Its membership is not chosen—and is therefore not adequate—for the task of environmental quality and productivity studies. Support for this group has been meager—via the Bureau of Outdoor Recreation of the Department of the Interior—and is likely to be curtailed further because of the unwillingness of the Congress to sustain such indirect funding.

Seventh. An independent advisory body established by statute as proposed in this bill, would command the funding support of the Congress, thus enabling the establishment of an adequate, highly competent staff.

Eighth. A mandate of independent review would attract persons of the highest character and expertise to serve as Council members. The goal of complete and objective structuring of the available facts and ideas would bring outstanding scholars to the staff. The stature of the Council and its staff would stimulate improved performance of all organizations concerned with the environment.

Thus, Mr. Chairman, passage of this legislation would add a complementary step to that taken by the President. Both the legislative and executive branches are well agreed on a national policy for the environment. The electorate has the will power and the purse power to accept decisions for an improved management of our natural surroundings. Let us now

construct the institutional arrangements which will put policy into practice.

Mr. Chairman, I join my colleagues in urging prompt passage of H.R. 12549.

Mr. DINGELL. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Chairman, I echo the sentiments of those who have spoken heretofore this afternoon in connection with the dire need for legislation of this type. I am particularly interested in the pollution of the air which is caused by the emissions from automobile engines. I do hope that sufficient time and attention will be given to this question.

This legislation, H.R. 12549, to establish a Council on Environmental Quality is long overdue.

For too long, we have stressed technological progress, assuming that our environment could take care of itself. We have found that unfortunately it could not, and the result of our neglect is that our environment is becoming increasingly unlivable. Schoolchildren in Los Angeles cannot exercise outdoors on certain days because the smog level is too high. Street corners in Tokyo now must come equipped with pure oxygen so that motorists can prevent themselves from becoming asphyxiated.

I support this legislation today for the same reasons I introduced H.R. 12265, legislation to accomplish the same objective, last June. I believe a new set of priorities is needed in national policy emphasizing the creation, restoration, and maintenance of a habitat in which people can live more healthful lives and better enjoy their physical surroundings.

The American Chemical Society has recently put out an excellent report entitled "Cleaning Our Environment: the Chemical Basis for Action." This report examines our technological capabilities for doing something about pollution and comes to the conclusion that willingness to act, and not technological capability, is the major obstacle to action. What it points out is particularly true of automotive pollution. The report suggests that there are a number of practical alternatives which could be utilized now to lower the pollution level from automobiles if only the auto industry would act. The auto industry, like most of the rest of the society, will act, however, only when compelled.

The individual acts against pollution, if he acts at all, in accordance with his own self-interest. This is fully as true of the man in the street as it is of the legal person called the corporation or of any Government agency. Companies may rail at the actions of pollution control officials, but how many companies have acted to abate pollution without some inducement in addition to the simple desire not to pollute, be it improved public relations, the possibility of profit, or threat of legal action? Self-interest is, of course, old to the affairs of men, and society deals with it generally, in the larger good, by striking a balance called the law.

Since I introduced legislation to ban the internal combustion engine in July

I have come into contact with numerous technological improvements which could be employed by the auto and oil industries to lower the emission levels of automobiles. Among these are alternatives to the internal combustion engine itself. The auto industry tells us that steam and electric engines are not practical, yet we find backyard inventors and smaller companies with little capital and few facilities able to develop working, and in many cases inexpensive, steam and electric engines. A recent article in the Los Angeles Times documents one such engine, developed for the State of California:

RETURN OF STEAM AGE? NEW CAR ENGINE  
COULD CUT AIR POLLUTION

(By Irving S. Bengelsdorf, Ph. D.)

You get into the car, insert the key into the ignition, turn the key, wait about 7 seconds, press down on the accelerator and drive off smoothly and noiselessly. You are driving an automobile equipped with a simple, powerful, inexpensive, lightweight, compact, fast-starting and non-air-polluting steam engine.

Is there such a steam engine? Indeed, there is. Using the latest technological developments in combustion, air flow, metallurgy, measuring instruments and control devices, General Steam Corp., Newport Beach—formerly Thermodynamic Systems, Inc.—has solved the difficult engineering problems that have plagued steam engines in the past. GSC has designed and constructed a steam engine that shortly will be installed for testing in a California Highway Patrol car.

The modern steam engine offers many advantages over the internal combustion engine. Consider air pollution. Don. E. Johnson, GSC executive vice president and general manager, points out, "In testing during 1967, a 1963 car with no smog controlling device produced 596 parts per million of unburned hydrocarbons to pollute the air, even after a tune-up. A 1967 automobile, equipped with California smog devices, cut its production of air pollutants to 267 ppm. However, a 1960 steam car, with no smog device and no tune-up, produced only 20 ppm hydrocarbons."

Or, consider simplicity. Lift the hood of a steam engine and there are few parts—no carburetor, distributor, set of spark plugs or smog devices. Unlike an internal combustion engine that operates by a series of timed, discrete, high-pressure explosions that take place within individual cylinders, a steam engine burns fuel smoothly and continuously at low pressures.

So, steam engine combustion is more complete, tosses out less carbon monoxide and nitrogen oxides and fewer unburned hydrocarbons, and does not require leaded fuel.

Thus, the use of steam engines to propel automobiles would not only help to purify our air, but it also would permit us to use a cheaper fuel (kerosene is easier and less expensive to produce than gasoline), and it would eliminate the need for toxic lead additives that ultimately pollute the landscape and ourselves.

Nor is this all. The GSC steam engine needs no internal "motor oil." New advances in metallurgy have made it self-lubricating. And, there is no need for a bulky, massive air conditioner. Use of steam pressure with a small, solid-state device about one-half the size of a pack of cigarettes cools the car pleasingly in hot weather. If the temperature outside is below freezing, a small pilot light keeps the steam generator warm, preventing the water from freezing.

The water that is used to be changed into steam to drive the GSC-steam engine is in a sealed, recirculating system. Once the wa-

ter is added, additional water should not have to be added for the original water should stay in and be used over and over again to make steam. And the car is explosion-safe. At any given moment, only a pint of water, at the most, is being changed into steam. There is no evidence that any steam-powered car in the past had an explosion due to its steam system.

GSC steam engines can be made in the form of reciprocating engines, turbines or rotary engines. The new steam engine technology opens up a great deal of versatility and flexibility to engineers involved in the design and construction of engines for cars, ships, helicopters, pumps and the generation of small amounts of electrical power.

So, unlike some previously publicized "steam engines, an excellent alternative to the increasingly complex internal combustion engine is just around the corner. The modern steam engine can play a key role in the cleansing of our air.

But, a mass-transit system operated by steam not only would clear out skies, it also would solve the traffic congestion problem at the same time. For as long as we depend exclusively on personal automobiles—one person to a car—to move from A to B, there will be horrendous traffic jams, regardless of what kind of power plant is under the hood.

I hope the Council on Environmental Quality will thus not just examine the problems of nature as they apply to the wilderness, but will face up to environmental problems like air and water pollution, which affect our cities, and serve as a lobby for action.

Mr. DINGELL. Mr. Chairman, I yield such time as he may consume to my distinguished friend, the gentleman from Ohio (Mr. FEIGHAN).

Mr. FEIGHAN. Mr. Chairman, I rise in support of H.R. 12549 to establish a Council on Environmental Quality to advise the President and, through him, the Congress on steps that should be taken to improve the quality of the American environment. The Council would also submit a report on foreseeable trends affecting the status of the environment in an attempt to forestall future devastation of man's most valuable commodity—his natural surroundings.

At a crucial juncture in the future development of our great Nation, we cannot afford to ignore the deplorable condition of many of our natural resources, the building blocks on which our future greatness depends. While steps have been taken to improve and preserve the quality of the environment, both by the public and private sectors, there is a distinct need for the proposed Council to coordinate these sometimes haphazard efforts and to plan for the future. The commitment, in view of the vast amount of work to be done, cannot be part time. The problems demand full-time expertise and attention.

As the representative and citizen of a district which has the dubious distinction of claiming within its boundaries a river that periodically catches fire and which borders on a lake referred to as the "Dead Sea," I am particularly concerned with measures which would improve the condition of these and similarly afflicted areas. Water pollution, however, is far from our sole environmental problem. The state of the air in Cleveland is at times barely breathable at best. This unfortunate situation exists in virtually all

our large industrialized metropolitan complexes.

The residents of Cleveland are calling for the amelioration of conditions, as are concerned citizens throughout our Nation. These interested individuals may make strides privately or may appeal to local and State governments, but access to sophisticated research and development techniques are limited. In addition, their goals, in general, are specifically related to immediate conditions. The formation of the Council on Environmental Quality would function to coordinate these efforts, lending their expertise with a broad and independent overview of current and long-term trends, saving local interest groups duplication of mistakes and apprizing them of success in other regions.

Last week 6,000 public works experts held meetings in Cleveland, pooling ideas on how to cope with America's environmental problems. Much more needs to be done, however. An annual meeting of this nature does not lend itself to the free and efficient flow of information.

I believe if we had had the annual report on the status of the environment which this bill will produce, a much greater understanding of the problems would exist. And public understanding is basic to obtaining the willingness to make the efforts and expenditures to restore and maintain environmental quality. Our legislative efforts in air, water, and solid waste control, in land use planning, recreation, and natural beauty, and other environmental affairs have given us a good start. The bill today will add another powerful tool in the very difficult task of improving our surroundings while continuing to extract a high standard of living.

I feel that the establishment of this Council is essential and urge support of H.R. 12549. The success of this type of organization is everyone's success in a world in which man can be his own worst enemy.

Mr. PELLY. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. MINSHALL).

Mr. MINSHALL. Mr. Chairman, I rise in support of H.R. 12549, to establish a Council on Environmental Quality.

We of the 20th century have leaped technological barriers which for thousands of years baffled and blocked mankind's progress. But in our haste to expand and modernize our cities, exploit our highways, airways, and waterways, and to wrest from the earth its crops and minerals, we have forgotten the immutable law of nature. All things must remain in balance or the harmony which makes life not only tolerable but possible will be destroyed.

Lake Erie is a tragic example of the mindless abuse men have heaped upon nature in the name of progress. Many of you in this House who remember this lake from your youth know that it was a productive, beautiful body of water. Today it is near death, its harvest of fish reduced only to perch, its waters unfit for swimming, and even when chemically treated so that it is potable, so unappetizing in color and aroma as to be scarcely drinkable. It—and thousands of lakes, streams, and rivers across the Na-

tion—are victims of "techno-illogical" advance: The dumping of sewage, industrial waste, dredging and the runoff of nitrogen fertilizers. Miles of Erie are so choked with algae that all other marine life is strangled. Ecologists tell us the lake is doomed if immediate, massive help is not forthcoming.

Water pollution continues to be one of the Nation's most critical problems, yet we are failing to meet the crisis.

And it is only one of the environmental tragedies threatening our country. While algae and waste products choke life from our waters, automobile and industrial fumes are choking life from the air we breathe. Management of our air environment depends on a knowledge of how contaminants flow, disperse and are converted into other physical and chemical forms, and how they can be contained. Our knowledge is woefully scant in this field but we do know that air pollution is literally poisoning the lungs of millions of urban dwellers.

We only are beginning to realize the deadly dangers of pesticides and their residual effects on the food we consume. And we just are beginning to recognize the long-term consequences of the destruction of topsoil in strip mining.

These problems demand the sort of legislation we are acting on today, if we are to reverse the collision course with catastrophe we are following. I am particularly impressed by the scope of the proposed Council—to set forth "the status and condition of the major natural, manmade, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, land, range, urban, suburban and rural environment."

I endorse this legislation wholeheartedly and urge the House to give H.R. 12549 its unanimous support.

Mr. DINGELL. Mr. Chairman, I yield 1 minute to my good friend, the gentleman from Connecticut (Mr. DADDARIO).

Mr. DADDARIO. Mr. Chairman, I would like to ask the gentleman from Michigan a question.

The gentleman in his earlier remarks referred to a bill in the Senate which I presume was unanimously passed and which I further presume was the bill submitted by Senator JACKSON.

Mr. DINGELL. The gentleman is correct and that bill is now on the Speaker's desk.

Mr. DADDARIO. I had the impression that the gentleman referred to that bill as being identical to the bill now under consideration.

Mr. DINGELL. I said "substantially identical," or "substantially the same."

Mr. DADDARIO. In being substantially identical, would the gentleman indicate whether or not this bill includes in its title I of the bill which was passed by the other body?

Mr. DINGELL. The bill now before this body, I will say to my good friend, the gentleman from Connecticut, does not include the same policy statement, but H.R. 12549 does include a policy statement which the subcommittee and the committee regarded as being ex-

tremely valuable in accomplishing the thoughts set out in the policy statement in the Senate bill.

Mr. DADDARIO. Mr. Chairman, it is my feeling that the policy statement which is included in the Senate bill is an extremely important part of that legislation, and that it ought to be included in the legislation which is passed here in the House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DINGELL. Mr. Chairman, I yield 30 additional seconds to the gentleman from Connecticut.

Mr. DADDARIO. Mr. Chairman, it is my intention to offer an amendment for that purpose, and I intend to do so unless I could have assurances here that the committee in conference on this particular matter would take into serious consideration an adjustment to the Senate position in this regard.

Mr. DINGELL. I have to say in response to the inquiry of my good friend, the gentleman from Connecticut, that the conferees are not yet constituted. If I happen to be a conferee I certainly will look with sympathy with regard to the statement of policy in the Senate version. But I am sure the gentleman from Connecticut is aware of the fact that the managers on the part of the House cannot go forward without specific instructions from this body.

Mr. PELLY. Mr. Chairman, I yield such time as he may consume to the gentleman from Oregon (Mr. DELLENBACK).

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

It seems to me, Mr. Chairman, that far too infrequently do we have measures which come before us which are both important in concept and also urgent in concept. Sometimes we deal with important matters that do not appear urgent, and sometimes we deal with urgent matters which on a broad measure may not be truly important. But I think in this measure today we have a measure which is both truly important to the future of this Nation, and which is also urgent.

In addition to that, if you will, we have an issue about which many of the people of this Nation are becoming, I think understandably and properly, deeply concerned.

When we deal with this basic concept of the environment we have something that we still can control in America, and do something about, and yet we have delayed in some areas of this Nation far too long in doing what we ought to be doing. We have a hodgepodge of information. We have a hodgepodge of tradition. We have a hodgepodge of laws which sometimes conflict with each other, and do not go about dealing properly and effectively with this problem which is a nationwide problem, and not a problem of isolated areas. We do not deal with it on a constant basis.

The bill that is before us dealing with providing a Council on Environmental Quality is an attempt to make order out of chaos. I believe that we in the House of Representatives would be derelict if we did not view this problem in its importance and in its urgency, and pass this bill today.

As a member of the subcommittee, and as one of the cosponsors of the bill, I urge my colleagues in the House to join today in fast action by approving H.R. 12549.

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

Mr. DINGELL. Mr. Chairman, I yield 5 minutes to the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Chairman, I do not want to appear as a wet blanket to what appears to be more or less of a love feast going on in the debate on a very important matter before the Committee at this time.

I doubt if anybody can really take exception to trying to protect our environment and at the same time trying to get man to realize his responsibility in protecting his environment and, also, at the same time to fit man into the necessary environment of this world.

This is a very complex matter on which we are spending a very limited amount of time today. I think it is only fair that the RECORD show how it developed.

By Executive order of May 4, 1966, the then President established the President's Council on Recreation and Natural Beauty, and at the same time he established the Citizens' Advisory Committee on Recreation and Natural Beauty of which the distinguished citizen of New York, Laurence Rockefeller, was appointed as Chairman.

Then by Executive order of May 29, 1969, the present President saw fit to abolish the then existing Council and Advisory Committee and established the Environmental Quality Council, and at the same time he established the Citizens' Advisory Committee on Environmental Quality and at such time the President appointed the distinguished gentleman from New York, Mr. Laurence Rockefeller, as its Chairman.

Several of our colleagues in the Congress, one of whom is our distinguished colleague from Michigan, Mr. DINGELL, introduced bills in both Houses seeking to have the Congress of the United States assume some responsibility in this matter.

It so happens that the matter of jurisdiction is all wrapped up with the five or six very important standing committees of the House of Representatives. The same situation exists in the other body. We find in this body that the Committee on Interior and Insular Affairs was given the legislation having to do with legislation that was presented in the other body, and the Committee in the other body on Interior and Insular Affairs handled its own legislation and received the approval of the other body.

But before they sent it over to the House they struck the title of the bill and inserted a new title which left it open generally to all the committees in the House having jurisdiction on the subject of environment.

The distinguished Committee on Merchant Marine and Fisheries of the House had their own bill. They got to work on

it very effectively and it is now before this committee for consideration.

Because of various, I think, inadequacies and some controversy concerning the legislation, I shall seek to offer some amendments, only two or three of which are of substantial importance. The rest of them are clarifying amendments.

But I do think it is important to be advised that this legislation is not substantially identical as my good friend, the gentleman from Michigan states, to the Senate bill; that there is quite a bit of variance between them. But the differences between the two are, in my opinion, such that they can be ironed out by a conference committee between the two Houses. I am relying on that conference committee to help to take care of these differences.

I would ask my distinguished friend, the gentleman from Michigan, if he considers after we have passed this legislation—let us say that we do—and the President of the United States approves it, will there be any need at that time for the existence of a President's Environmental Council or a Citizens' Advisory Committee or Council on Environmental Quality?

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

Mr. ASPINALL. I yield to the gentleman.

Mr. DINGELL. This matter was discussed in considerable detail with Dr. DuBridge, the President's Science Adviser. At that time Dr. DuBridge said there are two different functions, and his full quotation will appear at the bottom of page 4 and the top of page 5 of the committee report, wherein he pointed out that the function of a Cabinet-level advisory committee was one which could iron our difficulties and differences within the Cabinet, whereas the agency before us now has a much broader function, that is, one of establishing the whole national policy in this area, reporting to the Congress and providing an interplay by and between the Congress, the people, the President, and, of course, the agency itself. I would have to defer to the President as to the matter of judgment as to whether that particular agency should continue to exist or not. I think this is a matter that will have to be taken care of in conference, it so happens.

To date this body, the House of Representatives of our Federal Congress, has failed this year to provide any funds for the continuance of the activities of the President's own Environmental Quality Council, and the Citizens' Advisory Committee on Environmental Quality headed by Mr. Rockefeller. The reason we find ourselves in this particular situation is because there seems to be no authorizing legislation which would directly authorize the appropriation.

I am sure the Subcommittee on Appropriations of the House Committee on Appropriations would like to make the appropriation if they had some method of doing so. If there is this need, we should take care of it in conference.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. DINGELL. Mr. Chairman, I reserve the balance of my time.

Mr. PELLY. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. SAYLOR).

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

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

Mr. YATES. Mr. Chairman, I strongly support H.R. 12549, to establish a Presidential Council on Environmental Quality. It will be a most useful step in focusing the people's attention on the urgent need to stem the steadily deteriorating physical birthright of this generation of Americans and generations to come. The fact that our environment is really an interacting ecological system of dependent parts must be acknowledged and our efforts to restore it must be immediate and thorough.

We can and must restore the integrity of our natural environment. I would therefore hope that the Council on Environmental Quality, when created, will act as an ardent advocate of the need to protect our besieged natural resources, and not merely as a study group.

The establishment of a Council by the President will give Mr. Nixon the opportunity to seize the initiative in restoring the quality of our environment.

He must not fail this important responsibility, so that there will be a commitment to the establishment of a livable, decent environment by other political leaders, by scientists, and private citizens. The progress of technology must take into consideration the needs of the community.

The Ninth Congressional District of Illinois, which I represent, is in many respects a cross-section of urban America. It stretches along Lake Michigan from the Chicago River to the northern city limits containing a rich mixture of ethnic and cultural communities, teeming with life and a desire to make things better. There are industries, factories, universities, elegant stores on Michigan Avenue and small shopping areas. All in all, the Ninth Congressional District is one of America's unique places.

But my constituents, as the price they pay for living in a thriving industrial center like Chicago, are forced to breathe air that is little less than poisonous. In the United States only New York's air, if one can so designate its envelope of pollution, is dirtier. There are Federal, State and local air pollution statutes, but so far, in spite of these, the situation is only beginning to be checked. Unclean air takes its toll in respiratory diseases, in cleaning and laundry bills, in building exteriors which are covered with layer upon layer of industrial grime and soot.

Invasion of our part of the lake from the north and the south has been threatening for some time. This summer that part of the Lake Michigan shoreline which forms the eastern limit of the ninth district was suitable for swimming. But to the north and to the south along that same shoreline a dip in the lake involved the risk of bacterial infection. Unless some action is taken soon to reverse the spread of pollution in the southern end of Lake Michigan, my constituents

will be subjected to that risk which is a shocking and unacceptable development. The invading contamination must be hurled back no matter what the cost for the lake as a national as well as our local treasure. Industrial polluters must be held to their responsibilities for a prompt cleanup.

But air and water pollution are only two environmental problems with which urban Americans are faced. It is up to us to make our cities cleaner, quieter, less crowded, and more human. We have some basic rethinking to do if we are even going to have a chance at making it all work.

For instance, we are going to have to learn how to recycle our industrial waste products instead of pouring them into the air or into our water supplies where they act as pollutants. To cite a single example, we vent into the atmosphere each year approximately 12 million tons of sulfur worth half a billion dollars. During that same year we extract 16 million tons of sulfur from the earth to support our modern civilization. The reasoning behind that paradox is that it is less expensive to mine new sulfur than it is to recover the old sulfur from industrial wastes. But somehow nobody mentions that pollution costs this Nation more than \$20 billion annually in strictly economic terms. Its human costs are incalculable.

We have to recognize the uselessness of passing new air pollution legislation on the one hand and building new highways into the city on the other. What is accomplished if a new air pollution law cuts down the hydrocarbon content of automobile exhaust by 10 percent while new highways concentrate 10 percent more vehicles in the cities?

In the past we have always assumed that our water resources should be used to absorb industrial wastes, and in many instances the result has been to make them useless for any other function. The situation has reached the point now in the area of water quality that we must demand that nondegradation standards be adopted nationwide. A nondegradation standard means quite simply that any further degrading of the present state of water quality anywhere in the country is against the law.

Mr. Bertram C. Raynes, vice president of the Rand Development Corp., says of industrial polluters:

The only sensible policy now is to force them to take care of their wastes properly. Simply to require that the water they dump be pure, regardless of its condition when they receive it. That the gases they vent be free of pollution. That their spoil doesn't in turn despoil other property or remain ugly, regardless of how poor the area might have been when they undertook their operations. Instead of comforting the public with statements to the effect that "there is no evidence that these pollutants have unfavorable effects upon humans," let's see some evidence that they are definitely not harmful.

When Congressmen brought up the inadequacy of technology to combat pollution in some cases, and asked Mr. Raynes whether he thought the laws should be passed anyway, he answered simply:

Necessity has always been the father of technology.

But no matter how much we do to make our cities more livable, they will remain cities. Hopefully, they will be a little cleaner and a little quieter—but they will still be crowded centers of activity. Cities will still have more culture than rural areas—more diversity, more dissension—more people, and more pressure.

Thus, in addition to improving the quality of urban life we must provide an alternative to it for those times when a man's spirit demands respite from the rigors and frustrations of city living. More areas will have to be set aside within and near urban areas where a man can take his family for an afternoon or a weekend or a camping trip during the summer. As our population grows, more recreation areas and parks will be required so that every American child will have the opportunity to see a duck take flight from a pond and learn the difference between an oak and a maple.

And, finally, we have to develop a new respect for our wilderness areas. As Americans, we should remember that our Nation was conceived in the wilderness and was shaped in character by the interaction of civilization and the natural frontier. Thus far in our history we have too often looked on the wilderness areas of our country—the vast stands of primeval woodlands, the powerful rivers and clear streams, the mountains and the valleys—as places where nature can be converted into profits. We have been trading away chunks of our natural heritage for short-term economic advantage.

We have forgotten that wilderness is to be valued for its own sake, as a place where man can learn about his world and his place in it. Many of our remaining wilderness areas are unique ecological systems whose balance of interaction between various animal and plant species and the physical environment can never be restored once it is impaired by a new road, a new airport, a mine, or a logging operation. There are many wilderness areas in the United States—the Everglades, the Great Swamp in New Jersey, the Cascades, the Indiana Dunes, to mention just a few. We must protect them all.

We must reject the conventional wisdom that there is something inevitable about the whittling away of nature's wonders. Instead, as David Brower has urged:

We shall seek a renewed stirring of love for the earth; we shall urge that what man is capable of doing to the earth is not always what he ought to do; and we shall plead that all Americans, here, now, determine that a wide spacious, untrammelled freedom shall remain in the midst of the American earth as living testimony that this generation, our own, had love for the next.

Mr. SAYLOR. Mr. Chairman and members of the Committee, our distinguished colleague, the gentleman from Colorado, has explained one of the difficulties which has arisen with regard to this bill. I am satisfied that one of the responsibilities of the Congress is to establish whatever national commissions are in order. We have established others, and the mere fact that the President and

prior Presidents have established councils or commissions on environmental quality should not deter this body from properly passing legislation granting congressional sanction. I believe it is the responsibility of the Congress to legislate and the Executive to carry out the mandates of the Congress.

The bill before us was so drafted that it amended the Fish and Wildlife Coordination Act, and as such, went to the House Committee on Merchant Marine and Fisheries. The bill, S. 1075, which passed the other body and is now on the Speaker's desk, and that bill which has been supported by other Members of this body, merely authorizes the Secretary of the Interior to conduct these investigations relative to the Nation's ecology, its ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality, and called for reports by that Council to the Congress.

As a result of meetings between the members of the Merchant Marine and Fisheries Committee and the House Interior and Insular Affairs Committee, practically all the difficulties between these two bills have been worked out, and as Mr. ASPINALL explained he has a series of perfecting amendments which will, in substance, change the bill so that it will become, rather than an amendment to the Fish and Wildlife Coordination Act, a substantive piece of legislation in and of itself, establishing a Council on Environmental Quality.

This Council on Environmental Quality will, I believe, be of great importance. I shall tell Members just a few of the reasons why. Its work will be absolutely necessary if mankind is to survive, and we are to be informed by some of the outstanding ecologists in this country and in the world on how to establish a balance in our environment between our exploding population and the depletion of our natural resources in order to permit a continued high standard of living and the ability to share many of life's amenities. Up until this point we have not tried to have any schedule or any program to consider the total environment of this country or even how it relates to other countries of the world.

I think it is necessary because in this country we are also exhausting some of our depletable resources, and I think it is necessary for a Council on Environmental Quality to study these depletions to determine what is the right manner in which various resources should be depleted—some faster than others probably.

These are the kinds of problems that this Council can and must solve, and must report on to the Congress, because the Founding Fathers intended this body and our counterpart on the other side of the Capitol to legislate on matters affecting the people.

For these reasons, and, with the amendments which will be proposed by the chairman of the House Committee on Interior and Insular Affairs, I support this legislation and ask that it have the united support of all Members of this body.

Mr. PELLY. Mr. Chairman, I yield

such time as he may consume to the distinguished gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Chairman, I rise in support of this bill.

Conserving our natural resources is becoming our No. 1 domestic problem. If we destroy our environment, we destroy everything.

While various agencies may be working on this problem, we hope the Council, authorized under this bill, will be able to coordinate all work in this most important field.

I urge the passage of H.R. 12549.

Mr. DINGELL. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I rise in support of H.R. 12549, to provide for the establishment of a Council on Environmental Quality.

It is because of my conviction that a Council of this type is necessary that I authored a proposal identical to the one by the gentleman from Michigan (Mr. DINGELL) and others that we are debating today. I do not believe that we can any longer afford to give our environment little more than passing attention. There are those who already feel that because of population pressures, new technology and an inadequate public and private desire, we are, in fact, already overwhelmed by the problem.

Last week, Col. Edwin Aldrin stood before us in this very Chamber and stated:

The Apollo lesson is that national goals can be met where there is a strong enough will to do so.

The passage of this legislation should signal that we do have the will to preserve our environment.

It would establish a Council whose sole purpose is to consider implications for our environment when decisions are made by the private sector of our economy and by other departments and units of Government. For too long we have given economic considerations greater weight than environmental considerations and the result is surely becoming obvious for even the most shortsighted among us—a tasteless environment and an injured one.

Some questions have been raised about this proposal on the grounds that this new Council will conflict with the Interagency Environmental Council recently established by the President. They say that there is no real difference between the tasks or the organizations of the two. I do not believe this is true.

One difference concerns the composition of the President's Council. That Cabinet-level Council is composed of very busy men with vast governmental agencies to run. That committee cannot be expected to do the long-range planning and does not have the training and expertise needed to delve into the complex problems of the environment.

The other difference is one which any legislator who has ever dealt with a bureaucratic department should understand. Any department of Government is concerned first of all with the programs within its jurisdiction and only secondarily with the implications which the carrying out of its programs have on

others areas of concern. The great danger presented by an interagency Council of the type proposed by the President is that when you get people from various Government departments sitting down at the same table they will be tempted to say to each other, "you stay out of my bureaucratic backyard, and I will stay out of yours."

As a consequence of that attitude, environmental considerations will be given little weight. The main goal of each of the participants is likely to be the protection of his jurisdiction from outside interference rather than the preservation of our environment.

This problem is not necessarily unique to the question of the environment. In Wisconsin several years ago we faced the same argument in the field of mental health.

When considering whether to have an interagency committee on mental health or a coordinating committee on mental health with outside experts as members, the Wisconsin legislative committee which recommended the creation of the advisory committee said:

It is apparent that *stimulation and coordination* in the field of mental health is imperative; this stimulation and coordination cannot be expected from one of the departments engaged in mental health activities nor from a commission composed exclusively of representatives from the departments involved.

In addition to the need for stimulation and coordination, there is a need for *constant evaluation and research* of all mental health activities and programs.

These words are as true for a consideration of the environment as for the consideration of mental health problems.

Stimulation into new avenues of research can only come from the outside because it is impossible for those who are involved with departmental programs to evaluate them without bias. It would be unlikely, to say the least, to expect an individual to engage in a critical review of another department or policy if that person knows he will be subject to the same critical review by his colleagues a few days later. Evaluation of government programs is a sensitive job and one which cannot be carried out effectively solely by those who have a special stake in the outcome. For these reasons, while I commend the President for his initial action, I feel the Congress must take further steps.

This bill would minimize bureaucratic back scratching. For that reason, I strongly support the measure before us today. I congratulate the gentleman from Michigan (Mr. DINGELL) and the other authors of the legislation, and I would like to especially commend the members of the Merchant Marine and Fisheries Committee and its able chairman, the gentleman from Maryland (Mr. GARMATZ).

There is more that can be done in environmental quality and I would like to see a stronger bill. But this legislation will be a good first step in our newly found willingness to attack the environmental problems before it is too late.

Mr. DINGELL. Mr. Chairman, I yield 1 minute to my good friend the gentleman from New York (Mr. BIAGGI).

Mr. BIAGGI. Mr. Chairman, this bill, H.R. 12549, is another valuable contribution from the Congress to the array of administrative forces against pollution and other threats to the continued quality and productivity of our environment. These two concepts are the essence of the issue. Quality—because we must restore and maintain the diversity and vitality of all the living landscape. Productivity—because we are a burgeoning technological society with great dependence on natural resources. If we cannot harmonize our civilization with the principle of ecology then nature, and not mankind, will ultimately dictate the course of events.

I have been proud of the leadership shown by the Congress in environmental affairs. The Air Quality Act and the Water Quality Act were developed over a decade of legislation. Scenic rivers and scenic trails laws have originated in this branch of Government. Modern agricultural practice, mining and forestry laws, and natural beauty protection have evolved from the hearings and debates of various committees.

Thus, the Council on Environmental Quality is one more necessary governmental institution, the need for which has been recognized by the Congress. This is not to disparage in any way the efforts of the President and his Cabinet coordinating group. The support of the executive agencies is essential if action programs are to be carried out in consonance with a national policy for environmental enhancement.

But an advisory council such as provided by this bill, with a statutory link to the Congress and an independence from Federal departments, will fill a unique role. It will collect, evaluate, and present authoritative data in an annual report on the status of the environment. It will serve as a channel of information from State and local governments, private industry, and citizens groups. It will take a long-range view with no need to sacrifice our natural heritage to political or economic expediency.

I strongly endorse the Council on Environmental Quality and urge the adoption of this measure.

Mr. MINISH. Mr. Chairman, I am pleased to support H.R. 12549, a bill providing for the establishment of a Council on Environmental Quality within the Executive Office of the President.

Not only is pollution worsening, but so far we have not done anything to insure the ecology problems are carefully studied. It is not enough to dip cleansing agents into a stream, or try to swish the air clear with a spray. To achieve the desirable result, the eventual affects of such actions upon living organisms must be studied. I believe H.R. 12549 makes a good start in this direction.

The Committee on Merchant Marine and Fisheries, which reported out H.R. 12549, says:

The problem is deep and it touches on practically every aspect of everyday life, economic, scientific, technological, legal and even interpersonal . . . it is a problem which we can no longer afford to treat as of secondary importance . . . if we are to reverse what seems to be a clear and intensifying trend toward environmental degradation.

These significant facts must be acknowledged.

The administration has recently established an Inter-Cabinet Environmental Quality Control Council. However, it is patently clear that the Secretaries of the Interior, Agriculture, Health, Education, and Welfare, Transportation, Housing and Urban Development, and Commerce, together with the Vice President and the President, all of whom will serve on the Council, will have little enough time to devote to the subject of a stable and healthful environment.

Science Advisor Dr. Lee A. DuBridges has testified that he hopes to have a staff of six professionals and an equal number of supporting clerical staff assigned to this Council. The Committee on Merchant Marine and Fisheries has suggested 55 professionals and 20 to 30 clericals as a workable number of members for the Council on Environmental Quality set up under H.R. 12549. Although it is good to know that the administration is interested in this overriding issue, I would be set more to ease were I to know that the Congress had shown its intent by setting up a Council with its complement of staff. The staff under this Act would entirely devote itself to the problems at hand.

At recent hearings on H.R. 12549, Dr. David M. Gates, director of the Missouri Botanical Gardens and chairman of the board of advisers to the Ad Hoc Committee on the Environment, said:

It is not unlikely that our generation or the next one or perhaps the one after will have reached the pinnacle of quality and after that it will be a downhill slide. There is a finite amount of energy to be consumed. There are a finite number of resources.

Something must be done. That is why I support H.R. 12549 unreservedly. Too much is at stake.

Mr. DOWNING. Mr. Chairman, I am one of the sponsors of this bill and I enthusiastically support the purposes and the goal which it seeks to achieve.

Very simply, the bill creates a Council of five members appointed by the President, who will analyze environmental information and recommend national policy to promote the improvement of our environmental quality. The Council will report directly to the President and he, in turn, will report the findings and recommendations to the Congress.

I have no doubt that such a Council is necessary. The President has many advisors available to him with knowledgeable experience in all fields. He does not, however, have a panel of advisers whose main concern in the environmental problems of our Nation and the world. For the sake of our Nation's health, it is imperative that he have this advice.

As has been stated previously, mankind is playing an extremely dangerous game with his environment. Unless he stops, unless he changes his ways, he faces a strong possibility of extinction. Our industrial revolution has given us a magnificent technological progress that staggers the imagination. But along with benefits it has brought deterrents and we must realize this.

Jamestown Island, the site of the first

landing of the colonists in America, lies within my district. Several years ago, a well-known artist was commissioned to paint the scene of the three small ships at anchor in the James River as it appeared over 350 years ago. He did so, executing a beautiful painting showing the tiny ships on a blue James River. I am told the local committee questioned accepting it because, as every one knows, the James River is grayish in color—not blue. When the artist was questioned, he sincerely answered, "It was blue then." We shall not see a blue James River again but hopefully it will not get any grayer.

Man must learn to live in harmony with his changing environment. This bill is a step in the right direction.

Mr. BENNETT. Mr. Chairman, I am pleased to support H.R. 12549, a bill to create a Council on Environmental Quality, and I congratulate the chairman and committee for reporting it to the House. This legislation will provide for a permanent agency in the Executive Office of the President to work toward a national policy to relate man and his work to the total environment.

This is an important first step in defining protected areas where Americans can live and enjoy happy and productive lives. The five-member Council will be charged with insuring our citizens of open and naturally attractive areas they and their children and future generations can enjoy.

The population explosion, the movement from the towns to the cities, natural changes and industrialization have transformed our Nation into an environmental hodgepodge.

We are now living a nonquality life because our builders and leaders have moved too fast with brick and mortar with little regard to what changes have been made in our living space.

It is primarily a matter of how fast or how long one wishes to live at certain quality.

Dr. David M. Gates, director of the Missouri Botanical Gardens, said in the hearings on the bill—

One can live high and short or slow and long. Civilization cannot do both.

It is obvious we are living high and short. We are doing this with little planning and thinking about the quality of our lives. I like what Don Marquis wrote:

If the world were not so full of people, and most of them did not have to work so hard, there would be more time for them to get out and lie on the grass, and there would be more grass for them to lie on.

What we are considering today is where the grass will be in another generation. I believe this bill, which is similar to one I introduced in the 89th, 90th and 91st Congresses—to provide for a study of our ecology—will develop the type of program and national policy to make sure we will live in "America the Beautiful."

Mr. DADDARIO. Mr. Chairman, the bill under consideration reflects the broad concern of the public and of the Congress over the quality and productivity of our natural environment. It seems quite probable to me that we will pass some version of this legislation. I intend to vote for it.

However, there is a serious deficiency in the bill as reported out of the committee in that it lacks a statement of national environmental policy as presently interpreted by the Congress. Not to include such a statement would be to miss a great opportunity to lead this Nation out of the complex of program objectives which bring about present environmental degradation. The resolution of conflicting agency activities cannot be accomplished easily unless there is a commonly accepted policy guideline.

If the House does not endorse a policy position today, I am sure we will be faced with such a requirement when this bill goes to conference with the Senate. It is unnecessary and improper that we be put in that position since the diverse hearings of the past few years before several House committees have established the basic principles of environmental policy.

When we held hearings on Environmental Council bills before our Science Research and Development Subcommittee in 1968, we deferred action at that time because it was not clear as to what organizational changes would be made in the executive branch. Last summer, in the Joint House-Senate Colloquium on a National Policy for the Environment, it became apparent that, regardless of organization, a strong policy statement was desirable and that it was the responsibility of the Congress to take the lead in formulating this policy.

The report from the colloquium suggested elements of national policy and these were forwarded by me for comment to the administration. On April 24, 1969, I received a detailed reply from the Executive Office of the President endorsing the congressional policy suggestions and adding several important elements. I inserted this correspondence in the CONGRESSIONAL RECORD on May 20, 1969, page 13148.

The general agreement on these elements of policy was further evidenced by the language in title I of S. 1075, passed by the Senate and sent to the House in July 1969. Believing that particular words are unimportant as long as the principles are the same, I adopted title I of S. 1075 as title I of my bill, H.R. 13272, the Environmental Quality and Productivity Act of 1969, introduced for myself and the gentleman from Ohio (Mr. MOSHER) on August 1, 1969. On that date I documented in detail the 3-year history of our committee work in environmental affairs—CONGRESSIONAL RECORD, August 1, 1969, page 12828.

The Members of this House must recognize the great interdependence of man and his environment and the ultimate requirement for harmony between his actions and ecological principles. We should recognize a human right to a healthful environment and a personal responsibility for preservation and enhancement of these values.

We must call on all agencies to conform their activities to these policy statements. This directive should provide an administrative route for redress of grievances by citizens groups who now

must go to court in order to bring the rights for environmental quality into balance with Federal or private operations.

The original of national policy for the environment can be traced back over the past several years. There was apparent a growing concern of citizens everywhere that the earlier guidelines of economic exploitation were yielding byproducts of determination, pollution, and esthetic offense. Many organizations in government and the private sector began studies and programs to describe the cause and effect relationships between society's actions and environmental quality. At the same time, increased productivity from the landscape was demanded by a growing world population and desire for higher living standards. These studies found that environmental quality and productivity go hand in hand. In fact, in the long run the most productive environment is one which is kept at a high state of quality.

Therefore I call on the sponsors of the subject bill to include a strong policy statement when this bill comes back to the House from the conference committee. In doing so, the House will stand with the Senate in a position of leadership, serving notice on the executive agencies which come before our various committees that the entire Congress has agreed to restore, maintain, and enhance the quality of air, water, and land resources for continued productivity and enjoyment of our society far into the future.

Mr. Chairman, the bill being considered under the rule would authorize the President to appoint a five-man Council on Environmental Quality. The amendment offered by the gentleman from Colorado (Mr. ASPINALL) would omit the necessity of the President seeking the advice and consent of the Senate for these appointments.

In my opinion, the amended bill would also leave the President free to appoint at least five members of his present Citizen's Advisory Committee on Environmental Quality to the newly established Council on Environmental Quality. Such flexibility would satisfy, to a degree, the provisions in my bill, H.R. 13272, which would have provided a statutory base for the Citizen's Advisory Committee on Environmental Quality. My purpose was to preserve the momentum of executive branch activities recently initiated by the existing cabinet council and the citizens advisory group. I have been concerned that the congressional action under discussion might be viewed as confusing, duplicative, and unnecessary. However, if my interpretation is acceptable, the valuable talents in the group headed by Mr. Laurance Rockefeller could continue to serve as a channel for public and congressional inputs. The bill would provide staff services, just as was intended in my proposal.

Adequate help in gathering and interpreting the factual data base for environmental management decisions is essential. I would agree that the Office of Science and Technology, with its present limited budget must be augmented. This is not to say that Dr. Lee DuBridge, Dr. John Buckley, and other staff members

involved are not extremely valuable in this role. They are doing excellent work and we must give them more assistance.

There is a question in my mind as to whether full-time service on the Council established by this bill is necessary. The role of the Council is in long-range planning and to act as a watchdog for the public and the Congress on the activities of the Federal departments. The best persons for these tasks may not be available to serve full time but would be willing and able to contribute on a part-time basis as does the present advisory committee. As I read the bill there is no requirement that the Council members serve full time, having no other employment.

Another minor problem in this bill is that the President has named his Cabinet group the Environmental Quality Council. This bill creates an independent Council on Environmental Quality. The obvious confusion in names for these groups with distinctly different duties is unfortunate. I would hope that the sponsors of the bill would in conference rename the congressionally established group as something other than a council.

Mr. DONOHUE. Mr. Chairman, because it is unquestionably in the immediate and long range urgent national interest I am supporting this bill before us, H.R. 12459, to create a Council on Environmental Quality and I hope the House will overwhelmingly approve it without extended delay. This measure recognizes and responds to the imperative necessity to legislatively initiate a strong, independent review of our total environment, the causes by which that environment has become increasingly dangerous to human life from pollution and poison and the means through which we may begin to meet these dangers in order to prevent our own unwitting self-extinction.

Let us emphasize that, at present, there is no unit or commission or other body in existence that can provide this Nation and our Government with an abstract, critical appraisal of various Federal programs and activities related to the environment and from which we could receive broad policies and recommendations for expedient improvement of our environment.

Mr. Chairman, it is universally recognized and admitted that our complex environmental issues and answers require legal, economic, social, management and systems analysis as well as scientific study in order to be of realistic value and effect.

Every school child and adult in this country is well aware that the advance of modern technology, however great its material benefits, has been unrestrained in its accompanying afflictions upon us through byproducts that increasingly poison our air and pollute our waters. The Federal Government has spent vast sums of money on different aspects of and approaches to this critical national problem. Yet there is no independent source of review of the total environmental situation nor any agency to provide the President and the Congress with an estimation of the priorities that should be assigned and the activities that

should be coordinated to meet and overcome this problem.

In considering this measure before us, the House is demonstrating its interest and concern that every American has a fundamental and inalienable right to a healthful environment. In approving this bill the House will be fulfilling its legislative duty of insuring that this right will become a reality in the most prudent manner at the earliest date. I most earnestly urge my colleagues therefore to speedily adopt this measure which I believe is imperative to the public interest and our national survival.

Mr. COHELAN. Mr. Chairman, it is a pleasure to rise in support of H.R. 12549, the bill to establish an Environmental Quality Council.

I think we are all pretty much in agreement in this House on the need for such a Council. All we need to do is pick up the newspapers or take a good look around us and we read or we see deterioration of our environment. For the most part, it is a deterioration caused by man.

We are only now beginning to feel the impact of overpopulation. We know that the effects of this problem places great stress on our existing institutions and facilities. Our real problem is trying to produce goods and services sufficient and suitable to man's needs.

We read of smog-filled cities and of polluted waters, a serious danger not only to mankind, but also to all wildlife and plantlife. We continue, almost unchecked to mar and deface our landscape and to ruin and destroy the few remnants of natural beauty remaining. We know the dangers of radioactivity and nuclear testing; dredging and filling of productive estuaries; drainage of wetlands; deforestation and soil erosion; defacing of land through stripmining; and ground water depletion.

Such development must no longer be allowed to go unchecked. We are fast becoming a victim of our own technology and progress. Man and his environment are vital to each other; the development and protection of one is dependent on the development and protection of the other.

The proposed five-man Council would provide a broad and independent overview of existing and potential problems that affect the quality of our environment. The bill would also require the Council to report annually to the President on the status of various aspects of the American environment. The President is required by this act to submit an annual report to Congress on the condition of the environment, current and long-range trends, utilizing the environment, and an evaluation of the impact on these trends on national requirements. The Council itself would maintain a continuous review of Federal policies and activities that influence environmental quality and will have the authority to conduct studies that are deemed necessary to carry out its mandate. I feel that the establishment of an independent Council will also assist in the coordination of various Federal programs and provide a means in assisting in resolving internal policy disputes. The Council, in short, will provide additional

assistance for both the President and Congress in meeting the environmental problems that have been created by advancing technology.

Mr. Chairman, I submit that this bill to establish an Environmental Quality Council is a most valuable addition to attempt to solve the most serious problems of environmental pollution. I urge the adoption of this measure by this Chamber.

Mr. FREY. Mr. Chairman, even as we gather here today, the quality of man's environment on earth is slowly decreasing. While such ecological disasters as the ruptured oil well off the Santa Barbara coast make the headlines and bring about a national concern, we must also be concerned about the environment on a long-range basis. The deterioration of the various facets of man's environment is becoming more and more noticeable. The coastal zone which surrounds so much of Florida is a prime example of this deterioration. Pollution of outlying regions and its effect on inland waterways, the washing away of literally hundreds of feet of beautiful beaches by waves, hurricane damage and the incorrect utilization of the delicately balanced ecology which forms the habitat of important fish and wildlife are only a few examples.

Marine environmental problems and their solutions will become even greater as private industry more and more realizes the wealth which lies beneath the ocean floor. And this is only one of our environments. One of the more important general questions relative to man's environment is whether or not the world's population will have enough to eat in the 21st century and beyond.

Our Federal, State, and local governments have spent great amounts of money in efforts to define the various problems in the environment and then arrive at workable solutions. This bill, H.R. 12549, will provide us for the first time with a council which will make an independent review of the total environmental situation and provide both the President and Congress with an estimation of the priorities which should be assigned to the various aspects of the problem. I urge your support of the legislation.

Mr. MONAGAN. Mr. Chairman, I am supporting the bill (H.R. 12549) to provide for the establishment of a permanent Presidential Council on Environmental Quality. This bill is an important first step in formulating a national policy for environmental quality.

The Council on Environmental Quality would oversee Federal, State, and local programs aimed at improving the environment and would assist the President in the preparation of an annual message to the Congress on the state of the environment, just as the Council of Economic Advisers assists the President with his annual message on the state of the economy.

I welcome these legislative steps toward the creation of a national policy for environmental quality and a governmental capability to implement that policy. I am especially gratified that this bill under consideration includes essential provisions of my own bill, H.R. 13826,

for environmental quality improvement. A permanent Presidential Council on Environmental Quality, as recommended both in my bill and in the one now under consideration, must be established to oversee and coordinate the multiple and often conflicting programs pursued by the different levels of government to improve different aspects of the environment.

We need to develop on the part of Government an anticipatory capability; we need to go beyond reacting to specific crisis situations in the environmental field. It is far cheaper in human, social, and economic terms to anticipate these problems at an early stage and to find alternatives before they require the massive expenditures which we are now obligated to make to control water, air and land pollution.

My own bill was tailored to begin developing this anticipatory capability and I would hope that future legislation in this field would follow this route. To achieve this anticipatory capability I recommended that the Secretary of the Interior be authorized to conduct studies of natural environmental systems in the United States, to document and define changes in these systems, and to develop and maintain an inventory of natural resource development projects which may make significant modifications in the natural environment.

Further, I recommended that the Secretary of the Interior be directed to establish a clearinghouse for information on ecological problems and to disseminate information about programs related to those problems.

Also, I recommended that the Secretary of Health, Education, and Welfare be authorized to establish a comprehensive solid waste management program which would coordinate all such research now being done under a number of different Federal programs. Another recommendation of mine directed the Secretary of Health, Education, and Welfare to compile a national inventory of solid waste management needs and problems and of solid waste management technology.

In addition, I recommended that the Secretary of Health, Education, and Welfare establish a clearinghouse for information on all aspects of air, water and soil pollution and solid waste disposal. This information would be made available to business, industry and municipalities, and the general public. These are the kind of provisions which would help to develop an anticipatory capability and I would hope that future legislation in the environmental field would include them.

Mr. LEGGETT. Mr. Chairman, the ever-increasing expanse of mankind and man's undirected use of technology pose a direct and definite threat to man's very existence.

The tragedy of Lake Erie and the Potomac River are but limited examples of man's shortsighted use of technology. Technology that was implemented for the betterment of man's condition and quality of life has created problems of air, land, and water use that threaten to cause irreparable harm to his environment.

The Federal Government has spent vast sums of money in recent years in an effort to meet a limited number of these problems and will likely increase its efforts in the future. However, at present, there is not an independent agency or review board that can review the total environmental situation or provide the President or Congress with an estimation of the priorities which must be assigned to different aspects of the problem.

There are numerous instances, such as the Peripheral Canal project in California, where a Federal project designed to deal with the need for an expanded water supply in the southern California region may not have fully taken into consideration the affect of the water removal on the Sacramento River Basin.

This bill would require the President to transmit to the Congress an annual environmental quality report concerning the status of various aspects of the American environment and their impact on other national requirements.

The bill would also require the Council to maintain a continuing review of Federal policies and activities with environmental implications.

When a Federal project, such as the Peripheral Canal project, irreversibly changes the ecology of a vast region there needs to be in depth study of the total environmental effects of such a program.

On May 29 of this year the President, by Executive order, created an interdepartmental Council on Environmental Quality. While there is a definite need for an interdepartmental Council to resolve internal policy conflicts between mission oriented executive agencies, that is not the purpose of this legislation.

There is a definite need for a consistent and expert source of review of national policies, environmental problems and trends, both long and short term. The problems that need to be solved are several times larger than those which can be adequately dealt with by this interdepartmental Council. In addition, they are problems which will require full-time expertise and attention—expertise and attention which ought not to be devoted to other problems.

An overwhelming need exists for action to be taken in this area. No other organization, in existence or contemplated shows any sign of meeting that need. It is for that reason that I urge immediate passage of this legislation, H.R. 12549.

Mr. BOLAND. Mr. Chairman, the bill which is before this House today, calling for the creation of a Council on Environmental Quality, is one which deserves the support and approval of every Member of Congress. Its purpose is one which has for too long been delayed. The issues it proposes to tackle are far too critical for the quality of life to allow us to further postpone this necessary first step toward effective control and improvement of our environment. We must act.

H.R. 12549 is not a complicated bill. Its primary purpose is the creation of a five-man council whose mission will be a continuing study and assessment of factors and trends affecting the quality of our environment. It will prepare and

submit to the President an annual report on its activities, and assist him in the preparation of an annual President's report to the Congress on environmental quality, which is called for in the bill. The council will also maintain a continuing review of Federal activities and programs affecting the environment, and keep the President informed on its findings. Finally, it will recommend to the President policies to enhance the quality of our environment.

In a sense, the Council will be the President's main adviser on environmental matters, in much the same manner as the Council of Economic Advisers now assists him in matters relating to the economy. That Council has been in existence since 1946, and has proved of inestimable value to the President, the Congress, and the country.

Mr. Chairman, ours is a society that has succumbed to the bewitchment of technology, a process which has transformed the world around us. Technology is widely credited with many of the good things of modern life; rising agricultural productivity, new sources of power, automation, accelerated travel, increased volume, and speed of communication, spectacular improvements in medicine and surgery—and more. Technology has greatly increased the wealth produced by human labor; it has lengthened our lives and immeasurably improved the conditions under which most men live. Little wonder that there has been engendered in our society a firm faith in technology as an almost undiluted good.

There are now, however, a number of reasons to question this implicit faith, for there is a growing body of evidence that society is paying a high price in environmental pollution for the advantages that flow from the rapid spread of technology. We now know that the beneficiaries of the good that technology can do are also victims of the environmental disease that technology breeds.

Few Americans are untouched or unaware of the extent of water pollution. Many of our urban dwellers are conscious of the discomfort—even the danger—of air pollution. Few who traveled the highways of America or visited our public parks this past summer will be surprised, on reading an advertisement in Time magazine for September 19, to learn that each of us is producing some 5 pounds of trash every day. These are the more obvious signs of our deteriorating environment. There are other, more subtle—even exotic—examples of technology's encounters with our environment—the mysterious fishkills; the quieter, if not "silent" springs in some areas; the death of a herd of sheep in Utah; the depredations of the sea lamprey in the Great Lakes.

Our record to date is not bright. Hind-sight tells us that what we are experiencing is a logical outcome of almost-unrestrained application of technology on the once magnificent resources of a rapidly-growing country. It may be that we will never be able to restore some of the despoiled resources and the natural beauties of our country. Certainly, recovery will be a long and costly process. But

if we remember that the future begins tomorrow, then the bill we are considering today offers a great opportunity to prepare for that future.

A common reference point for looking ahead these days is the year 2000. If we consider just one aspect of the predicted future—population growth which will boost our numbers to some 300 million—we know that these numbers will place almost unbearable demands on the resources and the institutions, some of which are barely able to serve today's society. If we add another dimension of the future—the impact of the predicted growth of science and technology—then the interaction of these two dimensions will surely shape a future beyond our comprehension.

We have become more aware in recent years of past and present insults to our environment. Our response has been piecemeal and often too late. Lake Erie's reputed death may be the most glaring example of our inability or unwillingness to act in a responsible manner. We have an opportunity today to prepare ourselves to deal with this kind of thing in the future.

We have more than an opportunity; we have a responsibility.

As representatives of a democratic society, we are committed to the development of policies which insure maximum individual freedom and human development. Neither of these goals can be achieved in a decaying and overburdened environment. We must devise policies that take full account of the impact of technological development on the environment, and we can achieve this only if we have a clearer knowledge of what that impact might be.

The Council which this bill would create is the vehicle which can provide the President and the Congress with the kind of information which can guide us in shaping programs consistent with society's needs. The Council will also provide a vitally needed source for reviewing the total environmental situation—an "early warning" system that warns us of the effect on the environment of a particular program. Finally, it will fill the need for an agency capable of providing the President and the Congress with estimates of the priorities which must be assigned to all of the different aspects of the interaction of man and his environment.

Mr. Chairman, I hope every Member of this House will support H.R. 12549.

Mr. ANNUNZIO. Mr. Chairman, I would like to join my colleagues in urging passage of the Environmental Quality Council bill, H.R. 12549.

The purpose of this legislation is to create in the Executive Office of the President an independent advisory group to advise the President and through him the Congress and the American people on steps which should be taken to improve the quality of our environment. Although the President is in the process of organizing his Cabinet-level Council, created by Executive Order No. 11472, May 29, 1969, the legislative branch still sees the need for a permanent type council and feels that creation of this independent council would serve to comple-

ment and supplement the President's efforts.

Mr. Chairman, the Cabinet-level Council is an excellent means of communicating Executive decisions to the departments and agencies which would carry them out, but it has no potential as a means of promoting new policies, or even of investigating them, which may conflict in any way with the status quo. If the President had the time to concern himself personally with the many and complex issues with environmental implications, it is possible that the independent council that we propose might not be as important as it is. But he does not have that time, nor does his Science Advisor, and he needs a competent full-time group of advisers to assist him—men and women with commitments to no programs or missions, other than that of environmental protection.

Mr. Chairman, the problems of our environment are several magnitudes larger than those which can be adequately dealt with by the part-time council. They touch on practically every aspect of everyday life and require the full-time expertise and attention of a Council such as that envisioned by this bill. The Council closely parallels the Council of Economic Advisers, which was created by the Full Employment Act of 1946 and which has successfully proven its worth, and it is for this reason that I highly endorse H.R. 12549 and urge its prompt passage.

Mr. DINGELL. Mr. Chairman, in considering this bill today, I want to acknowledge a debt owed by our committee to an impartial and expert group of men and women who have provided us with excellent and timely assistance in our deliberations. Almost one-fourth of the membership of this House has joined the informal and unofficial Ad Hoc Committee on the Environment—a committee of concerned legislators who have expressed an interest in information relevant to the growing problem of environmental degradation. That committee now numbers 119: Democrats and Republicans, liberals and conservatives in the House as well as on the other side of the Capitol. I would particularly like to thank Mr. Frank Potter, the executive director of the ad hoc committee, who has worked closely with our committee and through his tireless efforts has made the passage of this legislation possible.

Our committee is in regular contact with 126 distinguished scientists, educators, businessmen, and conservationists, who serve as a board of advisers to our ad hoc committee. This board, which usually communicates with members of the ad hoc committee through the Environmental Clearinghouse, Inc. (a local nonprofit corporation which provides staff assistance to the ad hoc committee) provided 21 witnesses for our hearings. If time had permitted, many more advisers who had offered to appear before us would have been heard. The testimony of these advisers was almost unanimously in favor of the bill, and that testimony was a very important factor in our being able to report the bill to the floor of the House as early and as strongly as we were able to.

I cannot say whether or not we could have moved as surely or as rapidly as we have, without the assistance of these public-spirited men and women in the board of advisers. I can say, however, that they were of immeasurable assistance to us in putting the issue into proper perspective, and that much of the urgency with which we view the environmental crisis, and which we are attempting to communicate to our colleagues today stems directly from the urgency and concern expressed by this impressive body of experts.

As I say, this is a debt that I am happy to acknowledge, and I know that I speak for all my colleagues on the subcommittee as well. The only proper way that we could pay this debt would be to see that this bill, H.R. 12549, is passed as quickly as possible, and that the Council on Environmental Quality begins to move.

Mr. Chairman, in closing, I also would like to bring to the attention of the Members the recently established Environmental Policy Division in the Legislative Reference Service at the Library of Congress. Mr. Richard A. Carpenter, senior specialist in science and technology, has been appointed chief of the new division. Mr. Carpenter has been most helpful to the committee and I would like to take this opportunity to officially express my appreciation for his kind assistance and to congratulate him on his promotion. The Environmental Policy Division was established in response to increasing congressional concern for the quality and productivity of the physical environment.

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

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

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Fish and Wildlife Coordination Act is amended by redesignating section 5A as section 5B and by inserting immediately after section 5 the following new section:*

Mr. DINGELL (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read and printed in the RECORD.

Mr. GROSS. Mr. Chairman, reserving the right to object, I wish the gentleman from Michigan would withhold that request. I have no intention of asking the Committee of the Whole to read the entire bill, but I wish the gentleman would withhold that request for a minute or 2, or 3 or 4 or 5 minutes.

Mr. DINGELL. Mr. Chairman, I withdraw by unanimous-consent request.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

"Sec. 5A. (a) The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, both living and non-living, and the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, urban and rural planners, industry, labor, agriculture, science, and conservation organizations, to

use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

"(b) The President shall transmit to the Congress annually beginning June 30, 1970, an Environmental Quality Report (hereinafter referred to as the 'report') which shall set forth (1) the status and condition of the major natural, manmade, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; and (2) current and foreseeable trends in management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

"(c) (1) There is created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the 'Council'). The Council shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate, one of whom the President shall designate as chairman, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret environmental information of all kinds, to appraise programs and activities of the Government in the light of the policy set forth in subsection (a) of this section, and to formulate and recommend national policy to promote the improvement of our environmental quality.

"(2) The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this section, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

"(3) It shall be the duty and function of the Council—

"(A) to assist and advise the President in the preparation of the Environmental Quality Report;

"(B) to gather timely and authoritative information concerning the conditions and trends in environmental qualities both current and prospective, to analyze and interpret such information for the purpose of determining whether such conditions and trends are interfering, or are likely to interfere, with the achievement of the policy set forth in subsection (a) of this section, and to compile and submit to the President studies relating to such conditions and trends;

"(C) to appraise the various programs and activities of the Federal Government in the light of the policy set forth in subsection (a) of this section for the purpose of determining the extent to which such programs and activities are contributing to the achievement of such policy, and to make recommendations to the President with respect thereto;

"(D) to develop and recommend to the President national policies to foster and promote the improvement of environmental quality to meet social, economic, and other requirements of the Nation; and

"(E) to make and furnish such studies, reports thereon, and recommendations with respect to matters of policy and legislation as the President may request.

"(4) The Council shall make an annual report to the President in May of each year.

"(5) In exercising its powers, functions, and duties under this section—

"(A) the Council shall consult with such representatives of science, industry, agriculture, labor, conservation, organizations, State and local governments, and other groups, as it deems advisable; and

"(B) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of public and private agencies and organizations, and individuals, in order that duplication of effort and expense may be avoided."

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

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

Mr. GROSS. Mr. Chairman, I object to that.

The CHAIRMAN. Objection is heard.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent that the section be considered as read, printed in the RECORD, and open to amendment at any point.

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

#### PARLIAMENTARY INQUIRY

Mr. ASPINALL. Mr. Chairman, reserving the right to object, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ASPINALL. Where does section 1 end?

The CHAIRMAN. On page 5, line 11. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### AMENDMENTS OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I have amendments at the desk. I ask unanimous consent that my amendments be read down to No. 17, and that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado that the amendments be considered en bloc?

There was no objection.

The CHAIRMAN. The Clerk will read the amendments.

The Clerk read as follows:

Amendments offered by Mr. Aspinall: On page 1, lines 3 to 6, strike out "Fish and Wildlife Coordination Act is amended by redesignating section 5A as section 5B and by inserting immediately after section 5 the following new section:

"Sec. 5A. (a) The"

On page 2, line 13, strike out "'(b)" and insert "Sec. 2."

On page 3, line 1, strike out "'(c) (1)" and insert "Sec. 3."

On page 3, line 5, strike out "by and with the advice and consent of the Senate."

On page 3, line 15, strike out "'(2)" and insert "Sec. 4."

On page 3, line 23, strike out "'(3)" and insert "Sec. 5."

On page 3, line 24, strike out "'(A)" and insert "(a)".

On page 4, line 1, strike out "'(B)" and insert "(b)".

On page 4, line 10, strike out "'(C)" and insert "(c)".

On page 4, line 17, strike out "'(D)" and insert "(d)".

On page 4, line 21, strike out "(E)" and insert "(e)".

On page 4, line 24, strike out "(4)" and insert "Sec. 6."

On page 5, line 1, strike out "(5)" and insert "Sec. 7."

On page 5, line 3, strike out "(A)" and insert "(a)".

On page 5, line 7, strike out "(B)" and insert "(b)".

On page 5, line 11, strike out "avoided." and insert "avoided."

Mr. ASPINALL. Mr. Chairman, it is my understanding that these amendments are satisfactory to the committee having jurisdiction over this legislation. Most of them are technical. However, there are three or four amendments which are substantial in their effect.

The first amendment has reference to the Fish and Wildlife Coordination Act. This language is deleted in order that this new legislation can stand on its own and will not be tied to an existing program. The subject matter of the bill relates to all environmental classes, and therefore its enactment as an amendment to this act is not appropriate and should be changed.

The second important amendment has to do with the question of Senate confirmation. Requirements for Senate confirmation of members of the Council is deleted by my amendment. I see no reason for Senate confirmation of a Presidential council of this nature. In fact, I think it dilutes the importance of the council. I think it means, if you take it as I read it, that this House is giving way to the Senate in the membership of the proposed council a great deal of its own prerogative in the establishment of the Council itself.

Another important change that I make is the language added to make it clear that nothing in this act changes the authority given to an existing agency created by provisions of existing law. We leave existing law as it is. In my opinion, if additional authority and direction to existing agencies is needed, it should be provided by additional legislation. Here is where we will find ourselves in conflict with the other body when our conferees go into conference with the other body, because they do not pay sufficient attention in my opinion to existing authority of agencies already created.

If I remember correctly, that is as far as these amendments to this section go.

Mr. DINGELL. Mr. Chairman, these amendments have been discussed by and between me and my good friend, the gentleman from Colorado.

I would like to ask my good friend from Colorado if these are the amendments that we discussed at a time earlier.

Mr. ASPINALL. The gentleman is correct, excepting that there are other amendments I have before the committee at this time and they will be added when we get to the reading of the next section.

Mr. DINGELL. Mr. Chairman, I have discussed these amendments with my good friend from Colorado, and on behalf of the committee I interpose no objection. We have agreed to accept these amendments on the floor.

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

Mr. Chairman, one of the previous

speakers said that the people are deeply concerned about environmental quality. Let me add that the people of this country are more deeply concerned about the tax burdens that are being loaded onto them, the inflation, and the debt that is being piled up. I suggest that at this time a council on tax environment would be far more appropriate than still another Council on Environmental Quality.

I tried a few minutes ago to get some kind of a handle, some kind of information, on the number of councils already loose in this country dealing with various forms of environmental quality. I got exactly nowhere. There is one, as I tried to point out earlier, in Virginia occupying, I do not know how many acres of land. This is out by Dulles Airport in the Herndon, Va., area. It is called Environmental Sciences and apparently operated by the Department of Commerce. Is that not large enough to embrace all environments? What is the meaning of "sciences"? What is the meaning of "environment"?

There was established last spring by the President of the United States, an Environmental Quality Council. It is apparently functioning right now.

What is proposed to be done with this Council already in existence? How much money is it proposed to spend on organizations of this kind?

There is no question in my mind but what this pending bill is going to provide more duplication. When do we propose to start saving \$1 million around here? There is no limitation contained in this legislation except the estimated cost of \$1 million a year. It could be more.

When is it proposed to save \$1 million around this place? When is it proposed to give the taxpayers a break? When are we going to make some move toward stopping inflation that is chewing the economy of this country to pieces?

I do not know how many consultants, how many supergrades it is proposed to hire in this deal. I do not know how many there are over at the White House backing up the Council that has already been established with the same title. How many supergrades are already employed for this purpose? There is no limitation on this bill except the report says, "We estimate \$1 million a year."

Is it not about time to apply the brakes around here? When? When? When do we stop the duplication and the extravagance?

Mr. Chairman, this bill ought to be put on the shelf at least until we are provided valid reasons for spending money for purposes of this kind.

Mr. MURPHY of New York. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I supported this legislation in the committee. However, I did support it with reservations, some reservations which I would like to point out to the Committee today.

No one can doubt that cleaning up our air and earth and water demands the best efforts of many people. Any attempt to control the environmental system, therefore, must involve not only the best efforts of science and technology, but

the law, sociology, politics, and economics.

But when we join such diverse talents can we strike that precious balance to avoid self-interest—the greatest of all pollutants to man's progress. For in matters of the environment, the range of self-interests to be served is national in scope.

The environmental system, furthermore, is by nature thoroughly geopolitical. Air and water contaminants do not respect State and local political boundaries. And so it falls on the Federal Government—the Congress—to create the basic legislation that applies equitably and effectively to all jurisdictions.

The purpose of the legislation before the Congress today—to provide for the establishment of a Council on Environmental Quality—is supposed to promote general welfare and to create and maintain conditions under which man and nature can exist in productive harmony. It may not.

The problem of swill, garbage, rubbish, and trash is very close, if not near and dear, to the citizens of New York and in fact every major urban area and many less concentrated areas of population. These necessary but unwanted by-products of our everyday life are politely termed solid waste. It is the disposal and even worse the failure to dispose of solid waste that is the constantly growing cause of major hazard to health and esthetics. When we seek to establish a Council on Environmental Quality with the goal of controlling our environmental system—our air and earth and water—we should strive to think in grand terms of accomplishment. In the case of solid waste, many communities have only one practical means of disposal and that is by burning. So we must consider solid waste then as a fuel and as a fuel we should use its energies for electric power, the control of water pollution, and the treatment of sewage. We should burn it cleanly so as not to pollute the air around us and we must develop new combustion technology for this purpose.

With considerable foresight I believe, the Department of Health, Education, and Welfare has been committed to research for this very objective for several years. This is a program that ought to vitally concern at least three Cabinet departments and five agencies within those departments: Health, Education, and Welfare, with its divisions of solid waste and air pollution; Interior, with its Office of Salient Water and Federal Water Pollution Control Administration; and Housing and Urban Development, with its planning of model cities and its multitude of other responsibilities.

Now, not tomorrow, is the time for a crash program by all of these agencies to complete the research and put our solid waste disposal into a safe position and perhaps even one that actually contributes to, rather than detracts from the general well-being of all of our people.

This I would deem one of the major challenges that would concern the Council on Environmental Quality proposed in this legislation. However, the ubiquitous hand of a number of Federal agen-

cies and vested interest groups, both implicitly and explicitly, has written this legislation for their own self-interest and not the general welfare.

I would like to emphasize here that the power of the Department of the Interior, in matters of conservation, seem to override almost all considerations for the public good. In fact, they affect public works on a national basis.

The Department has consistently hid behind the veil of conservation to override vitally needed public works projects.

On the one hand they screamed pollution to prevent a channel-dredging operation in New York Harbor. Yet they allowed the dirtiest type of coal-fired powerplant to be built in my district.

So what we are talking about now is control of the environment by Government agencies. We cannot build a road in my district. We cannot build a road because of environmental factors and conservation factors that completely override need, technology, and the public good.

The constant threat of power blackouts in New York City alone would be abated today if single-minded preservationists had not effectively thwarted efforts to build a hydroelectric powerplant outside of the city.

I am concerned about creating a commission that will be conservation oriented. If that were to happen, progress would be limited to what has taken place in past decades. I cannot support any measure that literally insures dominance by conservative elements that so override the desires and needs of the public that we lose sight of those everyday needs.

I want the record here today in the Congress to insure that this Commission does not act against the environment in our urban areas. That it consider balance in the creation of necessary public works to clean, as well as to preserve our land.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Colorado (Mr. ASPINALL).

The amendments were agreed to.

AMENDMENT OFFERED BY MR. REUSS

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

The Clerk read as follows:

Amendment offered by Mr. REUSS: On page 2, line 22, strike out "and" immediately preceding "(2)".

On page 2, line 25, strike out the period and insert in lieu thereof a semicolon and the following: "(3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation in the light of expected population pressures; (4) a review of the programs and activities (including regulatory activities) of the Federal Government, the State and local governments, and nongovernmental entities or individuals, with particular reference to their effects on the environment and on the conservation, development, and utilization of natural resources; and (5) a program for remedying the deficiencies of existing programs and activities, together with recommendations for legislation."

Mr. REUSS. Mr. Chairman, I first want to congratulate the members of the committee for having brought forth this trailblazing piece of legislation to the

floor this afternoon. It, in its day, when enacted, will be as much of a landmark in matters of the environment as the Employment Act of 1946 has been in matters of economics.

Mr. Chairman, this amendment I propose is a simple amendment. It relates to the annual report on environmental quality required of the President by the bill. As the bill now stands, it contains excellent language that the President shall report on the status and condition of the environment. My amendment goes on to say that he should also give a report on how we are doing to fulfill the environmental goals under existing measures and programs and, if we are not doing as well as we might, to recommend ways of remedying those deficiencies, including recommendations for legislation.

This language is modeled after the language which has proved workable for more than 20 years with respect to the Employment Act of 1946.

It was approved in testimony before the House Committee on Government Operations by the presidential science adviser, Mr. DuBridge, and I have submitted it to the managers on both sides. I believe it is satisfactory to them.

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

Mr. REUSS. I yield to the gentleman.

Mr. DINGELL. I have discussed with the members of the committee with the able and distinguished chairman of the committee, the Honorable EDWARD GARMATZ, and with my distinguished friend and colleague, the gentleman from Washington (Mr. FELY).

We find no objection to this language and I believe it would help the bill. On behalf of the committee, I am happy to accept the language offered by the gentleman from Wisconsin. I do commend him for his labors in this regard and I thank him.

Mr. REUSS. I thank the gentleman.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DADDARIO

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

The Clerk read as follows:

Amendment offered by Mr. DADDARIO: On page 1, strike lines 3 through 6 and insert the following:

"That (a) This Act may be cited as The Environmental Quality and Productivity Act of 1969.

"Sec. (b) (1). The Congress, recognizing that man depends on his biological and physical surroundings for food, shelter, and other needs, and for cultural enrichment as well; and recognizing further the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances on our physical and biological surroundings and on the quality of life available to the American people; hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may—

"(A) fulfill the responsibilities of each gen-

eration as trustee of the environment for succeeding generations;

"(B) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

"(C) attain the widest range of beneficial uses of safety, or other undesirable and unintended consequences;

"(D) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

"(E) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

"(F) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

"(2) The Congress recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

"SEC. (c) The Congress authorizes and directs that the policies, regulations, and public laws of the United States, to the fullest extent possible, be interpreted and administered in accordance with the policies set forth in this Act, and that all agencies of the Federal Government—

"(1) utilize to the fullest extent possible a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision-making which may have an impact on man's environment;

"(2) identify and develop methods and procedures which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations;

"(3) include in every recommendation or report on proposals for legislation and other Federal actions significantly affecting the quality of the human environment, a finding by the responsible official that—

"(A) the environmental impact of the proposed action has been studied and considered;

"(B) any adverse environmental effects which cannot be avoided by following reasonable alternatives are justified by other stated considerations of national policy;

"(C) local short-term uses of man's environment are consistent with maintaining and enhancing long-term productivity; and that

"(D) any irreversible and irretrievable commitments of resources are warranted.

(4) study, develop, and describe appropriate alternatives to recommend courses of action in any proposal which involves unresolved conflicts concerning alternative uses of land, water, or air;

"(5) recognize the worldwide and long-range character of environmental problems and lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment; and

"(6) review present statutory authority, administrative regulations, and current policies and procedures for conformity to the purposes and provisions of this Act and propose to the President and to the Congress such measures as may be necessary to make their authority consistent with this Act.

"SEC. (d) (1) The Congress, recognizing the profound"

CONFORMING AMENDMENTS

On page 2, line 13, strike out "'(b)'" and insert "2".

On page 3, line 1, strike out "'(c) (1)'" and insert "3A".

On page 3, line 5, strike out "by and with the advice and consent of the Senate."

On page 3, line 15, strike out "(2)" and insert "B".

On page 3, line 23, strike out "(3)" and insert "C".

On page 3, line 24, strike out "(A)" and insert "(1)".

On page 4, line 1, strike out "(B)" and insert "(11)".

On page 4, line 10, strike out "(C)" and insert "(11)".

On page 4, line 17, strike out "(D)" and insert "(iv)".

On page 4, line 21, strike out "(E)" and insert "(v)".

On page 4, line 24, strike out "(4)" and insert "(D)".

On page 5, line 1, strike out "(5)" and insert "(E)".

On page 5, line 3, strike out "(A)" and insert "(1)".

On page 5, line 7, strike out "(B)" and insert "(11)".

On page 5, line 11, strike out "avoided." and insert "avoided."

On page 5, line 12, strike out "SEC. 2(a)." and insert "SEC. (e) (1)."

On page 5, line 16, strike out "(b)" and insert "(2)".

On page 5, after line 19, insert new sections f, g, and h, as follows:

"Sec. f. The annual reports submitted to the Congress pursuant to section 2 of this Act shall be referred by the Speaker to each standing committee of the House of Representatives that has jurisdiction over any part of the subject matter of the reports.

"Sec. g. Nothing in this Act shall increase, decrease, or change any responsibility or authority of any Federal official or agency created by other provision of law.

"Sec. h. There are authorized to be appropriated to carry out the provisions of this Act not to exceed \$300,000 for fiscal year 1970, \$500,000 for fiscal year 1971, and \$1,000,000 for each fiscal year thereafter."

#### PARLIAMENTARY INQUIRY

Mr. ASPINALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ASPINALL. The amendment, as it has been offered, would destroy the entire structure of section 1 as perfected by the so-called Aspinall amendment. I wish to know if the Chair would rule that that is correct.

The CHAIRMAN. The Chair is of the opinion that the amendment of the gentleman from Connecticut was offered in the nature of a substitute for section 1 of the bill, but the Chair will examine the amendment.

Mr. ASPINALL. I did not understand the gentleman from Connecticut to offer his amendment as an amendment in the nature of a substitute.

The CHAIRMAN. The gentleman from Connecticut proposed to strike out lines 3 through 6 and insert substitute wording.

Mr. ASPINALL. Mr. Chairman, I make a point of order against the amendment on the ground that it comes too late. It comes after perfection of the original language and would destroy the so-called Aspinall amendment.

The CHAIRMAN. Does the gentleman make a point of order against the amendment?

Mr. ASPINALL. That is exactly correct. That is what I am doing.

The CHAIRMAN. Will the gentleman state his point of order again?

Mr. ASPINALL. After the bill has been

perfected by the so-called Aspinall amendment, the amendment offered by the gentleman from Connecticut is offered as an amendment to that amendment as such, after it has been adopted by the House.

If the amendment were offered as a substitute, then I could not object to it, so far as that is concerned. But I object to it as purely an amendment.

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

Mr. DADDARIO. Mr. Chairman, the amendment which I offer as a substitute to the first section would simply add language which would in no way interfere with the activity already taking place but which is in fact supplementary to it. The language is clear. It would have no effect on the action already taken, excepting to add language.

The CHAIRMAN (Mr. McCARTHY). The Chair is prepared to rule. The Committee has agreed to the amendments offered by the gentleman from Colorado. His first amendment altered the language on page 1, lines 3 to 6.

The Chair upholds the point of order of the gentleman from Colorado that the amendment of the gentleman from Connecticut attempts to amend an amendment already agreed to and is not in order. The Chair sustains the point of order.

The Clerk will read.

The Clerk read as follows:

SEC. 2. (a) Section 5313 of title 5, United States Code, is amended by adding at the end thereof the following:

"(20) Chairman, Council on Environmental Quality."

(b) Section 5315 of title 5, United States Code, is amended by adding, at the end thereof, the following:

"(92) Members, Council on Environmental Quality."

#### COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 5, line 14, delete "of" and insert in lieu thereof "on".

The committee amendment was agreed to.

#### AMENDMENTS OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. ASPINALL: On page 5, line 12, strike out "SEC. 2." and insert "Sec. 8."

On page 5, after line 19, insert new sections 9 and 10, as follows:

"Sec. 9. Nothing in this Act shall increase, decrease, or change any responsibility or authority of any Federal official or agency created by other provision of law.

"Sec. 10. There are authorized to be appropriated to carry out the provisions of this Act not to exceed \$300,000 for fiscal year 1970, \$500,000 for fiscal year 1971, and \$1,000,000 for each fiscal year thereafter."

The CHAIRMAN. The gentleman from Colorado is recognized for 5 minutes.

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

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

Mr. DINGELL. Mr. Chairman, I would

like to ask my good friend, the gentleman from Colorado, are these the amendments the gentleman discussed with me earlier?

Mr. ASPINALL. Mr. Chairman, these are the amendments I discussed with my good friend, the gentleman from Michigan.

Mr. DINGELL. They are dealing with what?

Mr. ASPINALL. They deal with the proposed sections 9 and 10 and also a correcting amendment on page 5, line 12, because that section is to be renumbered, as it should be.

Mr. DINGELL. Mr. Chairman, if the gentleman will yield further, I have discussed these amendments with the able and distinguished chairman of the full committee, Mr. GARMATZ, and with my distinguished friend and colleague, the gentleman from Washington (Mr. Pelly). I am prepared to accept these amendments.

Mr. ASPINALL. Mr. Chairman, I wish to make two short statements. One, I thank my friend the gentleman from Michigan, for his statement that his committee accepts the amendments, but I do want the Record to show that what we propose in the language is to make clear that nothing in this act changes the authority and responsibility of existing agencies created by other provisions of law. In my opinion, if additional authority is needed and direction to existing agencies is needed, they should be provided by separate legislation.

Finally, I wish to state that the House bill is open ended for the expenditure of money. The Senate bill is open ended in one place and closed in two other places, with larger amounts of money than is proposed here.

The language I have proposed, and on which I have received unanimous consent to have the amendments considered en bloc, places a ceiling on the amount authorized to be appropriated to carry out the provisions of this act.

Mr. Chairman, in regard to this legislation we are giving to Congress the oversight authority which it needs and which it should have on any environmental program that is proposed by the executive department or by Congress.

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

Mr. ASPINALL. I yield to my friend, the gentleman from Pennsylvania.

Mr. SAYLOR. Mr. Chairman, I congratulate the gentleman from Colorado for offering these amendments, particularly the amendment which is new section 10, because this places a limitation upon the expenditures that can be made by this Commission that will be appointed. This is in keeping with the policy which we have used in the Committee on Interior and Insular Affairs in all legislation we report to the Congress. I think other committees might do well to follow like procedure in such matters.

Mr. ASPINALL. Mr. Chairman, the chairman of the Committee on Interior and Insular Affairs, now in the well, suggests that this is the way to see that our oversight authority is taken care of properly.

The CHAIRMAN. The question is on

the amendments offered by the gentleman from Colorado (Mr. ASPINALL).

The amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. McCARTHY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12549) to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes, pursuant to House Resolution 544, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

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

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 372, nays 15, not voting 43, as follows:

[Roll No. 181]  
YEAS—372

Abbutt  
Abernethy  
Adair  
Adams  
Addabbo  
Albert  
Alexander  
Anderson  
Anderson, Calif.  
Anderson, Ill.  
Anderson, Tenn.  
Andrews, Ala.  
Andrews, N. Dak.  
Annunzio  
Arends  
Ashley  
Aspinall  
Ayres  
Barrett  
Beall, Md.  
Belcher  
Bell, Calif.  
Bennett  
Betts  
Bevill  
Blaggi  
Biester  
Bingham  
Blackburn  
Blanton  
Blatnik  
Boggs  
Boland  
Bow  
Brademas  
Brasco  
Bray  
Brinkley

Brock  
Brooks  
Broomfield  
Brotzman  
Brown, Calif.  
Brown, Mich.  
Broyhill, N.C.  
Broyhill, Va.  
Buchanan  
Burke, Fla.  
Burke, Mass.  
Burton, Calif.  
Burton, Utah  
Bush  
Button  
Byrne, Pa.  
Byrnes, Wis.  
Caffery  
Carey  
Carter  
Casey  
Cederberg  
Chamberlain  
Chisholm  
Clancy  
Clark  
Clausen  
Don H.  
Clawson, Del.  
Clay  
Cleveland  
Cohelan  
Collier  
Collins  
Conable  
Conte  
Conyers  
Corbett  
Coughlin  
Cowger

Fish  
Fisher  
Flood  
Flowers  
Flynt  
Foley  
Ford, Gerald R.  
Ford  
William D.  
Foreman  
Fountain  
Fraser  
Frelinghuysen  
Frey  
Friedel  
Fulton, Pa.  
Fulton, Tenn.  
Fuqua  
Gallifanakis  
Gallagher  
Garmatz  
Gaydos  
Gettys  
Glaime  
Gibbons  
Goldwater  
Gonzalez  
Goodling  
Gray  
Green, Oreg.  
Green, Pa.  
Griffin  
Gubser  
Gude  
Hagan  
Haley  
Halpern  
Hamilton  
Hammer-schmidt  
Hanley  
Hansen, Idaho  
Hansen, Wash.  
Harsha  
Harvey  
Hastings  
Hathaway  
Hawkins  
Hays  
Hébert  
Hechler, W. Va.  
Heckler, Mass.  
Helstoski  
Hicks  
Hogan  
Hollifield  
Horton  
Howard  
Hull  
Hungate  
Hunt  
Hutchinson  
Ichord  
Jacobs  
Jarman  
Johnson, Calif.  
Johnson, Pa.  
Jones, Ala.  
Jones, N.C.  
Jones, Tenn.  
Karth  
Kastenmeter  
Kazen  
Kee  
Keith  
Kleppe  
Kluczynski  
Koch  
Kuykendall  
Kyl  
Kyros  
Landrum  
Langen  
Latta  
Leggett  
Lennon  
Lloyd

Long, Md.  
Lowenstein  
Lujan  
Lukens  
McCarthy  
McClory  
McClure  
McCulloch  
McDade  
McDonald,  
Mich.  
McEwen  
McFall  
Macdonald,  
Mass.  
MacGregor  
Madden  
Mahon  
Maillard  
Mann  
Marsh  
Martin  
Mathias  
Matsunaga  
May  
Mayne  
Meeds  
Meicher  
Meskill  
Michel  
Mikva  
Miller, Calif.  
Miller, Ohio  
Minish  
Mink  
Minshall  
Mize  
Mizell  
Monagan  
Moorhead  
Morgan  
Morse  
Morton  
Mosher  
Moss  
Murphy, Ill.  
Murphy, N.Y.  
Myers  
Natcher  
Nedzi  
Neisen  
Nichols  
Nix  
Obey  
Olsen  
O'Neal, Ga.  
O'Neill, Mass.  
Ottinger  
Passman  
Patman  
Patten  
Pelly  
Perkins  
Pettis  
Philbin  
Pickle  
Pike  
Pirnie  
Podell  
Poff  
Pollock  
Preyer, N.C.  
Price, Ill.  
Price, Tex.  
Pryor, Ark.  
Purcell  
Quie  
Quillen  
Rallsback  
Randall  
Rees  
Reid, Ill.  
Reid, N.Y.  
Reuss  
Rhodes  
Riegler  
Rivers

NAYS—15

NOT VOTING—43

Ashbrook  
Burlison, Mo.  
Camp  
Devine  
Gross  
Baring  
Berry  
Bolling  
Brown, Ohio  
Burlerson, Tex.  
Cabell  
Cahill  
Celler  
Chappell  
Colmer

Roberts  
Robison  
Rodino  
Rogers, Colo.  
Rogers, Fla.  
Rooney, N.Y.  
Rooney, Pa.  
Rosenthal  
Roth  
Roudebush  
Roybal  
Ruppe  
Ruth  
Ryan  
St Germain  
St. Onge  
Sandman  
Satterfield  
Saylor  
Schadeberg  
Scheuer  
Schneebell  
Schwengel  
Scott  
Sebelius  
Shipley  
Shriver  
Sikes  
Skubitz  
Slack  
Smith, Calif.  
Smith, Iowa  
Smith, N.Y.  
Snyder  
Springer  
Stafford  
Stanton  
Steed  
Steiger, Wis.  
Stephens  
Stokes  
Stratton  
Stubblefield  
Sullivan  
Symington  
Taft  
Talcott  
Taylor  
Teague, Tex.  
Thompson, Ga.  
Thompson, N.J.  
Thomson, Wis.  
Tierman  
Udall  
Ullman  
Van Deerlin  
Vander Jagt  
Vanik  
Vigorito  
Waggonner  
Waldie  
Wampler  
Watkins  
Watson  
Watts  
Weicker  
Whalen  
White  
Whitehurst  
Widnall  
Wiggins  
Williams  
Willson, Bob  
Winn  
Wold  
Wolff  
Wright  
Wylder  
Wyllie  
Wyman  
Yates  
Yatron  
Young  
Zablocki  
Zion  
Zwach

Hall  
Henderson  
King  
McMillan  
Mills  
Montgomery  
Rarick  
Scherle  
Stuckey  
Whitten  
Corman  
Dawson  
Fasell  
Gilbert  
Griffiths  
Grover  
Hanna  
Hosmer  
Jonas  
Kirwan

Powell  
Pucinski  
Reifel  
Rostenkowski  
Sisk

Staggers  
Steiger, Ariz.  
Teague, Calif.  
Tunney  
Utt

Whalley  
Wilson,  
Charles H.  
Wyatt

So the bill was passed.

The Clerk announced the following pairs:

Mr. Kirwan with Mr. Jonas.  
Mr. Celler with Mr. Cahill.  
Mr. Charles H. Wilson with Mr. Hosmer.  
Mr. Fascell with Mr. Lipscomb.  
Mr. Gilbert with Mr. Grover.  
Mr. Pucinski with Mr. McKneally.  
Mr. O'Hara with Mr. Brown of Ohio.  
Mr. Staggers with Mr. Berry.  
Mr. Bureson of Texas with Mr. Landgrebe.  
Mr. Colmer with Mr. Utt.  
Mr. Pepper with Mr. Whalley.  
Mr. Rostenkowski with Mr. McCloskey.  
Mr. Long of Louisiana with Mr. O'Konski.  
Mr. Baring with Mr. Steiger of Arizona.  
Mr. Cabell with Mr. Reifel.  
Mr. Chappell with Mr. Wyatt.  
Mr. Sisk with Mr. Teague of California.  
Mr. Corman with Mr. Dawson.  
Mr. Tunney with Mr. Mollohan.  
Mrs. Griffiths with Mr. Hanna.

Mr. ABERNETHY changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

TITLE AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. ASPINALL: Amend the title so as to read: "A bill to provide for the establishment of a Council on Environmental Quality, and for other purposes."

The title amendment was agreed to.

A motion to reconsider was laid on the table.

Mr. DINGELL. Mr. Speaker, pursuant to the provisions of House Resolution 544, I call up for immediate consideration the bill (S. 1075) to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. DINGELL

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

The Clerk read as follows:

Motion offered by Mr. DINGELL: Strike out all after the enacting clause of S. 1075 and insert in lieu thereof the provisions of H.R. 12549, as passed, as follows:

"That the Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, both living and nonliving, and the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, urban and rural planners, industry, labor, agriculture, science, and conservation organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic and other requirements of present and future generations of Americans.

"Sec. 2. The President shall transmit to the Congress annually beginning June 30, 1970, an Environmental Quality Report (hereinafter referred to as the 'report') which shall set forth (1) the status and condition of the major natural, manmade, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; (2) current and foreseeable trends in management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation in the light of expected population pressures; (4) a review of the programs and activities (including regulatory activities) of the Federal Government, the State and local governments, and nongovernmental entities or individuals, with particular reference to their effect on the environment and on the conservation, development, and utilization of natural resources; and (5) a program for remedying the deficiencies of existing programs and activities, together with recommendations for legislation.

"Sec. 3. There is created in the Executive Office of the President a Council on Environmental Quality (hereafter referred to as the "Council"). The Council shall be composed of five members who shall be appointed by the President, one of whom the President shall designate as chairman, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret environmental information of all kinds, to appraise programs and activities of the Government in the light of the policy set forth in subsection (a) of this section, and to formulate and recommend national policy to promote the improvement of our environmental quality.

"Sec. 4. The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this section, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

"Sec. 5. It shall be the duty and function of the Council—

"(a) to assist and advise the President in the preparation of the Environmental Quality Report;

"(b) to gather timely and authoritative information concerning the conditions and trends in environmental quality both current and prospective, to analyze and interpret such information for the purpose of determining whether such conditions and trends are interfering, or are likely to interfere, with the achievement of the policy set forth in subsection (a) of this section, and to compile and submit to the President studies relating to such conditions and trends;

"(c) to appraise the various programs and activities of the Federal Government in the light of the policy set forth in subsection (a) of this section for the purpose of determining the extent to which such programs and activities are contributing to the achievement of such policy, and to make recommendations to the President with respect thereto;

"(d) to develop and recommend to the President national policies to foster and promote the improvement of environmental quality to meet social, economic, and other requirements of the Nation; and

"(e) to make and furnish such studies, reports thereon, and recommendations with respect to matters of policy and legislation as the President may request.

"Sec. 6. The Council shall make an annual report to the President in May of each year.

"Sec. 7. In exercising its powers, functions, and duties under this section—

"(a) the Council shall consult with such representatives of science, industry, agriculture, labor, conservation, organizations, State and local governments, and other groups, as it deems advisable; and

"(b) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of public and private agencies and organizations, and individuals, in order that duplication of effort and expense may be avoided.

"Sec. 8. (a) Section 5313 of title 5, United States Code, is amended by adding at the end thereof the following:

"(20) Chairman, Council on Environmental Quality."

"(b) Section 5315 of title 5, United States Code, is amended by adding, at the end thereof, the following:

"(22) Members, Council on Environmental Quality."

"Sec. 9. Nothing in this Act shall increase, decrease, or change any responsibility or authority of any Federal official or agency created by other provision of law.

"Sec. 10. There are authorized to be appropriated to carry out the provisions of this Act not to exceed \$300,000 for fiscal year 1970, \$500,000 for fiscal year 1971, and \$1,000,000 for each fiscal year thereafter.

"Amend the title so as to read: 'An Act to provide for the establishment of a Council on Environmental Quality, and for other purposes.'"

The motion was agreed to.

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

The title was amended so as to read: "A bill to provide for the establishment of a Council on Environmental Quality, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 12549) was laid on the table.

#### APPOINTMENT OF CONFEREES ON S. 1075

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the House insist on its amendments to the Senate bill (S. 1075) and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? The Chair hears none, and appoints the following conferees: Messrs. GARMATZ, DINGELL, ASPINALL, PELLY, and SAYLOR.

#### GENERAL LEAVE

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

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

There was no objection.

#### COMMISSION ON GOVERNMENT PROCUREMENT

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 534 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 534

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. 474) to establish a Commission on Government Procurement. 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 Government Operations, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend.

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

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTI), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 534 provides an open rule with 1 hour of general debate for consideration of H.R. 474 to establish a Commission on Government Procurement.

The purpose of H.R. 474 is to establish a temporary commission of experts on Government procurement.

The Commission would be composed of 15 members; six appointed by the President, four by the President of the Senate, four by the Speaker of the House, with the Comptroller General serving ex officio. Each appointing authority would draw equally upon Government and non-Government sources. The congressional appointees would be bipartisan. The Commission would have a broad mandate to study procurement Government-wide and to make findings and recommendations to the Congress. Its tenure would be limited to 2 years.

The bill outlines 12 general ways of achieving this policy. These are intended as general guidelines for the Commission and not as changes or modifications in existing procurement laws.

The Commission is directed to "study and investigate the present statutes affecting Government procurement; the procurement policies, rules, regulations, procedures, and practices followed by the departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the executive branch of the Federal Government; and the organizations by which procurement is accomplished to determine to what extent these facilitate the policy" declared in the bill.

Such sums as necessary to carry out the provisions of the act are authorized. Members of the Commission who are Members of Congress or Federal employees shall receive no compensation for

me, he would have heard me say, after I quoted Admiral Connolly and Dr. Foster, that they did, nevertheless, recommend the F-14 program. After having spoken of another course as the "least-risk" program, they did not recommend that "least-risk" program.

I also regret that the chairman of the committee for the first time today moved to close debate without giving anybody else a chance to speak when there were a number of Members on their feet and the gentleman for the first time today moved to close debate without further time being yielded to anyone.

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

Mr. BINGHAM. I yield to the gentleman.

Mr. RIVERS. I have no intention of cutting the gentleman off. I asked if everyone had finished speaking and I thought we were ready to vote.

Mr. BINGHAM. But members of the committee were on their feet, Mr. Chairman.

Mr. RIVERS. I did not know the gentleman wanted to speak twice on his amendment.

I thought since the gentleman had spoken once that that is what he wanted to do. If the gentleman had asked me to yield, I would have yielded.

Mr. BINGHAM. You asked the gentleman from New York to yield, but after I had asked the gentleman to yield several times during the course of his remarks to straighten out what he was saying.

Mr. RIVERS. There was not any intention of doing that and the gentleman knows that, I am sure.

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

Mr. BINGHAM. I yield to the gentleman.

Mr. STRATTON. I might not have heard what the gentleman said in offering his amendment. I was preparing my own remarks in opposition. I apologize to him for not catching his statement that the admiral did not support his amendment. But I read the fact sheet which the gentleman put out on this amendment earlier today and I read the remarks he put in the RECORD yesterday on page 27973. In both cases he quoted Admiral Connolly in support of his position, and without mentioning that the admiral was actually opposed to his amendment.

Let me read to the gentleman what Admiral Connolly did say on page 3006 of our hearings about the proposal the gentleman offered as an amendment:

Stopping the F-14A program and proceeding only with the F-14B will result in additional program costs of \$340M.

Mr. BINGHAM. Mr. Chairman, I decline to yield further and yield back the balance of my time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

**TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

SEC. 201. Funds are hereby authorized to be appropriated during the fiscal year 1970 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, \$1,664,500,000, of which (a) \$10,000,000 is authorized to be appropriated only for the development of the Heavy Lift Helicopter and (b) \$75,000,000 is authorized to be appropriated only for the development of the SAM-D system: *Provided*, That none of the funds herein authorized shall be expended for research, development, test, and evaluation of the Cheyenne helicopter;

For the Navy (Including the Marine Corps), \$1,990,500,000, of which (a) \$66,091,000 is authorized to be appropriated only for the development of the E-2C aircraft (b) \$165,400,000 is authorized to be appropriated only for the development of the S-3A aircraft, (c) \$20,000,000 is authorized to be appropriated only for the development of the Undersea Long-range Missile System, (d) \$67,900,000 is authorized to be appropriated only for the development of the Advanced Surface Missile System, and (e) \$517,300,000 is authorized to be appropriated only for the research and development of Anti-Submarine Warfare Systems;

For the Air Force, \$3,241,200,000, of which (a) \$15,000,000 is authorized to be appropriated only for the development of the RF-111D aircraft, (b) \$1,000,000 is authorized to be appropriated only for the development of the Light Intratheater Transport aircraft, (c) \$18,500,000 is authorized to be appropriated only for the development of the CONUS Air Defense Interceptor, (d) \$84,700,000 is authorized to be appropriated only for the development of the Short Range Attack Missile (SRAM), and (e) \$40,000,000 is authorized to be appropriated only for the development of the Airborne Warning and Control System (AWACS): *Provided*, That none of the funds herein authorized shall be expended for research, development, test and evaluation of the A-X aircraft; and

For the Defense Agencies, \$450,200,000. SEC. 202. There is hereby authorized to be appropriated to the Department of Defense during fiscal year 1970 for use as an emergency fund for research, development, test, and evaluation or procurement or production related thereto, \$75,000,000.

SEC. 203. None of the funds authorized to be appropriated by this Act may be used to carry out any research project or study unless such project or study has a direct and apparent relationship to a specific military function or operation.

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

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

Mr. FRASER. Mr. Chairman, reserving the right to object, I wonder if the chairman could tell us what his plans are with respect to having the Committee rise tonight.

Mr. RIVERS. I am ready to move that the Committee rise right now.

Mr. FRASER. So if the gentleman's request is granted, you expect to have the Committee rise?

Mr. RIVERS. Yes.

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

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina (Mr. RIVERS)?

There was no objection.

Mr. RIVERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the

Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 14000) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, had come to no resolution thereon.

#### HOURLY MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, at the request of several Members, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow morning.

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

Mr. PATMAN. Mr. Speaker, reserving the right to object, and I shall not object, the Committee on Banking and Currency has a very important bill which was set down for hearing at 10 o'clock this morning. We had to postpone the meeting until tomorrow morning on account of the fact that the House met today at 10 a.m. If the gentleman from Oklahoma would change his request to 11 a.m., we could hear the witnesses who are in town for the purpose of testifying. That is the reason for the request being changed.

Mr. DANIELS of New Jersey. Mr. Speaker, also reserving the right to object, I am likewise in the same position. A number of witnesses from the State of New Jersey are scheduled to testify tomorrow before the Committee on Education and Labor. It would cost these people not only a great deal of expense but a great deal of inconvenience, and it may not be possible for them to come back. I join in the request, and ask the distinguished majority leader if he would make the time 11 o'clock.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today that it adjourn to meet at 11 a.m. tomorrow.

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

There was no objection.

#### RESIGNATION OF CONFEREES AND APPOINTMENT OF CONFEREES ON S. 1075

The SPEAKER laid before the House the following communication:

OCTOBER 2, 1969.

HON. JOHN W. MCCORMACK,  
Speaker of the House,  
Washington, D.C.

DEAR MR. SPEAKER: At this time, I would like to resign as a conferee on S. 1075.

I will be out of town on official business, attending the Third Annual Fish Expo in Seattle.

I respectfully request an alternate be appointed in my place.

With kindest regards,

Sincerely,

THOMAS M. PELLY,  
Representative in Congress.

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

There was no objection.

The SPEAKER. The Chair appoints as a manager on the part of the House at the conference on the disagreeing votes of the two Houses on the bill S. 1075 the gentleman from California (Mr. MAILLIARD) to fill the existing vacancy thereon caused by the resignation of the gentleman from Washington (Mr. PELLY).

The Clerk will notify the Senate of the action of the House.

### THE GREEN BERETS

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

Mr. FULTON of Tennessee. Mr. Speaker, most Americans, I am sure, joined with us in applause when Chairman RIVERS announced that Army Secretary Resor had dropped charges against the Green Berets accused of murdering a suspected South Vietnamese double agent.

In the words of this morning's edition of the Washington Post the Secretary's action "closes the official curtain on a dark side of the Vietnam war."

It may close the official curtain but it leaves many questions unanswered and the fate of the Green Berets allegedly involved uncertain.

According to the press the case against Col. Robert Rheault and his men was being pushed by the Department of the Army at the highest level. Indeed, it was not until the Central Intelligence Agency "declined" to produce certain material prosecution witnesses that the case was dropped.

Under the circumstances Secretary Resor said he doubted the defendants could receive a fair trial. Even before the announcement that the charges were to be dropped there was concern that the defendants would not receive a fair trial.

Just what these men actually did and under what orders they acted is not known publicly and may never be. This much is apparently clear, however:

A South Vietnamese national was executed.

This man was suspected of being a double agent.

The Central Intelligence Agency apparently was involved.

It is also apparent that what the Green Berets did was done during time of war in the belief that orders were being followed.

From this one can conclude that, notwithstanding the dismissal of charges against them, the military careers of these Green Berets are henceforth stagnate at best and ruined at worst.

It can also be concluded that the Central Intelligence Agency has again erred and is attempting to cover up what apparently is a very serious mistake.

Notwithstanding Secretary Resor's assurances that he wants to "make it clear that the acts which were charged, but not proven, represent a fundamental violation of Army regulations, orders, and

principles," this type of activity has been carried on in the past. The question seems not to be whether but by whom and how often.

Mr. Speaker, it seems to me that Col. Robert Rheault and the men charged with him have been caught in the middle of a bizarre and clandestine operation not of their design nor their choosing for which they may well suffer throughout their lives. This is a tragedy. The whole episode is a tragedy in the shameful history of the Vietnam war.

### FUNDS FOR POLLUTION CONTROL

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

Mr. McCLORY. Mr. Speaker, the need for adequate funding of water pollution control projects has been recognized by a majority or substantial number of the Members of this body. It is heartening to know that the American public—and this means the American taxpayer—is wholeheartedly in support of funding programs designed to improve the quality of the Nation's water.

The very influential Chicago Tribune editorialized on this subject in yesterday's issue and I am including a reprint of that editorial for the information of all of my colleagues:

#### FUNDS FOR POLLUTION CONTROL

When Congress enacted the clean waters restoration act of 1966, it was regarded as a significant step in the nation-wide campaign against water pollution. But since then Congress has failed to fulfill its obligations under the act by falling far short of appropriating all the funds authorized. Such funds are to be used as federal cost sharing grants for construction of municipal sewage treatment plants.

In Illinois, for example, there are federal grant applications for 273 water pollution control projects but proposed federal funding sufficient for only 20 to 25 of them. Gov. Ogilvie points out that this short funding has a serious impact on this state's progress toward construction of necessary pollution abatement works, particularly in cities along the Illinois river, Lake Michigan, and other interstate waters. Other authorities warn that the whole national anti-pollution effort is being crippled.

Also the 1966 act authorized one billion dollars for such purposes in fiscal 1970, the Nixon administration's budget calls for appropriations of only 214 million dollars. To stimulate the cities to get on with the job of cleaning up pollution, a strong movement is under way in the House to persuade the administration to provide full funding under the act. This movement has the support of most state governors, mayors of many cities, and nearly 40 conservation, civic, and other groups and agencies, including the AFL-CIO, the Chicago metropolitan sanitary district, the Izaak Walton league, and the League of Women Voters.

Sponsors of the movement assert they have 219 "firm" votes pledged in the House—enough to approve an amendment to increase appropriations to the full billion dollars in the event the House appropriations committee fails to recommend this sum. Pollution control costs money, but it is necessary if Americans are to avoid fouling their environment even more seriously than they have already. The longer control measures are delayed, the more it will cost eventually to stop pollution.

### A 25-PERCENT BENEFIT INCREASE AND EXPANDING COVERAGE FOR ELDERLY AND DISABLED CITIZENS

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

Mr. KASTENMEIER. Mr. Speaker, I am introducing a bill today to reform our social security program by providing a 25-percent benefit increase and expanding coverage for our elderly and disabled citizens.

Since the last increase in social security benefits in February 1968, the cost of living has gone up dramatically and is continuing to rise. The escalating costs of the staples of human life—food, housing, clothing, and medical care—have created a real crisis for the elderly.

The President's proposal for a 10-percent increase in social security payments, effective in March 1970, is totally unresponsive to the needs of our elderly and retired citizens and, due to inflation and rising taxes, does not constitute a real increase at all. In terms of actual buying power, it would represent a reduction in social security benefits by next March.

In my congressional district alone, about 54,000 individuals receive social security benefits. Many of these citizens who must rely on this fixed income have written to me describing their desperate situation and their inability to cope with the rising costs of essential goods, services, and taxes. It is ironic that our modern society, which has realized the enormous benefits of medical breakthroughs that have dramatically prolonged human life, has not made adequate provision for our senior citizens in their years of retirement when they need it most.

As originally conceived, the social security program was based on the theory that benefits received would be in relation to the contributions a worker made and would not necessarily be his sole means of support. If a retired worker and his wife have a total income of \$105 a month with which they have to budget for food, housing, and drugs and other medical expenses, then clearly this sum is inadequate and the social security program has failed in its purpose. Now, however, we must acknowledge the fact that social security payments are relied upon by many of our elderly as their prime income and the present level of benefits is not enough for many of them to meet their basic expenses and live in dignity.

It is a sad and inexcusable commentary on our society that the aged are the largest single group making up our poverty rolls. Almost one-third of all Americans over the age of 65, nearly 6 million, live in poverty and this number is increasing.

I believe a substantial raise in benefits is essential and my bill provides a 25-percent across-the-board hike for all social security recipients.

In addition, my bill would double the minimum primary benefit by raising the present level of \$55 a month for an individual to a much more realistic \$110

career starting to create his own opportunities. After graduation in 1903, his assignments further matured him and trained him for his future. He served in the Philippines and as aide to his father who had been detailed as observer of the Russo-Japanese War, which was followed by nine months of travel with him in Eastern Asiatic Countries. All these experiences increased his knowledge of the world, especially in Asia, our Federal Government and our Army.

In 1913, Douglas was on duty at Fort Leavenworth with Engineer Troops and was an instructor at the Army Service Schools. He was ordered to Washington and placed in charge of the State War and Navy Building.

In 1914, Europe was divided by war and the United States was threatened. Steps were being taken to strengthen our military weaknesses. Mr. Newton Baker became Secretary of War and he detailed Douglas as his Military Assistant in charge of the Bureau of Information of the War Department. Then the Secretary appointed him Press Censor and the link with the newspaper men who covered the War Department. Congress declared war on Germany in April, 1917.

The Army General Staff had recommended against the use of the National Guard in the impending conflict. Douglas, perhaps recalling his father's success with citizen soldiers, saw the situation from a different point of view. He recommended to Mr. Baker the maximum possible use be made of the National Guard. He went further, and recommended the formation of a special National Guard Division to be composed of guard units from all the states and suggested as appropriate the name of "Rainbow" for it. The Secretary of War and President Wilson quickly approved both recommendations. The Secretary of War thereupon commissioned Douglas a Colonel of Infantry in the emergency army and assigned him as Chief of Staff of the new Forty Second, "Rainbow," Division.

Douglas was now in the line of the Army where he had always wanted to be, and he had opened wide the door to his future opportunities for tremendous services to his country.

We, who were observing his progress, now realized that he had moved into a much higher league than when he led in 1903 as a cadet. His brilliant record with the Forty Second Division in battles of World War I is history known to all of you. But what he did for West Point immediately after that war also seems relevant here today. So, if you will be patient for a couple of minutes more, this rough sketch of Douglas MacArthur's early service at West Point will be completed.

When he was informed by the Chief of Staff of his appointment as Superintendent, he was also told that the Academy was forty years behind the times and in dire need of a general overhaul. Douglas was then a temporary Brigadier General. On assuming command in June, 1919, he found the institution in disorder. Moreover, a threat of complete abandonment of the Academy required immediate action. Influential members of Congress, in response to public clamor, could not see the need for a Federal Military Academy when "The War to End All Wars" had just been won. Douglas promptly went to Washington and conferred with the interested members of Congress, many of whom he knew personally. He made such a convincing argument for the retention of the Academy that all agitation for its abandonment ceased. If Thayer was the Father of West Point, surely Douglas MacArthur was its Savior.

The demand for officers with little training had caused the course to be reduced to one year during the war. There were no upper classmen to pass on the traditions of

the Corps to the juniors. Morale was low and the Honor Code almost had been forgotten. Douglas succeeded in having the four-year course re-established. He revitalized the Honor System by placing its administration under an Honor Committee of cadets.

A few of the other changes he made show how carefully and wisely he worked. He knew from his own experience in battle that, in future wars, all of the people of the nation would participate, few of whom would have any training for military duty. In order to bring the Academy and its graduates into closer contact with the outside civilian world with which they would have to deal, he had professors visit other universities to learn of their methods of instruction and contents of their courses. He sent instructors to other universities to obtain advanced degrees. Douglas also knew that training officers in the seclusion of a monastery-like Academy, which in the past had been adequate for small regular armies, would not produce graduates competent to lead citizen soldiers. The old summer cadet encampment on the Plain was a part of the monastery system. Instead of the entertaining annual comedy presented in a setting of sentry boxes, tent floors and gravelly sentry walks, he had the campsite cleared and levelled and he had cadets assigned to arm commands for summer field maneuvers.

There was something else that Douglas felt had to be done. Physical fitness in the Army needed attention. He established intramural competition in all major sports here at the Academy. Every cadet had to participate. The program improved the physical condition of graduates, enabled them to train and coach their commands in the major sports and to spread the spirit of athletic competition throughout the Army. Looking back more than seventy years to our plebe year, the few remaining members of the Class of 1903 believe that Douglas MacArthur, who led our class during all of his cadet days, performed here as Superintendent one of the most important services of his career. He saved West Point from abandonment, he forced the Academy out of isolationism into the main stream of American life where it went on to attain its present high standing in education and athletics.

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I thank you.

#### SERIES ON "LAW AND THE ENVIRONMENT"

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, the Christian Science Monitor has done a tremendous service providing an in-depth study as to the conserving of our natural resources and heritage. The latest series, "Law and Environment," by staff correspondent Robert Cahn, is no exception. Based on recent discussions between selected lawyers at Arle House, Warrenton, Va., the series will focus on environmental problems from another point of view; namely, what legal strategies to protect the environment are available to the public against big business or big government?

There is nothing new about public concern, but perhaps the growing use of legal suits by citizens against environ-

ment-damaging construction projects is indicative of a heightened awareness of the critical status of the battle against the polluters. A "law of the environment" is very much to be desired; I am sure Members of both Houses will find the story of the evolution of such a law particularly valuable in contemplating legislation which affects the Nation's natural heritage.

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The New York citizens group went to court. They charged four agencies of the federal government with failing to follow an 1889 law in giving a permit for a dike in the Hudson River without getting prior consent from Congress and the Cabinet department concerned.

Surprisingly, a United States district court ruled against the government, and the conservationists won a skirmish (the government is appealing the decision) in the constant battle to preserve environmental values.

#### ENVIRONMENTAL INTEREST RISES

All across the country these days lawsuits are being filed, lawyers are becoming concerned with environmental problems, and law schools are starting courses and programs in environmental law.

Court actions now draw the most attention. Citizens groups go to the courts as a last resort when legislation, governmental executive decisions, and public opinion have failed to halt actions which they believe are endangering the environment.

There are many causes for action: air, water, and noise pollution; loss of wilderness and open space to commercial development; dredging and filling of wetlands, rivers, and bays; effects from excessive use of fertilizers and pesticides; oil spills; radiation hazards; defacing of scenic landscape by expressways, power lines, billboards, and junk yards.

Successes in coping with these environmental influences have increased in the last few years, but have not yet produced significant national gains. For the most part, lawsuits have been useful in getting injunctions which serve as holding actions until public opinion can force a change in legislation or executive action. Or sometimes the lawsuit has brought about a modification or change in plans so that environmental effects will be negated or softened.

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#### LITIGATION BUILDS BASE

No clear constitutional basis has developed to aid environmental interests, as has been the case, for instance, in the field of civil rights. Other theories in the common law

have not been widely enough accepted to be come practical. And legislation has not caught up with the public demand for environmental protections.

One of the nation's leading trial lawyers in the environmental field, Victor J. Yannacone Jr., has stated:

"Every piece of enlightened social legislation that has come down in the past 50 or 60 years has been preceded by a history of litigation in which lawyers around the country have focused forcibly the attention of the legislature on the inadequacies of existing legislation."

In answer to conservationists' calls for a drive to stimulate attention on environmental problems through use of the courts as well as the legislatures, the first Conference on Law and the Environment was held recently at Airlie House in Warrenton, Va. The conference drew 46 participants (mostly lawyers) and about 20 observers. It was sponsored by the Conservation Foundation of Washington, D.C., and the Conservation and Research Foundation of New London, Conn.

#### SOME DEGRADATION ACCEPTED

Among the participants: consumer advocate Ralph Nader; Rep. Paul N. McCloskey Jr. of California; Roger P. Hansen, executive director of the Rocky Mountain Center on Environment, Denver; former Vermont Gov. Phillip H. Hoff; Phillip Berry, president of the Sierra Club; Raymond A. Haik, president of the Izaak Walton League of America, and Mr. Yannacone.

All except the most radical conservationists concede there may be cases in which some environmental degradation may be necessary in the overall national interest to obtain other objectives. Even then, the conservationists feel environmental concerns should at least be fully considered in planning new developments.

They say that alternatives to avoid environmental harm can be taken. They also suggest that if these alternatives will add to the cost, the public should have an opportunity to decide whether to pay more in the marketplace, or in taxes, in order to preserve a better environment.

The purpose of the conference, according to one of the instigators; Malcolm F. Baldwin of the Conservation Foundation, was "to bring together leading lawyers in this field to exchange ideas on most effective use of legal tools, to suggest new legal theories for the use of citizens in court, and to recommend programs for law schools, foundations, and conservation organizations in the emerging field of environmental law."

Some of the lawyers present felt the courts were the most responsive forums to resolve social conflicts. Others felt there were dangers in asking courts to do what legislatures are conceived to do.

Concern was expressed that too hasty an effort to bring lawsuits might result in bad law and precedents which would pose greater long-range hurdles for the environmentalist.

Some lawyers expressed views that the environment time clock is running out.

"I am still not persuaded that anything in the environment is negotiable, whether it is air or wilderness or parks or wildlife or whatever," said lawyer Brock Evans of the Federation of Western Outdoor Clubs, Seattle. "I think we have lost too much already all around. We talk about balancing equities. We should consider what has happened in this country in the last 300 years where the balance has been all the other way."

#### COORDINATION SUGGESTED

A position was taken by some participants that neither the court nor the legislature nor administrative agencies could furnish all the answers independently.

"We are talking about tools, about de-

VICES," said Robert Hansen. "We have to play all of these things like a string orchestra. We have to work on the legislative process. We have to work on the administrative processes. We have to engage in litigation. And we have to engage in litigation based on various theories."

For those who decide to go to court, numerous approaches were suggested by the conferees, such as using parts of the Constitution, or the trust theories from the common law, or seeking injunctions based on real or threatened damage to life or property.

Conferees agreed that both the environmental lawyer and plaintiff face great difficulties.

Compared to his adversary (often big business or big government), the citizen plaintiff involved in environmental litigation has the short end of the stick with regard to funds to carry on a case (costs often run to six figures), information sources, ability to obtain expert witnesses, and a background of substantive law.

The environmental lawyer has the added disadvantage of frequently having to deal with emotional clients who are volunteering their time for a cause (and expect the lawyer to do likewise).

Most important, as plaintiffs, the environmentalists must bear the burden of proof. They must show that a proposed new development will be ecologically or aesthetically damaging. And, the lawyers noted, in an economy dedicated to growth of the gross national product, it is difficult for courts, legislatures, or administrators to think in other than narrow economic terms.

#### THE KINGS AND QUEENS OF ENVIRONMENTAL DECLINE—NAME- LY, YOU AND I

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I have taken the liberty of lifting the title of my remarks from a speech made by Edward C. Crafts before the American Forestry Association in Colorado Springs, Colo. Many of my colleagues will know Dr. Crafts as a man who spent almost 40 years in Government service in research and program planning for the benefit of our national forests, parks and recreation areas, most recently as the first Director of the Bureau of Outdoor Recreation.

The thrust of his remarks was to outline the steps necessary to reverse the trend of environmental retrogression. He lauds the legislation in force and bills contemplated to do the job, but he pulls no punches when he cites the shortcomings of what has been done or is proposed. Perhaps one of the great services Dr. Crafts has rendered in this speech is to make sense out of the multiplicity of groups, commissions, boards and bodies that are dedicated to getting the message across to Congress, the executive departments of the Government, and business leaders of all industries. He also provides a valuable working guide to the problems we face in upgrading the quality of life with his "Nine Basic Truths of Environmental Decline."

But I believe the single most important aspect of his speech is that he lays the burden of leadership responsibility at the Capitol steps. There is much wishful thinking on the part of legislators that

engineers, systems analysts and scientists will somehow solve the problems we face. Dr. Crafts notes that "the politicians and other policy officials in all walks become the ultimate key." Heretofore, leadership has come from outside the Congress. The American people are light-years ahead of Members of Congress as to an awareness of our environmental decline. In Congress we see the dotted "I's" and the crossed "t's" of legislation. The public sees the bulldozer slashing away at the wilderness, lives amidst urban sprawl, tastes and feels the sting of pollutants, and clasps his ears as the jet rattles his dinnerware.

The public support is out there for a massive congressional drive against further erosion in the quality of our lives if only Congress will bite the "hot bullet" and respond.

Dr. Crafts outlines seven hard steps which must be taken to reverse the trend of environmental retrogression. Not everyone will agree with the particular steps outlined but a plan of action is necessary and Dr. Crafts provides one approach.

To conclude his remarks, Dr. Crafts quotes one of the most moving statements ever made as to why one must be concerned with the quality of our lives. In making the decision to turn from the technological race to the race for human survival, Charles Lindbergh made some "enshrinable" comments. One brief sentence of Lindbergh's statement may serve as reason enough to convince our colleagues to read the full text of Dr. Crafts' remarks. Lindbergh said:

I believed some of the policies we were following to insure our near-future strength and survival were likely to lead to our distant-future weakness and destruction.

The text of the speech by Dr. Crafts follows:

#### WILL POLLUTION WIN THE PUBLIC LANDS?

(Remarks by Edward C. Crafts at the 94th Annual Meeting of the American Forestry Association, Colorado Springs, Colorado, September 24, 1969.)

The Nation's press, public figures and eminent scientists all overflow these days with pieties of abhorring the environmental degradation of the United States.

Environmental quality is the catch phrase of today, just as conservation and outdoor recreation were the phrases of yesteryear. Everyone is trying to get on the band wagon; environment is not clearly defined; it apparently covers just about everything; and there is much talk but relatively little action when compared to real needs.

Environmental retrogression is being prostituted in opposite ways by both dedicated do-gooders and industrial polluters. Despite the flow of rhetoric only a handful of national leaders really understand the seriousness of the threat to America and are trying to save the Nation. One problem is that the term can mean so many different things and is so all-inclusive as to be almost self-defeating.

Let us express some basic truths and then look at the major symptoms of environmental deterioration including some environmental issues on public lands.

1. Man's environment generally is considered to be everything outside his own body. The scope immediately becomes overwhelming. Environment must be broken down into some of its more important components for rational consideration. To our best knowledge, and this appears to be sup-

ported by recent photos of the moon and Mars, the world's environment is unique in the solar system—possibly in the universe. Our unique combination of atmosphere, water in liquid form, and land first spawned life and then man.

2. The growing danger is that man will destroy himself by degrading the environment to where it is no longer livable. This degradation is being caused by man's failure to dispose adequately of his waste products. It results from his misuse of technological know-how.

3. Failure to use properly man's scientific knowledge is causing serious water, air, and land pollution, pesticide poisoning, and improper disposal of solid waste. The worst polluter of all is the automobile with its internal combustion engine. Generally the finger is pointed most accusingly at the mining, chemical, steel and utility industries as the foremost polluters. But let us not forget the road builders, construction industry, real estate developers, timber depleters, and our misdesigned, smog-laden, slum-ridden cities.

4. The motivations that cause environmental degradation are the desire for profits, creature comforts, status living, social conformity, and material affluence.

5. Man can learn about—but he cannot alter—the natural laws of this earth nor the solar system. To survive he must control the technological apparatus by which knowledge of those earthly laws is put to practical use.

6. If there are certain industrial "princes of pollution," the kings and queens of environmental decline are the men and women of the world,—namely you and I. We have it in our power in countless ways to halt the downward trend and maintain the biotic balance between nature and man that is essential to survival of the species.

7. However, the price runs against our grain, and against "progress." It includes a social ethic for the environment, control of the world's population, willingness to forego profits, pay greater taxes, and higher prices, reduce the material standard of living, sacrifice certain creature comforts, educate ourselves and our children, revise social priorities, raise sufficient public opinion against principal industrial offenders to compel change, and an ability to recognize the point of no return before it is too late. In short, the people of this Nation must develop a consciousness and determination regardless of individual, corporate, or collective sacrifice. We as a people must be willing to bite the hot bullet.

8. The main deterrents to correction are neither scientific nor technological. They are social, economic, and political.

9. At stake is man's survival. The environmental threat is no less certain than that of unleashed nuclear weapons. But it is far less dramatic, less sudden, and more insidious. Thus it is far more dangerous.

#### SYMPTOMS OF ENVIRONMENTAL DETERIORATION

Generally speaking there are three resources subject to environmental pollution—air, water, and land. All of the air, nearly all of water, and much of the land is in the public domain. Therefore consideration of environment needs to be much broader than the scope of "public lands" as generally referred to in the United States.

Pesticides, solid waste, heat and noise are important kinds of pollution; but in reality they are causes, each of which adversely affects more than one of the three basic environmental resources.

Air has its visible and invisible contaminants with the latter the more serious. The principal sources of air pollution include autos, trucks, busses, jet planes, factories, garbage and city dumps, pesticides, heating and power plants. All of us recall big city smogs, heat-inversions, haze, beiching

smokestacks, dust bowls, and forest fires. The air over most of the East Coast from Maine to Florida is polluted up to 20 or 30 thousand feet.

Of all, the automobile is the worst offender. But despite great talk of auto safety, little beyond research has been done yet about that most dangerous source of all,—the exhaust pipe. Smog in Los Angeles would be ended if gasoline sales were banned in southern California.

Noise is another form of air pollution that is increasingly serious. The growing noise pollution is traceable to big city din, trucks and railroads, jet planes and jetports, sonic booms, interstates, turnpikes, beltways, and expressways, and the construction industry.

Water is polluted from soil erosion, sewage, industrial, agricultural, and consumer waste of all kinds, and of course always pesticides. Most major rivers of the Nation are polluted as are many minor streams. Lake Erie may be dying. So may Lake Tahoe whose color is changing from blue to green. The Coho salmon of Lake Michigan are contaminated. Estuaries and wetlands are disappearing to high rises and condominiums. Even the oceans are becoming dumping grounds for trash, sewage, and chemicals. Disaster points such as the oil off Santa Barbara are fresh in mind. Who wants poisonous gas stored near Denver; but on the other hand what would be the long-range effect of dumping such gas in the ocean. Oceans are an increasingly common receptacle for junk and other solid waste all the way from automobiles to beer cans. Oceans too are the end of the line for persistent pesticides, much industrial waste, and chemical effluents.

Thermal pollution, mainly from nuclear power generators raises the temperature of rivers and lakes, and possibly in due time even the oceans to the point of affecting sea life in unknown ways and the polar ice caps with possibly disastrous results through flooding the continents and destruction of man.

Land pollution is multitudinous and diverse in character. Pesticides upset the biotic balance, erosion and construction tear the land apart and deface it. Examples are endless and include overcutting the forest, overgrazing the range, suburban sprawl, urban slums, plebian design of cities and structures, over-crowding our parks, highways splattering ribbons of concrete across the landscape, strip mines, utility lines, litter, advertising signs, trash, junk yards, industrial decay, and ad infinitum.

#### WHAT IS BEING DONE?

At long last the Nation's press is coming alive. Scarcely a day passes without feature articles about the deteriorating environment appearing in leading newspapers, magazines or the Congressional Record.

There is a baffling maze of Federal and State legislation, public programs, trade associations and other private groups, universities and research organizations, all either pushing one aspect or another of environmental improvement, or conversely protecting a special interest.

Presently 11 Federal departments and 16 independent agencies are engaged in environmental matters.

The United Nations is convening a World Conference on the Environment in 1972.

DDT has been banned in Sweden and Denmark. About 10 States either have restricted its use or are considering such action. Michigan has impounded the salmon from Lake Michigan because of excessive DDT in their tissue.

There are other good signs. Maryland is the first State to require undergrounding of all utility lines in new construction. The Department of Agriculture has cut back the use of persistent pesticides in Federal-State insect control programs, but this accounts for only 1 percent of total consumption. Jet

planes and autos are scheduled for partially-effective emission-control devices by 1970 or 1971. California has taken steps to save San Francisco Bay. Reynolds Aluminum is paying \$200 a ton for discarded cans. Time magazine is running a new weekly section on the "Environment." The jets versus the Everglades has become a cause celebre and there is hope. The promise of peaceful use of nuclear energy is challenged by the fear of contamination.

New magazines, newsletters and organizations are springing up such as the Environmental Defense Fund, Committee for Environmental Information, Environmental Clearing House, and an ad hoc Committee on Environment consisting only of members of Congress.

The Department of Health, Education, and Welfare has created recently a Secretary's Commission on Pesticides and their Relationship to Environmental Health.

Out of the vast array of literature of the last five years, reports of the National Research Council, National Academy of Sciences, the Environmental Pollution panel of the President's Science Advisory Committee, the President's Council on Recreation and Natural Beauty, the Department of Agriculture and the Office of Science and Technology are outstanding. But their recommendations are far from being implemented.

Last May the President by Executive Order created a coordinating Environmental Quality Council, chaired by himself, and with six Cabinet officers and the Vice-President as members. The Council has met twice in contrast to the comparable Urban Affairs Council which has met about 20 times. The Council is to be staffed by the Office of Science and Technology which is the wrong place because the problems of environment are not primarily scientific.

The President established a Citizens' Advisory Committee chaired by Laurence Rockefeller. In its first report, the Committee chided Congress for the gap between authorizations and appropriations.

The new Council and Advisory Committee are a continuation and broadening of the former Council and Advisory Committee on Recreation and Natural Beauty. So far they have done little and created little enthusiasm. The House has cut funds for staff support. The objectivity and independence of Cabinet Officers is questioned as well as whether the President has the time to chair the Council personally.

Congress is bestirring itself. It probably will enact a strengthened water pollution control act. Also it has numerous bills before it to create a full-time Environmental Council with its own staff and wholly independent of the executive departments and agencies. Such a Council would closely parallel the Council of Economic Advisors. In the 90th Congress there were some 120 bills on environmental quality. By the close of this Congress there may be an even larger number.

The Senate recently passed a "National Environmental Policy Act of 1969" sponsored by Senator Henry Jackson and others. The House and Senate also are moving on related bills by Congressman Dingell and Senator Muskie.

Among other things Senator Jackson's bill: (1) establishes a National policy that the Federal Government shall use "all practicable means" to see that each person has a healthful environment; (2) directs that each Federal agency interpret its policies and laws to implement the National Environmental Policy; and (3) establishes a 3-man full time Board of Environmental Quality Advisors appointed by and responsible only to the President and with adequate staff. Duties would include appraising Federal programs and the environmental state of the Nation for the President and the Congress.

Senator Jackson predicts:

"The law will immediately hit the Atomic Energy Commission's nuclear power program by requiring the AEC to curb thermal pollution. It will have an immediate impact on all defense programs—everything from the siting of ABM missiles to chemical and biological warfare. It will affect federally financed highway programs and every Army Corps of Engineers project."

Surely some sweeping, across the Board, and overriding measures of this nature is needed. No piecemeal approach can do the job. Already on the statute books but not doing the job adequately, partly because of colossal under-financing, are some major Congressional enactments as the Air Quality, Clean Air, Water Pollution Control, Solid Wastes Disposal, Water Resources, Clean Waters Restoration, Federal Insecticide, Fungicide, and Rodenticide, Federal Food and Drug and Cosmetic, Fish and Wildlife Pesticide, and Pesticide Research acts.

The best features of the Jackson-Muskie-Dingell bills should be enacted in this Congress. Then there would be over-all legislation with teeth and an independent overview and coordination body responsible only to the President and the Congress

#### ENVIRONMENTAL ISSUES ON PUBLIC LANDS

I know the theme of this meeting is the destiny of public lands, meaning in general those lands under the purview of the Public Land Law Review Commission. But in relating to environment, "public" should mean the broader concept of all public lands—Federal, State, and local—as well as the public air and water

The issue of environmental quality transcends by far the more conventional questions of fair market value, revenue sharing, and private rights and privileges on public lands.

How much is enough is the real question. This means how far do we push our environment downhill in order to enjoy the fruits of technological knowledge, and can we detect the point of no return far enough ahead to not go over the brink of a snow-balling irreversibility? It all comes down finally to a judgment balance between what technology can supply and what biology can stand. This is why politicians and other policy officials in all walks become the ultimate key rather than scientists and engineers.

With big cities the core of environmental deterioration, and with degradation usually diminishing as the distance increases, one might conclude that the far countryside where much of the Federal public lands are located would be in little danger. Not so! You have only to read "Threatened America," "Last Chance to Save the Everglades," "Peaceful Atom Sparks a War" all in recent issues of *Life Magazine*; or "Polluted Air—Potent New Selective Force in Our Forests," in the *Journal of Forestry*, or "Pests, Pesticides and People" by the Conservation Foundation and The American Forestry Association, to conclude otherwise.

You have only to be an administrator of public lands to know otherwise. Following are a few other examples in all of which the long-term issue is environmental management versus destructive development, or continuing utilization of resources versus destructive landscape alteration:

1. Conflict between environmental protection and "progress" is the proposed jetport in south Florida versus the Everglades National Park, as is the proposed jetport in St. Thomas at the expense of wetlands, lagoons, island beauty and the Virgin Islands National Park. Recent press reports on the Everglades sound favorable. But the final decision on the Everglades jetport could well be the first test for the President's new Environmental Quality Council and Advisory Committee as well as a revelation of President Nixon's own environmental philosophy.

2. Why is mining permitted to continue for 25 years after establishment of Forest Service wilderness areas? Why won't Con-

gress intervene at Miner's Ridge to stop Kennecott Copper inside the Glacier Peak Wilderness Area? The reason in both cases is mining industry's desire for profits and pressure on vote-conscious members of Congress. The result is violation of wilderness of which there is so little left. Wilderness is irreplaceable America.

3. There are environmental public land issues in this State of which a proposed interstate through a wilderness and a proposed Forest Service timber sale taken to court are examples.

4. The construction of an expressway through Humboldt Redwood State Park in California caused such an outcry that hopefully the continuation of the expressway will by-pass two other redwood State parks, both of which are within the Redwood National Park.

5. People over-crowding of the National Parks is acute. The crunch will become greater as more and more people come to the parks on one hand, and as most acreage in the parks is classified as legal wilderness on the other. Here is real environmental conflict, the only solution appearing to be both restricting visitor numbers in the parks and accommodating over-night visitors on outside surrounding lands which often are national forests or other public land.

6. The high-timber yield bill directed at National Forests and ardently advocated by the West Coast timber industry would be an environmental intrusion by overriding the Multiple Use-Sustained Yield Act, the judgment balance of administrators, making optimum timber yield the management objective, and requiring moneys to be spent where the need is not greatest.

Large clear-cuttings in redwoods and Douglas fir that look like a battlefield, plus slash accumulations and timberland lying idle from fires or cutting is environmental destruction of the worst sort.

I recall Congressman Poage of the House Agriculture Committee in flying over both private and national forest timberlands on the west slope of the Washington Cascades registering shock at what he saw and later writing to thank me for showing him the national forests that had trees as well as those that did not.

7. The Mineral King controversy between recreation for winter sports versus keeping a wild valley wild and forestalling an access road through a National Park has caused the Sierra Club to go to court with initial success. This is a conflict solely between a people's varying cultural desires, one group for wilderness and one for winter sports. In this instance economics is not a key determinant.

8. Finally there is Alaska. Must the oil of the northern slopes ruin the priceless domain under the care of the Interior Department including the forest, wetlands, and the irreplaceable habitat for wildlife. The balance of nature is delicate at best in Alaska. Here perhaps is the ultimate testing ground in the United States as to whether the American people can and will harmonize technological progress with a delicately balanced environment.

Now to summarize: The chemical industry produces effluents and the chlorinated hydrocarbons that pollute our air, water, land, fish, animals, and man. The auto and highway industries pollute the air and desecrate the landscape. The utility and steel industries pollute the air, water and land. The mining industry with its strip mining in the East and Midwest, and pit and deep mines in the West destroy the land. Real estate developers with their urban sprawl, shopping centers, industrial parks erode the land, spoil the landscape, and offend the senses. These are the industrial big six.

But do not blame the industries as much as yourself. Responsibility is shared by each of us, by the American way of life, and by unwillingness to bite the hot bullet.

The Nation's population and material afflu-

ence is overdrawing and despoiling its natural resources and pushing the environment toward a danger point of no return. It may take a killing heat inversion along the eastern megalopolis, or some other catastrophe to shake up this Nation sufficiently to take action. Unfortunately Americans usually react after crises rather than before.

Absolutely essential to survival is restoration of harmonious balance between people and the laws of nature. To reverse the trend of environmental retrogression there are at least seven hard steps that are unavoidable. These are population control, higher taxes, higher consumer prices, lower corporate profits, lower material standard of living, revision of National priorities and coercion. These are hard prospects but they are not fantasy.

Finally, may every administrator of public land, holder of public office, board chairman, corporation president, and policy maker of every sort keep in mind the words of Charles Lindbergh when making the hard decision:

"I had become alarmed about the effect our civilization was having on continents and islands my military missions took me over—the slashed forests, the eroded mountains, the disappearing wilderness and wildlife. I believed some of the policies we were following to insure our near-future strength and survival were likely to lead to our distant-future weakness and destruction.

"After millions of years of successful evolution, human life is now deteriorating genetically and environmentally at an alarming and exponential rate. Basically, we seem to be retrograding rather than evolving. We have only to look about us to verify this fact; to see megalopolizing cities, the breakdown of nature, the pollution of air, water and earth; to see crime, vice and dissatisfaction webbing like a cancer across the surface of our world.

"We know that tens of thousands of years ago, man departed from both the hazards and the security of instinct's natural selection, and that his intellectual reactions have become too powerful to permit him ever to return.

"That is why I have turned my attention from technological progress to life, from the civilized to the wild. In wilderness there is a lens to the past, to the present and to the future, offered to us for the looking—a direction, a successful selection, and an awareness of values that confronts us with the need for and the means of our salvation. *Let us never forget the wilderness has developed life, including the human species. By comparison, our own accomplishments are trivial.*"

#### PRESIDENT BOYD OF THE UNIVERSITY OF IOWA

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, Wilard L. Boyd is the new president of the University of Iowa. He brings to this position some outstanding credentials and background. He is well qualified to deal with the incredibly complex problem of running a modern university community. I have the greatest confidence in President Boyd, and look forward to even greater studies by the University of Iowa.

President Boyd recently addressed the faculty, and made a very thought-provoking analysis of some of the problems faced. I would especially like to call the attention of my colleagues to President Boyd's plea for additional Federal support for instruction as well as research.

His speech follows:

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3003), to provide for more effective control over the expenditure of funds by the Department of Defense and the National Aeronautics and Space Administration for independent research and development, and for other purposes, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Armed Services.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### WATER QUALITY IMPROVEMENT ACT OF 1969

The Senate resumed the consideration of the bill (S. 7) to amend the Federal Water Pollution Control Act, as amended, and for other purposes.

##### AMENDMENT NO. 217

Mr. STEVENS. Mr. President, I call up my amendment, No. 217, offered on behalf of myself and the Senator from Massachusetts (Mr. KENNEDY), and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. STEVENS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment offered by Mr. STEVENS is as follows:

At the end of the bill insert the following:

##### "TITLE IV—ALASKA VILLAGE SAFE WATER FACILITIES

"Sec. 401. The Federal Water Pollution Control Act is amended further by inserting at the end thereof a new section as follows:

##### "ALASKA VILLAGE SAFE WATER FACILITIES

##### "SHORT TITLE

"Sec. 23. (a) This section may be cited as the 'Alaska Safe Water Facilities Act'.

##### "FINDINGS OF FACT

"(b) The Congress hereby finds and declares that—

"(1) in numerous villages in the State of Alaska there are presently no facilities for the provision of safe water and hygienic sewage disposal;

"(2) because of the absence of such water and sewage facilities in such villages and the attendant insanitary conditions stemming from such absence, there is a widespread incidence of sickness and disease which is responsible for serious, and in some instances, permanent impairment or even death to the residents of such villages; and

"(3) it is the responsibility of the Federal Government, in providing for the health and general welfare of Indian and native Alaskan citizens of the United States, to take appropriate measures to protect the lives and health of residents of such villages by enabling them to enjoy the benefits of safe water and hygienic sewage disposal facilities.

##### "DECLARATION OF POLICY

"(c) It is therefore the policy of this section to establish a special emergency program designed to provide safe water and hygienic sewage disposal facilities in Alaskan villages which presently do not have such facilities.

##### "PROVISION OF FACILITIES

"(d) (1) In order to provide safe water and hygienic sewage disposal facilities in villages in Alaska which presently do not have such facilities, the Secretary of the Interior (hereinafter in this section referred to as the 'Secretary') is authorized to institute and carry out a program designed to provide for the installation of such safe water and hygienic sewage disposal facilities in Alaskan villages as are necessary to assure that there will be at least one facility for safe water and hygienic sewage disposal in each village.

"(2) (A) Any facility constructed under this subsection shall be available for use by the general public and be housed in a suitable structure, designed to assure year-round use of such facility, and shall include, at a minimum, a source of clean water (such as a well with pumping facilities or utilization of surface water treated so it is safe and healthy for use), shower bath facilities, an adequate means of hygienic sewage disposal, and facilities for the washing of clothes. The building housing any such facility shall, if the Secretary determines it to be feasible and appropriate, also contain suitable quarters to be used as a community health service office.

"(B) The location of any facility constructed under this subsection shall be determined after consultation with the village council (or other comparable governing body) of the village in which such facility is located, as well as with appropriate public agencies (such as, but not limited to, the Alaska State Housing Authority and the Federal Field Committee for Development Planning in Alaska), in order to achieve maximum coordination in public development plans and activities affecting the community in which the facility is to serve.

"(3) (A) The Secretary shall provide for the construction of facilities under this subsection in the most expeditious manner feasible, and is authorized to provide for such construction by contract or through grants to public agencies or private nonprofit organizations, or otherwise. No contribution toward the cost of the construction of a facility will be required from the users thereof.

"(B) Payments of any grants made under this subsection may be made in advance or by way of reimbursement and subject to such conditions as the Secretary may impose to assure that the purposes of this section will be properly carried out.

"(C) In the construction of any facility under this subsection, there shall be utilized to the maximum extent feasible workmen from the village in which such facility is being constructed.

"(4) It shall be the responsibility of the village council (or other comparable village governing body) to maintain and operate the safe water and hygienic sewage disposal facility constructed therein under this subsection, and, upon completion of such facility, the Secretary shall execute such transfers of title as may be necessary to vest complete ownership of such facility in such council or body. The Secretary shall not construct under this subsection any facility in any village unless he first receives satisfactory assurances from the village council (or other comparable governing body) thereof that such council or body will, upon completion of such facility, accept ownership thereof and will accept responsibility for the operation and maintenance thereof.

"(5) For purposes of carrying out the provisions of this subsection, there is authorized to be appropriated \$5,000,000 for the fiscal year ending June 30, 1970, and such sums as may be necessary for each of the next three fiscal years thereafter. Funds appropriated for any fiscal year under this paragraph shall remain available until expended and be utilized for both construction of the facilities and for the engineering and administrative costs necessary to design and plan such construction.

"(e) (1) The Secretary shall conduct through the health aide, in each community wherein there is located a safe water and hygienic sewage disposal facility provided under subsection (d), an appropriate educational and informational program designed to familiarize the residents of such community as to the health advantages to be achieved by their full utilization of such facility.

"(2) Whenever the Secretary determines that the village council (or comparable governing body), which has accepted ownership and responsibility for operation and maintenance of a facility provided under subsection (d), has financial resources which (when combined with the financial assistance available to it from the village, State, or other sources) are less than the amount necessary to enable such council or body properly to operate and maintain such facility, then the Secretary may make grants to such council or body in amounts which (when combined with the amounts available from other sources) will be sufficient to enable such council or body properly to operate and maintain such facility.

"(f) The Secretary of the department actually administering the provisions of this section shall for the fiscal year which ends June 30, 1970, and for each of the succeeding three fiscal years, submit to the Congress a full and complete report of the activities undertaken pursuant to the authority contained in this section, which report shall indicate each of the villages wherein safe water and hygienic sewage disposal facilities under subsection (d) have been established, the extent to which such facilities are being utilized, and the contribution made toward such utilization by the educational and informational program established pursuant to subsection (e) (1). The report of such Secretary for the fiscal year ending June 30, 1970, shall be submitted not later than July 30, 1970, and the report for each of the three succeeding fiscal years shall be submitted not later than the July 30 which immediately follows the close of such fiscal year.

"(g) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1970, and for each succeeding fiscal year, such sums as may be necessary to carry out the provisions of subsections (e) and (f) of this section.

"(h) In order to prevent duplication of effort and to promote economy of administration, the Secretary shall to the maximum extent feasible utilize the facilities of the Department of Health, Education and Welfare or the facilities of other appropriate

public agencies in the administration of the provisions of this section."

Mr. STEVENS. Mr. President, we have offered this amendment to bring to the attention of the Senate the great problem of pollution in the rural areas of Alaska, particularly in the native and Indian areas.

I accompanied the Senator from Massachusetts (Mr. KENNEDY) on his hearings in our State during the early part of this year. As a result of that trip, our staffs collaborated and prepared this amendment to S. 7 as an approach that would be feasible, in our opinion, to deal with the pressing problems in these areas.

In 178 villages, only 8 percent of the homes, as I pointed out yesterday, have any kind of inside sewage or water facilities.

The purpose of the amendment would be to attempt to bring into each village a safe water facility as quickly as possible.

We realize, after our trip through these areas, that it would be impossible, from a financial point of view, to put water and sewage facilities into every one of these village homes, which are substandard, and which we are trying to replace. It would be uneconomical to attempt to put sewage and water facilities into each home, as we would envision replacing the homes under the remote housing program and the Bartlett housing program.

I am indebted to the Senator from Massachusetts for his support and also to the chairman of the committee for his consideration.

I have discussed this matter with the chairman and I understand the position he is prepared to explain in connection with the amendment.

Mr. KENNEDY. Mr. President, will the Senator from Alaska yield?

Mr. STEVENS. I yield.

Mr. KENNEDY. During the spring of this year, when the Subcommittee on Indian Education traveled through Alaska, our prime interest and responsibility was to try to review in some detail the educational opportunities, or, more accurately, the lack of educational opportunities, for the native population, Indian as well as Eskimo.

During the three and a half days of extremely comprehensive travel throughout the State of Alaska, in which we were joined by the distinguished Senator from Alaska (Mr. STEVENS), the subcommittee was constantly reminded not only of the inadequacy of education, but also of one of the greatest impediments in the pursuit of education; namely, the lack of basic and fundamental sanitary conditions.

This appeared to me as a condition which I never realized could exist in this country of ours, a country which has such extraordinary affluence and wealth. Upon visiting many smaller, and even moderate-sized villages, we found absolutely no kind of sanitary facilities at all. Children were drinking polluted water, and from this contracting a variety of diseases which prohibited their even attending school. Eighty-five percent of the

native children there had ear infections, which directly affect their whole learning process. Nearly 15 percent of native children were hospitalized by serious sicknesses last year.

In our conversations with a number of schoolteachers, they pointed out that many of the native children, Eskimo and Indian children, were not learning well because they suffered from hearing deficiencies.

In talking with Public Health officials, we found that the principal reason for their suffering was lack of clean and adequate water supplies. As a result of using polluted water to bathe and wash in, and even drink, they were contracting diseases peculiar to Alaska, particularly the southwestern part of that State.

We could elaborate, and I know the Senator from Alaska (Mr. STEVENS) could elaborate, on the details of the conditions we found there, but they were some of the most desperate I have seen, including those in the barrios of Latin America and the hovels of Asia.

It seems to me that an important step which should be made—and could be made—is providing fundamental kinds of sanitary facilities to many of the smaller communities and villages. I think it would go a long way toward permitting these people to live in some kind of human dignity.

I want to say how much I appreciated working with the Senator from Alaska (Mr. STEVENS) on this problem. We realized full well we have not had the kinds of extensive hearings on this measure that perhaps a measure of this kind should have; but the reason why we are moving in this way is the emergency nature of the situation. It exists today.

We know that this measure, S. 7, provides us with knowledge from members of the committee who have a profound knowledge and understanding of this kind of legislation. If we do not get action at this time, another year will pass by, and any kind of progress will be interminably delayed. We feel that this is no time for delay.

So we are extremely hopeful that some benefit will come from what I think is an emergency measure. We have seen how the Senate can act in times of emergency, whether it be a hurricane in Louisiana or the tragedy of an earthquake in Alaska. We are talking about a human tragedy which deserves as much expeditious consideration as natural disasters do.

Mr. STEVENS. I thank the Senator from Massachusetts for his comments. One of my colleagues asked yesterday why Alaska, with its new-found wealth, did not finance this program. I would like to point out that this is Federal land. These are villages which are under the supervision of the Bureau of Indian Affairs, and our Public Health Service is responsible for their health. The measure contemplates a working relationship between the Secretary of Interior and the Secretary of Health, Education, and Welfare. There are less than 500 acres of land in private ownership in this area, which is twice the size of California.

The reason why the State cannot move in that area is that it does not own the land. It has no way to get security for the advancement of any funds. There is no way for the State of Alaska to deal with this problem today. The Federal Government has both the title to the land and supervision over the people. They are wards of the Government until there is action taken on the Alaska native land claims settlement bill. This is another reason for the urgency of the matter.

The State is now in a position where it can move ahead and try to improve the lot of the people through better housing conditions, schools, and roads, but until the State has some legal right to do it, we must rely upon the Federal Government. I feel we must move into this area now with a bold program to try to prevent the rapid increase in the death rate.

Yesterday I pointed out that one-fifth of the children in this area die in the first year of their life, and those who survive have a life expectancy of 34½ years. These are most appalling statistics.

Mr. KENNEDY. Mr. President, will the Senator yield on the point of the infant mortality rate?

Mr. STEVENS. I yield.

Mr. KENNEDY. The infant mortality rate for Alaskan native children is the highest of any group in this country.

Mr. STEVENS. It is 10 times higher than any other group.

Mr. KENNEDY. Once again, it can be directly related, I think, as was brought out in our conversations with the Public Health personnel there, to the question of basic and fundamental sanitary conditions. That is one of the prime reasons for that condition, as we heard from the Public Health personnel who were there dealing with this problem and have made many, many surveys of the health problems.

On another point, as the distinguished Senator from Alaska pointed out, these are Federal land areas. I think all of us realize we have additional kinds of responsibility, not only in the field of Indian education, for example, where the Federal Government has had an opportunity and unfortunately has reneged on that responsibility, but in trying to provide the kinds of facilities which are essential to a decent kind of existence.

The statistics given by the Senator from Alaska are most dramatic in terms of human misery. Once again, I think they reinforce the emergency nature of our proposal.

Mr. STEVENS. I thank the Senator. I pointed out that this is not something that is impossible. Each one of the villages has a school run by the Bureau of Indian Affairs, in which the children can use hot and cold running water and showers. The trouble is they go from their 20th century daytime schoolhouse into their stone age home at night. They go into homes which have one room, in which 10 to 20 people live, with no kind of water or sanitary facilities.

There is great difficulty in teaching

these children who have no continuity in life. They have the highest school dropout rate. They have the lowest attainments in terms of educational levels. And one of the basic problems they face is polluted water. Safe water is one thing we can make available to them now.

I know the chairman of the subcommittee would like to comment on this matter, but first I ask unanimous consent that the amendment we have offered show that it is cosponsored by Senators MCGOVERN, MONDALE, HUGHES, WILLIAMS of New Jersey, YOUNG of North Dakota, YOUNG of Ohio, and SMITH of Illinois, who have joined the Senator from Massachusetts and me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STEVENS. I yield first to the majority leader.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be included as a cosponsor of the proposal by the Senator from Alaska.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I have, as the Senator from Alaska has indicated, discussed this matter with him. May I say at the outset that I sympathize completely with the Senator's objectives, and I compliment the distinguished Senator from Alaska and the distinguished Senator from Massachusetts for developing the facts relative to this situation and bringing them to the attention of the Senate, first at the time this amendment was introduced last spring and then this morning. I think this part of the record is important.

I point out that when the amendment was submitted last spring, on May 20, the committee had already completed its hearings on S. 7, and, indeed, we had already embarked on executive sessions, which stretched from March until late June, undertaking to work out the provisions of the bill which are now pending before us.

We entertained the hope at that time that before this session was ended, we would get to additional hearings on the problems of financing waste treatment plants. So last spring we indicated to the Senator from Alaska that, in connection with those hearings which we hoped to hold, we would have hearings on his amendment, with a view to developing a viable solution to the problem.

Unfortunately, other developments in connection with the funding of waste treatment plants have taken place or are underway in Congress this year. I have high hopes that, with the assistance of the able and distinguished Senator from Louisiana, the funding level can be raised through the appropriations process. For that reason, and in order to submit our efforts on the appropriations process this year, we did not get into the questions of alternative means of funding waste treatment plants; and as a consequence, we have not gotten to hearings on the Senator's proposal.

But because of the obvious merit and urgency of the problem, I have agreed with the Senator to take his amendment to conference, if the Senate approves, for the purpose of bringing it to the attention of the House of Representatives as well as the Senate. I would not predict what the conference result may be, but at the very least, I think, by this procedure we can alert the House of Representatives to the urgency of the problem and lay the basis for further and perhaps more effective consideration by our committee later on.

So I am willing to take this amendment on that basis.

Mr. STEVENS. I thank the Senator for his comments. I am sure that the Senator from Massachusetts and I understand the problem that is involved in the committee's consideration, and we are grateful to the chairman for his comments and his appreciation of the problem and his willingness to work with us to try to solve it.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the substitute committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The committee amendment in the nature of a substitute is open to further amendment.

Mr. MUSKIE. Mr. President, yesterday there was some discussion of the oil pollution liability section of S. 7; and in view of the comments made on the insurability of the liabilities set forth in the bill, I should like to briefly to discuss the considerations which led the committee to conclude that the reverse burden of proof—limited negligence concept would not adequately protect the U.S. Government in the event of a catastrophic oil spill.

These provisions in the legislation, Mr. President, sparked a great deal of controversy. A number of representations have been made to members of the Committee on Public Works and other Senators by representatives of the British insurance industry, the international merchant marine, and the American merchant marine, recommending the adoption of negligence liability, with limits of \$100 per gross ton or \$10 million, whichever is lesser.

I should like briefly to discuss why this concept, which was included in the House passed bill, was not accepted.

The Committee on Public Works did not ignore the need to protect the ability of the United States to transport oil by vessel. It was for precisely this reason that the committee established the limitation of liability at \$125 per gross ton, or \$14 million, whichever is lesser, for any oil spill which was not the result of negligence or a willful act. It was also for this reason that the committee provided certain exceptions suggested, I might say, by the industry, which, if proved by the owner or operator of the discharging vessel, would relieve the vessel from liability.

In other words, if the owner cleans up the spill and is later able to prove that the discharge was caused solely by one of the four exceptions which the commit-

tee included in the bill, the U.S. Government will reimburse the owner for his costs up to \$14 million.

Mr. President, I think it is important, at this point, to suggest some facts relative to the risks which are involved from this kind of spill and discuss the relationship of liability to those risks.

The House bill would limit the liability of a vessel owner or operator to \$100 per gross ton or \$10,000,000, whichever is lesser. That bill would provide that, regardless of how willful or how negligent the discharge happened to be, the innocent beach owner, the innocent boatowner, or the innocent commercial fisherman would have to pay those cleanup costs in excess of \$100 per gross ton of the discharging vessel even though that beach owner, that fisherman, that boatowner had absolutely no responsibility for the spill.

Mr. President, this approach would greatly reduce the capacity of the United States to collect cleanup costs for the discharge of oil from a major supertanker. Today, \$100 per gross ton would provide maximum liability coverage for a 100,000-gross-ton vessel. However, we are approaching the era of the supertanker. The recent success of the tanker *Manhattan* in breaching the Northwest Passage for commercial purposes will cause construction of immense supertankers which will transport oil from Alaska's north slope to the east coast of the United States. Already one oil company has ordered two supertankers to move oil from the north slope of Alaska to California.

If the committee's figures are accurate and they were almost all supplied by the oil companies and the insurance industry, a disaster on the order of the *Torrey Canyon*, in which the vessel was lost, cost approximately \$118 per gross ton to clean up based on the settlement figures.

If a 200,000 gross ton tanker were to break up off the coast of the United States and if the cost of cleanup were to be only \$118 per gross ton, the cost to the United States would be \$23.6 million. Under H.R. 4148, the United States would be out of pocket \$13.6 million even if negligence was proved. Under the legislation proposed by the committee the major oil company which will own that supertanker would be liable for the entire cost of cleanup if the U.S. Government were able to prove negligence. If that discharge occurred without fault on the part of the discharging vessel, the oil company would be liable for a maximum of \$14 million. If the oil company owning the vessel could prove that the discharge was solely the result of an act of God, an act of war, an act of third party or an act of U.S. Government negligence there will be no liability whatsoever. In fact, if the oil company which owned the vessel cleaned up the spill and later proved that the discharge was a result of one of the exceptions that oil company could be reimbursed by the United States for the cost of cleanup.

Mr. President, in a matter of equity as between the discharging vessel and

the American public, I have to choose for the American public. I firmly adhere to the position taken by the committee that the negligence on the part of anyone involved in the operation of the vessel should remove liability limits and the cost of cleanup should be borne by the vessel, not the innocent beach owner, fisherman or boatowner.

I ask unanimous consent that there be included in the RECORD at this point a letter commenting on the liability provisions of S. 7, from Allan I. Mendelsohn.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,  
September 26, 1969.

Senator EDMUND S. MUSKIE,  
Old Senate Office Building,  
Washington, D.C.

DEAR SENATOR MUSKIE: In a recent New York Times article, George Horne described several of the current efforts by the British marine underwriters, joined by the American shipowners, to oppose your legislation revising and modernizing the archaic limitations of liability that have up to the present time protected foreign and U.S. flag tanker owners in the event of oil spills causing extensive pollution damage to the beaches and sea coasts of this country.

As a former treaty negotiator for the United States Government on this and similar limitation subjects and as former Chairman of the joint United States Government-Industry committee on international maritime law, I believe I might be of some help to you in presenting the other and public side of this controversy.

The British marine insurers, together with the American flag shipowners, have traditionally and consistently opposed every effort, domestic as well as international, to raise the archaic United States limitations of shipowner liability up to realistic amounts. It is scandalous that, by reason of the limitations of liability enacted by the United States Congress in 1851, a Torrey Canyon disaster occurring off the coast of Miami or Cape Cod would result in no recoveries for the American citizens whose fishing, wildlife, hotel and beachfront interests are seriously damaged. It is even more scandalous that if the 1851 limitation law, as amended in 1936, is applied to the survivors of the 90 victims of the 1965 Yarmouth Castle disaster, no survivor would recover more than \$2,700 per victim.

Yet, each time some effort is made to modernize these limits, the marine insurers and the shipowners join together in opposition. As is the case with your bill, one of their usual arguments is that the capacity of the insurance market is incapable of meeting the risks that could be involved if high limits are adopted. In short, the marine insurance market does not have enough money or enough avenues by which this money can be obtained.

But this argument is plainly inadequate. I do not believe it is necessary, in this respect, again to point your attention to the many inconsistencies that appeared in the testimony of the British insurers on the several occasions they testified before your Committee. In an article to be published in next month's issue of the *George Washington University Law Review*, I describe and analyze these inconsistencies in some detail, pointing up how their testimony changed in each of the successive hearings held by the House Committees and your Subcommittee. Suffice it to say now, however, that each time they appeared, market capacity seemed to shrink and costs seemed to increase finally to the point even of doubling for halved limits.

For my part, I have no doubt whatever that if your bill were to pass with no limitations of liability much less the limitations now proposed in your bill, the marine insurance industry would find the necessary market capacity within at most a 6 month period—if only to be able to continue today's lucrative oil tanker trade. One need only mention, in this respect, that when limitations of liability for international airline crashes were raised in 1966 from \$8,300 to \$75,000, the international aviation insurance market discovered the capacity almost overnight even though prior to the event they too had argued, like the marine underwriters today, that the capacity was not there. In domestic aviation, where there are no limitations of liability the U.S. airlines are presently gearing up for potential liability, with the new 747 jumbo jets, of upwards of \$100 million per aircraft per accident. Yet the British marine underwriters can argue that their market cannot absorb even a limit as low as \$15 million.

Moreover, one questions the role of the oil companies in this controversy. It is a fact that 7 major American oil companies own almost half of the total tanker tonnage operating under the American flag. It is also a fact that the 7 oil companies operating the largest amounts of American flag tanker tonnage also happen to be among the 9 oil companies enjoying the largest allocations under this country's oil import quota system. It is still further a fact that the oil companies and tanker owners have realized immense savings with the introduction of the giant tankers ranging anywhere from 200,000 to 500,000 dead weight tons. A 200,000 ton tanker alone can carry upwards of roughly 55,000,000 gallons of crude oil. Certainly, with the profits realized through these automated and, indeed, subsidized (by way of the import quota system) operations, oil should and must be expected to pay its way by assuring that the insurance market capacity is in fact adequate. For if the oil tanker and oil industry do not pay their way, that way will necessarily be paid through lower, inadequate recoveries by private American citizens who fall victim to future pollution disasters.

To be sure, I am not enamored of all the provisions of your bill. For example, I fail to see why, if there is to be a limit at all, there should be any exceptions to liability. Under modern legal principles, such as exist in international air law today, a limitation may be accorded to the carrier but only in return for that carrier's accepting absolute liability. If a carrier can avoid liability by proving, for example, that the accident resulted not from his fault but rather from acts of God, war, or third parties (the present exceptions in your bill), then, failing such proof, he should be entitled to no limitations of liability and thus be liable for damages in full. This latter situation prevails today in domestic United States aviation. Yet, in your bill, the carrier enjoys the exceptions but still has a limited liability. Moreover, even if absolute liability is adopted, I fail to see any persuasive reason why an overall ceiling must be included. It is enough to provide only a per ton limit and, indeed, I might add that this was the system that appeared in your Committee Print No. 3. To change that system by incorporating an overall ceiling of \$10 million or \$14 million does no more than protect the largest tanker owners who presumably need this protection the least.

Moreover, the most significant failing of your bill is that it covers only clean-up costs of government and does not at all change the repressive 1851 limitations as they apply to suits by private citizens. I realize, of course, that this failing is not of your doing and that you, together with the members of your Committee, would have preferred to have broadened the bill but were unable to under the circumstances.

But with all these defects in the bill, it still remains the first major and long overdue breakthrough in this country's maritime limitation law. If the British insurers, the oil industry, and the American shipowners succeed, by imposing their groundless apprehensions on you, in blocking the passage of even this first step of progress, I fear for the consequences to the American public in all of the future steps of progress that are so necessary in our maritime limitation law.

It is for these reasons and despite its defects that I vigorously support your bill and offer you my assistance in any way towards its enactment. The only compromise that should be acceptable—and one that I would personally prefer—is an unbreakable limit (notwithstanding negligence or willful misconduct) of \$150 per ton, no overall limit, and a system of absolute liability with only one exception, namely, the unique case where the Government itself causes or contributes to the causing of the accident. Adoption of such a system would be fully in accord with modern tort law principles which predicate liability not on grounds of fault or negligence but on ability to absorb and distribute risk.

Perhaps in view of the present circumstances, the various concerned industries might be more prone to accept this proposed compromise system than the one presently in your bill. If so, this system, with all of its legal and practical advantages in offering certainty and avoiding litigation, should be adopted. But if not, your bill is the next best alternative and, despite the objections traditionally heard from the insurers and shipowners, it should be enacted forthwith.

Sincerely yours,

ALLAN I. MENDELSON.

Mr. BAKER. Mr. President, I fully concur with the distinguished chairman of the subcommittee in his description of the liability provisions of S. 7; particularly the position that in the final analysis the provisions of S. 7 establish the principle that as between the public and an owner or operator, the owner or operator shall bear expenses associated with cleanup.

I would like to add only a few points.

A paramount concern of the committee is a desire to apply a uniform standard of liability. To do so it was necessary to adopt an approach that would enable the relevant courts to decide issues of liability with as little reference as possible to State law. Consequently, the committee adopted a standard of liability that would give complete and sufficient guidance to the Federal courts in deciding basic issues. The only deviation from this pattern is where an exception is made from limitation of liability where the United States can prove negligence. In considering an allegation by the United States of such negligence, the Federal court, of course, would refer to relevant State law.

The basic liability standard, however, avoids immediate reference to State law by adopting liability in the nature of absolute liability, then providing exceptions from this liability where an owner or operator can prove that a particular discharge was caused solely by an act of war, act of God, or negligent act of the Government or the act of a third party. It is hoped that the exceptions are sufficiently clear in the bill so that, along with the report language, a Federal court will be able to decide the issue of liability with a minimum reference to State

law and thus achieve as close to a uniformly applied standard as is possible.

The bill defines an act of God to mean an act occasioned exclusively by violence of nature without the interference of human agency. This does not mean, therefore, a common law or statutory definition of act of God that exists under State law. This language provides a higher standard, and one that means a violent act of nature that could not have been avoided by the exercise of foresight and prudence. In the words of the testimony of the American Petroleum Institute this would include an event such as an earthquake or tidal wave in an area without any prerecorded history of such event.

The remaining exceptions are clear on their face and should enable a Federal district or other court to determine all issues with little reference to State law.

S. 7 has been written to avoid a full range of controversy that is inherent in any reference in a statute to burden of proof or prima facie case. The record should show that there is no such thing as a simple reversal of the burden of proof and as responsible legislators we should avoid such a procedural trap.

If we used language of burden of proof we could not describe what burden we are talking about for such matters are properly matters of State law. To use such language, therefore, would raise the same problems we are attempting to avoid in refraining from using negligence as the basic test of liability.

Burden of proof is a variously defined concept. It can mean the burden of going forward with the proof, or the burden which disappears with any proof to the contrary or one that requires substantial proof to overcome the presumption, or even an irrebuttable presumption.

If we get into the procedural aspects of presumptions and reversal thereof, it seems to me we have sown the seeds of very extensive litigation.

That there is in fact the manner in which burden of proof language would be interpreted let me quote from a brief filed by the Maritime Law Association on this very point:

Further, the liabilities imposed by the two bills are comparable neither in theory nor application. The *prima facie* case established in Section 17(e) (2) of H.R. 4148 would be satisfied by proving that one's acts or omissions did not proximately cause the damage. This initial *burden of evidence* being satisfied, the plaintiff Government, as other plaintiffs, would properly proceed with its *burden of proof* as to the proximate cause of a spill.

It is exactly this procedural quagmire we seek to avoid in S. 7.

Mr. President, a question has been raised concerning the applicability of cleanup liability provisions to facilities to receive supertankers currently being designed and constructed beyond 3 miles of the coast of the United States.

It is my understanding, and I think shared by members of the Committee on Public Works that to the extent liability is not established by other provisions of law the liability established by this act shall apply if any essential part of such facility, such as a pipeline, passes

through the navigable waters of the United States. Under the definition of on or offshore facilities of section 12(a) (11) a facility includes "related appurtenances." As used in that definition "related appurtenances" should not be interpreted as meaning only those appurtenances occurring in the navigable waters but to include all essential parts of a particular facility no matter where located. Therefore, a terminal facility beyond 3 miles that has the pipeline or other necessary part passing through the navigable waters can be included in the liability provisions of S. 7.

Mr. MUSKIE. Mr. President, I send to the desk an amendment in the nature of a substitute to title II of S. 7.

The PRESIDING OFFICER. The amendment in the nature of a substitute will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. MUSKIE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered, and the amendment will be printed in the RECORD.

The amendment in the nature of a substitute for title II is as follows:

On page 74, beginning with line 1, strike out all through line 21 on page 80, and insert in lieu thereof the following:

"TITLE II—ENVIRONMENTAL QUALITY

"SEC. 201. This title may be cited as the 'Environmental Quality Improvement Act of 1969'.

"FINDINGS, DECLARATIONS, AND PURPOSES

"SEC. 202. (a) The Congress finds—

"(1) that in the pursuit of social and economic advancement man has caused changes in the environment;

"(2) that the degree of such changes endangers a harmonious relationship between man and his environment;

"(3) that population increases and urban concentration contribute directly to pollution and the degradation of our environment, increasing the severity of the physical, social, psychological, and economic problems of our society; and

"(4) that changes in the environment should be restricted, insofar as possible, to avoid adverse effects on man, other species and the environment itself.

"(b) The Congress declares that there is a national policy for the environment enunciated in laws relating to air, water and land pollution which—

"(1) provides for the enhancement of the quality of our air, water, and land environment;

"(2) recognizes the primary responsibility for implementation of this policy rests with State and local governments; and

"(3) encourages and supports implementation of this policy through appropriate regional organizations.

"(c) The purposes of this title are—

"(1) to assure that each Federal department or agency conducting or supporting public works activities which affect the environment shall implement the policies established under existing law and by the President pursuant to this title; and

"(2) to authorize and to provide staff for an Office of Environmental Quality.

"OFFICE OF ENVIRONMENTAL QUALITY

"SEC. 203. (a) There is established in the Executive Office of the President an office to be known as the Office of Environmental Quality (herein referred to as the "Office").

There shall be in the Office a Director and a Deputy Director who shall be appointed by the President, by and with the advice and consent of the Senate.

"(b) The compensation of the Director and the Deputy Director shall be fixed by the President at a rate not in excess of the annual rate of compensation payable to the Director and the Deputy Director of the Bureau of the Budget.

"(c) The Director is authorized to employ such officers and employees as may be necessary to enable the Office to carry out its functions under this title.

"(d) In carrying out the provisions of this section the Director shall—

"(1) provide assistance to the President on policies and programs of the Federal Government, including review of existing and proposed projects, facilities and activities, which affect environmental quality, and recommended priorities thereon;

"(2) provide staff and support for any board, council or committee established by the President or authorized by the Congress to coordinate Federal activities which affect policies and programs established to protect and enhance environmental quality;

"(3) review the adequacy of existing systems for monitoring and predicting environmental changes in order to achieve effective coverage and efficient use of research facilities and other resources;

"(4) promote advancement of scientific knowledge of the effects of actions and technology on the environment and encourage the development of the means to prevent or reduce adverse effects that endanger the health and well-being of man;

"(5) assure evaluation of new and changing technologies for their potential effects on the environment prior to their implementation;

"(6) review and comment on the coordination of the programs and activities of Federal departments and agencies which affect, protect, and improve environmental quality;

"(7) review and comment on the development and interrelationship of environmental quality criteria and standards established through the Federal Government; and

"(8) collect, collate, analyze, and interpret data and information on environmental quality and issue reports thereon, as he deems appropriate;

"(9) develop and maintain an inventory of existing and future natural resource development projects, engineering works, and other major projects and programs contemplated or planned by public or private agencies or organizations which make significant modifications in the natural environment;

"(10) establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals; and

"(11) perform such other duties and functions as directed by the President.

"(e) In carrying out the provisions of this section, the Director is authorized to contract with public or private agencies, institutions, and organizations, and with individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5) for research and surveys regarding any potential or existing problem of environmental quality.

"EFFECT ON EXISTING AUTHORIZATIONS

"SEC. 204. The policies and goals set forth in this title are supplementary to existing authorizations of Federal agencies.

"AUTHORIZATION

"SEC. 205. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1969, and for each of five succeeding fiscal years, such amounts as may be necessary for the purposes of this title."

Mr. MUSKIE. Mr. President, I will ask for the yeas and nays on the substitute both as an indicator of the Senate's interest in this proposal and as instructions to the Senate conferees to support the agreed-upon compromise language for S. 1075.

The statement I am about to make on title II involves title II of S. 7 and S. 1075, sponsored by the distinguished chairman of the Committee on Interior and Insular Affairs (Mr. JACKSON). The Senator from Washington (Mr. JACKSON) will make a statement to the same effect, which is the essence of our agreement on these two bills.

The substitute amendment for title II of S. 7 is largely similar to the title as reported by the committee. The justifications as discussed in my remarks and the committee report still exist without modification. The language has been modified to assure minimum of overlap or conflict with the proposed version of S. 1075.

The substance of title II remains the same: all Federal and federally assisted public works projects would be directed to implement environmental policies established by the President and existing air, water, and land pollution laws; and there would be established in the Executive Office of the President, an Office of Environmental Quality to assist the President in review and development of environmental programs and policies.

As revised, title II of S. 7 no longer provides for establishment of advisory committees by the Director of the Office of Environmental Quality, nor is the Director authorized to conduct a biennial forum on environmental problems. Both of these functions would be transferred to S. 1075 as activities more properly conducted by the Board of Environmental Quality Advisers.

As revised, the Office of Environmental Quality would be available to provide staff support to the Board of Environmental Quality Advisers, the President's Council on Environmental Quality and to the President directly.

Also, the Office would carry on certain data collection and analysis functions previously included in S. 1075. This ongoing monitoring function would provide a means of developing needed information to determine potential environmental changes which are caused or could be caused by any activity in which the Federal Government is involved.

The report required under title III of S. 1075 would be transmitted in whole or in part to the committees which traditionally have exercised jurisdiction over the environmental subject matter contained therein. For example, if such a report discusses the problems of air quality, either that section of the report or the report in its entirety would be referred to the Committee on Public Works as well as other committees which might have interest in other portions of the report. This type of distribution to the appropriate congressional committees will provide maximum participation in the development of a meaningful legislative response to the problems posed by this report from the President.

The revisions included in this substitute essentially would clarify the staff

role of the Office of Environmental Quality while leaving to Senator JACKSON's proposed Board of Environmental Quality Advisers the function of independent oversight of Federal policies and programs which affect the environment. Because Senator JACKSON will discuss the board's function in some detail, I will confine my remarks to the compromise version of S. 1075 as it relates to title I, the so-called national policy statement.

Mr. President, at this point, I ask unanimous consent that the text of the revised version of S. 1075 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### S. 1075

A bill to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality

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

#### SHORT TITLE

SECTION 1. That this Act may be cited as the "National Environmental Policy Act of 1969".

#### PURPOSE

SEC. 2. The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Board of Environmental Quality Advisers.

#### TITLE I

##### DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

SEC. 101. (a) The Congress, recognizing that man depends on his biological and physical surroundings for food, shelter, and other needs, and for cultural enrichment as well; and recognizing further the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances on our physical and biological surroundings and on the quality of life available to the American people; hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may—

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(b) The Congress recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

SEC. 102. The Congress authorizes and directs that the policies, regulations, and public laws of the United States, to the fullest extent possible, be interpreted and administered in accordance with the policies set forth in this Act, and that all agencies of the Federal Government—

(a) utilize to the fullest extent possible a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment;

(b) identify and develop methods and procedures, subject to review and approval of the Board of Environmental Quality Advisers established by Title III of this Act, which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decision making along with economic and technical considerations;

(c) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on—

(i) the environmental impact of the proposed action;

(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented;

(iii) alternatives to the proposed action;

(iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and

(v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any established agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, including those authorized to develop and enforce environmental standards, shall be made available to the President, the Board of Environmental Advisers and to the public as provided by 5 U.S.C. 552 and shall accompany the proposal through the existing agency review processes.

(d) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(e) recognize the worldwide and long-range character of environmental problems and lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment; and

(f) review present statutory authority, administrative regulations, and current policies and procedures for conformity to the purposes and provisions of this Act and propose to the President such measures as may be necessary to make their authority consistent with this Act.

SEC. 103. Nothing in section 102 shall in any way affect the specific statutory obligations of any Federal agency (a) to comply with criteria or standards of environmental quality, (b) to coordinate or consult with any other Federal or State agency, or (c) to act, or refrain from acting contingent

upon the recommendations or certification of any other Federal or State agency.

Sec. 104. The policies and goals set forth in this Act are supplementary to existing authorizations of Federal agencies.

#### TITLE II

Sec. 201. To carry out the purposes of this Act, the Board of Environmental Quality Advisers is hereby authorized—

(a) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality to the extent that such activities do not overlap or conflict with similar activities authorized by law and performed by established agencies;

(b) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes; and

(c) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps.

Sec. 202. To carry out the purposes of this Act, all agencies of the Federal Government in conjunction with their existing programs and authorities, are hereby authorized—

(a) to make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment;

(b) to initiate and utilize ecological information in the planning and development of resource-oriented projects;

(c) to conduct research and studies within natural areas under Federal ownership which are under the jurisdiction of the Federal agencies; and

(d) to assist the Board of Environmental Quality Advisers established under title III of this Act and any council or committee established by the President to deal with environmental problems.

Sec. 203. There is hereby established in the Office of Science and Technology an additional office with the title "Deputy Director of the Office of Science and Technology." The Deputy Director shall be appointed by the President by and with the advice and consent of the Senate, shall perform such duties as the Director of the Office of Science and Technology shall from time to time direct, and shall be compensated at the rate provided for level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315).

#### TITLE III

Sec. 301. (a) There is created in the Executive Office of the President a Board of Environmental Quality Advisers (hereinafter referred to as the "Board"). The Board shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. Each member shall, as a result of training, experience, or attainments, be professionally qualified to analyze and interpret environmental trends of all kinds and descriptions and shall be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interest of this Nation. The President shall designate the Chairman and Vice Chairman of the Board from such members.

(b) Members of the Board shall serve full time and the Chairman of the Board shall be compensated at the rate provided for Level II of the Executive Schedule Pay Rates (5 U.S.C. 5313). The other members of the Board shall be compensated at the rate provided for Level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315).

Sec. 302. (a) The primary function of the Board shall be to study and analyze environmental trends and the factors that effect

these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation. In carrying out this function, the Board shall—

(1) report at least once each year to the President on the state and condition of the environment;

(2) provide advice, assistance, and support to the President on the formulation of national policies to foster and promote the improvement of environmental quality; and

(3) obtain information using existing sources, to the greatest extent practicable, concerning the quality of the environment and make such information available to the public.

(b) The Board shall periodically review and appraise Federal programs, projects, activities, and policies which affect the quality of the environment and make recommendations thereon to the President.

(c) It shall be the duty and function of the Board to assist and advise the President in the preparation of the annual environmental quality report required under section 303.

(d) The Board shall carry out its duties under the provisions of this Act at the direction of the President and shall perform whatever additional duties he may from time to time direct.

Sec. 303. (a) The President shall transmit to the Congress, beginning June 30, 1970, an annual environmental quality report which shall set forth: (a) the status and condition of the major natural, manmade, or altered environmental classes of the Nation; and (b) current and foreseeable trends in quality, management, and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

(b) Such report shall be referred in whole or in part to the committees of each house of the Congress which have exercised jurisdiction over the subject matter contained therein.

Sec. 304. (a) In order to obtain assistance and independent advice in the development and implementation of the purposes of this title, the Board may from time to time establish advisory committees. Committee members shall be selected from among representatives of various State, interstate, and local government agencies, of public or private interests concerned with population growth, environmental quality, and planning for the future, and of the other public and private agencies demonstrating an active interest, as well as other individuals in the fields of population, biology, medical sciences, psychology, social sciences, ecology, agriculture, economics, law, engineering, and political science, who have demonstrated competence with regard to problems of the environment.

(b) The members of the advisory committees appointed pursuant to this title shall be entitled to receive compensation at a rate to be fixed by the Board, but not exceeding \$100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

(c) The Board shall organize and convene a biennial forum on current problems and issues concerning environmental quality, population, and the future, and publish the proceedings thereof, and participants in such forums shall be selected from among representatives of various State, interstate, and local government agencies, of public or private interests concerned with population growth, environmental quality, and planning for the future, and of other public and private agencies demonstrating an active interest, as well as other individuals in the fields

of population, biology, psychology, medical sciences, social sciences, ecology, agriculture, economics, law, engineering, and political science who have demonstrated competence with regard to problems of the environment.

Sec. 304. The Board may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Board may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

Sec. 305. There are hereby authorized to be appropriated \$1,000,000 annually to carry out the purposes of this title.

Amend the title so as to read: "A bill to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers."

Mr. MUSKIE. Mr. President, as Senators are aware, the Subcommittee on Air and Water Pollution has been examining specific air, water, and solid waste pollution problems since its creation in 1963. It is worthy of note that the subcommittee has heard over 1,100 witnesses and accumulated 15,877 pages of testimony in the past 6 years on environmental matters. Prior to that time, and as far back as 1899, the Committee on Public Works and its predecessors have initiated or handled pollution control legislation.

The fact that the Nation has a capacity to deal with air pollution, water pollution, and to a lesser extent, solid wastes, is due in a large part to the activities of this subcommittee and the continued, unanimous support of the Committee on Public Works.

The legislation which has been enacted on these subjects is indicative of two important trends in the Nation's concern for the quality of its environment; first, that we are willing to make a commitment of our financial resources to finding and applying solutions to difficult pollution problems; and second, that there is a need for orderly pollution control procedures, both in identifying the extent of control required and in establishing implementation programs.

The philosophy of air and water quality legislation has been first to develop the criteria which indicate the effects of pollutants on the various aspects of the public health and welfare and then to apply available, feasible control technology. This philosophy has been based on two elemental concepts—that only those measures which were designed to enhance air and water quality would be acceptable and that local and State government have the prime responsibility to implement those measures.

It was against this background of study, hearings, discussion and legislation that members of the subcommittee became concerned with the potential interpretation of title I of S. 1075, as passed by the Senate. Section 102(c) of the bill would require every Federal agency to include as a part of any legislative proposal, report on legislation or any major action, which has a significant effect on the quality of the environment, a finding of environmental impact, adverse

environmental effects, commitments of resources, and other potential justifications for the legislation or activity.

The concept of self-policing by Federal agencies which pollute or license pollution is contrary to the philosophy and intent of existing environmental quality legislation. In hearing after hearing agencies of the Federal Government have argued that their primary authorization, whether it be maintenance of the navigable waters by the Corps of Engineers or licensing of nuclear powerplants by the Atomic Energy Commission, takes precedence over water quality requirements.

I repeat, these agencies have always emphasized their primary responsibility making environmental considerations secondary in their view.

It is for this reason that the legislation pending before the Senate includes a provision which would require water quality compliance by Federal agencies in both their own activities and the activities in which they are involved. Section 16 of S. 7 would require water quality compliance as a precondition of Federal activities; it would not leave the determination of water quality effects to the polluter. By requiring compliance certification from the water pollution control agency, section 16 would assign policing responsibility to those agencies most qualified to make an environmental decision and not to those committed to carrying out some other function at minimum cost.

The proposed compromise language developed for section 102(c) clearly indicates the extent to which the polluter is involved in determining environmental effects. This language eliminated the requirement that a "finding" be made but provides that environmental impact be discussed as a part of any report on legislation, or any decision to commence a major activity. The requirement that established environmental agencies be consulted and that their comments accompany any such report would place the environmental control responsibility where it should be.

Other provisions of the compromise on S. 1075 include elimination of the requirement that the President designate a lead agency to conduct data collection and make grants to carry out the purposes of the act. To a large extent these functions are either presently delegated to existing agencies or would be carried on by the office of environmental quality.

Mr. President, S. 1075 brings into focus the Senate's continuing concern for the quality of the Nation's environment. S. 1075 focuses attention on an environmental need which is not included in either bill pending before the Senate today and is only covered in part by existing legislation.

The Clean Air Act and the Federal Water Pollution Control Act provided for specific development of criteria which define the impact of water and air pollutants on health and welfare. Pending solid waste legislation would require the same type of systematic analysis of the relationship of pollutants to the land environment.

On the basis of these criteria, standards of environmental quality have been and are being developed. But obviously criteria and standards designed to protect and enhance the quality of our air and water and enhance our ability to deal with our solid wastes in an orderly, efficient, and healthful manner do not provide an effective or orderly manner to consider all forms of environmental degradation. For example, there are no criteria which indicate the various levels of noise which affect the health and welfare of people nor are there criteria on which local or even national esthetic judgments can be based.

We need to begin to focus our attention on developing legislation which will provide for the development of criteria which would indicate the effects of a nuclear test on a wildlife refuge or the effects of development of a permafrost region on the ecology of the area.

We cannot afford to fight out environmental battles on a crisis-by-crisis basis not can we afford to shut down tomorrow on the basis of today's fears. By development of meaningful methods of measurement of environmental impact, through development of standards-setting procedures at the local level, through careful analysis of existing and future land uses, we can begin to order our progress without environmental chaos.

Mr. President, it is in the spirit and with this approach in mind that the distinguished Senator from Washington (Mr. JACKSON), the ranking Republican, the distinguished Senator from Colorado (Mr. ALLOTT), the distinguished Senator from Delaware (Mr. BOGGS) and myself from the Public Works Committee, as well as the Senator from West Virginia (Mr. RANDOLPH), the chairman of the full committee, have undertaken to resolve our differences with respect to the relationship of S. 7 and S. 1075.

I think that we have succeeded in doing so in a way which does violence to neither and which advances the broad objectives which we both seek to serve.

Mr. JACKSON. Mr. President, I fully agree with the purposes of section 16(c) of S. 7. It is my understanding that there was never any conflict between this section and the provisions of S. 1075. If both bills were enacted in their present form, there would be a requirement for State certification, as well as a requirement that the licensing agency make environmental findings.

The compromise worked out between the bills provides that the licensing agency will not have to make a detailed statement on water quality if the State or other appropriate agency has made a certification pursuant to section 16(c).

Mr. AIKEN. Mr. President, I commend the Senator from Maine for bringing out this bill; it goes a long way toward cleaning up some forms of stream pollution with which we are afflicted. What I particularly wish to ask him is, am I correct in assuming that under the new section 16, all nuclear powerplants are covered, but only some of the conventional fuel powerplants are covered?

Mr. MUSKIE. That is correct. As conventionally fueled powerplants increase in size, they will be increasingly subject

to certificate by reason of the need to obtain a permit from the Corps of Engineers for one reason or another.

I think the Senator from Vermont might like me to read into the RECORD at this point testimony by Mr. Ramey, Commissioner of the Atomic Energy Commission, on this point.

Mr. AIKEN. Yes.

Mr. MUSKIE. This testimony reads as follows:

We have been informed that a substantial percentage of conventionally fueled plants of the larger sizes—sizes comparable to the currently popular sizes of nuclear plants—need some sort of Federal permission.

For example, we understand from an examination of data developed by the Corps of Engineers that during 1967, 12 conventionally fueled plants over 400 megawatts—electrical—in size went on the line.

Of these 12 relatively large sized plants, eight or 66½ percent, required and had secured a Federal permit.

Seven of the plants required a permit from the Corps of Engineers because their construction plans included structures on navigable waters; one plant had intake and outfall structures located on U.S.-owned land and required a permit.

One additional plant was built by the Tennessee Valley Authority and did not require a permit.

This suggests, I think, some of the reasons why the proposed legislation might apply to some of the larger fossil fuel plants but might not apply to all of them.

Mr. AIKEN. I think that is a sound explanation. It is well to go as far as the bill goes in that direction. I am sorry it cannot cover all of the smaller fossil fuel plants.

The real reason I asked the question is that we hear various kinds of propaganda which is designed to alarm the people and cause them to believe that only atomic powerplants create thermal pollution. That, of course, is not true. According to information furnished by the Federal Water Pollution Control Administration there were 10 cases of fish kill caused by discharge from power generating plants during the years 1962 to 1968. Every one of them was from a conventional powerplant. To date, to my knowledge, there has been no case whatever of fish kill being caused by thermal discharges from a nuclear powerplant. I wanted to make that clear.

Yesterday I submitted two amendments in somewhat of a hurry, and they were printed. Upon further study of the situation, I realized that probably the bill which the Senator from Maine is now sponsoring would go as far as it is possible to go legislatively at this time and therefore I will not call up these amendments.

I have one other question. It is about a matter which disturbs me considerably, in that apparently the certification procedure in the bill does not cover all industrial plants. We have had experiences in my State with paper mills, tanneries, and other types of industrial plants which contribute heavily to the pollution of our lakes and rivers. To what extent, if any, will the bill cover that type of pollution?

Mr. MUSKIE. It will cover it in one possible respect and in another clear re-

spect. To the extent that any large industrial plant might require a permit from the Corps of Engineers because of intrusion upon navigation, that permit will make the industry subject to section 16.

But beyond that, the procedures established by the Water Quality Act of 1965, the Secretary of the Interior is in a position to assume leadership by requiring the setting of standards by the States to deal with thermal pollution from all sources. That authority is on the books. The States are required, under that legislation, to set standards.

I think this RECORD might be a good place in which to urge the Secretary to use his mandate and begin tightening these standards.

As the Senator from Vermont probably knows, water quality standards have been set pursuant to the Water Quality Act of 1965. We have used the section 16 approach in order to put the Federal Government's house in order. This, we hope, will be followed by the States, in order to enforce their own water quality standards.

Mr. AIKEN. I think some of the Federal agencies can stand some improvement in this respect. The reason why I have raised the question at this time is that there are so many different types of industrial plants which I do not believe are covered.

For a long time there has been a paper mill on the New York side of Lake Champlain. Vermont has, I think, pretty good water quality standard laws. New York has only recently tightened its standards. But before anything was done, probably the lower quarter of Lake Champlain had become so contaminated that the people who live on the Vermont side could not use the water for domestic purposes. Of course, for a long time the Vermont standards were much higher than they were across the lake, in New York.

Now the paper company on the New York side of Lake Champlain is building a very large mill, just up the lake from the old mill. Their representatives have told me that they will use about a thousand cords of hardwood a day. That is a very sizable mill. When the paper company representatives came to see me they told me that they can control, and plan to control the waste and contamination from the mill which would otherwise, as it did from the old mill, have emptied practically untreated into the lake. They now plan to recover the fiber, and possibly the chemicals, and other matter which contribute to pollution. I do not know how far they will go, and I hope they are right. I am watching the situation closely.

The new mill has been granted a license by the Corps of Engineers to construct an intake and outfall pipe into Lake Champlain.

One thing which caused me to be a little apprehensive was that in looking at the plans, I found that the discharge pipe from the paper mill empties on the Vermont side of the lake. I wanted to be sure that this bill could correct a situation like that, in the event that the mill

does not control all the population which it will create.

Mr. MUSKIE. These discharges would be controlled by the Water Quality Act and the standards that have been set under that act by both States. If those standards are not adequate, I should think that the appropriate State agencies ought to review and revise them.

Mr. AIKEN. Assuming that the pollution is not controlled and that it is emptied on the Vermont side of the lake or the New York side for that matter, what recourse would Vermont have then? Of course, it is Federal water anyway, but how could the State control any possible pollution? Under the Senator's bill, would the Federal Government enter the picture and require the enforcement of the law?

Mr. MUSKIE. The enforcement provisions of the 1965 act would be applicable.

Mr. AIKEN. I hope the Senator is correct.

Mr. MUSKIE. The bill now before us would not be needed to deal with that situation.

Mr. AIKEN. The paper company officials insists that they will have the situation under control so that the amount of pollution will be almost zero. It will be a great step forward if that is done.

Mr. MUSKIE. The Senator from Vermont and I have had considerable experience with this kind of situation in the past. I think the best point in time at which to make sure is before the plant is built.

Mr. AIKEN. Many of the people of Vermont depend on the water of Lake Champlain for domestic purposes. We have large water systems which draw water from the lake for distribution to many farms and homes.

I shall not insist on offering my amendments because, frankly, I do not know how far the Senator's bill will go. But I hope it will go a long way toward correcting situations which never should be permitted to exist.

Mr. MUSKIE. The bill represents what we believe is a meaningful first step in dealing with thermal as well as other pollution, and we intend to consider future amendments to cover situations included in the Senator's amendments, to the extent they may not now be covered.

Mr. AIKEN. Let me assure the Senator from Maine that I will be delighted to cooperate with him in securing effective legislation.

Mr. MUSKIE. I thank the Senator from Vermont.

Mr. JACKSON. Mr. President, first of all, I compliment the able and distinguished Senator from Maine (Mr. MUSKIE) for his very fine statement. He has indicated that we have been able to work out the differences—in which I concur—in a way which is satisfactory to both committees. More important, of course, is the fact that this agreement will be extremely helpful in seeing to it that appropriate legislation is enacted in this all-important area of environment administration.

I express my appreciation to the distinguished Senator from Maine, the

chairman of the subcommittee, who has been handling these matters. I also want to express my appreciation to the chairman of the full committee, the Senator from West Virginia (Mr. RANDOLPH), who has taken a keen interest in this matter.

We have had a number of discussions on the minority side with the able and distinguished Senator from Colorado (Mr. ALLOTT), the ranking minority member, who has followed all this closely and has been extremely helpful, especially to the chairman of the Committee on Interior and Insular Affairs, in trying to work out an appropriate solution to this problem. I express to him my deep appreciation for his support.

Mr. President, a number of questions have been raised in recent days regarding the relationship between S. 1075, the National Environmental Policy Act of 1969, which was passed by the Senate on July 10 and by the House on September 23, and title II of S. 7, the Water Quality Improvement Act of 1969 now before the Senate.

All of these questions have been carefully considered by the respective chairmen and by other concerned members of the Public Works Committee and the Interior and Insular Affairs Committee.

As a result of a review and a comparison of the two measures it has been agreed that an effort will be made to modify the provisions of title II of S. 7 by offering an amendment in the nature of a substitute. In addition, it has been agreed that the Senate conferees of S. 1075 will seek to have certain changes incorporated into the provisions of S. 1075 when that measure is considered by the conference committee.

The agreement on this matter was made after it was discovered that the Interior Committee and the Senate had acted and that the Senate was about to act upon different, but, in some respects, parallel legislative proposals which involve the creation of new governmental institutions for the overview and administration of Federal programs related to the management of the Nation's environment. This duality of effort by the two committees does not, as I understand it, involve any direct conflict in purpose or intent. Both measures can, however, be improved in some respects by adoption of the agreed-upon changes. For the most part, these changes are designed to insure that duplication of effort does not occur and that congressional directives to the executive branch in the two proposals are consistent.

The proposed changes are reflected in the amendment in the nature of a substitute to title II of S. 7 which has been introduced, and in a copy of S. 1075 which will be printed in the RECORD when the motion is made later today to disagree to the amendments of the House to S. 1075 and to agree to the conference requested by the House.

Mr. President, this rather unusual procedure is, in part, the outgrowth of some basic and still unresolved questions relating to the jurisdiction of the standing committees of both Houses of the Congress on legislative matters relating to Federal policies on preserving and main-

taining the quality of man's environment. The historic committee jurisdiction on routine legislation—air and water pollution legislation, outdoor recreation proposals, minerals policy, rivers and harbors projects, and so forth—has been long established and, insofar as I am aware, is not challenged.

In new and emerging areas of legislative concern, however, the die has not been cast, and many different committees of the Congress have quite properly expressed interest. Examples here include weather modification, national land-use planning, the establishment of policies for the resources of the Outer Continental Shelf, some areas of water resource policy, and policies related to the management of man's environment.

In these areas, jurisdiction is either shared by committees or it has gravitated by the force of precedent to the committee or committees which have actively participated in hearings on the particular subject matter involved.

With respect to legislation related to "pollution control" it is clear that the Public Works Committee has exercised jurisdiction and will continue to have jurisdiction over future proposals related to air, water, and solid waste pollution. Legislative jurisdiction over "pollution control" does not, however, mean that the Public Works Committee—or any other committee—has jurisdiction over all matters which relate to maintaining and improving the quality of the human environment. Maintaining and improving the quality of the surroundings and the quality of life enjoyed by the American people is a basic and fundamental task of all the committees of Congress and of all of the agencies of the executive branch.

The Committee on Interior and Insular Affairs has historically played a very large and a very important role in this area. The legislation handled by the committee and enacted by the Congress over the past 10 years shows the scope of the Interior Committee's role and the diligence with which it has been pursued.

The committee has approved the following general legislation in recent years: the National Water Commission Act, the Water Resources Planning Act, the Water Resources Research Act, the Federal desalting program, the Federal Water Projects Recreation Act, the land and water conservation fund, the Public Land Law Review Commission Act, the reclamation program, the Wilderness Act, the Wild and Scenic Rivers Act, and many other general measures related to resource, environmental, and land use policies.

In addition, over the past few years, the committee has approved measures to set aside for future generations four new national parks, eight new national recreation areas, nine new national seashores and lakeshores, almost 100 new wilderness areas, national monuments and historic sites. All of these measures relate to the quality of the human environment.

The committee's legislative activities over the past 10 years in the area of new governmental institutions and policies for resource and environmental management are set out in the legislative his-

tory section of the committee's report on S. 1075.

The important role played by the Interior Committee in preserving, protecting, and improving the quality of the environment does not, however, give the Interior Committee predominant jurisdiction in this area.

The concept of "environment," like that of "economics" cuts across the jurisdiction of all congressional committees. Actions taken by the Finance Committee, for example, on depreciation, charitable contributions, foundations, and the taxation of trusts will have a major impact on the future role private enterprise and individual action will play in preserving our environment for future generations. The same may be said with respect to other committees: the Commerce Committee's action on the development of an estuarine program, a transportation policy, and an alternative to the internal combustion engine; the Agriculture Committee's actions on pesticide control, soil erosion, and the development of new opportunity in rural America; the Banking and Currency Committee's activities in the development of urban programs; and the activities of many other committees of the Congress.

It is clear that all committees have an important role to play in this area. The Legislative Reference Service tabulated over 100 bills in the 90th Congress which were directly concerned with environmental issues. In the present Congress there are even more. Recent reports indicate that of the 16 standing committees of the Senate, eight have broad jurisdiction in this area. Of the 21 House standing committees, 11 are similarly involved.

On a subject so pervasive, broad, and important as "environment" and the "quality of life," no committee may exercise exclusive jurisdiction. It is also clear that there is a need to give specialized and regularized consideration to these subjects. Because of this need, I have proposed, and I plan to join with other Members of the Senate and, I hope, Members of the House of Representatives, to sponsor and to advance legislation to establish a nonlegislative joint committee on the environment.

The enactment of S. 1075 and S. 7 will give the Nation an environmental policy as well as appropriate governmental structures in the executive branch to implement the policy. The next logical step, in my view, is to insure that the legislative branch has an institution equally well adapted to provide continued oversight on environmental matters. A joint committee would provide such an institution.

During my service on the Interior Committee, I have found that the lack of an overall national policy on the environment often frustrates efforts to preserve, protect and to improve man's surroundings. A recent example may be seen in connection with the water supply and jet airport controversy which currently threatens the existence of the Everglades National Park. Under present law, the Corps of Engineers and the Department of Transportation appar-

ently do not have a clear statutory mandate to see that the environmental and natural values found in the park are not damaged or endangered by their flood control and transportation activities.

It is my belief, based on extensive committee hearings, that the problems associated with the Everglades could have been avoided if there had existed a clear statement of goals and procedures designed to make clear that all Federal agencies have a responsibility for the preservation and protection of environmental values. S. 1075, as passed by the Senate, clearly states the Nation's goals and the responsibilities of all Federal agencies with respect to the maintenance of a safe, healthy, productive and esthetically pleasing environment. Enactment of S. 1075 will prevent many of the environmental problems caused by Federal agencies and their activities.

The Interior Committee has experienced similar problems in other contexts. The controversy over the construction of dams in the Grand Canyon, for example, could have been resolved at a much earlier date if the Department of the Interior had been required to present Congress with alternative proposals where, as in that case, there were unresolved major environmental conflicts. Section 102(d) of S. 1075 would go far toward resolving such problems by requiring the development and presentation of alternatives in all future legislative reports on measures involving major unresolved environmental conflicts.

Other basic provisions of S. 1075 are also designed to minimize the conflict between resource development and the maximization of environmental values. Subsection 102(a) requires all agencies to utilize the expertise and learning of all relevant disciplines in planning and decisionmaking on actions which may have an adverse impact on man's environment. Subsection 102(b) requires the development of procedures designed to insure that all relevant environmental values and amenities are considered in the calculus of project development and decisionmaking. Subsection 102(c) establishes a procedure designed to insure that in instances where a proposed major Federal action would have a significant impact on the environment that the impact has in fact been considered, that any adverse effects which cannot be avoided are justified by some other stated consideration of national policy, that short-term uses are consistent with long-term productivity, and that any irreversible and irretrievable commitments of resources are warranted.

The agreed-upon changes mentioned previously would change the language of some of these requirements, but their substance would remain relatively unchanged.

The provisions of S. 1075 are designed to establish a policy and a set of planning procedures which will prevent instances of environmental abuse and degradation caused by Federal actions before they get off the planning board. It is my hope that the House will accept these provisions in conference committee on S. 1075.

If enacted, titles I and II of S. 1075

will give all agencies a mandate, a responsibility, and a meaningful tool to insure that the quality of America's future environment is as good or better than today's. Departments such as the Departments of Defense, Transportation, Commerce, and Housing and Urban Development will then no longer have an excuse for ignoring environmental values in the pursuit of narrower, more immediate, mission-oriented goals. Agencies such as the Atomic Energy Commission which now contend they have no legislative authority to consider environmental values will be given the authority, the responsibility, and a directive to do so. In view of the recent public concern over AEC activities in connection with Project Bronco and the Amchitka test, it is time that AEC be given a larger mandate against which to weigh the environmental impact of its planned and proposed activities. The same is true of many other agencies.

Mr. President, I ask unanimous consent that a comparison of the present provisions of S. 1075 as passed by the Senate, S. 7 as reported by the Public Works Committee, and S. 1075 as amended by the House be printed in the RECORD at the conclusion of my remarks. I also ask unanimous consent that a memorandum discussing the agreed-upon changes in S. 1075 and title II be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibits 1 and 2.)

Mr. JACKSON. Mr. President, the purpose of the agreed-upon changes is to avoid duplication and to avoid any inconsistent directives to agencies in the executive branch. Some of the changes insure that there will be coordination between agencies and that appropriate agencies will be given an opportunity to comment upon activities of other agencies which may have adverse environmental consequences. A new proposed section 103 in S. 1075 would be added to make explicitly clear that section 102 does not in any way affect the specific statutory obligations of Federal agencies to comply with environmental standards, to coordinate their activities, or to condition their actions upon and State or Federal certifications now required by law or which may be required by law. The language of this section is designed to insure that the provisions of section 16, and particularly section 16(c) of S. 7 are consistent with the requirements of section 102 of S. 1075. Section 16(c) of S. 7 would have the effect of exempting the Corps of Engineers, the Atomic Energy Commission, and some other agencies from the requirement in S. 1075 for a detailed statement on the environmental impact of proposed actions involving any discharge into the navigable waters of the United States. Under the terms of section 16(c) of S. 7 as now drafted, the State or other appropriate organization would be charged with certifying that any discharge in substantial compliance with appropriate

water quality standards. This certification would be a condition precedent to obtaining any Federal license or permit required by law before making any discharges into the navigable waters of the United States.

Mr. President, the major precepts of an environmental policy are not controversial though, as we have found over the past few weeks, the specific language may be difficult to draft. What is involved is a declaration that we do not intend, as a government or as a people, to initiate actions which endanger the continued existence or the health of mankind. That we will not intentionally initiate actions which will do irreparable damage to the resources which support life on earth.

An environmental policy is a policy for people. Its primary concern is with man and his future. The basic principle of the policy is that we must strive, in all that we do, to achieve a standard of excellence in man's relationships to his physical surroundings. If there are to be departures from this standard they will be exceptions to the rule and the policy. And as exceptions they will have to be justified in the light of public scrutiny.

S. 1075 as passed by the Senate, and with the changes which have been agreed upon, will provide the American people with a policy that is in the best interests of present and future generations. I am hopeful that the major provisions of this policy will emerge from the conference committee.

EXHIBIT 1  
COMPARISON OF ENVIRONMENTAL QUALITY MEASURES

S. 1075	S. 7	H.R. 12549 (S. 1075 AS AMENDED)
Title	Title	Title
National Environmental Policy Act of 1969.	Environmental Quality Improvement Act of 1969 (Title II).	An Act to provide for the establishment of a Council on Environmental Quality.
<i>Declaration of policy</i>	<i>Declaration of policy</i>	<i>Declaration of policy</i>
Six-part Congressional declaration of policy (sec. 101(a)).	Statement of environmental problems and citation of existing statutes (section 202 (a) and (b)).	Brief statement of policy.
<i>Recognition of environmental rights</i>	<i>Recognition of environmental rights</i>	<i>Recognition of environmental rights</i>
Congress recognizes right of persons to healthful environment (sec. 101(b)).	No provision.	No provision.
<i>Directions to Federal agencies as follows:</i>	<i>Directions to Federal agencies as follows:</i>	<i>Directions to Federal agencies as follows:</i>
Congress authorizes and directs all Federal agencies to perform functions and make certain findings in support of the policy (sec. 102).	Public works agencies are directed to implement the policies established by the President pursuant to the Act (Sec. 203).	No provision. (Council to make recommendations.)
All agencies shall:		
<i>1. Interdisciplinary approach</i>	<i>1. Interdisciplinary approach</i>	<i>1. Interdisciplinary approach</i>
1. Utilize interdisciplinary approach to planning and decision-making (sec. 102(a)).	No provision.	No provision.
<i>2. Environmental values</i>	<i>2. Environmental values</i>	<i>2. Environmental values</i>
2. Develop methods to include presently unquantified values in decisions (sec. 102 (b)).	No provision.	No provision.
<i>3. Make findings</i>	<i>3. Make findings</i>	<i>3. Make findings</i>
3. Must make findings in connection with proposals and decisions that:	No provision.	No provision.
<i>a. environmental impact</i>		
(a) Environmental impact has been considered.		
<i>b. adverse effects</i>		
(b) Adverse effects are justified.		

s 1075—Continued

s. 7—Continued

H.R. 12549—Continued  
(S. 1075 AS AMENDED)

*c. short-term uses*

(c) Short-term uses are consistent with long-term productivity.

*d. irreversible commitments*

(d) Irreversible commitments are justified.

**4. Alternatives**

4. Study and present alternatives where conflicts occur.

**5. International effects**

5. Support international programs for the environment.

**6. Present authority**

6. Review existing statutory authorities and recommend legislation to conform to this Act.

*Supplement to existing enabling acts*

Act is made supplementary to existing mandates and authorizations of Federal agencies (sec. 103).

*Data collection and dissemination*

Federal agencies are authorized to collect and disseminate environmental and ecological data (sec. 201).

*Grant program*

The President is authorized to designate agencies to:

1. Administer a grant program (sec. 202 (a) (1)).

*Project inventory*

2. Inventory resource projects (sec. 202 (a) (2)).

*Ecological research*

3. Collect ecological research data (sec. 202 (a) (3)).

*Assistance to States*

4. Assist State (sec. 202(a) (4)).

*Deputy Director for Office of Science and Technology*

Establishes new Deputy Director in OST (sec. 203).

*Board of Environmental Quality Advisors (Council, Office)*

Creates a 3-man Board in the Executive Office of the President. Appointed by President with advice and consent of Senate (sec. 301).

**1. Annual report to President**

1. Make annual report to the President (302 (a) (1)).

**2. Assist President**

2. Advise, assist, and support President (302(a) (2)).

**3. Collect data**

3. Collect and disseminate information on environmental quality (sec. 302(a) (3)).

**4. Review Federal activities**

4. Review, appraise and make recommendations concerning Federal programs, projects, activities, and policies (302(b)).

**5. Assist in President's report to Congress**

5. Assist President in preparation of annual report on the environment (sec. 302 (c)).

**6. Other assignments**

6. Other duties directed by President (sec. 302(d)).

**7. Support Cabinet Council**

7. All Federal agencies (sec. 201(g)).

**4. Alternatives**

No provision.

**5. International effects**

No provision.

**6. Present authority**

No provision.

*Supplement to existing enabling acts*

No provision.

*Data collection and dissemination*

No provision.

*Grant program*

Contract authority vested in office (sec. 204(e)).

*Project inventory*

No provision.

*Ecological research*

No provision.

*Assistance to States*

No provisions.  
(Office will consult, sec. 204(c) (11).)

*Deputy Director for Office of Science and Technology*

No provision.

*Board of Environmental Quality Advisors (Council, Office)*

Creates an Office of Environmental Quality in Executive Office of President. Director and Deputy appointed by President with advice and consent of Senate. Compensation keyed to salary of Director and Deputy Director of Bureau of the Budget (sec. 204 (a) and (b)).

**1. Annual report to President**

No provision.

**2. Assist President**

2. Advise and Assist President (sec. 204 (c) (1)).

**3. Collect data**

No provision.

**4. Review Federal activities**

4. Review, appraise, and make recommendations on proposed projects, facilities, programs, policies and activities of certain agencies (sec. 204(c) (3)).

**5. Assist in President's report to Congress**

No provision.

**6. Other assignments**

No provision.

**7. Support Cabinet Council**

7. Provide staff and support for Cabinet Council (sec. 204(c) (2)).

**4. Alternatives**

No provision.

**5. International effects**

No provision.

**6. Present authority**

No provision.

*Supplement to existing enabling acts*

Nothing in act shall change existing authorities (sec. 9).

*Data collection and dissemination*

No provision.

*Grant program*

No provision.

*Project inventory*

No provision.

*Ecological research*

No provision.

*Assistance to States*

No provisions.  
(Council will consult, sec. 7(a)).

*Deputy Director for Office of Science and Technology*

No provisions.

*Board of Environmental Quality Advisors (Council, Office)*

Creates a Council of Environmental Quality in Executive Office of President. Composed of 5 members appointed by President (sec. 3).

**1. Annual report to President**

Make annual report to President (sec. 6).

**2. Assist President**

2. Prepare reports as President directs (sec. 5(e)).

**3. Collect data**

3. Gather data and prepare reports (sec. 5(b)).

**4. Review Federal activities**

4. Appraise programs and activities (sec. 5(c)).

**5. Assist in President's report to Congress**

5. Assist and advise President in preparing annual report (sec. 5(a)).

**6. Other assignments**

6. Make such studies as requested (sec. 5(e)).

**7. Support Cabinet Council**

No provision.

## S 1075—Continued

- 8. Review monitoring system**
8. President designates agency (sec. 202 (a) (3)).
- 9. Promote knowledge**
9. All Federal agencies (sec. 201(a)).
- 10. Develop policies**
10. Board to assist President (sec. 302 (a) (2)).
- 11. Recommend priorities**
11. No provision.
- 12. Evaluate techniques**
12. All agencies (sec. 102(b)).
- 13. Coordinate programs**
13. Board reviews programs (sec. 302(b)).
- 14. Review criteria**
14. Board reviews policies (sec. 302(b)).
- 15. Consult with state and local government**
15. All agencies advise states, counties, etc. (sec. 201(d)).
- Annual report to Congress**
- President shall submit report to Congress (sec. 303).
- Employment of officers**
- Board may employ (sec. 304).
- Appropriations**
- For grant programs, \$500,000 first year, \$1 million each successive year (sec. 202(b)).  
For Board—\$1 million annually (sec. 305).
- Biennial forum**
- No provision.
- Advisory committees**
- No provision.

## S. 7—Continued

- 8. Review monitoring system**
8. Review existing environmental monitoring system (sec. 204(c) (4)).
- 9. Promote knowledge**
9. Promote advancement of scientific knowledge and methods (204(c) (5)).
- 10. Develop policies**
10. Develop policies and programs (sec. 204(c) (6)).
- 11. Recommend priorities**
11. Recommend priorities (sec. 204(c) (7)).
- 12. Evaluate techniques**
12. Assure evaluation of new technologies (sec. 204(c) (8)).
- 13. Coordinate programs**
13. Review and comment on coordination of programs (sec. 204(c) (9)).
- 14. Review criteria**
14. Review and comment on environmental standards (sec. 204(c) (10)).
- 15. Consult with state and local government**
15. Consult with and advise state and local governments (sec. 204(c) (11)).
- Annual report to Congress**
- Director reports to Congress annually on progress (sec. 204(f) (1)). Other reports as he deems necessary (sec. 204(f) (2)).
- Employment of officers**
- Director may employ (sec. 204(c)).
- Appropriations**
- Open ended (sec. 206).
- Biennial forum**
- Director to convene a biennial forum on current environmental problems and issues (sec. 204(f) (3)).
- Advisory committees**
- Director shall establish committees of part-time advisers as he deems appropriate (sec. 205).

## H.R. 12549—Continued

(S. 1075 AS AMENDED)

- 8. Review monitoring system**
8. No provision.
- 9. Promote knowledge**
9. No provision.
- 10. Develop policies**
10. Develop and recommend policies (sec. 5(d)).
- 11. Recommend priorities**
11. No provision.
- 12. Evaluate techniques**
12. No provision.
- 13. Coordinate programs**
13. No provision.
- 14. Review criteria**
14. No provision.
- 15. Consult with state and local government**
15. Consult with state, local and private groups (sec. 7(a)).
- Annual report to Congress**
- President shall transmit to the Congress (sec. 2).
- Employment of officers**
- Council may employ (sec. 4).
- Appropriations**
- \$300,000 for first year.  
\$500,000 for second year.  
\$1 million annually thereafter (sec. 10).
- Biennial forum**
- No provision.
- Advisory committees**
- No provision.

## EXHIBIT 2

AGREED-UPON CHANGES IN S. 7 AND S. 1075  
TITLE II OF S. 7 AND THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE

The amendment in the nature of a substitute would make the following changes in Title II of S. 7 as reported by the Public Works Committee.

1. Section 202(b) would be stricken and new language inserted. This section had declared that is a national policy for the environment found in certain Acts previously considered by the Public Works Committee. The amendment in the nature of a substitute states that there is a policy and states this policy in general terms as being "the enhancement of the quality of our air, water and land environment."

2. Section 202(c) is rewritten to state that the purposes of this title are to assure that each Federal agency supporting public works activities which affect the environment implement existing policies and policies established by the President pursuant to this title.

3. Section 203 is stricken and its substance is incorporated into section 202(c).

4. Section 204 is changed to Section 203. This section establishes an Office of Environmental Quality.

Subsection (d) of section 203 which sets forth the duties of the Director of the Office has been substantially revised. The purpose of these revisions is to insure that the duties and functions performed by the Office and the Board of Advisers established by title III of S. 1075 are consistent and do not result in duplication, over-lap or conflict.

Subsections 203(d) (3), (6), (7), and (11) have been deleted because these duties are more appropriately functions to be performed by the Board of Environmental Advisers established by S. 1075. Subsections 203(d) (1) and (2) have been rewritten to clarify the type of assistance, staff and support the Office would give the President and other councils or committees charged with environmental responsibilities. Subsections 203(d) (2) recognizes that Congress may soon establish a Board of Environmental Advisers as proposed in title III of S. 1075.

The new subsection 203(d) (8) was drawn from subsection 203(f) which would be stricken.

Subsections 203(d) (9) and (10) were taken from subsections 202(a) (2) and (3) of S. 1075. These functions of data collection and inventory systems are more appropriately duties of an Office than of a semi-independent Board of Environmental Advisers.

5. Subsection 204(f) and Section 205 of Title II of S. 7 are deleted and the authority to convene a biennial forum on environmental problems and to establish advisory committees is vested with the Board of Advisers established by Title III of S. 1075.

6. A new section 204 making the provisions of this Act supplementary to existing authorizations of Federal agencies is inserted. This language parallels language found in title I of S. 1075.

PROVISIONS SENATE CONFEREES WILL SUPPORT  
IN CONFERENCE ON S. 1075

The Senate Conferees will support in Conference Committee certain agreed-upon changes in S. 1075 which are designed to

avoid any inconsistency or duplication with provisions of Title I and with Title II of S. 7. The major agreed-upon changes are briefly described below.

1. The directive to the agencies set out in Section 102(b) is made subject to the review and approval of the Board of Environmental Advisers.

2. The requirement for a "finding" by the responsible official in Section 102(c) is changed to a requirement for a "detailed statement."

The directives to the responsible official which are set out as subsection 102(c) (1) through (iv) of S. 1075 are revised.

New language is added to Section 102(c) which will require the responsible official to consult with and obtain the views of other agencies having jurisdiction or special expertise with respect to the particular environmental impact involved in the proposed action. Language is also added requiring that copies of the responsible official's statement and the comments of other agencies be made available to the President, the Board and the public.

3. A new Section 103 is added to make explicitly clear that section 102 does not in any way affect the specific statutory obligations of Federal agencies to comply with environmental standards, to coordinate their activities, or to condition their actions upon any State or Federal certifications now required by law or which may be required by law. The language of this section is designed to insure that the provisions of law such as Section 16(c) of S. 7 not affected by the requirements of Section 102 of S. 1075. Sec-

tion 16(c) of S. 7 would have the effect of exempting the Corps of Engineers and the Atomic Energy Commission and some other agencies from the requirement for a detailed statement on the environmental impact of proposed actions involving any discharge into the navigable waters of the United States. Under the terms of Section 16(c) of S. 7 as now drafted, the State or other appropriate organization would be charged with certifying that any discharge is in compliance with water quality standards. This certification would be a condition precedent to obtaining any Federal license or permit required by law before any discharges into the navigable waters of the United States.

4. Title II of S. 1075 would be revised to make clear that the functions set out in subsections 201 (a), (b), and (c) are functions to be performed by the Board of Environmental Advisers.

5. The remaining functions set out in Section 201 would continue to be functions all Federal agencies are authorized to undertake under a new section 202.

6. Section 202 would be deleted and part of the authority would be transferred to the Office of Environmental Quality established by Title II of S. 7.

7. Portions of Section 203 would be deleted in recognition that under title II of S. 7 the Office of Environmental Quality would provide staff and support for the President's interdepartmental Council on the Environment.

8. Section 303 would be revised to explicitly provide that the annual environmental quality report would be referred in whole or part to any or all of the Committees of each House of the Congress having jurisdiction over the subject matter of the report.

9. New language would be added to Title III authorizing the Board of Environmental Advisers to establish advisory Committees and to organize and convene a biennial forum on environmental problems. This language was taken from Title II of S. 7.

Mr. CHURCH. Mr. President, today the decisions reached by the Senate on legislation pertaining to the quality of our environment, in my judgment, marks an important milestone in the life of every American. I want to especially commend the junior Senators from Washington and Maine, Mr. JACKSON and Mr. MUSKIE, for their leadership and great personal contribution in the efforts of Congress toward improving the quality of the life of all of our citizens. I believe that the amendments to title II of S. 7 and the proposed revision of S. 1075, now ready for conference, display the skill and creative leadership of these two Senators in resolving what is admittedly a very special problem of overlapping committee jurisdiction. But rather than seeking to delay and argue over jurisdiction, both Senators have commendably, and I might add, characteristically, reasoned and resolved any differences by the time-honored method of legislative compromise.

It is especially crucial that all levels of government move as quickly as possible toward wiser management of our environment. The public interest demands that we act wisely and with all deliberate speed. Time is growing short. It is no longer safe to substitute words in lieu of action to implement the needed remedies to this growing national problem. I think that the efforts today on the pending bill and the forthcoming consideration of S. 1075, will have the overwhelming support of the American people. I

believe our citizens are more aware than ever before that we of this generation are trustees of our Nation's resources and of our total environment. We must assume our duty to preserve and enhance our habitat as we prepare to pass it along to future generations. As a member of the Senate Interior Committee, I will be honored to serve as a conferee on S. 1075. In my judgment this far-reaching legislation is one of the most important conservation-environmental measures that has been considered by the Congress of the United States in many years. It marks an effort for the first time to impress and implant on the Federal agencies an awareness and concern for the total environmental impact of their actions and proposed programs. This awareness will be built into the agencies' planning processes at the lowest levels, where, as we all know, most decisions are formulated and even finalized. In the future it may be possible to avoid conflicts of one program objective with others through the mechanisms provided in this bill.

It is good and necessary legislation which should be written into law as quickly as possible.

Mr. BOGGS. Mr. President, I wish to associate myself with the remarks of the Senator from Maine (Mr. MUSKIE) in his discussion on the amended language of title II, the Environmental Quality Improvement Act of 1969. These changes, together with the changes to S. 1075, create a necessary resolution of a very real controversy. This is a controversy that goes beyond the jurisdictional interests of various committees in this vital field of environmental enhancement and extends to the very definition of the words "environment" and "pollution."

A policy of environmental quality cannot be segregated from a policy for pollution control, for they are inevitably linked. We would not today consider important issues of pollution if pollution did not damage our environment. We would not be considering environmental quality policy today if our environment were not endangered by pollution.

It is my position, and I believe the position of the membership of the Public Works Committee, that a national policy for the environment has been laid down in legislation already in existence. This policy dates to nearly the creation of the Public Works Committee in 1946.

A number of water pollution control bills have been reported by the Public Works Committee, and enacted into law. In 1948, the Congress passed the Water Pollution Control Act, Public Law 80-845. Four years later it adopted an extension of the Water Pollution Control Act, Public Law 82-579. In 1956, the Congress adopted the Federal Water Pollution Control Act, Public Law 84-660. Congress amended the Water Pollution Control Act in 1961 with Public Law 87-88. Each of these bills, as well as the water pollution legislation passed in 1965 and 1966, was reported to the Senate floor by the Public Works Committee.

The Public Works Committee's concern for the field of air pollution, and its impact on the environment, has been as

strong. In 1955, the Congress passed a bill to provide research and technical assistance relating to air pollution control, Public Law 84-159. This legislation was reported to the Senate floor by the Public Works Committee. In 1959, with the signing of Public Law 86-365, Congress extended the life of the air pollution legislation, and 2 years later adopted legislation that was to become Public Law 87-761. In 1963, at the urging of the Public Works Committee, the Congress adopted the Clean Air Act, Public Law 88-206, and since then has amended that law twice and in 1967 passed the Air Quality Act.

Another pervasive form of pollution is the solid wastes that clutter our cities and landscapes. The Public Works Committee pioneered in this field with the Solid Waste Disposal Act of 1965. The committee as recently as last week held 4 days of hearings in the consideration of a bill, S. 2005, to extend and augment the Solid Waste Disposal Act.

Clearly, a national policy already exists to create a quality environment in America. The new language of title II reiterates and reinforces this policy, and augments its implementation through the creation of an Office of Environmental Quality. This office will serve as an important adjunct to the President's Environmental Quality Council.

I do not wish to detain the Senate any longer in its deliberations. However, I would like to state my personal thanks to the committee chairman (Mr. RANDOLPH), the chairman of the subcommittee (Mr. MUSKIE), the Senator from Washington (Mr. JACKSON) and the other members of the Public Works and Interior Committees for their efforts toward achieving an America with a quality environment. I commend this amended language to my colleagues.

Mr. ALLOTT. Mr. President, I appreciate the remarks of both the distinguished junior Senator from Maine and the distinguished chairman of the Committee on Interior and Insular Affairs on this matter. I have not actually been a participant in any of the discussions that have gone on between the two Senators, but the chairman of the Committee on Interior and Insular Affairs, I believe, has kept me informed of the progress of these matters for some time.

Before commencing a short statement, I note that on page 36 of the report No. 91-351, the Air and Water Pollution Subcommittee of the Committee on Public Works held extensive hearings on title I of S. 7. These hearings included statements from various agencies of the Federal Government. The administration testified through the Department of the Interior, the Department of Transportation, and the Atomic Energy Commission. However, my review of the report fails to disclose any information concerning hearings on title II. Since title II creates a new office within the Executive Office of the President, I would be most interested in learning what the administration's reactions and comments were with respect to this title.

Therefore, I would direct this question to the distinguished chairman of the subcommittee, if he would direct me to

the appropriate reference in the report concerning the administration's views on title II of S. 7.

Mr. MUSKIE. May I say to the distinguished Senator that we did not have specific hearings on title II. May I point out that the 1-day hearing on S. 1075 was on a different version of S. 1075 than was reported. I do not recall that there were hearings on title I of S. 1075. I am not sure about title II, but I have now reviewed S. 1075 with that in mind.

S. 1075 in its present form was introduced in the Senate on May 29 of this year. The 1 day of hearing on April 16 was on a bill that was introduced in February. So both the provisions of title II of S. 7 and S. 1075 might be faulted in their provisions, in their floor version in that they were not subject to hearings.

But may I say that title II of S. 7 was extracted from S. 2391, which I introduced in July of this year with 42 Senate cosponsors. Title II is taken from that bill.

That bill was the product of some 6 or 7 years of hearings we held on such environmental matters as air quality and water quality and solid waste.

Title II was developed as representing subjects, problems, points of view that had been discussed in those hearings over that period. Those hearings included some 1,100 witnesses, some 16,000 pages of testimony, much of which is relevant to title II.

The accurate answer to the Senator's question is that there is no specific testimony in the hearings this year on title II. I repeat that the same point can be made with respect to many of the provisions of S. 1075.

Mr. ALLOTT. I cannot agree with the last statement. I would like to ask the Senator—

Mr. MUSKIE. May I suggest that there be included on this point the text of the bill (S. 1075), as it existed at the time of the hearing on April 16 this year?

Mr. ALLOTT. I have no objection to that.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

#### S. 1075

A bill to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is the purpose of this Act to promote and foster means and measures which will prevent or effectively reduce any adverse effects on the quality of the environment in the management and development of the Nation's natural resources, to produce an understanding of the Nation's natural resources and the environmental forces affecting them and responsible for their development and future well-being, and to create and maintain conditions under which man and nature can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations of Americans, through a comprehensive and continuing program of study, review, and research.

#### TITLE I

SEC. 101. The Secretary of the Interior (hereinafter referred to as the "Secretary"), in order to carry out the purposes of this title, is authorized—

(a) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(b) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(c) to develop and maintain an inventory of existing and future natural resource development projects, engineering works, and other major projects and programs contemplated or planned by public or private agencies or organizations which make significant modifications in the natural environment;

(d) to establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals;

(e) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps;

(f) to make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment.

(g) to initiate and utilize ecological information in the planning and development of resource-oriented projects;

(h) to encourage other public or private agencies planning development projects to consult with the Secretary on the impact of the proposed projects on the natural environment;

(i) to conduct research and studies within natural areas under Federal ownership which are under the jurisdiction of the Secretary and which are under the jurisdiction of other Federal agencies; and

(j) to assist the Council on Environmental Quality established under title II of this Act.

SEC. 102. In carrying out the provisions of this title, the Secretary is authorized to make grants, including training grants, and enter into contracts or cooperative agreements with public or private agencies or organizations, or individuals, and to accept and use donations of funds, property, personal services, or facilities to carry out the purposes of this Act.

SEC. 103. The Secretary shall consult with and provide technical assistance to other Federal agencies, and he is authorized to obtain from such departments and agencies such information, data, reports, advice, and assistance as he deems necessary or appropriate and which can reasonably be furnished by such departments and agencies in carrying out the purposes of this Act. Any Federal agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement by the Secretary.

SEC. 104. The Secretary is authorized to participate in environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations if he determines that such activities will contribute to the objectives and purposes of this Act.

SEC. 105. Nothing in this Act is intended to give, or shall be construed as giving, the Secretary any authority over any of the authorized programs of any other department or agency of the Government, or as repealing, modifying, restricting, or amending existing authorities or responsibilities that any department or agency may have with respect

to the natural environment. The Secretary shall consult with the heads of such departments and agencies for the purpose of identifying and eliminating any unnecessary duplication of effort.

SEC. 106. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

#### TITLE II

SEC. 201. There is created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. Each member shall, as a result of training, experience, or attainments, be professionally qualified to analyze and interpret environmental trends of all kinds and descriptions and shall be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interests of this Nation. The President shall designate the Chairman and Vice Chairman of the Council from such members.

SEC. 202. (a) The primary function of the Council shall be to study and analyze environmental trends and the factors that effect these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation. In carrying out this function, the Council shall—

(1) report at least once each year to the President on the state and condition of the environment;

(2) provide advice and assistance to the President on the formulation of national policies to foster and promote the improvement of environmental quality;

(3) obtain information using existing sources, to the greatest extent practicable, concerning the quality of the environment and make such information available to the public.

(b) The Council shall periodically review and appraise new and existing programs and activities carried out directly by Federal agencies or through financial assistance and make recommendations thereon to the President.

(c) It shall be the duty and function of the Council and the Secretary of the Interior to assist and advise the President in the preparation of the biennial environment quality report required under section 203.

SEC. 203. The President shall transmit to the Congress annually beginning June 30, 1970, an environmental quality report which shall set forth (a) the status and condition of the major natural, manmade, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; and (b) current and foreseeable trends in quality, management, and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

SEC. 204. The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

SEC. 205. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this title.

Mr. ALLOTT. Of course, it was changed from the time it was introduced.

Mr. MUSKIE. And so was S. 7.

Mr. ALLOTT. But we had hearings on S. 1075.

Mr. MUSKIE. I would be glad to put in the RECORD an analysis of the points in the present bill, S. 1075, that were not covered in the hearings of April 16.

Mr. ALLOTT. Then, I understand the Senator's reply to be that there is nothing in the record from the administration commenting upon title II of S. 7.

Mr. MUSKIE. I thought I had already answered the Senator's question. There is no comment.

Mr. ALLOTT. I thank the Senator.

Mr. President, the last thing I would want to do would be to try, even if I could, to reflect on the work that any Senator has done in any given field or area; and the Senator from Maine is well known for his work in this area, particularly in the field of water and air pollution, and he has been acting in this field for many years now.

I think I should make it clear that while the distinguished Senator from Maine, chairman of the subcommittee, and the chairman of the Committee on Interior and Insular Affairs do have a clear understanding about how they want to handle the matter, I personally am not a party to that agreement. I think the Senator will agree with that.

Mr. MUSKIE. I was not aware of that fact, but I accept the Senator's statement. The Senator has participated in the discussions, and I just assumed he was a party to it, but if he wishes to disassociate himself from it, I have no objection, and it will make no difference in my attitude.

Mr. ALLOTT. I shall disassociate myself from it in a moment. The only discussion I have ever participated in with the Senator from Maine was for about 10 minutes in the Democratic cloakroom yesterday afternoon. I think he will agree to that.

Mr. MUSKIE. I was present for that time. It was my impression that the Senator from Colorado was present for longer than that time. But I am interested in the fact that we have undertaken to achieve an agreement and now I understand the Senator does not support it.

Mr. ALLOTT. Mr. President, I just want to make my position clear. The Senator from Washington, our chairman, has always known that I had some reservations about this particular matter.

Mr. MUSKIE. Will the Senator yield for a question?

Mr. ALLOTT. I yield.

Mr. MUSKIE. It is a very important question. It relates to what the Senator has just said. As I say, I am not trying to impose a position on the Senator. That is not my responsibility; it is his. But an important part of this compromise was the assurance I had from the distinguished Senator from Washington, the Senate conferees on S. 1075, who will include the Senator from Washington and the Senator from Colorado, will do their best to see that the compromise provisions of S. 1075 are accepted by the conference. I take it, from what the Senator from Colorado is saying, that this may not be correct with respect to

him. If it is not, then I hope he will make it clear, because that might change my view of this compromise.

Mr. ALLOTT. If the Senator will permit me to continue, I will make my position clear.

I have stated before, and I should not have to state this again, that the chairman of the Committee on Interior and Insular Affairs has kept me faithfully informed of all of the discussions that have gone on about this matter, so I cannot say that I am uninformed in any respect about the discussions, and I do not pretend to be, nor am I trying to insinuate in any sense that the Senator from Colorado was not made fully aware of the discussions that have led to this point.

I do not know why this should be necessary, but I will say that whatever the Senate does here today with respect to the appointment of conferees, the Senator from Colorado will fulfill his obligation to the Senate just as much as the Senator from Maine or any other Senator would. I want to make that very clear. I do not think any Senator will accuse the Senator from Colorado of ever having done less.

The thing that I wish to discuss—and I am sorry that we got the discussion off on this basis—is the situation in which we find ourselves here today.

Both houses of Congress have passed S. 1075, which is intended to halt the rapid degradation of our environment; and believe me, there is no one on this floor, and no one in the United States, for that matter, who has an exclusive concern with our environment. Today we are considering S. 7, a bill which, according to its title, is also intended to halt this degradation of the environment.

I should like to take just a moment to explore the consequences of the impending vote, as I see them.

The adoption of title II of S. 7, together with the enactment of S. 1075, in my opinion, will create an administrative two-headed monster. It is two-headed because of the duplication of functions of both the proposed new high level environmental organizations, and a monster because of the problems which that duplicity will create.

The President created a Council on Environmental Quality earlier this year. The Senate's version of S. 1075 adds an Environmental Quality Board of three persons, and title II of the pending bill, S. 7, creates an Office of Environmental Quality within the Executive Office of the President.

As I look at it, Mr. President—and I have analyzed these bills very carefully, and have had my staff working on them for a long time—these organizations are both new and separate creations within the Executive Office of the President. Both organizations are high level creations in the President's Office and let me explain what I mean when I say high level.

The three board members created by S. 1075, are all subject to Senate confirmation, and the chairman is to be remunerated at level 2 of the executive pay schedule. The Director of the Office of Environmental Quality is also subject

to Senate confirmation, and his salary may be set at the same level as that of the Director of the Bureau of the Budget, which means that these two officers are at a very high level of governmental employment.

Both organizations have as their main goal and purpose to advise and assist the President on problems of environment.

Both organizations are to prepare reports and make recommendations to the President on the problems of environment.

Both organizations are authorized to employ experts and consultants.

Both organizations will deal with the same subject matter, that is, the environment, and both will be reviewing Federal and other public programs which affect the environment.

Mr. President, I think there is a little too much of a tendency, probably not in the committees involved here, but on the part of the public, to regard environment as involving only air pollution and water pollution. That is probably because these two problems have become so prevalent, and therefore are on the minds of the people of this country today perhaps more than some of the other environmental problems which may come to the fore in the future.

In our studies of this matter, I believe we determined that there are some 20 or 21 agencies of the Government which are directly involved with problems which affect the environment. For example, it is impossible to think about future environments without thinking about the Department of Housing and Urban Development of our Government. It is impossible to think of them without thinking of HEW, because the environment does not involve only water and air; as suggested by the distinguished Senator from Maine, it involves noise—and we are all becoming acutely conscious of this factor. More and more as time goes on—environmental questions will also involve land distribution, land planning for the future, what kind of future cities we will plan, and what we will do about the ghettos—for the ghettos are a part of the environmental picture, and, as a responsibility of HUD, are also a part of this question.

We could go on endlessly, bringing in the various departments and agencies of Government which, sooner or later if not now, will be actively engaged in problems and fields which do involve the environment.

To sum up, I simply wish to repeat that the environmental situation is not one which is confined merely to air, water, and noise. The degradation of our environment can occur in all these ways. It can even occur from the improper farming methods of those who erode and waste our soil. So the Department of Agriculture could be a part of this movement. It also plays a part in preserving the environment through its supervision of our forest lands. As I have said, I could continue almost endlessly to discuss the environmental problems which the great pressure of population in this country has brought on us and will continue to bring on us. I am, therefore, no less concerned than the Senator from

Maine and have given the population and food problems considerable study as they affect the future environment of our country.

Although I have never spent much time in the State of the Senator from Maine, I am aware that it is a great and beautiful State. I am certainly aware of the beauty of my own State and of the State of Washington and of other States. I think that some of us who are fortunate enough to come from such beautiful places are aware of the threats from environmental impairment—and I use the words "environmental impairment" in the whole context of which I am speaking. I am aware of the threats that come from environmental degradation. We who are fortunate enough to live in places that are relatively free from such degradation appreciate what the dangers to our environment are probably as much as those who are now directly afflicted with, for example, acute water pollution, acute air pollution, or acute noise pollution.

So it seems to me that with respect to the matter that we are discussing today, instead of the application of Parkinson's law and the natural propensities of bureaucracy to create agencies and to advise and assist the President, when the President has not been asked to comment on the provisions of title II of S. 7 we have placed the President in the position of being an arbitrator between the two agencies. In addition, the President has already created the Environmental Quality Council, which he considers to be of such great importance that he retains the chairmanship of it himself.

I wish to say one concluding word on this subject. Since the understanding has been reached between the distinguished chairmen of the two committees, the chairman of the Committee on Interior and Insular Affairs and the chairman of the subcommittee, I have not indicated to any Senator how he should vote on this question; but I feel so strongly that our population pressures and the changes in our country in the next few years will create environmental problems, some of which we are not even aware of now, and some of which we can only surmise in our minds, that we should create a clean-cut type of organization to handle it.

The President's council now exists; and now, title II of S. 7 will authorize the Office of Environmental Quality; and S. 1075, will create the Board of Environmental Quality Advisers. I am afraid we are creating something that is administratively unsound. Therefore, I shall be compelled to vote against the motion, which I believe is the parliamentary situation, to agree to the amended version of title II. I should think, as I look at the situation, that I would be fulfilling less than my duty as a Senator, having analyzed and studied the proposal in the manner that I have, if I did not cast my vote against it.

I am sure that the motion to adopt the amendment will be agreed to overwhelmingly. Nevertheless, I shall support the bill even if the amendment is included, because I feel that the subject of

title I is of such importance to the Nation that Congress must deal with it quickly and effectively. Whatever other Senators may do is for them to decide, and I have made no effort to proselytize other Senators. But I feel strongly that we are going to have to face up to the problem and provide administrative structure that is really workable. I should much prefer, for my own part, however, to have a single office created in the executive branch—as the focal point—to deal with the problem.

I yield the floor.

Mr. MUSKIE. Mr. President, a great deal of labor has gone into developing a resolution of the relationship between S. 1075 and S. 7. I have no desire to indulge in provocative or argumentative statements and upset that settlement. Nevertheless, I think, in the light of the comments made by the Senator from Colorado, that in order to assure as complete a record as I can make, I should make some points.

First, with respect to title II of S. 7, in common with all of S. 2391, of which it was part: it is the product, in a real, evolutionary sense of some 7 years of hearings held by the Subcommittee on Air and Water Pollution, involving some 16,000 pages of testimony and 1,100 witnesses.

Second, title II is extracted almost bodily, as it was reported to the Senate, from S. 2391, which was cosponsored by 42 Senators. The bill was introduced on June 12, 1969, and all the executive agencies were solicited for comments. We have received none as of this point.

The next point I should like to make is that with respect to the Board of Environmental Quality Advisers, provided by S. 1075, on which a 1-day hearing was held on April 16, Secretary of the Interior Hickel said this:

It is our belief that the proposed new Environmental Quality Council makes unnecessary the kind of council proposed in S. 1075.

The Secretary further said:

It is our recommendation that legislation such as that contained in Title I of S. 1075 not be enacted until the new council has had a full opportunity to address itself to this need.

I may say this in addition: I have been involved in environmental pollution-control legislation for many years. We have always listened responsively and constructively to recommendations of the executive branch under President Kennedy, under President Johnson, and under President Nixon. We have undertaken to support such recommendations as stood up after hearings. But we have never been reluctant, and we are not reluctant now, to initiate legislative proposals ourselves. We regard this as a part of the prerogatives of the legislative body.

Every piece of legislation in the air and water quality field that we have reported to the Senate has the unmistakable mark of the Committee on Public Works and the Subcommittee on Air and Water Pollution, standing independently of presidential recommendations. This was true of the Clean Waters Restoration Act of 1966. It was true of the Air Quality Act of 1967. It was true of the automobile exhaust legislation in 1965,

which the administration opposed totally when we held our hearings. But we formed our own judgment, reported it to the Senate, and the Senate approved.

I think that record of approval suggests the confidence in which the Senate came to hold our recommendations.

S. 7 is a similar piece of legislation. We have responded to executive testimony whenever it was available, but we did not hesitate to incorporate in legislation ideas that our judgment indicated were sound, and everything in S. 7 bears that stamp.

I am not holding against S. 1075 Secretary Hickel's adverse comment on the Board of Environmental Quality Advisers. Whatever reservation I may have had about the process under which S. 1075 was considered, I took it to be the considered judgment of Senator Jackson and his committee that they thought this to be a sound proposal.

So when we got down to the task of meshing these two bills, I did not reprove them and have not reprovved them on the Senate floor because they did not do what Secretary Hickel asked them to do, and I do not reprove them now. He opposed it. They disagreed with him and reported it to the Senate.

What I have undertaken to do, with Senator Jackson, is to marry the two into a viable organizational structure. I think we have done that, and I have no apologies for the result.

The Senator from Colorado is privileged to vote as he pleases on this matter, and I do not consider him bound to any other vote than that dictated by his own convictions; but I thought that these additions to the record were essential if the record is to have some semblance of balance on these points.

I am ready to vote.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. RANDOLPH. Mr. President, this discussion permits me the privilege of indicating that I believe that the Members of the Senate—yes, of the House of Representatives, as well—have often failed in their responsibility to write legislation on Capitol Hill rather than just to pass measures which have been forwarded from the agencies of the executive branch of the Government.

I think we have failed oftentimes in our responsibilities to do what we should do—that is, to write legislation as well as to pass it.

In broad concept, any administration has the responsibility to forward to Congress the outlines and the policies of the administration, and the proposed legislation is then referred to the respective committees.

I call attention to our failure to act effectively and responsibly in such situations as that referred to by Senator MUSKIE—when we determine, on the basis of testimony and considered study and judgment, that committee action must depart from the legislative recommendations of the executive branch.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. MUSKIE. Mr. President, I ask for the yeas and nays on the amendment. The yeas and nays were ordered.

Mr. RANDOLPH. I return to my basic belief that if the Committee on Public Works, or the Committee on the Interior, or any other committee, is in disagreement with the administration, then we in good conscience have the responsibility to work our will as elected Members of Congress. There can be comity between the legislative and executive branches of our Federal Government. However, there must not be capitulation.

Mr. President, with respect to the specific matter of the agreed upon language modifying S. 1075 and title II of S. 7, I ask unanimous consent to include in the RECORD at this point a telegram I recently received from the major conservation organization.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

Senator JENNINGS RANDOLPH,  
Senate Committee on Public Works,  
Washington, D.C.

The undersigned commend you for your continuing leadership in the field of environmental quality that brings us close to an early major policy and legislative enactment. We trust there will be full discussion on the floor of the Senate in conjunction with S. 1075 to the end that the strongest and best measure will be agreed to and reported promptly by the Senate-House conference committee. This is a unique opportunity for the country to take a major step forward in protection of environmental values.

Joseph W. Penfold, Izaak Walton League of America; Dr. Ira Gabrielson, Wildlife Management Institute; Stewart M. Brandborg, Wilderness Society; Thomas L. Kimball, National Wildlife Federation; William E. Towell, American Forestry Association; Dr. Elvis Stahr, National Audubon Society; Dr. Spencer Smith, Citizens Committee on Natural Resources; and Lloyd Tupling, Sierra Club.

Mr. RANDOLPH. Mr. President, the proposed modifications of S. 1075 and the committee substitute language for title II of S. 7 are the product of many hours of conferences between the staffs as well as the members of the Committee on Public Works and the Committee on Interior and Insular Affairs. These conferences resulted in, I believe, a strengthened version of S. 1075 and a further clarification of title II of S. 7.

Taken together these two measures represent a major step forward in coordination and strengthening of our efforts to improve the quality of the environment. Taken together these two measures represent the accord between the two principal committees in the Senate dealing with environmental problems. The conferences and the language agreed on have resolved difficult problems between the two committees stemming from differing viewpoints on the substance of this legislation and from the jurisdictional ambiguities inherent in a field as broad as the environment.

Members and the staff of the two committees are to be commended for reaching a constructive resolution of these problems. Especially to be commended

are the able chairman of the Committee on Interior and Insular Affairs (Mr. JACKSON), and the knowledgeable chairman of the Subcommittee on Air and Water Pollution (Mr. MUSKIE), for their reasonable and cooperative approach toward a difficult and complex situation.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The question is on agreeing to the amendment of the Senator from Maine.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Indiana (Mr. HARTKE), the Senator from Hawaii (Mr. INOUE), the Senator from Minnesota (Mr. McCARTHY), the Senator from New Hampshire (Mr. McINTYRE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Utah (Mr. MOSS), the Senator from Georgia (Mr. RUSSELL), the Senator from Oklahoma (Mr. HARRIS), and the Senator from South Dakota (Mr. McGOVERN), are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from Washington (Mr. MAGNUSON), and the Senator from New Jersey (Mr. WILLIAMS) are absent on official business.

I further announce that, if present and voting, the Senator from New Jersey (Mr. WILLIAMS), the Senator from New Hampshire (Mr. McINTYRE), and the Senator from New Mexico (Mr. MONTOYA) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Ohio (Mr. SAXBE) is necessarily absent.

The Senator from Michigan (Mr. GRIFFIN) and the Senators from Illinois (Mr. PERCY and Mr. SMITH) are detained on official business.

If present and voting, the Senator from Michigan (Mr. GRIFFIN), the Senators from Illinois (Mr. PERCY and Mr. SMITH) and the Senator from Ohio (Mr. SAXBE) would each vote "yea."

The result was announced—yeas 77, nays 6, as follows:

[No. 115 Leg.]  
YEAS—77

Aiken	Ervin	Muskie
Allen	Fannin	Nelson
Anderson	Fong	Packwood
Baker	Goldwater	Pastore
Bayh	Goodell	Pearson
Bellmon	Gore	Pell
Bennett	Gurney	Prouty
Bible	Hart	Proxmire
Boggs	Hatfield	Randolph
Brooke	Holland	Ribicoff
Burdick	Hollings	Schweiker
Byrd, Va.	Hughes	Scott
Byrd, W. Va.	Jackson	Smith, Maine
Cannon	Javits	Sparkman
Case	Jordan, N.C.	Spong
Church	Kennedy	Stennis
Cook	Long	Stevens
Cooper	Mansfield	Symington
Cotton	Mathias	Talmadge
Cranston	McClellan	Thurmond
Dodd	McGee	Tydings
Dole	Metcalf	Williams, Del.
Domnick	Miller	Yarborough
Eagleton	Mondale	Young, N. Dak.
Eastland	Mundt	Young, Ohio
Ellender	Murphy	

NAYS—6

Allott	Hansen	Jordan, Idaho
Curtis	Hruska	Tower

NOT VOTING—17

Fulbright	Magnuson	Percy
Gravel	McCarthy	Russell
Griffin	McGovern	Saxbe
Harris	McIntyre	Smith, Ill.
Hartke	Montoya	Williams, N.J.
Inouye	Moss	

So Mr. MUSKIE's amendment to the substitute committee amendment was agreed to.

Mr. MUSKIE. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I commend the distinguished Senator from Maine for the fine work that he and his Subcommittee on Air and Water Pollution have done in reporting this bill. I was in communication with him while the bill was still in committee and voiced some reservations about certain provisions that were contained in an earlier version of the bill. As revised and reported, I believe the sections of the bill of particular interest and concern to me—dealing with water pollution control by Federal agencies—have been substantially improved. They are not 100 percent what I would like them to be, but they are sufficiently close to the mark to permit me to support their passage.

Among the bill's new requirements is one that any applicant for a Federal license or permit to conduct any activity which may result in any discharge into the navigable waters of the United States must provide to the Federal licensing agency involved certification from the State in which the discharge will originate that there is reasonable assurance the activity will comply with applicable water quality standards. Without the required certification such Federal agency cannot issue the license or permit.

Moreover, if the certification is obtained and the license or permit is issued, it must contain any conditions which the Secretary of the Interior finds necessary to insure compliance with the water quality standards of any downstream States which might be adversely affected by discharges from the licensed facility.

The Atomic Energy Commission and the Corps of Engineers are prime examples of the Federal agencies affected by this legislation. In the case of the AEC, while the legislation does not impinge upon or in any way interfere with the AEC's comprehensive regulatory controls over the radiological effects of source, byproduct, and special nuclear material, except as certain of these authorities may be transferred to qualified States, it does have the effect of assuring that, in addition to the AEC's exhaustive radiological health and safety review, the design of nuclear powerplants will be reviewed by appropriate State and Federal authorities from the standpoint of their thermal effects upon adjoining waters.

Nuclear plants are, of course, already subject to water quality standards adopted by the States and approved by

the Secretary of the Interior pursuant to the Water Quality Act of 1965. Now, however, we will have the added protection of a preclicensing review to assure that the plants have been designed in such a way as to assure compliance with applicable water quality standards.

At least as to those activities subject to Federal approvals, this will add an important ounce of preventive medicine to the curative measures already available. My chief regret is that not all non-nuclear powerplants will be subject to these new controls. As I understand the bill, only coal, oil, and gas-fired powerplants that occasionally require a Federal license or permit will be covered by the bill. Unfortunately, even this limited coverage was opposed by representatives of the coal industry during the subcommittee's hearings on the legislation.

Another principal regret relates to proposed new section 16(a) of the Federal Water Pollution Control Act. As a member of the Appropriations Committee, I find this section somewhat disturbing. It would require that each Federal agency take whatever measures were needed to insure that property and activities under its jurisdiction shall comply with applicable water quality standards and the purposes of the act. The subsection would also authorize appropriations of "such sums as may be necessary to carry out the provisions of this section."

I notice that S. 7, as reported by the committee, is silent with relation to an exception being made in connection with Federal agencies in the case where the interests of the United States might be involved either as to national defense or other important national activities, whereas the House passed bill, H.R. 4148, explicitly makes such an exception.

I prefer the House version for reasons that are obviously understandable in the national interest.

I do not propose an amendment at this time to insert such an exception in S. 7 but would strongly suggest and recommend to the conferees that this matter be exhaustively discussed in conference and that the House version be given all possible weight in the national interest.

On this point, I should like to ask my distinguished colleague what his off-the-cuff reaction is to the statement I have just made with regard to the national interest, in making an exception in cases of that kind.

Let us assume, for example, that we are in a state of war. I am wondering how much the Government will be obligated to comply with some of these provisions if the national interest is paramount to the prevailing subject or issue at hand. Take the Hanford production reactor, for example, which produces material for the national defense.

Mr. MUSKIE. Is the Senator addressing himself to the impact of section 16?

Mr. PASTORE. Yes. Section 16(a), and in large measure section 16(b) as well.

I do not want to press the Senator too much, but the House committee went into this matter to quite some extent. It is going to be in conference, and I hope the Senator, as usual, will lend a very attentive ear to the arguments made in that regard.

Mr. MUSKIE. I will do so.

In other portions of the bill, dealing with other questions, we have recognized the point the Senator has raised.

For example, in the application of the vessel pollution requirements as to ships of war, we have recognized this point and have made provision for it; and I assure the Senator that we will look into this point as well.

Mr. PASTORE. Under the pending bill considerable autonomy is given to the States in regard to operation of Federal facilities. In effect activities being carried on for Federal purposes will be subject to water quality standards adopted by the States in which they are located. The grassroots public opinion, more or less, is given a say in the matter of thermal effects, and I think that is proper, because, after all, they are the people who have to bear the brunt. And, insofar as thermal effects are concerned, I believe the States are fully and well qualified to set such standards.

But sometimes a State could be obstinate in the case of an emergency, and there ought to be an overriding consideration in the case of an emergency. I am not saying a willy-nilly situation; but in one in which the national interest is involved, I think we ought to make some provision. The House has done it, and the Senator from Maine has not said one way or the other whether we should or should not, but I would hope that he would consider that very seriously in conference.

Mr. MUSKIE. I assure the Senator of my interest, and we will do that.

Mr. BROOKE. Mr. President, over the last several months the coastline and estuaries of Massachusetts has been ravaged by one oil spill after another. From January through mid-July, the shoreline of the Bay State has been hit on six different occasions by oil slicks that have killed fish and birdlife, closed beaches and caused property damage to docks and pleasure craft. Three weeks ago, a seventh spill dumped more than 134,000 gallons of home heating oil onto the waters and shoreline of eastern Buzzards Bay. From this disaster, the Smithsonian's Center for Shortlived Phenomenon has documented the destruction of more than 25 different varieties of the areas of marine life. This oil spill has denuded one of Cape Cod's finest striped bass fishing grounds. Not even the Cape Cod National Seashore, a national landmark and tourist attraction offering some of this Nation's most beautiful beaches has been immune to the desecration of negligent and thoughtless tanker captains, who use the first opportunity of open water to eliminate residue oil from their ballast tanks and bilges. This oil covers the beach like asphalt, leaving it unusable by anyone.

In the final analysis, I doubt that we can ever eliminate the threat of oil pollution entirely. The opportunity for accident is simply too great. Of the ships involved in trade along the Atlantic coast, one vessel in every five carries oil as its principal cargo. As long as tankers and barges ply our coastal and inland waterways there will be navigational errors, faulty towlines, and untrained captains. New England, because she has no pipeline for the transportation of her

oil products from the refineries located to the south, must rely on ships and barges to supply a large percentage of these petroleum products.

It might even be said that the threat of oil pollution is a byproduct of our own advancing industrial development. Nowhere is the demand for oil of every grade and variety greater than in the industrial areas which depend on our great port cities such as Boston, New York, Baltimore, Norfolk, Charleston, and many others. The ever-expanding demand for oil in these areas has increased the chance of accident and the possibility of disastrous oil spillage. The cost of cleaning up one barrel of the type of oil used to run a power turbine might run as high as \$75. Most coastal tankers carry hundreds of thousands of barrels of oil. If we are to protect our environment against this undesirable side effect of industrial development, we must have strong oil pollution control provisions to handle the cleanup of this menace.

We surely cannot forbid the use of tankers and barges in the transportation of oil. However, we can regulate oil transportation in such a way as to make the constant threat of oil pollution a more manageable one. The provisions in S. 7 which provide for liability on vessels and onshore and offshore facilities to be based on a test of negligence with the burden of proof on the owner is a badly needed provision. By utilizing a concept of absolute liability, the possibility of damage and loss that would result from an oil spill is now as great a risk to the vessel owner as to the public.

With the enactment of title I of this bill, the Federal Government will have significant new authorization to step in and clean up oil spills after they have occurred. However, the Federal Government should simultaneously be considering other programs stressing prevention as much as S. 7 stresses cure. It is accepted that ships are equipped to move with adequate accuracy and general safety across the remote reaches of the high seas. The immediate concern is with the heavily traveled areas nearshore such as bays, channels and harbors of the Nation's convoluted coastline. There should be a drastic updating of effective standards and certification systems that govern licensing of officers and rating of crewmembers to assure that those responsible for the operating of vessels are properly trained for their work. Such standards and certification should be expanded to require special training for all personnel responsible for handling of oil and other hazardous materials, including the off-landing of vessels. Particular attention should be given to uniform standards, training, and certification of personnel on towboats not presently subject by law to Coast Guard licensing. It is presently possible to tow an oil barge through the narrow and sinuous Cape Cod Canal—an Army Corps of Engineers facility—without ever having been through before, even in daylight. A rigid system of certification should be a minimum for the use of any Government-owned or operated facility such as the Cape Cod Canal.

The use of sea lanes for traffic routing is a major step toward reducing the risks of collisions in congested areas. Such lanes are already in use around most of our major ports. Particular efforts should be made to extend traffic patterns to all ports receiving appreciable amounts of oil.

Furthermore, substantial research is needed to determine the feasibility of some form of shorebased-guidance system to promote safe movement of shipping. Such a "sea traffic control system" could be similar to our present air traffic control system which is operated by the Federal Aviation Administration. This system could reserve special lanes for use by ships or barges transporting hazardous substances such as oil.

Work is already underway on some of the provisions I have mentioned. For instance, the House is today holding hearings on the licensing of towboat captains. The fight against oil pollution will not and should not stop with the passage of S. 7. All aspects of this problem must be given the closest scrutiny.

S. 7 is a vital step in the direction of reducing the threat of oil pollution. It effectively underscores that responsibility for clean water does not reside solely with the Federal Water Pollution Control Administration, but rather it belongs with every agency of the Federal Government. Mr. President, I am pleased to support S. 7.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, informed the Senate that pursuant to the provisions of section 2(a), Public Law 89-801, the Speaker appoints as a member of the National Commission on Reform of Federal Criminal Laws, Mr. MIKVA of Illinois, to fill the existing vacancy thereon.

The message announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MORGAN, Mr. ZABLOCKI, Mr. HAYS, Mr. ADAIR, and Mr. MAILLIARD, were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the bill (S. 267) for the relief of Lt. Col. Samuel J. Cole, U.S. Army, retired, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 1471. An act to amend chapter 13 of title 38, United States Code, to increase dependency and indemnity compensation for widows and children, and for other purposes;

S. 1857. An act to authorize appropriations for activities of the National Science Foundation pursuant to Public Law 81-507, as amended; and

S. 2564. An act to amend the Act fixing the boundary of Everglades National Park, Fla., and authorizing the acquisition of land

therein, in order to authorize an additional amount for the acquisition of certain lands for such park.

The message also announced that the House had passed the following bills in which it requested the concurrence of the Senate.

H.R. 1703. An act for the relief of the Clayton County Journal and Wilber Harris;

H.R. 1783. An act to incorporate the Paralyzed Veterans of America;

H.R. 2477. An act for the relief of Comdr. John N. Green, U.S. Navy;

H.R. 4560. An act for the relief of Sa Cha Bae;

H.R. 5106. An act for the relief of Rogello Tabhan;

H.R. 6402. An act for the relief of Sanborn Lumber Co., Inc.;

H.R. 6600. An act for the relief of Panagiotis, Georgia, and Constantina Malliaras;

H.R. 9857. An act to amend the provisions of the Perishable Agricultural Commodities Act, 1930, to authorize an increase in license fee, and for other purposes;

H.R. 9906. An act for the relief of J. Burdette Shaft and John S. and Betty Gingas;

H.R. 10156. An act for the relief of Lidia Mendola;

H.R. 11968. An act for the relief of Maj. Louis A. Deering, U.S. Army;

H.R. 13183. An act for the relief of the heirs at law of Tomosuke Uyemura and Chiyo Uyemura, his wife; and

H.R. 13218. An act for the relief of Mr. and Mrs. Joseph E. Begnoche.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 265. An act for the relief of John (Giovanni) Denaro;

S. 330. An act for the relief of Dr. Konstantinos Nicholas Baballaros;

S. 620. An act for the relief of Richard Vigil;

S. 1110. An act for the relief of Nickolas George Pollzos; and

H.R. 9825. An act to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes.

#### HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 9857. An act to amend the provisions of the Perishable Agricultural Commodities Act, 1930, to authorize an increase in license fee, and for other purposes; to the Committee on Agriculture and Forestry.

H.R. 1703. An act for the relief of the Clayton County Journal and Wilber Harris;

H.R. 1783. An act to incorporate the Paralyzed Veterans of America;

H.R. 2477. An act for the relief of Comdr. John N. Green, U.S. Navy;

H.R. 4560. An act for the relief of Sa Cha Bae;

H.R. 5106. An act for the relief of Rogello Tabhan;

H.R. 6402. An act for the relief of Sanborn Lumber Co., Inc.

H.R. 6600. An act for the relief of Panagiotis, Georgia, and Constantina Malliaras;

H.R. 9906. An act for the relief of J. Burdette Shaft and John S. and Betty Gingas;

H.R. 10156. An act for the relief of Lidia Mendola;

H.R. 11968. An act for the relief of Maj. Louis A. Deering, U.S. Army;

H.R. 13183. An act for the relief of the heirs at law of Tomosuke Uyemura and Chiyo Uyemura, his wife; and

H.R. 13218. An act for the relief of Mr. and Mrs. Joseph E. Begnoche; to the Committee on the Judiciary.

#### TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that some time toward the shank of the afternoon, there be a time set aside for the transaction of morning business, with speeches limited to the usual 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONVENTION BETWEEN THE UNITED STATES AND THE KINGDOM OF BELGIUM, RELATING TO CONSULAR RELATIONS—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive F, 91st Congress, first session, the consular convention with the Kingdom of Belgium, signed at Washington on September 2, 1969, and two exchanges of notes related thereto, transmitted to the Senate today by the President of the United States, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message from the President is as follows:

EXECUTIVE F, 91-1

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the consular convention between the United States of America and the Kingdom of Belgium, signed at Washington on September 2, 1969, and two exchanges of notes related thereto.

The convention deals with the conduct of consular relations between the two countries and the functions, privileges, and immunities of their respective consular officers. Upon entry into force it will replace the consular convention of March 9, 1880 between the United States and Belgium. Like other recent consular conventions of the United States, the new convention with Belgium covers such important matters as the obligations of the two countries to assure free communication between a citizen and his consul, to inform consular officers of the arrest or detention of their countrymen, and to permit visits by consuls to any of their countrymen who are in prison. It covers consular functions and responsibilities in such fields as the issuance of visas and passports, and the performance of notarial services. It provides for the inviolability of consular communications, documents, and archives, and the obligations of the host country to protect consular premises against intrusion or damage.

I recommend that the Senate give early and favorable consideration to the convention and related exchanges of notes and give its advice and consent to the ratification thereof.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the convention and exchanges of notes.

RICHARD NIXON.

THE WHITE HOUSE, October 8, 1969.

#### ORDER IN THE SENATE

Mr. BYRD of West Virginia. Mr. President, the Senate is not in order. Will the Chair direct the Sergeant at Arms that all attachés either take seats or leave the Chamber?

The PRESIDING OFFICER. The Sergeant at Arms is directed to make sure that attachés leave the Chamber or take seats.

Mr. YOUNG of Ohio. Mr. President, a point of order. That rule will be in effect throughout the remainder of today, will it not?

The PRESIDING OFFICER. The Senator from Ohio is correct.

Mr. YOUNG of Ohio. I thank the Chair.

#### ESTABLISHMENT OF A BOARD OF ENVIRONMENTAL QUALITY ADVISERS

Mr. JACKSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1075.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1075) to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers, which was to strike out all after the enacting clause and insert:

That the Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, both living and nonliving, and the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, urban and rural planners, industry, labor, agriculture, science, and conservation organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

Sec. 2. The President shall transmit to the Congress annually beginning June 30, 1970, an Environmental Quality Report (hereinafter referred to as the "report") which shall set forth (1) the status and condition of the major natural, manmade, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environ-

ment; (2) current and foreseeable trends in management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation in the light of expected population pressures; (4) a review of the programs and activities (including regulatory activities) of the Federal Government, the State and local governments, and nongovernmental entities or individuals, with particular reference to their effect on the environment and on the conservation, development, and utilization of natural resources; and (5) a program for remedying the deficiencies of existing programs and activities, together with recommendations for legislation.

Sec. 3. There is created in the Executive Office of the President a Council on Environmental Quality (hereafter referred to as the "Council"). The Council shall be composed of five members who shall be appointed by the President, one of whom the President shall designate as chairman, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret environmental information of all kinds, to appraise programs and activities of the Government in the light of the policy set forth in subsection (a) of this section, and to formulate and recommend national policy to promote the improvement of our environmental quality.

Sec. 4. The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this section, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

Sec. 5. It shall be the duty and function of the Council—

(a) to assist and advise the President in the preparation of the Environmental Quality Report;

(b) to gather timely and authoritative information concerning the conditions and trends in environmental qualities both current and prospective, to analyze and interpret such information for the purpose of determining whether such conditions and trends are interfering, or are likely to interfere, with the achievement of the policy set forth in subsection (a) of this section, and to compile and submit to the President studies relating to such conditions and trends;

(c) to appraise the various programs and activities of the Federal Government in the light of the policy set forth in subsection (a) of this section for the purpose of determining the extent to which such programs and activities are contributing to the achievement of such policy, and to make recommendations to the President with respect thereto;

(d) to develop and recommend to the President national policies to foster and promote the improvement of environmental quality to meet social, economic, and other requirements of the Nation; and

(e) to make and furnish such studies, reports thereon, and recommendations with respect to matters of policy and legislation as the President may request.

Sec. 6. The Council shall make an annual report to the President in May of each year.

Sec. 7. In exercising its powers, functions, and duties under this section—

(a) the Council shall consult with such representatives of science, industry, agriculture, labor, conservation, organizations, State and local governments, and other groups, as it deems advisable; and

(b) the Council, shall, to the fullest ex-

tent possible, utilize the services, facilities, and information (including statistical information) of public and private agencies and organizations, and individuals, in order that duplication of effort and expense may be avoided.

Sec. 8. (a) Section 5313 of title 5, United States Code, is amended by adding at the end thereof the following:

"(20) Chairman, Council on Environmental Quality."

(b) Section 5315 of title 5, United States Code, is amended by adding, at the end thereof, the following:

"(92) Members, Council on Environmental Quality."

Sec. 9. Nothing in this Act shall increase, decrease, or change any responsibility or authority of any Federal official or agency created by other provision of law.

Sec. 10. There are authorized to be appropriated to carry out the provisions of this Act not to exceed \$300,000 for fiscal year 1970, \$500,000 for fiscal year 1971, and \$1,000,000 for each fiscal year thereafter.

And, amend the title so as to read: "An act to provide for the establishment of a Council on Environmental Quality, and for other purposes."

Mr. JACKSON. Mr. President, on July 10, 1969, the Senate passed S. 1075, the Environmental Policy Act of 1969. On September 23 the House of Representatives passed H.R. 12549, "a bill to provide for the establishment of a Council on Environmental Quality, and for other purposes," by a vote of 372 to 15. Following adoption of H.R. 12549, a motion was offered to strike all after the enacting clause of S. 1075, and to substitute therefor the text of the House passed bill, H.R. 12549.

The motion was agreed to, the House insisted on its amendments to the Senate bill—S. 1075—and requested a conference on the disagreeing votes of the two Houses.

Mr. President, upon the conclusion of my remarks on the history and content of the House and Senate passed bills, and the important differences in the two measures, I intend to call up S. 1075, and move that the Senate disagree to the amendments of the House, agree to the conference requested by the House, and appoint the conferees for the Senate.

Mr. President, over the past decade there have been some very remarkable changes in public attitudes toward the manner in which the Nation's natural resources are administered. In the past, the public was concerned about policies designated by the terms "conservation," "preservation," and "multiple use." Today, a new set of words and concepts have come into wide public use in discussing the Nation's irreplaceable natural resource base. These words and concepts include "ecology," "environment," and the "inter-relatedness" of all aspects of the physical environment.

These changes in public attitudes and the growing public awareness and concern over man's limited natural resource base were perhaps best articulated during the decade of the sixties by former Secretary of the Interior Stewart Udall. Secretary Udall made the inadequacy of the Nation's knowledge, policies, priorities and institutions for the administration of the public's resources and man's total environment an important public issue.

The inadequacy of present knowledge, policies, and institutions is reflected in our Nation's history, in our national attitudes, and in our contemporary life. It touches every aspect of man's existence. It threatens, it degrades, and destroys the quality life which all men seek.

We see increasing evidence of this inadequacy all around us: haphazard urban and suburban growth; crowding, congestion, and conditions within our central cities which result in civil unrest and detract from man's social and psychological well-being; the loss of valuable open spaces; inconsistent and, often, incoherent rural and urban land-use policies; critical air and water pollution problems; diminishing recreational opportunity; continuing soil erosion; the degradation of unique ecosystems; needless deforestation; the decline and extinction of fish and wildlife species; faltering and poorly designed transportation systems; poor architectural design and ugliness in public and private structures; rising levels of noise; the continued proliferation of pesticides and chemicals without adequate consideration of the consequences; radiation hazards; thermal pollution; an increasingly ugly landscape cluttered with billboards, powerlines, and junkyards; growing scarcity of essential resources; and many, many other environmental quality problems.

LEGISLATIVE HISTORY  
S. 1075

The need for a comprehensive national policy on resource, conservation, and environmental administration has long been a matter of active concern to the Senate Interior and Insular Affairs Committee. This history of active concern is set out in the legislative history section of the committee's report on S. 1075.

Senate passage of S. 1075 in July of this year culminated 10 years of active consideration of legislation on conservation, resource, and environmental policy and the need for new governmental institutions in this important area of Federal responsibility.

During the 86th Congress 4 days of hearings were held on Senator Murray's bill, S. 2549, the Resources and Conservation Act which was introduced in 1959. The concept that there is a need for a high-level Council of Conservation, Resource, or Environmental Advisers first found legislative expression in this measure. This measure also represented the first expression of need for a unified and comprehensive statement of conservation, resource, and environmental policy.

During the 87th Congress hearings were held on a similar measure sponsored by Senator Engle and others.

In subsequent sessions of Congress the same and related measures have been introduced and referred to the Interior Committee for consideration.

In the 89th Congress hearings were held before the Interior Committee on S. 2282, Senator NELSON'S Ecological Research and Surveys Act. The major provisions of this measure were later incorporated into S. 2805, introduced by Senator Kuchel and myself in the 90th

Congress. S. 2805 would have authorized a program of ecological and environmental research and established a Council of Environmental Advisers in the Executive Office of the President.

S. 2805 and other measures dealing with environmental and resource policy were discussed at a unique joint House-Senate colloquium to discuss a national policy for the environment, sponsored by the Senate Interior Committee and the House Science and Astronautics Committee in July 1968. All concerned Members of the Congress were invited and many attended.

Prior to the colloquium, a special report entitled a "National Policy For The Environment" was prepared for the Interior Committee as a background document on the need for a policy. After the hearings, a congressional white paper on "A National Policy for the Environment" was prepared. This paper summarized the colloquium proceedings, discussed alternatives for congressional action, and attempted to state the elements of a national policy.

During the 91st Congress, three separate major bills dealing with environmental and resource policy and the establishment of new institutions for overview and oversight purposes were introduced and referred to the Interior Committee. The bills were S. 237, McGOVERN; S. 1075, JACKSON; and S. 1752, NELSON. Hearings were held on these measures on April 16, 1969.

Following a staff review of the hearing record, amendment No. 25, an amendment in the nature of a substitute of S. 1075, was introduced on May 29, 1969. This amendment added a new title to S. 1075 and was substantially incorporated into S. 1075 as ordered reported to the Senate on June 18.

Before the committee's report was filed, the Bureau of the Budget requested that the committee reconsider the measure and recommended further amendments. The bill was reconsidered on July 8, amendments were adopted and the measure was ordered reported. The committee report was filed on July 9 and the bill was passed by the Senate on July 10.

S. 1075 was not referred to committee in the House because of a question over which committee or committees had legislative jurisdiction over the subject matter of the bill. The measure was held at the Speaker's desk until the House passed H.R. 12549, a measure similar to S. 1075 in many respects.

S. 1075 AS AMENDED BY THE HOUSE  
(H.R. 12549)

On September 23, the House passed H.R. 12549 and substituted the text of the House-passed bill for the text of S. 1075. The House disagreed with the language of S. 1075, requested a conference and appointed conferees.

H.R. 12549—DINGELL and others—and a number of other identical and similar measures were the subject of hearings before the House Merchant Marine and Fisheries Committee in May and June of this year. H.R. 12549 is similar to title III of S. 1075 in that it would establish a Council of Environmental Advisers and require the President to submit an annual

Environmental Quality Report to the Congress.

Following committee consideration, H.R. 12549 was amended and was ordered reported to the House on July 11. In late September a rule was granted by the House Rules Committee and the measure was scheduled for debate. Following floor debate on September 23, and the adoption of amendments, H.R. 12549 was passed. S. 1075 was then amended by substituting the text of the House-passed bill. The House insisted upon its amendments to S. 1075, and a conference was requested.

S. 1075 as passed by the Senate included a number of provisions which are not in the House version. Among these provisions are some which are essential if the Congress is to enact a sound national policy for the environment.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a statement on the differences in the Senate- and House-passed versions of S. 1075; the legislative history; excerpts from a special report of the Committee on Interior and Insular Affairs; excerpts from a congressional white paper on a national policy for the environment; a comparison of the measures, and a section-by-section analysis.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DIFFERENCES IN THE SENATE- AND HOUSE-PASSED VERSIONS OF S. 1075

The following major provisions of S. 1075 as passed by the Senate are not included in the House bill:

TITLE I—DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

The House version includes, as Section 1, a brief statement of Congressional policy recognizing the importance of environmental management as a function of the Federal government. This statement, however, does not include the specific statement of goals and requirements for specific action on the part of Federal agencies which are set forth in Title I of the Senate version.

Congressman Daddario offered an amendment on the floor of the House which would have incorporated the Senate language of Title I into the House bill. A point of order was raised on procedural grounds, however, and the House did not have an opportunity to consider the amendment on its merits.

Title I of the Senate version includes the following provisions:

Sec. 101 (a) is a declaration by the Congress of a national environmental policy. It recognizes mankind's dependence upon the environment and the increasing pressures of population growth and technological advancement. Six broad national goals are set forth to guide the environmental management efforts of the Federal establishment.

Sec. 101 (b) asserts congressional recognition of each person's fundamental right to a healthful environment.

Sec. 102 provides for the integration of the policies and goals set forth in Section 101 into the existing activities of the Federal agencies.

In many areas of Federal action there is no body of experience or precedent for substantial and continuing consideration of environmental factors in governmental decisionmaking. In some areas of Federal activity, existing legislation does not provide clear authority to consider environmental factors which are in conflict with other objectives. In other areas, lack of express authority has been in-

terpreted to prohibit consideration of environmental factors.

To permit all Federal agencies to implement the goals and policies stated in the Act, Sec. 102 authorizes and directs all agencies to follow certain operating procedures:

(a) to utilize a broad interdisciplinary team approach in the planning of Federal projects and activities which have an impact on environmental values,

(b) to develop new methods of evaluating environmental values which are at present not considered in cost-benefit analysis and other methods used in Federal decision-making,

(c) to accompany each proposal for major activities with explicit findings concerning the environmental impact which will or which may result from the proposed activity,

(d) to study and describe alternatives in instances where environmental conflicts cannot be avoided;

(e) to support international efforts to protect the environmental quality of other nations and the world, and

(f) to recommend legislation which will facilitate the implementation of the policies set forth in the Act.

Sec. 103 provides that the policies and goals set forth in the Act are supplementary to the existing mandates and authorizations of Federal agencies.

#### TITLE II

Sec. 201 provides authorization for the Federal agencies to include certain environmental management functions among their ongoing activities. These activities include the collection, utilization, and dissemination of ecological and environmental data; research on environmental matters; and assistance to the Council.

Sec. 202 authorize the President to designate an agency or agencies to perform certain specific functions regarding environmental management including:

1. a program of training and research grants, in the amount ultimately of \$1 million annually,
2. an inventory of Federal projects,
3. an information retrieval system, and
4. assistance and advice to State and local governments.

Sec. 203 would establish a second Deputy Director's position in the Office of Science and Technology. This position was requested by the Bureau of the Budget, and is required to strengthen the organization of OST to support its increasingly broad functions. Among the duties recently assigned to OST is staff support for the President's newly formed Environmental Quality Council.

#### LEGISLATIVE HISTORY

S. 1075, the National Environmental Policy Act of 1969, was introduced in the 91st Congress on February 18, 1969, by Senator Jackson. Hearings on this and two related bills introduced by Senators Nelson (S. 1752) and McGovern (S. 237) were held on April 16, 1969, before the full Committee on Interior and Insular Affairs.<sup>1</sup> Following a staff study

<sup>1</sup> National environmental policy, hearings held before the Committee on Interior and Insular Affairs, U.S. Senate, 91st Cong., first sess., on S. 1075, S. 1752, and S. 237, Apr. 16, 1969. S. 1752, as introduced by Senator Nelson, would create a five-member Council on Environmental Quality in the Office of the President. This Council would be responsible for assisting the President in preparing an annual environmental quality report which would be transmitted to Congress. The report would be reviewed by a Joint Committee on Environmental Quality. The measure would also authorize the Secretary of the Interior to conduct studies of the natural environment, evaluate and disseminate such information, and consult with and provide technical assistance to departments and agencies of the Government.

and consultations with the staff of the Office of Science and Technology and with representatives of a number of the Federal departments, the committee considered S. 1075 in executive session on June 18, 1969. Following the adoption of a number of committee amendments, the measure was ordered reported to the Senate on June 18, 1969. At the request of the Director of the Office of Science and Technology and representatives of the Bureau of the Budget, the committee voted, on July 8, 1969, to reconsider the measure for the purpose of considering additional amendments. The amendments were proposed by the Bureau of the Budget in a July 7, 1969, letter to the chairman of the committee. The proposed amendments to titles I and II of S. 1075 were adopted. Amendments proposed to title III by the Bureau of the Budget were adopted in part and rejected in part. Following the adoption of other amendments suggested by members of the committee, the measure was ordered reported to the Senate on July 8, 1969.

S. 1075, as introduced, was substantially the same measure as S. 2805 which was introduced in the 90th Congress on December 15, 1967, by Senators Jackson and Kuchel. The far-reaching objectives of S. 2805 and similar legislation introduced in the 90th Congress by Members of both Houses were considered at a unique joint House-Senate colloquium convened by the chairmen of the Senate Committee on Interior and Insular Affairs and the House Committee on Science and Astronautics on July 17, 1968, to discuss a national policy for the environment.<sup>2</sup>

Following the colloquium, a "Congressional White Paper" was prepared at the request of Cochairman Henry M. Jackson and George Miller by the Legislative Reference Service, Library of Congress. This document, issued as a joint committee print by the Senate Interior Committee and House Science and Astronautics Committee and distributed to the entire Congress in October 1968, summarized the key points raised in the dialog between Members of the Congress and the colloquium participants which included five Cabinet Secretaries, the President's Science Adviser, Mr. Laurance Rockefeller, and Dean Don K. Price of Harvard.

A special report to the Committee on Interior and Insular Affairs on "A National Policy for the Environment" was prepared for the committee's use and was printed as a committee print on July 11, 1968. The report was prepared by Dr. Lynton K. Caldwell of Indiana University and William J. Van Ness, Special Counsel to the committee. The report was used as a background document for the colloquium. It raises and discusses in detail many of the issues and questions implicit in establishing a national environmental policy.

Many of the concepts and ideas incorpo-

S. 237, as introduced by Senator McGovern, would require that the President transmit to the Congress an annual report on the state of the environment. The measure would also authorize the creation of a Council of Advisers on Resources, Conservation, and the Environment which would be in the Executive Office of the President. The three-member Council would assist the President in the preparation of the annual report and in developing and recommending national policies to maintain and improve the environment. For the purpose of consideration of the annual report and plan, this bill would establish in the Senate and the House, special committees to be known as the Select Committees on Resources, Conservation, and Environment.

<sup>2</sup> The proceedings were published under the title: "Joint House-Senate Colloquium To Discuss a National Policy for the Environment," hearing before the Committee on Interior and Insular Affairs, U.S. Senate, and the Committee on Science and Astronautics, U.S. House of Representatives, 90th Cong., 2d sess., July 17, 1968.

rated in S. 1075 were drawn from ambitious measures introduced in previous Congresses. Of particular relevance were S. 2549, the Resources and Conservation Act, introduced by Senator Murray in 1959 and S. 2282 introduced by Senator Nelson in the 89th Congress. The Murray bill, endorsed by a distinguished group of Senators in the 86th and subsequently in the 87th Congress, called for the establishment of more efficient machinery in the President's Office to coordinate resource conservation on the basis of national goals. The Nelson bill included broad provisions to cope with inadequate use and application by Federal agencies of ecological knowledge and research methods for attaining better management of our physical environment. Extensive hearings were held on each of these and other environmental measures before the Senate Interior Committee.<sup>3</sup>

Other concepts and ideas incorporated into S. 1075 were drawn from the proceedings of the previously mentioned joint House-Senate colloquium, from technical reports, conferences and symposia, and from books and journals dealing with environmental problems.<sup>4</sup>

In addition, the committee has reviewed and drawn upon concepts and ideas incorporated into many measures introduced in this and previous Congresses related to various aspects of environmental management.<sup>5</sup>

#### STATEMENT BY SENATOR HENRY M. JACKSON

Over the years, in small but steady and growing increments, we in America have been

<sup>3</sup> Proposed Resources and Conservation Act of 1960, hearings before the Committee on Interior and Insular Affairs, U.S. Senate, 86th Cong., second sess. on S. 2549, Jan. 25, 26, 28, and 29, 1960. Ecological Research and Surveys, hearings before the Committee on Interior and Insular Affairs, U.S. Senate, 89th Cong., second sess., April 27, 1966, on S. 2282.

<sup>4</sup> For a detailed listing of these documents see app. A, entitled "A Documentation on Environmental Problems," p. 25, in A National Policy for the Environment, committee print, Senate Interior and Insular Affairs Committee, July 11, 1968; see also the "Bibliography on Environmental Issues," pp. 192-204 in National Environmental Policy, hearing before the Committee on Interior and Insular Affairs, U.S. Senate, 91st Cong. on S. 1075, S. 237, and S. 1752, Apr. 16, 1969.

<sup>5</sup> In the closing days of the 90th Cong., the Legislative Reference Service tabulated over 100 bills which were directly concerned with environmental issues, covering a broad area of interest—cleaning up the Nation's rivers and better approaches to smog control, improving the use of open space and prevention of disorderly encroachment by super-highways, factories and other developments, improved protection of areas of high fertility, wiser application of pesticides, whose residues affect both man and wildlife, and the control of urban sprawl, unsightly junkyards, billboards, and power facilities that lower the amenities of landscape.

In the present Congress, an initial tabulation indicates that over 40 bills have been introduced which are concerned either with a national policy for the environment or the establishment of machinery to study the overall problems of the human environment. Of the 16 standing committees of the Senate, eight have broad jurisdiction of this type of legislation. Of the 21 House standing committees, 11 are similarly involved. See "A National Policy for the Environment," app. B, p. 29, committee print of the Senate Interior and Insular Affairs Committee, July 11, 1968; "Congressional White Paper on A National Policy for the Environment," app. p. 17, Senate Committee on Interior and Insular Affairs and the House Committee on Science and Astronautics, October 1968; and Legislative Reference Service Multith, TP 450, SP 170 entitled "Environmental Quality: Selected Bills and Resolutions," June 20, 1969.

making very important decisions concerning the management of our environment. Unfortunately, these haven't always been very wise decisions. Throughout much of our history, the goal of managing the environment for the benefit of all citizens has often been overshadowed and obscured by the pursuit of narrower and more immediate economic goals.

It is only in the past few years that the dangers of this form of muddling through events and establishing policy by inaction and default have been very widely perceived. Today, with the benefit of hindsight, it is easy to see that in America we have too often reacted only to crisis situations. We always seem to be calculating the short-term consequences of environmental mismanagement, but seldom the long-term consequences or the alternatives open to future action.

This report proposes that the American people, the Congress, and the administration break the shackles of incremental policy-making in the management of the environment. It discusses the need for a national environmental policy and states what some of the major elements of such a policy might be. It also raises a number of questions implicit in the establishment of such a broad-based and far-reaching policy.

The report does not purport to deal exhaustively with these subjects. Rather, it attempts to place some of the fundamental questions concerning the need for and the elements of a national environmental policy in the arena of public debate. If the report is successful in encouraging discussion and in refining some of the issues involved, it will have performed a worthwhile purpose. In the last few years, it has become increasingly clear that soon some President and some Congress must face the inevitable task of deciding whether or not the objective of a quality environment for all Americans is a top-priority national goal which takes precedence over a number of other, often competing, objectives in natural resource management and the use of the environment. In my judgment, that inevitable time of decision is close upon us.

If we are to make intelligent decisions which are not based in the emotion of conservation's cause celebre of the moment or in the error of simply perpetuating past practices, there is a very real need to develop a national capacity for constructive criticism of present policies and the development of new institutions and alternatives in the management of the environmental resources of land, air, water, and living space. Developing this capacity will require that representatives from all elements of our national life—industry, the university, Federal, State, and local government—participate in forming this policy. It will require the creative utilization of technology to improve environmental conditions and to prevent unanticipated future instances of costly abuse. It will also require that government, business, and industry pay closer attention to a far greater range of alternatives and potential consequences when they make environment-affecting decisions than they have in the past.

Finally, it needs to be recognized that the declaration of a national environmental policy will not alone necessarily better or enhance the total man-environment relationship. The present problem is not simply the lack of a policy. It also involves the need to rationalize and coordinate existing policies and to provide a means by which they may be continuously reviewed to determine whether they meet the national goal of a quality life in a quality environment for all Americans. Declaration of a national environmental policy could, however, provide a new organizing concept by which governmental functions could be weighed and evaluated in the light of better perceived and better understood national needs and goals.

This report was prepared for the use of the Senate Interior Committee by Prof. Lynton K. Caldwell, chairman, Department of Government, Indiana University, with the assistance of Mr. William J. Van Ness, special counsel to the committee, and the Natural Resources Division, Legislative Reference Service, Library of Congress. Professor Caldwell's contribution was, in part, made possible through an arrangement with the Conservation Foundation.

#### A NATIONAL POLICY FOR THE ENVIRONMENT INTRODUCTION

This report is based upon the assumption that the threat of environmental mismanagement and deterioration to the security and welfare of the United States has been established. (See app. A.) There are differences of opinion as to the severity and relative urgency of various hazards to the environment. Some scientists believe that man's environmental relationships have reached a point of crisis; others do not see the condition of the environment generally as having yet reached a critical stage. But there is, nevertheless, general consensus throughout most walks of life that a serious state of affairs exists and that, at the least, it is approaching a crisis of national and international proportions. The focus of this report is therefore on national policy to cope with environmental crisis, present or impending, rather than with documenting the facts related to environmental deterioration.

#### PART I—REQUIREMENTS FOR POLICY EFFECTIVENESS

Effective policy is not merely a statement of things hoped for. It is a coherent, reasoned statement of goals and principles supported by evidence and formulated in language that enables those responsible for implementation to fulfill its intent. This section of the report describes some of the interrelating conditions that appear necessary to an effective national policy for the environment. The discussion will be developed under the following five headings:

- (1) Understanding Imminent Need.
- (2) Recognizing Costs.
- (3) Marshaling Relevant Knowledge.
- (4) Facilitating Policy Choice.
- (5) National Policy and International Cooperation.

##### 1. Understanding imminent need

An effective and enlightened environmental policy is a response to the needs of man in relation to his environment. The response may involve the control of man's behavior on behalf of the larger interests of mankind where those interests are clearly perceived and widely held. Man's relationship with his environment are, of course, multitudinous and complex. Control by governments, by international organizations, or by other institutions, cannot feasibly be extended to every aspect of the environment nor to more than a fraction of the actual points of impact of individual man upon his environment. Policy effectiveness consequently depends very largely upon the internalization, in the human individual, of those understandings, values, and attitudes that will guide his conduct in relation to his environment along generally beneficial lines. A major requisite of effective environmental policy is therefore intelligent and informed individual self-control.

There is substantial evidence to indicate that large numbers of Americans perceive the need for halting the spread of environmental decay. It is also evident, however, that few recognize the connection between the conditions which they deplore, and the absence of any explicit and coherent national policy on behalf of environmental quality.

Man is confronted by a circumstance that is totally new in human history. He has rapidly completed the occupancy of the easily

inhabitable areas of the earth while his numbers have increased at an exponential and accelerating rate. Simultaneously, unprecedented economic power and advances in science and technology have permitted man to make enormously increased demands upon his environment. In no nation are these coincidental developments more dramatically evident than in the United States. And yet many Americans find it difficult to understand why sound environmental management should now suddenly become "everybody's business." Long-accepted ways of thinking and acting in relation to one's surroundings are now being called into question. Understanding of what has happened can be helped by a simple exercise in arithmetic.

At the time of the American Revolution the total human population of the present-day continental United States could hardly have exceeded 3 million individuals. The demands of the American Indian and European colonists on the Atlantic seaboard were very light when contrasted with current exactions. By the close of the 20th century, if the population of this same area approximates 300 million, the daily stress man places on the environment will, on the basis of mere numbers, have increased 100 times over. Technology has alleviated some forms of stress (as on forests for fuel or on wildlife for food), but it has greatly increased environmental stress in general. The net result has been enormously increased demands upon the environment in addition to the increase in population. Calculation of an average per man-year stress upon the environment, estimated from A.D. 1700 to 2000, and adjusted for technological factors at particular historical periods, would be a powerful persuader of the need for a sensitive and forward-looking national environmental policy. The exponential increase in the pressure of man and his technology upon the environment, particularly since World War II, is the major cause of the need for a national environmental quality effort.

The rate at which the Nation has changed since 1890 when the frontier officially ceased to exist has been unexceeded by any other social transformation in history. Scarcely one long generation removed from the last days of the frontier, America has become an urbanized and automated society with publicly institutionalized values in social security, labor relations, civil rights, public education, and public health that would have been utopian less than a century ago. In the absence of a system for adequately assessing the consequences of technological change, who could have predicted the many ways in which applied science would transform the conditions of American life? Powerful new tools applying the discoveries in chemistry, physics, biology, and the behavioral sciences were put to work for improving the health, wealth, comfort, convenience, and security of Americans. Utilizing the vast natural resources of the American environment, the world's highest standard of living was achieved in an amazingly short period of time. Unfortunately, our productive technology has been accompanied by side effects which we did not foresee. Experience has shown us that there are dangers as well as benefits in our science-based technology. It is now becoming apparent that we cannot continue to enjoy the benefits of our productive economy unless we bring its harmful side effects under control. To obtain this control and to protect our investment in all that we have accomplished, a national policy for the environment is needed.

Although Americans have enjoyed prodigious success in the management of their economy they have been much less successful in the management of natural resources. As a people we have been overly optimistic,

careless, and at times callous in our exactions from the natural environment. The history of soil exhaustion and erosion, of cut-over forest lands, of slaughtered wildlife document a few of our early failures to maintain the restorative capacities of our natural resources. Fortunately many of these early failures have been corrected or are now being remedied. But our exploding population and technology have created more subtle dangers, less easily detected and more difficult to overcome.

These more recent dangers have been documented in testimony before the Congress and in the reports of scientific committees (app. A). They confront us with the possibility that the continuation of present trends affecting, for example, (a) the chemistry of the air, (b) the contamination of food and water, (c) the use of open land and living space, and (d) the psychophysical stress of crowding, noise and interpersonal tension on urban populations, may infinitely degrade the existence of civilized man before the end of this century. These are not the exaggerated alarms or unsubstantiated predictions of extremists; they are sober warnings of competent scientists supported by substantial demonstrable evidence. The practical course is, therefore, to forestall these threats before they have outgrown our technical, economic, legal, and political means to overcome them. Fortunately, we still have a choice in this matter. We still have a relatively wide range of alternatives available in managing the environment.

It may be contended that the problems of the environment must wait until more urgent political issues are resolved. Problems of national security, poverty, health, education, urban decay, and underdeveloped nations have just and appropriate claims for priority in national attention and public expenditure. Yet many aspects of these problems involve environmental policy. Three of the most urgent—the slums and ghettos of the great cities; increasing disability and death from diseases induced by environmental factors (for example, cancer, emphysema, mental disorders); and the decline and decay of rural areas (for example, in Appalachia) furnish persuasive reasons for a national environmental policy. Before billions of dollars are spent in attempts to alleviate these social ills, it would be wise to be sure that environmental factors causing or accompanying these conditions are properly identified and remedied. We may otherwise worsen the state of our economy and environment without solving the underlying social problems.

In summary, within the present generation the pressures of man and technology have exploded into the environment with unprecedented speed and unforeseen destructiveness. Preoccupied with the benefits of an expanding economy the American people have not readily adopted policies to cope with the attendant liabilities. Popular understanding of the need to forestall the liabilities in order to preserve the benefits is now becoming widespread, and provides the political rationale for the development of a national policy for the environment, and for a level of funding adequate to implement it.

### 2. Recognizing costs

The nation long ago would probably have adopted a coherent policy for the management of its environment, had its people recognized that the costs of overstressing or misusing the environment were ultimately unavoidable. This recognition was arrived at belatedly for several reasons: *First*, environmental deterioration in the past tended to be gradual and accumulative, so that it was not apparent that any cost or penalty was being exacted; *second*, it seemed possible to defer or to evade payment either in money or in obvious loss of environmental assets; *third*, the right to pollute or degrade the environment (unless specific illegal damage

could be proved) was widely accepted. Exaggerated doctrines of private ownership and an uncritical popular tolerance of the side effects of economic production encouraged the belief that costs projected onto the environment were costs that no one had to pay.

This optimistic philosophy proved false as many regions of the Nation began to run out of unpolluted air and water, as the devastation of strip mining impoverished mining communities, as the refuse of the machine age piled up in manmade mountains of junk, as the demand for electricity and telecommunications arose to festoon the Nation with skeins of cables strung from forests of poles, and as the tools of technology increasingly produced results incompatible with human well-being. Under the traditional "ground rules" of production, neither enterprise nor citizen was called upon to find alternatives or to pay for measures that would have prevented or lessened ensuing loss of environmental quality. Payment contained to be exacted in the loss of amenities the public once enjoyed, and in the costs required to restore resources to usefulness and to support the public administration that environmental deterioration entailed. When the public began to demand legislation to control pollution and to prevent environmental decay, the reaction of those involved in environment degrading activities was often one of counter-indignation. Businessmen, municipalities, corporations and property owners were confronted with costs in the form of taxes or the abatement of nuisances that they had never before been called upon to pay. They were now about to be penalized for behavior which America had long accepted as normal.

What is now becoming evident is that there is no way in the long run of avoiding the costs of using the environment. The policy question is not whether payment shall be made; it is when payment shall be made, in what form, and how the costs are to be distributed. Hard necessity has made evident the need for payment to obtain air and water of quality adequate to meet at least minimum standards of health and comfort. Scientific knowledge and rising levels of amenity standard have added to public expectation that protection against environmental damage will be built into the products and production costs of manufacturers.

Lack of a national policy for the environment has now become as expensive to the business community as to the Nation at large. In most enterprises a social cost can be carried without undue burden if all competitors carry it alike. For example, industrial waste disposal costs can, like other costs of production, be reflected in prices to consumers. But this becomes feasible only when public law and administration put all comparable forms of waste-producing enterprises under the same requirements. Moreover it has always been an advantage to enterprise to have as clear a view as possible of future costs and requirements. When public expectations and "ground rules" change, however, as they have been changing recently on environmental quality issues, the uncertainty of resulting effects upon business costs, and the necessity for adjustment to unexpected expenses and regulations, is disconcerting and hardly helpful.

A national policy for the environment could provide the conceptual basis and legal sanction for applying to environmental management the methods of system analysis and cost accounting that have demonstrated their value in industry and in some areas of government. It has been poor business, indeed, to be faced with the billions of dollars in expense for salvaging our lakes and waterways when timely expenditures of millions or timely establishment of appropriate policies would have largely preserved the amenities that we have lost and would have made unnecessary the cost of attempted restoration. A national system of environmental cost

accounting expressed not only in economic terms but also reflecting life-sustaining and amenity values in the form of environmental quality indicators could provide the Nation with a much clearer picture than it now has of its environmental condition. It would help all sectors of American society to cooperate in avoiding the overdrafts on the environment and the threat of ecological insolvency that are impairing the national economy today.

It is not only industrial managers and public officials who need to recognize the unavoidable costs of using the environment. It is, above all, the individual citizen because he must ultimately pay in money or in amenities for the way in which the environment is used. If, for example, he likes to eat lobster, shrimp or shellfish, the citizen must reconcile himself to either paying dearly for these products or indeed finding them unobtainable at any price, unless we find ways to preserve America's coastline and coastal waters. The individual citizen may also have to pay in the cost of illness and in general physical and psychological discomfort. And these costs, of course, are not incurred voluntarily.

In the interest of his welfare and of his effectiveness as a citizen the individual American needs to understand that environmental quality can no longer be had "for free." Recognition of the inevitability of costs for using the environment and of the forms which these costs may take is essential to knowledgeable and responsible citizenship on environmental policy issues.

In summary, the American people have reached a point in history where they can no longer pass on to nature the costs of using the environment. The deferral of charges by letting them accumulate in slow attrition of the environment, or debiting them as loss of amenities will soon be no longer possible. It is no longer feasible for the American people to permit it. The environmental impact of our powerful, new, and imperfectly understood technology has often been unbelievably swift and pervasive. Specific effects may prove to be irreversible. To enjoy the benefits of technological advance, the price of preventing accidents and errors must be paid on time. From now on "pay-as-you-go" will increasingly be required for insuring against the risks of manipulating nature. This means merely that provision must be made for the protection, restoration, replacement, or rehabilitation of elements in the environment before, or at the time, these resources are used. Later may be too late.

### 3. Marshaling relevant knowledge

For many years scientists have been warning against the ultimate consequences of quiet, creeping, environmental decline. Now the decline is no longer quiet and its speed is accelerating. The degradation is destroying the works of man as well as of nature. We are confronted simultaneously with environmental crisis in our cities and across our open lands and waters. The crisis of the cities and the crisis of the natural and rural environments have many roots in common, although they may erroneously be viewed as extraneous to one another, or even as competitive for public attention and taxation. In fact, both crises stem from an ignorance of and a disregard for man's relationship to his environment.

An effective environmental policy in the past might have prevented and would certainly have focused attention upon the wretched conditions of urban and rural slums. It would surely have stimulated a search for knowledge that could have helped to correct and prevent degraded conditions of living. It is now evident that the fabric of American society can no longer contain the growing social pressure against slum environments. Today, remedial measures are being forced by social violence and by the social and economic costs of environmental decay;

but it is not certain that the remedies take full account of the nature of the ailment. The pressure upon the urban environment is acute and overt; it is dramatized, it has obvious political implications, and it hurts. Conversely, the degradation of natural and rural environments is more subtle. Stress may reach the point of irreparable damage before there is full awareness that a danger exists. What is needed therefore is a systematic and verifiable method for periodically assessing the state of the environment and the degree and effect of man's stress upon it, as well as the effect of the environment and environmental change on man.

One would expect to be able to look to the universities and to the great schools and institutes of agriculture, engineering, and public health as constituting an environmental intelligence system. Unfortunately however, no such system exists. Man-environment relationships per se have seldom been studied comprehensively. Various disciplines have concerned themselves with particular aspects of environmental relationships. Geographers, physiologists, epidemiologists, evolutionists, ecologists, social and behavioral scientists, historians, and many others have in various ways contributed to our knowledge of the reciprocal influences of man and environment. But the knowledge that exists has not been marshaled in ways that are readily applicable to the formulation of a national policy for the environment. At present, there are many gaps in our knowledge of the environment to which no discipline has directed adequate attention.

It should not be surprising that there is a lack of organized knowledge relating to environmental relationships. Society has never asked for this knowledge, and has neither significantly encouraged nor paid for its production. By way of contrast, public opinion has supported the costs of high-energy physics as reasonable, even though direct and immediate applications to public problems are relatively few. But public opinion has been guided in part by the judgment of the scientific community and of the leaders of higher education. Only recently have the scientific community and the universities begun to interest themselves institutionally in man-environment relationships, perceived in the totality in which they occur in real life.

Environmental studies in the universities are as yet largely focused on separate phases of man-environment relationships. This, in itself, is not undesirable; it is in fact necessary to obtain the degree of specialization and intensive study that many environmental problems require. The inadequacy lies in the lack of means to bring together existing specialized knowledge that would be relevant to the establishment of sound policies for the environment. There is also need for greatly increased attention to the study of natural systems, to the behavior of organisms in relation to environmental change, and to the complex and relatively new science of ecology. There is need for synthesis as well as for analysis in the study of man-in-environment.

A reciprocal relationship exists between the interests of public life and the activities of American universities. Public concern with a social problem when expressed in terms of public recognition or financial support, stimulates related research and teaching in the colleges and universities. Research findings and teaching influence the actions of government and the behavior of society. This relationship has been exceptionally fruitful in such fields as agriculture, medicine, and engineering. It has not, as yet, developed strength in the field of environmental policy and management. Nevertheless a beginning is being made in some colleges and universities, and in a number of independent research organizations and foundations, to provide a more adequate informational base for environmental policy.

Recognition of the need for a more adequate informational base for environmental policy has not been confined to academic institutions or to government. Speaking to the 1967 plenary session of the American Institute of Biological Sciences, Douglas L. Brooks, president of the Traveler's Research Center, declared that " \* \* \* We need to recognize environmental quality control as a vital social objective and take steps to establish the field of environmental management as a new cross-disciplinary applied science professional activity of extraordinary challenge and importance."

To date, action by Government to assist the marshaling of relevant knowledge has been uncoordinated and inconstant. With the exception of defense and space-related technical investigations, the amount of money made available for environmental research has been relatively meager and has been allocated largely along conventional disciplinary lines. Specialized aspects of research on man-environment relationships have been well funded by the Atomic Energy Commission, the Department of Defense, and the National Aeronautics and Space Administration. But much of this work is highly technical and is appropriately directed toward problems encountered in the missions of these agencies. More broadly based are the interests of the National Science Foundation, but the Foundation's resources for funding academic research relating to environmental policy are small. For a brief period the most promising source of support for the kind of knowledge needed for environmental policy effectiveness was the U.S. Public Health Service. In the mid-1960's, the Service began to assist the establishment of broadly based environmental health science centers in selected universities. But a shift of emphasis in the Public Health Service brought this effort to an untimely standstill. The National Institutes of Health fund a significant body of health-related environmental research, but little of it appears to be policy-related.

The Science Information Exchange of the Smithsonian Institution, surveying the general field of Government-funded research for the Senate Interior and Insular Affairs Committee, found (not unexpectedly) that there were heavy concentrations of research where Government funding was heaviest—notably in physical science and the biomedical aspects of the environs. Government-funded research of broadly cross-disciplinary or policy-oriented character appeared to be almost negligible in volume and in funding. It is probable that policy problems are investigated in the course of substantive research; but it is evident that we have not yet made a conscious decision to organize and fund the effort which students of environmental policy and management see as the necessary first step to an adequate environmental information system.

To provide facilities and financial support for new research on natural systems, environmental relationships and ecology on an independent, but publicly financed basis, a National Institute of Ecology has been proposed by a group of scientists associated with the Ecological Society of America and assisted by the National Science Foundation. The functions proposed for this institute are worth restating in brief, as indicative of the contribution that ecologists would like to make toward strengthening the Nation's capacity to cope with its environmental problems. Defining ecology to be " \* \* \* the scientific study of life-in-environment," the proponents of a National Institute of Ecology state that it is needed (1) to conduct large-scale multi-disciplinary field research beyond the capacities of individual researchers or research institutions, (2) to provide a central ecological data bank on which ecologists and public agencies can draw, (3) to coordinate and strengthen activities of ecologists in relation to ecological issues in pub-

lic affairs, and to promote the infusion of ecology into general education at all levels, and (4) to perform advisory services for government and industry on active programs affecting the environment. The principle purpose of the proposed institute is not, however, to study public policy or education, but to do more and better ecology.

These efforts and proposals, and many others unreported here, are constructive contributions to the task of marshaling the knowledge needed for an effective national policy for the environment. They do not, however, add up to a national information system, nor do they necessarily present information and findings relative to the environment in forms suitable for review and decision by the Nation's policymakers. The ecological research and surveys bill introduced by Senator Gaylord Nelson in the 89th Congress would have established a national research and information system under the direction of the Secretary of the Interior. Similar proposals have been incorporated in a number of bills introduced in the 90th Congress, including S. 2805 by Senators Jackson and Kuchel. (See app. B.) An important difference between the proposals before the 90th Congress and the efforts and proposals described in the preceding paragraphs is that in pending legislation the knowledge assembled through survey and research would be systematically related to official reporting, appraisal, and review. The need for more knowledge has been established beyond doubt. But of equal and perhaps greater importance at this time is the establishment of a system to insure that existing knowledge and new findings will be organized in a manner suitable for review and decision as matters of public policy.

In summary, to make policy effective through action, a comprehensive system is required for the assembly and reporting of relevant knowledge; and for placing before the President, the Congress, and the people, for public decision, the alternative courses of action that this knowledge suggests. With all its great resources for research, data processing, and information transmittal, the United States has yet to provide the financial support and operational structure that would permit these resources to implement a public policy for the environment.

#### 4. Facilitating policy choice

The problem of organizing information for purposes of policy-oriented review leads directly to the need for a strategy of policy choice. Environmental policymaking presents certain organizational difficulties. It must draw heavily upon scientific information and yet it embraces important considerations and issues that are extraneous to science policy. Insofar as environmental policy is dependent upon scientific information, it is handicapped by the insufficiency of the research effort and the inadequacies of information handling described in the preceding paragraphs. In a review of U.S. science policy by the Organization for Economic Cooperation and Development, the European examiners cited environmental problems as one of the areas of inquiry that American science was not well organized to attack. The criticism was directed not at the accomplishments of American science in support of major technical undertakings; it was instead concerned with the absence of a system and a strategy adequate to deal with the problems of the environment, and of social relationships and behavior, on a scale which their comprehensive and complex subject matters require.

Insofar as science is an element in environmental policymaking, the Office of Science and Technology affords a mechanism for enlisting the resources of the scientific community, for establishing study groups and advisory panels on specific issues, and for presenting their recommendations to the President. In the coordination of scientific aspects of environmental policy, the Federal Council of Science and Technology, in as-

sociation with the Office of Science and Technology, is the more general of several coordinative or advisory bodies in the executive branch. (See app. C.) The establishment of special councils for marine resources and engineering development, for water resources, for recreation and natural beauty, among other purposes, complicates to some extent the function of policy advice. None of these bodies are constituted to look at man-environment relations as a whole; none provide an overview; none appear fully to answer the need for a system to enable the President, the Congress, and the electorate to consider alternative solutions to environmental problems.

Possible answers to the need for a system to assist national policy choice may be found in legislative proposals to create councils on environmental quality or councils of ecological advisers. These councils are conceived as bridges between the functions of environmental surveillance, research, and analysis, on the one hand, and the policymaking functions of the President and the Congress on the other. The particular and indispensable contribution of the Council to environmental policy would be twofold. The first would be, using S. 2805 for purposes of illustration, " \* \* \* to study and analyze environmental trends and the factors that effect these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation." Most proposals call for a report on the state of the environment from the Council to the President and from the President to the Congress. S. 2805, for example, states that the Council shall provide advice and assistance to the President in the formulation of national policies, and that it shall also make information available to the public. The bill further provides that " \* \* \* The Council shall periodically review and appraise new and existing programs and activities carried out directly by Federal agencies or through financial assistance and make recommendations thereon to the President."

From this enumeration of the Council's functions several inferences may be drawn. *First*, the proposed environmental advisory councils are not science advisory bodies. They are instructed in pending legislative proposals to take specified factors, including the scientific, into account in the course of their analysis and recommendations on environmental policy issues. *Second*, the councils are not primarily research or investigating bodies even though they have important investigatory functions. They are essentially policy-facilitating bodies. *Third*, their functions are those of analysis, review, and reporting. Their nearest functional counterpart is probably the Council of Economic Advisers. *Fourth* and finally, councils on the environment, such as proposed by some of the measures listed in appendix B, must be located at the highest political levels if their advisory and coordinative roles are to be played effectively. For this reason the proposals have generally established the Council in the Executive Office of the President. However, the Technology Assessment Board proposed by Representative Emilio Q. Daddario, which would perform many functions similar to those of the environmental councils, would be an independent body responsible primarily to the Congress.

This brings the discussion to the role of the Congress in facilitating policy choice. Some have found the formal committee structure of the Congress to be poorly suited to the consideration of environmental policy questions. Senator Edmund Muskie has proposed a Select Committee of the Senate on Technology and the Human Environment to facilitate consideration of related environmental issues that would normally be divided among a number of Senate committees. Others have proposed that a Joint Committee on the Environment, representative of

the principal committee of the House and the Senate concerned with environmental policy issues, should be established to review a proposed annual or biennial report of the President on the state of the environment. Many Congressmen, however, feel that the policy of establishing new committees to deal with each new problem area should be resisted and that the present committees should assume their legislative and oversight responsibilities in this area. Meanwhile the informal and practical operations of legislative business permits the present standing committees to function with remarkable speed and dexterity where the will to legislate exists.

In summary, policy effectiveness on environmental issues will require some form of high-level agency in the executive branch for reviewing and reporting on the state of the environment. No existing body seems appropriate for this function. To meet this need, and under various names, a council for the environment has been suggested and has been incorporated in numerous legislative proposals. Provision for a policy assisting body in the executive branch suggests to some the desirability of a comparable committee in the Congress.

#### 5. National policy and international cooperation

In his address to the graduating class at Glassboro State College on June 4, 1968, President Lyndon B. Johnson called for the formation of a permanent "International council on the human environment." The ecological research and surveys bill first offered in 1965 by Senator Gaylord Nelson authorized participation by the United States with "other governments and international bodies in environmental research." Similarly, S. 2805 and other pending measures authorize " \* \* \* environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations \* \* \*"

These and other expressions of the willingness and intent of the United States to cooperate with other nations and with international organizations on matters of environmental research and policy reinforce the argument for a national environmental policy. Although the United States could cooperate internationally on many specific issues without a national policy, it could do so more effectively and comprehensively if its own general position on environmental policy were formally and publicly enunciated.

The United States, as the greatest user of natural resources and manipulator of nature in all history, has a large and obvious stake in the protection and wise management of man-environment relationships everywhere. Its international interests in the oceanic, polar, and outer space environments are clear. Effective international, environmental control would, under most foreseeable contingencies, be in the interest of the United States, and could hardly be prejudicial to the legitimate interests of any nation. American interests and American leadership would, however, be greatly strengthened if the Nation's commitment to a sound environmental policy at home were clear.

#### PART II—QUESTIONS OF IMPLEMENTATION

What significance would adoption of a national policy for the environment hold for the future of government in the United States? At the least, it would signify a determination by the American people to assume responsibility for the future management of their environment. It would not imply an all-inclusive Federal or even governmental environmental administration. The task to too widespread, multitudinous, and diverse to be wholly performed by any single agency or instrumentality. There are important roles to be played at every level of government and in many sectors of the nongovern-

mental economy. Nevertheless a new policy, and particularly a major one, is certain to arouse some apprehensions.

In the Federal agencies, among the committees of the Congress, in State governments, and among businesses whose activities impinge directly upon the environment and natural resources, there would be understandable concern as to what changes for them might be implicit in a national policy for the environment. The objection is certain to be raised that Government is already too large and that there are already too many agencies trying to manage the environment. "Please—not one more," will be an oft-repeated plea. These fears, however, are largely those that always accompany a new public effort regardless of its purpose, direction, or ultimate benefit. Very few people oppose, in principle, public action on behalf of quality in the environment. It is implementation that raises questions and arouses apprehension.

It would be unconvincing to assert that no interest, enterprise, or activity will be adversely affected by a national environmental quality effort. There is no area of public policy that does not impose obligations upon, nor limit the latitude for action of important sectors of society. But while activities harmful to man's needs and enjoyments in the environment must necessarily be curbed, it is also true that all Americans, without exception, would benefit from an effective national environmental policy. In brief, although all would benefit, a relative few might be required to make adjustments in business procedures or in technological applications.

For the foregoing reasons, a report on the need for a national policy for the environment would be incomplete if it did not raise, at least for purposes of discussion, some major questions that the establishment as such a policy would imply. These are mainly questions of how a decision to establish a national policy would be implemented in practice. They are questions to be answered by the Congress and by the President. But in their answers, the policy-determining branches of Government will need to consider a number of issues subsidiary to those major questions.

To better illustrate the issues involved in these questions, reference will be made to S. 2805. No claim of special priority is implied by these references. Many of the bills now pending on this issue have similar provisions. Any one bill might serve as well as any other.

1. What are the dimensions of an environmental policy and how are they distinguishable from other areas of national concern?

This is the fundamental question. It would be unreasonable to expect that its metes and bounds could be defined more clearly than those of the more familiar policy areas of national defense, foreign relations, civil rights, public health, or employment security. The field of definition can be narrowed, however, by identifying those concepts with which it might be confused but from which it should be clearly distinguished.

Environmental policy, broadly construed, is concerned with the maintenance and management of those life-support systems—natural and man made—upon which the health, happiness, economic welfare, and physical survival of human beings depend. (See app. D.) The quality of the environment, in the full and complex meaning of this term, is therefore the subject matter of environmental policy. The term embraces aspects of other areas of related policy or civic action, and it is important that environmental policy and environmental quality, in the broad sense, be distinguished from these related but sometimes dissimilar policies or movements.

Environmental policy should not be confused with efforts to preserve natural or

historical aspects of the environment in a perpetually unaltered state. Environmental quality does not mean indiscriminate preservationism, but it does imply a careful examination of alternative means of meeting human needs before sacrificing natural species or environments to other competing demands.

Environmental quality is not identical with any of the several schools of natural resources conservation. A national environmental policy would however, necessarily be concerned with natural resource issues. But the total environmental needs of man—ethical, esthetic, physical, and intellectual, as well as economic—must also be taken into account.

Environmental policy is not merely the application of science and technology to problems of the environment. It includes a broader range of considerations. For this reason S. 2805, in proposing a Council on Environmental Quality, does not stipulate that its five members be scientists, although it obviously would not preclude scientists among them.

One of the few differences in emphasis among the environmental policy bills now before the Congress has to do with the role of ecologists and of the science of ecology in the shaping of national policy. The need for a greatly expanded program of national assistance for ecological research and education cannot be doubted by anyone familiar with present trends in the environment. The science of ecology can provide many of the principal ingredients for the foundation of a national policy for the environment. But national policy for the environment involves more than applied ecology, it embraces more than any one science and more than science in the general sense.

The dimensions of environmental policy are broader than any but the most comprehensive of policy areas. The scope and complexities of environmental policy greatly exceed the range and character of issues considered, for example, by the Council of Economic Advisors. One may therefore conjecture, without derogation to the unquestionable importance of the economic advisory function, that a council on the environment would, in time, perhaps equal and even exceed in influence and importance any of the specialized conciliar bodies now in existence. For this reason its membership should be broadly representative of the breadth and depth of national interests in man-environment relationships. The ultimate scope of environmental policy, and the relationship of a high-level implementing council to existing councils, commissions, and advisory agencies, are not questions that can be, or need to be, decided now, nor even at the time that a national policy may be adopted. The important consideration is to develop a policy and to provide a means that will permit its objectives to be considered and acted upon by the Congress, the President, and the executive agencies. If we wait until we are certain of the dimensions of environmental policy and of how it will relate to other responsibilities and functions of Government, our assurance will be of no practical value. It will have come too late to be of much help.

2. Upon what considerations and values should a national environmental policy be based?

If it is ethical for man to value his chances for survival, to hope for a decent life for his descendants, to respect the value that other men place upon their lives, and to want to obtain the best that life has to offer without prejudicing equal opportunities for others, then the cornerstone of environmental policy is ethical. That cornerstone is the maintenance of an environment in which human life is not only possible, but may be lived with the fullest possible measures of personal freedom, health, and esthetic satisfac-

tion that can be found. No government is able to guarantee that these values can be realized, but government is able to assist greatly in the maintenance of an environment where such values are at least realizable.

Ethics, like justice, is not easily quantifiable, yet few would argue that society should not seek to establish justice because justice cannot be adequately defined or quantified. Environmental policy is a point at which scientific, humanistic, political, and economic considerations must be weighed, evaluated, and hopefully reconciled. Hard choices are inherent in many policy issues. The sacrifice of a plant or animal species, for example, or of a unique ecosystem ought not to be permitted for reasons of short-run economy, convenience, or expediency. The philosophy of reverence for life would be an appropriate guiding ethic for a policy that must at times lead to a decision as to which of two forms of life must give way to a larger purpose.

The natural environment has been basically "friendly" toward man. Man's survival is dependent on the maintenance of this environment, but not upon the unaltered operation of all of its myriad components. Pathogenic micro-organisms, for example, are not revered by man. Protection against them is a major task of environmental health and medicine. But even here, respect for the incredible variety, resilience, and complexity of nature is a value that environmental policy would be wise to conserve. Frontal attacks upon man's environmental enemies or competitors, identified as pathogens or as "pests," have miscarried too often to encourage the thought that direct action on threats in the environment are always wise, economical, or effective.

The range of values to be served by environmental policy is broad and an indication of how its scope might be defined may be obtained from the provisions of S. 2805 which specify the considerations to which the Council on Environmental Quality should respond: "Each member shall, as a result of training, experience, or attainments, be professionally qualified to analyze and interpret environmental trends of all kinds and descriptions and shall be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interests of this Nation."

The assessment and interpretation of these needs and interests is obviously a function that the members of the Council would have to perform to the best of their ability. No more than in the election of legislators or in the appointment of judges, would it be possible to stipulate how these or other values should be understood and weighted. The reputations and characters of the individuals appointed to the Council would offer the best indications of how the specifications of the law might be construed. But the findings and conclusions of the Council need not be wholly subjective or based upon speculative data. The methods of systems analysis, cybernetics, telemetry, photogrammetry, electronic and satellite surveillance, and computer technology are now being applied to a wide range of environmental relationships. New statistical and computerized simulation techniques are rapidly bringing ecology from what has been described as "one of the most unsophisticated of the sciences," to what may become one of the most complex, intellectually demanding and conceptually powerful of the sciences.

In brief, the values and considerations upon which a national environmental policy should be based should be no less extensive than the values and considerations that men seek to realize in the environment. In the interpretation of these values and considerations science can play a role of great importance. But neither science, nor any other field of knowledge or experience, can provide all of the criteria upon which environmental

policies are based. The full range of knowledge and the contributions of all of the scientific and humanistic disciplines afford the informational background against which value judgments on environmental policy may most wisely be made.

3. How should the information needed for a national environmental policy be obtained and utilized?

Of all major questions on the implementation of environmental policy, this one is probably the least difficult. It is in part a technical question; yet to describe it as technical is not to suggest that it can be easily answered. There is no present system for bringing together, analyzing, collating, digesting, interpreting, and disseminating existing information on the environment. There is accordingly no reliable way of ascertaining what aspects of man-environment relationships are unresearched or hitherto unidentified. The question is less difficult than others primarily because it is clearly possible to design an information system, to fund its implementation, and to put it into effect. The particular form in which the data should finally appear, and the method of its subsequent disposition are more problematic.

Title I of S. 2805, and other measures proposed on behalf of a national environmental policy, make provision for the functions of information gathering, storage and retrieval, dissemination, and for enlarging the available information through assistance to research and training. The detailed provisions of S. 2805 on an environmental information system are numerous and need not be repeated here. The significant feature of these provisions is that they create an information system designed and intended to serve the policymaking processes of government.

Most of the environmental quality bills place this information function under the direction of the Secretary of the Interior. But they relate its data-gathering functions to those of other Federal agencies and they provide for the transmittal of its findings to a high-level reviewing body and to the President and the Congress. In the provision for organizing environmental information into a form that is usable for policy formation, this proposal represents a step toward greater rationality in government and toward the more effective use of modern information systems and technology to serve public purposes.

4. How should a national environmental policy be implemented and periodically reviewed for refineries or revision?

Some innovation and restructuring of policy-forming institutions will be required to achieve the purpose of a national environmental policy. Our present governmental organization has not been designed to deal with environmental policy in any basic or coherent manner. (See app. C). The extent to which governmental reorganization may be necessary cannot be determined absolutely in advance of experience. But it does seem probable that some new facility at the highest levels of policy formulation will be needed to provide a point at which environmental policy issues cutting across the jurisdictional lines of existing agencies can be identified and analyzed, and at which the complex problems involved in man's relationships with his environment can be reduced to questions and issues capable of being studied, debated, and acted upon by the President, the Congress, and the American people. As we have seen, some of the bills on environmental policy now pending in the Senate and the House of Representatives (see app. B) provide a point of focus for this new area of policy through a high-level board or council. Many of these bills provide for periodic reports on the state of the environment to the policy-determining institutions of the Nation—the President and the Congress—and, as these reports are matters of public record, to the American people who must be

the final judges of the level of environmental quality they are willing to support.

As noted in the preceding paragraphs, improved facilities for the finding, analysis and presentation of pertinent factual data are needed. A vast amount of data is now collected by Federal agencies and by private research organizations; but this data is uneven in its coverage of the various aspects of environmental policy. For example, there is a superabundance of technical information on some aspects of environmental pollution, but comparatively little research on the social and political aspects of environmental policy. Much of the data now available is in a form unsuitable for policy purposes. The sheer mass of data, much of it highly technical on certain major environmental problems, is a serious impediment to its use. For this reason, the legislative proposals on national environmental policy provide a system for reinforcing, supplementing, and correlating the flow of information on the state of the environment.

These two major needs, (a) a high-level reviewing and reporting agency and (b) an information gathering and organizing system, are the essential structural innovations proposed in bills now before the Congress for implementing a national environmental policy. Would these additions to the present structure of government be sufficient to implement a national environmental quality program and how in particular would the proposed high level Council be related to other agencies in the federal structure of government?

New policies and programs imply structures appropriate to their functions and may call for new relationships among existing agencies. To construct a comprehensive structure for environmental administration will require time, and meanwhile the need for leadership in informing the people and in formulating policy recommendations and alternatives grows more urgent. It is for this reason that some of the measures which have been introduced propose that a Council for Environmental Quality be established in the Executive Office of the President. In effect, the Council would be acting as agent for the President. It would need information from the various Federal departments, commissions, and independent agencies that, under prevailing organization, it could not as easily obtain if it were located at a level coequal or subordinate to the division of Government whose programs it must review. Reinforcing this consideration is the distribution of environment-affecting activities among almost every Federal agency.

Objections may be raised that there are already too many councils and committees established in the Executive Office of the President. Some students of public administration argue that a simplification of structure and a clarification of existing responsibilities should take precedent over any new programs or agencies. The answer to this objection lies in an assessment of relative priorities. Is each of the councils or comparable agencies now established in the Executive Office of the President more important, of greater urgency, or of more direct bearing upon the public welfare, than the proposed Council on Environmental Quality? What criteria indicate how many conciliar bodies are "too many"? These questions are not merely rhetorical. Although they cannot be answered here, they are obviously germane to the issue of governmental organization and to the way in which national environmental policy is formulated and made effective.

A strong case can be made a major restructuring of the Federal departments in which public responsibility for the quality of the environment would, like defense or foreign relations, become a major focus for public policy. Proposals tending in this direction and chiefly affecting the Department of the

Interior have been made over several decades. A prominent news magazine took up this line of reasoning in a recent editorial declaring that " \* \* \* the Secretary of the Interior ought to be the Secretary of the Environment." But a major restructuring of functions in the Federal administrative establishment cannot be accomplished easily or rapidly. Such a development would be most plausible as a part of a more general restructuring of the executive branch. The multiplication of high-level councils and interagency committees may indicate that a restructuring is needed. (See app. C.) Some of the complexity of present arrangements for policy formulation and review reflects the confusion often attending a transition from one set of organizing concepts to another.

Among the concepts that have been proposed to reduce the burden of the Presidential office and to provide a more simple and flexible administrative structure, is that of the "superdepartment." One of these agencies already exists as the Department of Defense. A Department of the Environment might be another. The substance and character of the organizational changes that superdepartments might imply are germane to a discussion of environmental administration, but they require no further exploration in this report beyond the following three points: *First*, they would be fewer in number than present departments, probably no more than seven to nine; *second*, they would be oriented broadly to services performed for the entire population, and *third*, they would be planning and coordinative rather than directly operational, assuming, to some degree, certain of the tasks that now fall heavily on the Executive Office of the President.

There may be another answer to the need for a more effective review and coordination of related functions in diverse agencies in the concept of "horizontal authority" or matrix organization. This organizational arrangement has been employed in multifunctional, cross-bureau, projects in the Department of Defense and in the National Aeronautics and Space Administration. Under a temporary structure for project management, it structures across normal hierarchical lines and working relationships among the necessary personnel and skills. The concept might be applicable to interagency attack upon specific problems of environmental policy.

Review of national policy, and revision if and when needed, are functions that the Congress performs for all major policies of Government. The device of an annual or biennial report from the President to the Congress on the state of the environment offers the logical occasion for an examination by the Congress, not only of the substance of the President's message, but of national policy itself. In many respects, the transmission of an annual report on the state of the environment accompanied by a clear and concise statement of the Nation's goals, needs, and policies in managing the environment could attain many of the ends sought by those who propose reorganization.

#### SUMMATION

Although historically the Nation has had no considered policy for its environment, the unprecedented pressures of population and the impact of science and technology make a policy necessary today. The expression "environmental quality" symbolizes the complex and interrelating aspects of man's dependence upon his environment. Through science, we now understand, far better than our forebears could, the nature of man-environment relationships. The evidence requiring timely public action is clear. The Nation has overdrawn its bank account in life-sustaining natural elements. For these elements—air, water, soil, and living space—technology at present provides no substitutes. Past neglect and carelessness are now

costing us dearly, not merely in opportunities foregone, in impairment of health, and in discomfort and inconvenience, but in a demand upon tax dollars, upon personal incomes, and upon corporate earnings. The longer we delay meeting our environmental responsibilities, the longer the growing list of "interest charges" in environmental deterioration will run. The cost of remedial action and of getting onto a sound basis for the future will never be less than it is today.

Natural beauty and urban esthetics would be important byproducts of an environmental quality program. They are worthy public objectives in their own right. But the compelling reasons for an environmental quality program are more deeply based. The survival of man, in a world in which decency and dignity are possible, is the basic reason for bringing man's impact on his environment under informed and responsible control. The economic costs of maintaining a life sustaining environment are unavoidable. We have not understood the necessity for respecting the limited capacities of nature in accommodating itself to man's exactions, nor have we properly calculated the cost of adaptation to deteriorating conditions. In our management of the environment we have exceeded its adaptive and recuperative powers and in one form or another must now pay directly the costs of obtaining air, water, soil, and living space in quantities and qualities sufficient to our needs. Economic good sense requires the declaration of a policy and the establishment of an environmental quality program now. Today we have the option of channeling some of our wealth into the protection of our future. If we fail to do this in an adequate and timely manner we may find ourselves confronted, even in this generation, with environmental catastrophe that could render our wealth meaningless and which no amount of money could ever cure.

#### APPENDIX A—DOCUMENTATION ON ENVIRONMENTAL PROBLEMS

Following is a partial listing of recent writings on environmental problems subdivided under five headings: (1) "Technical Reports," (2) "Conferences and Symposiums," (3) "Journals," (4) "News Articles and Speeches," and (5) "Books, Yearbooks, and Pamphlets."

##### PART I—TECHNICAL REPORTS

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*The White House Conference on International Cooperation.* Natural Resources Conservation and Development Committee.

*Securing Health in Our Urban Future.* Report to the Surgeon General, Public Health Service, by his Advisory Committee on Urban Health Affairs.

*A Strategy for a Livable Environment.* Report to the Secretary of Health, Education, and Welfare by a Task Force on Environmental Health and Related Problems.

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*vironment and the Family Life*. A longitudinal study of the effects of housing on morbidity and mental health. 1962. Johns Hopkins University Press.

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#### APPENDIX B—ENVIRONMENTAL LEGISLATION INTRODUCED IN THE 90TH CONGRESS

The two problems—one with respect to national environmental (or resource) policy and the other regarding executive organization—have been the subjects of a large body of proposed legislation. In the 86th Congress, Senator James E. Murray proposed S. 2549 which called for the establishment of a Council of Resource and Conservation Advisers in the Office of the President. Similar or related bills have been introduced in subsequent Congresses. A partial list of bills introduced in the 90th Congress is given below:

#### SENATE

S. 843. Mr. Mondale and others. February 6, 1967. *Government Operations*. Full Opportunity and Social Accounting Act: Establishes a Council of Social Advisers, and directs it to compile and analyze social statistics, devise a system of social indicators, help develop program priorities, evaluate the effectiveness and impact of our efforts at all levels of government, and advise the President in the establishment of national social policies.

Requires the President to transmit to Congress an annual report on the state of the Nation's social health, specifying progress made, listing goals for the future and specifying policies for achieving these objectives.

Provides for a joint committee of Congress to review the President's annual report on the state of our social health, just as the Joint Economic Committee exercises oversight responsibility in economic matters.

S. 886. Mr. Moss and others. February 7, 1967. *Government Operations*. Department of Natural Resources Act: Redesignates the Department of the Interior as the Department of Natural Resources. Transfers various departments from the Department of the Interior and others to the Department of Natural Resources.

S. 1305. Mr. Allott and others. March 15, 1967. *Labor and Public Welfare*. Provides that the President shall transmit to the Congress by January 20, of each year, a report on science and technology which shall set forth (1) the existing major policies of both Federal and non-Federal research organizations, (2) the impact of major developments of science in the progress of such programs, (3) major goals of the Federal Government and of private research organizations, (4) financial information on the funding of science and research projects across the Nation, and (5) his recommendations for necessary legislation.

Establishes a Joint Committee on Science and Technology composed of eight Members of the Senate appointed by the President of the Senate and eight Members of the House, appointed by the Speaker, to assist the President by holding hearings and collecting relevant data, in the compilation of material for the report.

S. 1347. Mr. Javits. March 21, 1967. *Labor and Public Welfare*. Establish a 12-member Federal Council of Health within the Executive Office of the President, appointed by the President for 3-year terms to (1) make recommendations and continuous evaluation of policies and programs related to the Nation's health, including disaster planning, (2) initiate study and development measures designed to assure the provision of adequate health manpower, services, and facilities and to moderate the rising trend in the cost of medical care, and (3) to advise and consult

with Federal departments and agencies, including the Budget Bureau, on policies and programs concerned with health services, manpower, and facilities.

S. 2789. Mr. Nelson. December 14, 1967. *Interior and Insular Affairs*. Authorizes the Secretary of the Interior to conduct a program of research, study and surveys, documentation and description of natural environmental systems of the United States for the purposes of understanding and evaluating the condition of these systems and to provide information to those concerned with natural resources management. Authorizes the establishment of an advisory committee.

S. 2805. Messrs. Jackson and Kuchel. December 15, 1967. *Interior and Insular Affairs*. Authorizes the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality. Establishes a Council on Environmental Quality.

S. 3031. Mr. Nelson. February 26, 1968. *Public Works*. Requires the President to make an annual environmental quality report to Congress and provides that the report set forth (1) the status and condition of the major natural, manmade, or altered environmental systems of the Nation, and (2) the current and foreseeable trends in management and utilization of such environments and the effect of those trends on the social, economic, and other requirements of the Nation.

Creates a five-member Council on Environmental Quality, members to be appointed by the President and by and with the advice and consent of the Senate, in the Executive Office of the President and directs it to oversee the program of the Federal, State, and local governments to (1) determine to what extent these activities are contributing to the achievement of environmental quality and (2) gather, analyze, and interpret conditions and trends in environmental quality.

Provides that the principal task of the Council be to develop within a 5-year period comprehensive national policies and programs to improve and maintain the quality of our environment.

S. Res. 68. Mr. Muskie and others. January 25, 1967. *Government Operations*. Provides for the establishment of a Select Committee on Technology and Human Environment.

#### HOUSE

H.R. 258. Mr. Bennett. January 10, 1967. *Interior and Insular Affairs*. Authorizes the Secretary of the Interior to conduct a program of research, study and surveys, documentation, and description of the natural environmental systems of the United States for the purposes of understanding and evaluating the condition of these systems and to provide information to those concerned with natural resources management. Authorizes the establishment of advisory committees.

H.R. 3753. Mr. Dingell. January 25, 1967. *Government Operations*. Consolidates water quality management and pollution control authorities and functions in the Secretary of the Interior who shall administer such functions through the Federal Water Pollution Control Administration.

H.R. 4480. Mr. Hathaway. February 1, 1967. *Government Operations*. Marine and Atmospheric Affairs Coordination Act: Establishes an Executive Department of Marine and Atmospheric Affairs headed by a Secretary appointed by the President with the advice and consent of the Senate. Provides for the appointment of an Under Secretary and three Assistant Secretaries in the same manner.

Transfers to the Department of Marine and Atmospheric Affairs the functions of the major Government agencies concerned with marine and atmospheric affairs.

Establishes as a function of the Department a new coordinating Office of Marine Geology and Mineral Resources.

Establishes a Joint Committee of Congress for Marine and Atmospheric Affairs to carry out the policies outlined in the act.

H.R. 4893. Mr. Moss. February 6, 1967. Government Operations. Consolidates water quality management and pollution control authorities and functions in the Secretary of the Interior who shall administer such functions through the Federal Water Pollution Control Administration.

H.R. 6698. Mr. Daddario. March 7, 1967. Science and Astronautics. Creates a five-member Technology Assessment Board whose members shall be appointed by the President.

Gives the Board the duty of (1) identifying the potentials of applied research and technology and promoting ways and means to accomplish their transfer into practical use, and (2) identifying the undesirable by-products of such research and technology, in advance, and informing the public of their potential in order to eliminate or minimize them.

Provides for a 12-member General Advisory Council to advise the Board, and provides that the Council members be appointed by the President.

H.R. 7796. Mr. Dingell. March 23, 1967. Interior and Insular Affairs; referred to Science and Astronautics. April 17, 1967. Directs the President to submit to Congress beginning June 30, 1968, an annual environmental quality report setting forth the status and condition of the major natural, manmade, or altered environmental classes of the Nation, with a view toward improving man's living conditions.

Creates a three-member Council on Environmental Quality, appointed by the President, to assist in the compilation, coordination, and preparation of environmental data for the report, together with its recommendations for development and improvement of the Nation's environment.

H.R. 8601. Mr. Blatnik. April 17, 1967. Interstate and Foreign Commerce. Provides for the establishment of regional airshed quality commissions and airshed quality regions when so requested by a Governor of one of two or more contiguous States, and when it is found that there is a threatening air pollution situation in such States, an adequate abatement program does not exist, and that action is necessary to protect the public health. Makes provisions for administration of the airshed quality regions and the commission's duties.

Creates a Federal Air Quality Improvement Administration to administer the provisions of this act and the Solid Waste Disposal Act. Provides that the head of this Administration be appointed by the Secretary of HEW, and provides for the appointment of an additional Assistant Secretary of HEW who shall assist the Secretary in supervising the Federal Air Quality Improvement Administration.

H.R. 10261. Mr. Ottinger. May 23, 1967. Government Operations. Establishes a Council of Social Advisers, and directs it to compile and analyze social statistics, devise a system of social indicators, help develop program priorities, evaluate the effectiveness and impact of our efforts at all levels of government, and advise the President in the establishment of national social policies.

Requires the President to transmit to Congress an annual report on the State of the Nation's social health, specifying progress made, listing goals for the future, and specifying policies for achieving these objectives.

Provides for a joint committee of Congress to review the President's annual report on the state of our social health, just as the Joint Economic Committee exercises oversight responsibility in economic matters.

H.R. 13211. Mr. Tunney. September 28, 1967. Science and Astronautics. Creates in the

Executive Office of the President a Council of Ecological Advisers composed of nine members to be appointed by the President by and with the advice and consent of the Senate. Directs the Council to study the national environment and national ecology of the Nation and report to the President. Grants it necessary powers.

H.R. 15614. Mr. Rosenthal. February 27, 1968. Government Operations. Establishes within the executive department a Department of Health to be headed by a Secretary of Health who should be appointed by the President by and with the advice and consent of the Senate. Provides for the appointment of five Assistant Secretaries and a General Counsel to be appointed by the President by and with the advice and consent of the Senate. Transfers to the new Department are the U.S. Public Health Service, the Vocational Rehabilitation Administration, and St. Elizabeths Hospital.

H. Con. Res. 307. Mr. St. Orge. April 6, 1967. Rules. Establishes a 10-member joint congressional committee to study all the problems involved in the extraordinary pollution of air and the navigable waters of the United States, including the Atlantic and Pacific Oceans and the Gulf of Mexico, by the extraction, manufacture, transportation, or storage of substances harmful to human, animal, or plant life.

H.J. Res. 1321. Mr. Ottinger. June 13, 1968. Judiciary. Amends the Constitution by adding a "conservation bill of rights" asserting the "right of the people to clean air, pure water, freedom from excessive and unnecessary noise, and the natural, scenic, historic and esthetic qualities of their environment."

APPENDIX C—FEDERAL ADMINISTRATION OF ENVIRONMENTAL PROGRAMS

The Federal offices, agencies and committees listed below contribute a substantial share of their time and operating effort to administration and study of environment-oriented programs.

1. FEDERAL AGENCIES

*Department of Agriculture*

Secretary

Under Secretary:  
Agricultural Stabilization and Conservation Service.

Farmers Home Administration.  
Rural Community Development Service.  
Forest Service.

Soil Conservation Service.  
International Agricultural Development Service.

Agricultural Stabilization and Conservation Service.

Agricultural Research Service.  
Cooperative State Research Service.  
Federal Extension Service.

*Department of Commerce*

Secretary

Under Secretary:  
Assistant Secretary for Science and Technology.

Environmental Science Service Administration.

Environmental Data Service.  
Weather Bureau.  
Institutes for Environmental Research.  
National Environmental Satellite Center.  
Coast and Geodetic Survey.

*Department of Defense*

Secretary

Corps of Engineers.

*Department of Health, Education, and Welfare*<sup>1</sup>

Secretary

Under Secretary:  
Public Health Service.

<sup>1</sup> Currently reorganizing.

Office of the Surgeon General.  
Bureau of Disease Prevention and Environmental Control.

National Institutes of Health.  
National Center for Air Pollution Control.  
National Center for Urban and Industrial Waste.

National Environmental Sciences Center.  
Food and Drug Administration.

*Department of Housing and Urban Development*

Secretary

Under Secretary:  
Assistant Secretary for Metropolitan Development.

Deputy Assistant Secretary:  
Land and Facilities Development Administration.

Urban Transportation Administration.  
Office of Planning Standards and Coordination.

*Department of the Interior*

Secretary

Under Secretary:  
Office of the Science Adviser.  
Office of Ecology.

Office of Water Resources Research.  
Assistant Secretary:  
Fish and Wildlife and Parks.

Commissioner of Fish and Wildlife.  
Bureau of Commercial Fisheries.  
Bureau of Sport Fisheries and Wildlife.

National Park Service.  
Assistant Secretary of Mineral Resources:  
Office of Oil and Gas.

Office of Mineral and Solid Fuels.  
Office of Coal Research.  
Bureau of Mines.

Geological Survey.  
Assistant Secretary of Public Land Management:

Bureau of Indian Affairs.  
Bureau of Land Management.  
Bureau of Outdoor Recreation.

Assistant Secretary of Water and Power Development:

Bureau of Reclamation.  
Bonneville Power Administration.  
Southeastern Power Administration.  
Southwestern Power Administration.

Assistant Secretary of Water Pollution Control:  
Office of Saline Water.

Federal Water Pollution Control Administration.

*Department of Justice*

The Attorney General

The Deputy Attorney General.  
Land and Natural Resources Division.

*Department of State*

International Boundary and Water Commission—United States and Mexico.  
International Scientific and Technical Affairs.

Agency for International Development.  
International Joint Commission—United States and Canada.

*Department of Transportation*

Secretary

Under Secretary:  
Transportation Policy Council.  
Federal Aviation Administration.

Federal Highway Administration.  
Federal Railroad Administration:  
Office of High Speed Ground Transportation.

Coast Guard.

*Executive Office of the President*

The President

Bureau of the Budget.  
Council of Economic Advisers.  
Federal Committee on the Economic Impact of Pollution Abatement.

Office of Science and Technology:  
President's Science Advisory Committee:  
Panel on the Environment.

Federal Council for Science and Technology:

Committee on Environmental Quality.  
Committee on Water Resources Research.  
President's Council on Recreation and Natural Beauty.

National Council on Marine Resources and Engineering Development.

#### Independent agencies

Atomic Energy Commission.  
Civil Aeronautics Board.  
Federal Power Commission.  
National Aeronautics and Space Administration.  
National Science Foundation.  
Tennessee Valley Authority.  
Water Resources Council.  
Appalachian Regional Commission.  
Delaware River Basin Commission.  
Smithsonian Institution.

#### 2. QUASIGOVERNMENTAL BODIES

National Academy of Sciences-National Academy of Engineering-National Research Council:

Environmental Studies Board: Oversees all environmental quality studies of the NAS, NAE, and NRC. Provides a forum for development and exchange of new ideas and their application to environmental problems.

Committee on Persistent Pesticides.  
Committee on Resources and Man.  
Committee on Agricultural Land Use and Wildlife Resources.

U.S. National Committee for the International Biological Program.

Agricultural Board.  
Committee on Solid Wastes Management.  
Committee on Air Pollution.  
Committee on Water Quality Management.  
Committee on Remote Sensing of the Environment.

Committee Advisory to the Environmental Science Services Administration.

Committee for the Development of Criteria for Nonrail Transit Vehicles.

Committee on Environmental Physiology.  
Committee on Water.

Advisory Committee to the Federal Radiation Council.

Building Research Advisory Board.  
Committee on SST-Sonic Boom.  
Committee on Ocean Engineering.  
Committee on Geography.  
Committee on Toxicology and the Advisory Center on Toxicology.

Committee on Hazardous Materials.  
Ad Hoc Committee on Human Factors in Environmental Change.

Committee on Urban Technology and Committee on Social and Behavioral Urban Research.

Highway Research Board.  
Committee on Hearing, Bioacoustics, and Biomechanics.

#### 3. INTERAGENCY COMMITTEES

Source: Federal Council on Science and Technology:

Interdepartmental Committee for Atmospheric Sciences.

Committee on Environmental Quality.  
Committee on Scientific and Technical Information.

Committee on Solid Earth Sciences.  
Committee on Water Resources Research.

Interagency Committee on Meteorological Services and Interagency Committee on Applied Meteorological Research.

Federal Committee on Pest Control.  
Armed Forces Pest Control Board.  
Interagency Aircraft Noise Abatement Advisory Committee.

Federal Advisory Committee on Water Data.  
Interagency Committee on Coordination of Sewer and Water Programs.

Steering Committee: United States-German Cooperative Program in Natural Resources, Pollution Control and Urban Development.

#### CONGRESSIONAL WHITE PAPER ON A NATIONAL POLICY FOR THE ENVIRONMENT

##### PART I. ASPECTS OF ENVIRONMENTAL MANAGEMENT

The colloquium<sup>1</sup> focused on the evolving task the Congress faces in finding more adequate means to manage the quality of the American environment.

In the recent past, a good deal of public interest in the environment has shifted from its preoccupation with the extraction of natural resources to the more compelling problems of deterioration in natural systems of air, land, and water. The essential policy issue of conflicting demands has become well recognized.

Several social attitudes have become the action force in the movement for improved environmental policies and programs. One is the desire for esthetically attractive surroundings. Another is the recognition of the folly of excessive population densities. Still another is the mounting irritation, disgust, and discomfort (aside from actual economic loss) resulting from such anomalies as smoggy air and polluted streams and seashores.

The broad public interest in the natural environment was succinctly defined by a report of the National Academy of Sciences thus:

"We live in a period of social and technological revolution in which man's ability to manipulate the processes of nature for his own economic and social purposes is increasing at a rate which his forebears would find frightening \* \* \* there is a continuing worldwide movement of population to the cities. The patterns of society are being rapidly rearranged, and new sets of aspirations, new evaluations of what constitutes a resource, and new requirements in both types and quantity of resources are resulting. The effects on man himself of the changes he has wrought in the balance of great natural forces \* \* \* are but dimly perceived and not at all well understood. \* \* \* It is evident that the more rapid the tempo of change is becoming, the more sensitive the whole system of resource supply must become in order to cope with the greater rapidity and severity with which inconsistencies, conflicts, and stress from independent innovations will arise. \* \* \* If divergent lines of progress are seen to give rise to ever-greater stresses and strains too fast to be resolved after they have risen and been perceived, then obviously the intelligent and rational thing to do is to learn to anticipate those untoward developments before they arise."<sup>2</sup>

The statements of participants in the colloquium itself are evidence that the issues of the human environment are important to a broad segment of society.

"Mr. ROCKEFELLER. \* \* \* there is a strong and deep seated concern among the American people for a better environment. The quality of our surroundings is emerging as a major national social goal (p. 4)."<sup>3</sup>

"Secretary UDALL. One of the things that I take the most encouragement from is simply the growth of sentiment in the Congress, the number of conservationist Congressmen, the number of organizations, however they define themselves, that are interested in the city problem, that are interested in the total environment problem \* \* \* (p. 62)."

<sup>1</sup> Joint House-Senate Colloquium to Discuss a National Policy for the Environment. Hearings before the Committee on Interior and Insular Affairs, U.S. Senate, and the Committee on Science and Astronautics, U.S. House of Representatives, 90th Cong., 2d sess., July 17, 1968.  
<sup>2</sup> NAS-NRC Publications 1000 and 1000A (1962).

<sup>3</sup> Page nos. in parentheses following quotations refer to the hearing transcript, op. cit.

The long-term quality of the environment is seen to be dependent on today's decisions. The means of relating the present to the future is not clear, however.

"Secretary UDALL. The real wealth of the country is the environment in the long run. We must reject any approach which inflates the value of today's satisfactions and heavily discounts tomorrow's resources (p. 14).

"Mr. ROCKEFELLER. \* \* \* we have not set down in clear terms what our goals are for the long-run future (p. 5)."

If America is to create a carefully designed, healthful, and balanced environment, we must (1) find equitable ways of charging for environmental abuses within the traditional free-market economy; (2) obtain adequate ecological guidance on the character and impact of environmental change; (3) where corporate resource development does not preserve environmental values, then consider the extension of governmental controls in the larger public interest; (4) coordinate the Government agency activities, which share with industry the dominant influence in shaping our environment; and (5) establish judicial procedures so that the individual rights to a productive and high-quality environment can be assured.

These and other aspects of environmental management—discussed at the Colloquium and submitted in the form of letters or reports for inclusion in the record—are briefly highlighted below.

#### A. Relationships Among Population Growth, Environmental Deterioration, and the Quality of Life

In an exchange of views on this subject, Secretary Robert Weaver (HUD) pointed out that by 1980 there will be almost 240 million and by the year 2000 about 312 million people in the 48 contiguous States and the District of Columbia, if present projects are borne out. Secretary Stewart Udall (DI) argued that a reasonable adjustment between population growth and our finite resources is required for sound environmental management, while Assistant Secretary Philip Lee (DHEW) contended that we do not presently have the kind of information to determine what the ideal population for this country would be. Dr. David Gates submitted the following observations in the worldwide context:

"It is clear that all segments of the world—all soils, waters, woods, mountains, plains, oceans, and ice-covered continents—will be occupied and used by man. Not a single solitary piece of landscape will go untouched in the future and in fact not be used repeatedly for as long as man survives. Everything between soil and sky will be moved about, redistributed and degraded as man continues to exploit the surface of the planet. \* \* \* The population will grow until it reaches some equilibrium level. \* \* \* An alternate ultimate destiny is for an earth of half-starved, depressed billions gasping for air, depleted of eutropic water, struggling to avoid the constant presence of one another and in essence continuing life at a degraded subsistence level limited in numbers not by conscience but by consequence. A third possibility exists which is to maintain a reasonable quality for life by means of population control, rational management of ecosystems, and constructive exploitation of resources. \* \* \* (p. 174)."

The issue of high population densities as a source of growing stresses in our society, with profound effects on health and safety, raised a number of comments. Senator Henry Jackson observed that the apparent cause-and-effect relation of congestion and violence should be a consideration in arriving at any decisions concerning what constitutes an optimum population density.

Dr. Paul Weiss submitted the following caveat:

"A stress free environment offering maximum comfort and minimum challenge is not only not optimal but is detrimental. To be exposed to moderate stress is a means of keeping the human faculty for adapting to stress \* \* \* lacking the opportunity for such exercise, man loses that faculty and becomes a potential victim of an unforeseen, but inevitable, stressful occurrences. The optimum environment consists of a broad band of conditions bounded by an upper limit far short of the stress limit and by a lower limit considerably above the ideal zone of zero stress. Within those margins of reasonable safety or tolerance, man must navigate his own responsibility (p. 224)."

Senator Clifford Hansen suggested that the Federal Government might well consider programs which would provide incentives and opportunities leading to a wider and more balanced dispersal of our people. Assistant Secretary John Baker (USDA) agreed and proposed the creation of new community centers as a matter of national environmental policy. Secretary Weaver commented that any Government policy which has to do with such dispersal must be based on the democratic principle of free choice—including for all of our people the alternatives of living in existing large population centers, suburbia, or new towns.

#### B. Broadening the scope of cost accounting

Narrow utilitarian views governing the use of environmental resources were cited as the root of many conflicts and a major barrier to sound environmental management.

"Dr. DONALD HORNIG. In my view national policy must recognize the very wide array of appropriate and necessary uses of air and water and land. It would recognize, too, the existence of a number of beneficial but non-compatible uses, and make provision for resolving these conflicts. It should result in an environment that is safe, healthful, and attractive and that is economically and biologically productive, yet that provides for sufficient variety to meet the differing requirements and tests of man (p. 31)."

Congressman Emilio Q. Daddario questioned whether the industrial objective of immediate profit can be made compatible with long-term environmental management objectives. Congressman Joseph Karth observed that the self-interests of some organizations do not coincide with the public interest. Secretary Wilbur Cohen (DHEW) commented that environmental controls may be costly in the short run, but in the long run they are a bargain both for industry and the public it serves: "What we are really seeking is an enlightened self-interest that industry and commerce have often exhibited."

Dr. Lynton K. Caldwell contended that the social costs of environmental management should not be an undue burden on the business community if all competitors carry it alike:

"Scientific knowledge and rising levels of amenity standards have added to public expectation that protection against environmental change will be built into the products and production costs of manufactures (p. 99)."

The point at which compromise among conflicting uses is reached furnishes one test of adequacy of policy.

"Mr. ROCKEFELLER. \* \* \*

"If you take a black and white approach, you are never going to resolve it. You have a lot of hostility and you don't represent the public constructively (p. 63.)"

#### C. The role of ecology

Ecologists dedicated to the study of man-environment relationships were urged to show a greater willingness to engage with industry in what was termed "ecological en-

gineering." However, Dr. Dillon Ripley argued that this subject involves a kind of ecological study which is still in the formative stage:

"I think it may take a generation perhaps to achieve even the beginnings of the kind of training, the kind of production of original minds and talents that will be able to perform the sorts of—studies—which we stress the urgency of (p. 75)."

By contrast, several participants contended that the science of ecology has already established a number of basic principles, or propositions, which could guide the attitudes and actions of both industry and government toward the environment. The following examples are paraphrased from submissions by Dr. Paul Weiss:

"(i) Organic nature is such a complex, dynamic, and interacting, balanced and interrelated system that change in one component entails change in the rest of the system. Isolated analytical study of separate components cannot yield desired insight. To find solutions to separate problems of hydrology, waste disposal, soil depletion, pest control, et cetera, is not adequate to achieve the optimization of environmental resources generally. All factors and their cohesive impact on each other need to be simultaneously considered.

"(ii) The significance or insignificance of mixtures of components and environmental conditions cannot be judged from sheer data on bulk or averages. This fallacy is a pitfall ignored today by some planners, developers, builders, and other practicing manipulators of the environment. Our tendency to maximize a specific change or result too often sacrifices other interrelated parts without optimizing the total result.

"(iii) Similarly, the concept of single, rigid, linear cause-to-effect chains of natural events has given rise to organically unreal and practically untenable conclusions. More attention should be given to the network type of causal relations in an integrated system that establishes a multiplicity of alternative routes to such a goal of optimizing the development of environmental resources."

Commenting on the complexity of the total systems approach, Mr. Don Price stated:

"I am left with the vaguely uneasy feeling that if we see the continuous complex here as one set of interconnecting realities that have to be understood as a total system, we may be broadening our interest so much that it's impossible to act on it at all (p. 64)."

"Dr. HORNIG. It is a great thing to talk about systems analysis, but the trouble with that is that you have to put in some facts. And, if you do the analysis when the facts aren't available, you are in trouble.

"\* \* \* it needs a basis in sound research that understands, that gives us clear understanding of what the nature of these long-term liabilities are (p. 51)."

#### D. Redirecting research activities

In addition to increased ecological research, the colloquium touched on the need for the entire scientific community to direct a greater share of its total effort to long-term environmental problems. Mr. Laurance Rockefeller argued that we have not yet fully harnessed this Nation's vast technological talent in the effort for a better environment. Dr. Walter Orr Roberts pointed out that cross-disciplinary research on environmental problems offers the utmost challenge from the intellectual standpoint, and also cited the following as an example of neglected research:

"Only modest efforts have been made to mount a sustained research program on the medical effects involved in the slowly developing health impairments, like aging, that result from low-level but long-persistent alterations of the atmospheric environment.

Subtle alterations of the chemical constitution of the atmosphere, through pollutants added in the form of trace gases, liquids, or solids, result from industrial activity or urbanization. This is an area of biometeorology that has significance in every living person, and yet we have not yet seen even the first beginnings of an adequately sustained research effort in this area (p. 216)."

Future values are difficult to judge, particularly when they include non-economic aspects of environmental quality. Social science research and ecology were singled out for increased support.

"Dr. HORNIG. One of the central problems in weighing the future against the present is that we don't know about the future. The reason we can't muster political forces and the reason we can't make decisions is that for the most part the information is not there (p. 51)."

The establishment of criteria for judgment is a primary task of environment management.

"Secretary WEAVER. There are too many things we do not know, basic matters such as how we define quality in the urban environment, how we measure it, and how we strike a balance among competing values (p. 19)."

"Mr. PRICE. There has been a lot of talk lately about social indicators out of a conviction that narrow economic statistical consideration are not an adequate guide to economic policy, and here we are talking about a field in which it is not enough to know about the chemical industry and the biology (p. 67)."

Technology was seen to be the savior as well as the villain in many environmental quality problems.

"Mr. PRICE. There is a tactic or an approach which has received a good bit of attention recently in technological and scientific literature. Mr. Weinberg, I think, called it the technological fix (p. 66)."

"It is obviously true that the development of the specific techniques has proved to be not only the basis of our accumulation of wealth which now makes it possible for us to ask these more sophisticated questions about our environment, to have very much higher standards of environmental control to insist on (p. 68)."

#### E. International aspects of environmental alteration

The urgent necessity of taking into account major environmental influences of foreign economic assistance and other international developments was underscored by Mr. Russell Train.

Dr. Ivan Bennett commented that the Federal Government is now participating, through the Organization for Economic Cooperation and Development, in a series of cooperative programs that will encourage the exchange of environmental information.

Senator Henry Jackson recalled President Johnson's remarks at Glassboro State College on June 4 in which he said:

"Scientists from this country and the Soviet Union and from 50 other countries have already begun an international biological program to enrich our understanding of man and his environment. I propose that we make this effort a permanent concern of our nations (p. 83)."

Dr. Roberts questioned whether these and similar ongoing cooperative efforts were fully adequate, and proposed that a broader international scheme of cooperative "benchmark" observations be made. As an example he described the neglected area of stratospheric contamination:

"It is now very difficult for us to say anything quantitative or certain about the degree to which the atmosphere above New York City, or Zurich, Switzerland, or the

rural regions of the United States, Europe, and Siberia has been changing in respect to the burden of liquid or solid wastes that jet aircraft carry. I have seen many occasions when the skies over my home city of Boulder, Colo., are crisscrossed with expanding jet airplane contrails. Often these grow, in hours, to a general cirrus cover that blankets the entire sky. On these days it is eminently clear that the jet exhausts are stimulating the formation of a cloud deck. Theory suggests that these clouds, in turn, almost certainly modify the strength of incoming sunlight, and the degree to which outgoing infrared radiation is permitted to escape from the earth to outer space. No one can say for sure, today, to what degree, if any, this alters the weather (p. 217)."

Dr. Ripley summarized the feeling of the colloquium:

"\* \* \* to speak about environmental quality without at least referring to the fact of the international components and consequences of even our activity as Americans and considering our own acreage and our own problems with the environment, appears to me to be somewhat shortsighted (p. 74)."

Senator Edmund Muskie argued that existing conservation policies deal too heavily with the permitted levels of resource exploitation at the expense of the equally important objective of enhancing these same resources.

To overcome this difficulty, Mr. Don Price suggested that countervailing policies might be established which would encourage and even make it profitable for private developers not to pollute, but actually upgrade the quality of our environment through the development of new resource-processing methods.

Assistant Secretary Lee mentioned that in the public health area a great deal of consideration has been devoted to the subtle health effects of many pollutants, but that the management problem of setting standards is made all the more difficult by the constantly changing character of chemicals being added to the environment. As part of the standard setting process, he proposed that it may eventually be necessary to require industries

"\* \* \* to demonstrate a positive beneficial effect, or an enhancement of the environment as suggested by Senator Muskie, rather than just an absence of deleterious effect (p. 71)."

Dr. Harvey Brooks argued that we could easily move too far and

"\* \* \* place a presumption so much against new technology that in fact the disincentives to innovation would create more penalties to the society than the protection to the environment that might be afforded (p. 71)."

Standards which are derived from criteria should not be absolute and unchanging, thereby compounding further the difficulties in the management decisionmaking process.

"Dr. HORNIG. \* \* \* the minute one sets standards—standards which cost people money—the question immediately comes: what is the basis for these standards? If they don't have a strong credible basis, not only to the Congress, but to the public, we can't enforce the standards (p. 51)."

"Mr. PRICE. How do we set standards? How do we know what we want to do until we can define more accurately our problems and develop some better measurements for it? (p. 67)."

"It gets especially harder when you move away from the physical or the chemical pollution and you get into the esthetic type of consideration (p. 67)."

"Mr. TRAIN. \* \* \* I'm suspicious of talk of absolute standards. I think that there

must be a great deal of diversity in whatever we get at (p. 81).

"Senator MUSKIE. We ought to avoid the straitjacket of Federal standards \* \* \* (p. 44)."

#### F. The goals of enhancement and recycling

The American landscape is under extraordinary pressure from man-made refuse and other discarded material. Secretary Udall singled out the empty metal beer can as an example:

"Science should come up with containers that readily degrade, disappear, or are made reusable. If we work hard at it, the expense won't be any burden and we won't foist on our grandchildren a mess of some kind as we do so frequently today (p. 50)."

Dr. Gates suggested that the solution to this ubiquitous problem rests in the analogy between natural and human recycling of resources.

"A natural ecosystem recycles its mineral resources. The minerals are taken up into the biomass and on death and decay are returned to the soil. Man leaves his debris of automobiles, cans, bottles, plastics, chemicals, and pavement scattered about the landscape and lets his organic refuse of garbage and sewage be funneled into the rivers and streams to be washed to sea.

"He does not return the used minerals to the factory for reprocessing or the nutrients to the soil, but draws on new concentrated supplies available in nature. Clearly, such a way of life cannot continue indefinitely. Recycling will never achieve 100-percent efficiency; but if it can reach much greater efficiencies than at present, man's lifespan on earth will be much longer (p. 170)."

#### G. New approaches in Government

Senator Henry Jackson argued that new approaches to environmental management are now required, and urged the Colloquium to provide thoughts on the possible "action-forcing" processes that could be put into operation.

Secretary Udall pointed out the difficulty of reorganizing the executive branch on a strictly environmental basis:

"Let no one suppose there is any organizational panacea for dealing with environmental problems at the Federal level \* \* \*. To combine all programs affecting the environment in one department would obviously be physically impossible.

"Each agency should designate responsible officials and establish environmental checkpoints to be sure they have properly assessed this impact.

"Whether or not new institutional arrangements are accepted, the Bureau of the Budget and the Office of Science and Technology must play a central role in collecting facts, anticipating impacts and providing an early warning system for environmental protection (p. 18)."

Secretary Cohen outlined existing patterns of agency leadership:

"In certain discrete, well-defined areas activities have been organized under the 'lead agency' concept \* \* \*. The second pattern involves multiple rather than single agency leadership, primarily because it must accommodate a variety of interests, no one of which takes precedence (p. 38)."

Dr. Donald Hornig stressed the power of the Presidency to coordinate and translate policy into action:

"The principle, the authority for oversight and coordination—and in fact, Executive responsibility for management—is vested in the President; it is exercised through the Executive Office of the President, particularly by the Office of Science and Technology and the Bureau of the Budget in this respect. We have been working very hard on this problem of coordination, and we have made much

progress. But, if our efforts turn out to be insufficient, further steps will surely be necessary and new organizational forms may be needed in the Executive Office (p. 32)."

Assistant Secretary Baker related early experiences of the USDA with the systems approach:

"We [Agriculture] are developing a Department-wide systems analysis capability for evaluating and interpreting the on-going programs. \* \* \* We seek to organize our efforts in ways that will make them compatible with efforts that may be undertaken by other agencies (p. 28)."

Secretary Weaver warned of the difficulties in obtaining a regional or "problem-shed" management of environmental quality:

"There is a serious problem of stubborn resistance to change in our political institutions. This is true at the local and State level, where the term 'metropolitan government' is a spark to the tinder, and where needed cooperation among neighboring local governments is sometimes resisted for fear it will lead to metropolitan government \* \* \*. This means that at the Federal level, we should and we have helped create institutions for metropolitan subsystems that can handle problems affecting the environment of whole areas (pp. 20 and 21)."

Mr. Laurance Rockefeller stressed the value of a commission comprising legislative, executive, and private sector members:

"I suggest to you that an effective means of proceeding might be a Commission on Environmental Policy Organization.

"It may be that this tack can be done by some entity less formal than a Commission. The Citizens Advisory Committee on Recreation and Natural Beauty plans to make the environment subject one of its major interests during the coming year.

"The Committee is, of course, directed to make its recommendations to the President and the President's Council on Recreation and Natural Beauty. (pp. 6 and 7)."

The Congress was discussed in terms of its own organizational confusion in treating environmental issues.

"Mr. ROCKEFELLER. The layman is confused by the organization of Congress in the environmental field. (p. 6.)"

"Secretary UDALL. There is still a lack of overview. (P. 13.) \* \* \* I think Congress ought to be much less bashful about spending more money on strengthening its staff so it can provide the kind of oversight that is needed. (p. 54.)"

"Secretary COHEN. We recommend that the Congress examine its own organization in order to improve its ability to deal in a comprehensive and coordinated manner with the total problem of environmental quality. (p. 40.)"

"Senator ALLOTT. \* \* \* Congress has abrogated its responsibilities to a great extent with respect to legislative oversight. (p. 54.)"

"Mr. PRICE. Congress too might have an eye to its own organization in these matters: How far it would be possible to go on from this kind of occasional informal exchange of views toward either special nonlegislative committees like the Joint Committee on the Economic Report, perhaps in conjunction with some development within the President's Office; how far pieces of jurisdiction could be carved out for legislative committees; how far the burden of coordination could be forced on the Appropriations Committee \* \* \* (p. 69)."

#### PART II. ALTERNATIVES FOR CONGRESSIONAL ACTION

An impressive number and variety of legislative proposals for improving the quality of our environment have been set before the 90th Congress (see appendix). Support for action has come from diverse segments of American society: from the scientific com-

munity, from business, and from public affairs groups.

The Congress should move ahead to define clearly the desires of the American people in operational terms that the President, government agencies at all levels, the courts, private enterprise, and the public can consider and act upon.

The ultimate responsibility for protecting the human-serving values of our environment rests jointly with the legislative, executive, and judicial branches of our Government. The Congress, as a full partner, has the obligation to provide comprehensive oversight of all environment-affecting programs of the executive branch, and also to participate in the overall design of national policy, thus serving both as architect of environmental management strategy and as the elaborator of goals and principles for guiding future legal actions.

Under the present organization of the Congress, varying aspects of environmental management (including air and water pollution control, strip mine reclamation, outdoor recreation, housing and space planning in urban areas, highway construction, atmospheric research, oceanography, and rural conservation) are committed to different committees. While there has been a steady expansion of independent committee interest in specific environmental problems, the Congress so far has not evaluated this field in its entirety with a view toward evolving a coherent and unified policy for national environmental management.

It should be recognized that the declaration of a national environmental policy will not alone better or enhance the total man-environment relationship. The present problem is not simply the lack of a policy. It also involves the need to rationalize and coordinate existing policies, and to provide the means by which they may be reviewed continuously, made consistent with other national policies and ranked in reasonable priority.

The proper development of such a far-reaching body of policy raises many difficult organizational, economic and legal problems. Some individuals who were present at the July 17 colloquium suggested that a congressional mandate on the subject of environment, which would necessarily encompass a very wide range of problems and issues, would be impractical and ineffective. Yet others pointed out that equally broad mandates and satisfactory organizing concepts for managing our economic welfare and for guiding the development of atomic energy have been tested over a period of years, with effective machinery now operating both in the executive and legislative branches to evaluate the extent to which national goals and activities in these fields are meeting public expectations and needs.

In any event, to those involved in the colloquium and recent hearings on this subject, it is clear that two functions must be served: coordination and information gathering. Environmental problems cut across so many existing operational organizations that coordination in both the executive and legislative branches must be improved. Further, an effective channel of information exchange and overview must exist between the Congress and the administration. If, for example, an environmental council were established in the Executive Office of the President, as has been proposed, it should be complemented with a corresponding joint congressional committee for purposes of efficient and continued interaction.

The acquisition and evaluation of information specifically for the Congress must be improved. Raw facts and data from ecological and economic studies must be interpreted to be useful in the legislative process. This

function should be performed in an organization reporting directly to the Congress; for example, a strong joint committee staff or an expanded Legislative Reference Service environmental unit.

Congress (regardless of present or future executive branch approaches) may exert a meaningful influence on the formulation of national environmental policy by embarking on one or a combination of the following steps:<sup>1</sup>

A. A *concurrent resolution* could be introduced declaring the strong interest of the Congress in establishing national environmental policy.

This would represent a firm expression of concern on the part of the Congress about environmental deterioration, but would not be a direct confrontation with the task of defining national policy. The resolution might urge the creation of an appropriate body to investigate all matters relating to environmental management; to analyze the means and methods whereby the organization, administration, and funding of government programs affecting the environment may be improved; and, to determine the ways whereby nongovernmental entities could be encouraged to participate in overcoming further deterioration of the environment in the national interest. Hearings on the resolution could provide a forum for a wide range of opinion.

B. A *joint resolution* calling for an amendment to the Constitution on the subject of environmental values could be introduced.

This would require approval by two-thirds of the Congress and ratification by three-fourths of the States. The amending process is both slow and cumbersome. Moreover, acceptance would require a tremendous groundswell of support. However, a proposed amendment would generate wide discussion and involve the State legislatures which are vitally important in achieving environmental quality goals. The advantage of constitutional amendments lies in the unanimity of national commitment. Such an amendment for the environment could place expanded emphasis on the judicial process as an instrument of controlling future abuse of environmental values.

C. A *joint committee or committees on environmental management* could be established to provide cross-the-board oversight on Federal programs, to conduct studies with the assistance of professional staff, and to recommend legislation. Alternatively, select or permanent committees could be established in each House.

Such committees could draw membership from existing legislative committees involved with environmental matters, and perhaps focus primarily on the review of policy and coordination matters dealt with by such groups as the Office of Science and Technology, Water Resources Council, the Council on Recreation and Natural Beauty, and various interagency coordinating committees.

D. A new *environmental surveillance unit* to conduct research and information-gathering services for the Congress could be organized.

In the past, Congress has shown reluctance to add new appendages of this sort to the legislative branch. An alternative might be an expansion of the functions of the Gen-

<sup>1</sup> This white paper deals with action alternatives for the Congress. Obviously the spectrum of organizational and administrative alternatives for policy in the executive branch is equally important. These range from definition of rights with court defense, to regulation by Federal agency, to standard setting, to incentives for voluntary conformance, to subsidy of technology for restoration and maintenance.

eral Accounting Office to make continuing studies of environmental conflicts and to prepare appropriate reports for transmittal to the Congress. New staff positions and additional funding would be required.

E. The Congress could establish a *non-governmental task force* to carry out in its belief a special study of environmental policy needs.

Such a task force could engage the services of private research organizations and draw its membership from the finest talent available in the academic community. The task force could be administered directly by the Congress or made the responsibility of some arm of the Congress such as the Legislative Reference Service, Library of Congress, which has the authority to employ experts on short-term assignments.

F. A temporary *environment management council* could be organized.

Such a council might be similar in organization and operation to the National Council on Marine Resources and Engineering Development. Its purposes could be to identify all unmet needs and opportunities in the environmental field, to study impediments to sound environmental management, conflicts of interest and gaps in existing agency and congressional activities, and to develop recommendations for legislative action within a specified period of years.

The Congress would retain an overview of the council and would control the budget for its operation. Establishment of a policy planning group in the Executive Office of the President forces the generation of proposals to the Congress. A receiving committee should be set up to correspond to this Council, similar to the Joint Economics Committee and the Council of Economic Advisers.

G. A governmental *commission* could be established for the same purposes.

The commission could be composed entirely of Congressmen, perhaps the chairman of key committees which deal with environmental matters. Or it could be a Joint Commission including representation from the executive branch and the public at large. A third type would be a Presidential Commission with members chosen at the discretion of the Chief Executive. Through a combination of studies and hearings, the Commission could be asked to produce a blueprint for legislative action in the environmental field.

H. The *Legislative Reference Service* could be directed to add a central research and evaluation on environmental matters.

A precedent is the establishment of the Science Policy Research Division in 1964.

I. An *environmental counselor* could be placed on the staff of each appropriate standing committee of the Congress.

The purpose would be to increase the technical staff available for committee work. Each counselor could be given the permanent responsibility of advising the committee to which he was assigned on the probable environmental impact of all pending legislation.

#### PART III. ELEMENTS OF A NATIONAL POLICY FOR THE ENVIRONMENT

The following language is suggested for a statement of policy, and reflects primarily the proposed position and attitude of the Federal Government, but also could be used for the guidance of State and local governments, private sector industry and commerce, and individual actions. Activities and relationships which involve man and the physical environment (as contrasted with purely person-to-person or person-to-institution relationships) are the subject of this statement.

It is the policy of the United States that: Environmental quality and productivity

shall be considered in a worldwide context, extending in time from the present to the long-term future.

Purposeful, intelligent management to recognize and accommodate the conflicting uses of the environment shall be a national responsibility.

Information required for systematic management shall be provided in a complete and timely manner.

Education shall develop a basis of individual citizen understanding and appreciation of environmental relationships and participation in decisionmaking on these issues.

Science and technology shall provide management with increased options and capabilities for enhanced productivity and constructive use of the environment.

The requirement to maintain and enhance long-term productivity and quality of the environment takes precedence over local, short-term usage. This policy recognizes the responsibility to future generations of those presently controlling the development of natural resources and the modification of the living landscape. Although the influence of the U.S. policy will be limited outside of its own borders, the global character of ecological relationships must be the guide for domestic activities. Ecological considerations should be infused into all international relations.

World population and food production must be brought into a controlled balance consistent with a long-term future continuation of a satisfactory standard of living for all.

Energy must be allocated equitably between production and the restoration, maintenance, and enhancement of the environment. Research should focus on solar energy and fusion energy for the long term, and on energy conversion processes with minimum environmental degradation for the short term.

In meeting the objectives of environmental management, it will be necessary to seek the constructive compromise, and resolutely preserve future options.

Priorities and choices among alternatives in environmental manipulation must therefore be planned and managed at the highest level of our political system. All levels of government must require developments within their purview to be in harmony with environmental quality objectives.

Alteration and use of the environment must be planned and controlled rather than left to arbitrary decision. Alternatives must be actively generated and widely discussed. Technological development, introduction of new factors affecting the environment, and modifications of the landscape must be planned to maintain the diversity of plants and animals. Furthermore, such activities should proceed only after an ecological analysis and projection of probable effects. Irreversible or difficultly reversible changes should be accepted only after the most thorough study.

The system of free enterprise democracy must integrate long-term public interests with private economic prosperity. A full range of incentives, inducements, and regulations must be used to link the public interests to the marketplace in an equitable and effective manner.

Manufacturing, processing, and use of natural resources must approach the goal of total recycle to minimize waste control and to sustain materials availability. Renewable resources of air and water must be maintained and enhanced in quality for continued use.

A broad base of technologic, economic, and ecologic information will be necessary. The benefits of preventing quality and productivity deterioration of the environment are

not always measurable in the marketplace. Ways must be found to add to cost-benefit analyses nonquantifiable, subjective values for environmental amenities (which cannot be measured in conventional economic terms).

Wherever the maintenance of environmental productivity or the prevention of environmental deterioration cannot be made economical for the private sector, government must find appropriate means of cost-sharing.

Ecological knowledge (data and theories) must be greatly expanded and organized for use in management decisions. Criteria must be established which relate cause and effect in conditions of the environment.

Indicators for all aspects of environmental productivity and quality must be developed and continuously measured to provide a feedback to management. In particular, the environmental amenities (recreational, esthetic, psychic) must be evaluated. Social sciences must be supported to provide relevant and dependable interpretation of information for environmental management.

Standards of quality must not be absolute—rather, they should be chosen after balancing all criteria against the total demands of society. Standards will vary with locality, must be adjusted from time to time, and we must develop our capabilities accordingly.

Decisions to make new technological applications must include consideration of unintended, unanticipated, and unwanted consequences. Technology should be directed to ameliorating these effects so that the benefits of applied science are retained.

Public awareness of environmental quality relationships to human welfare must be increased. Education at all levels should include an appreciation of mankind's harmony with the environment. A literacy as to environmental matters must be built up in the public mind. The ultimate responsibility for improved maintenance and control of the environment rests with the individual citizen.

#### APPENDIX—SELECTED ISSUES AND REPRESENTATIVE LEGISLATION INTRODUCED IN THE 90TH CONGRESS

##### Senate

The bills are grouped as to committee referral. Nineteen committees and over 120 members are represented.

[Bill number and introduced by]

Committee on Agriculture and Forestry  
Resource and development projects for fish and wildlife, S. 852, Mr. McCarthy.

Pesticides: Sale and shipment of DDT prohibited, S. 1025, Mr. Nelson.

Federal Pesticide Control Act, S. 2058, Mr. Ribicoff.

##### Committee on Commerce

Tanker Disaster Act, S. 1586, Mr. Magnuson et al.

Alewife control preventing damage to the ecology, S. 2123, Mr. Nelson.

Endangered Species Act, S. 2984, Mr. Yarborough.

##### Committee on Finance

Tax treatment of damages for crop injury through pollution, S. 84, Mr. Holland.

Incentive tax credits applicable to air or water pollution control and abatement facilities. Similar bills introduced by Senators Carlson, Cooper, and Ribicoff, S. 187, Mr. Smathers.

##### Committee on Foreign Relations

Endorsement of International Biological Program, S. Con. Res. 26, Mr. Harris.

##### Committee on Government Operations

Select Committee on Technology and Human Environment, S. Res. 68, Mr. Muskie.

Full Opportunity and Social Accounting Act; establishment of a Council of Social Advisers, S. 843, Messrs. Mondale, Clark, Hart, Harris, Inouye, Kennedy, McGee, Muskie, Nelson, Proxmire.

Department of Natural Resources Act, S. 886, Mr. Moss.

Committee on Interior and Insular Affairs  
National Water Commission, S. 20, Mr. Jackson et al.

Wild Rivers Act: Public lands reserved for National Wild Rivers System, S. 119, Mr. Church.

Nationwide System of Trails, S. 827, Messrs. Jackson and Nelson.

National Mining and Minerals Policy Act, S. 522, Mr. Allott et al.

Land and water conservation fund, S. 1401, Mr. Jackson et al.

National Lakes Preservation Act, S. 2001, Mr. Nelson.

Research program on natural environmental systems of the United States, S. 2789, Mr. Nelson.

Council on Environmental Quality; Investigation of U.S. ecological systems, natural resources, and environmental quality, S. 2805, Messrs. Jackson and Kuchel.

Mined land reclamation, S. 217, Mr. Lausche.  
Inventory and study of the Nation's estuaries, S. 2677, Mr. Metcalf.

##### Committee on Labor and Public Welfare

Annual Presidential report on science and technology; Joint Committee on Science and Technology, S. 1305, Mr. Allott et al.

Federal Council of Health, S. 1347, Mr. Javits.

Safe Drinking Water Act, S. 3147, Mr. Hill.

##### Committee on Public Works

Air Quality Act of 1967, S. 780, Messrs. Muskie, Baker, Bartlett, Bayh, Bible, Boggs, Brewster, Clark, Cooper, Fong, Gruening, Hartke, Inouye, Long (Mo.), Mansfield, Metcalf, Mondale, Montoya, Morse, Murphy, Nelson, Randolph, Ribicoff, Spong, Tydings, Yarborough, Young (Ohio).

Federal Water Pollution Control Act amplified by: Industrial Air Pollution Abatement and Prevention Act, Navigable Waters Pollution Control Act, S. 847, S. 2410, S. 849, Mr. Nelson.

Clean Lakes Act, S. 1341, Mr. Mondale et al.  
Highway Beautification Act amendment, S. 1666, Mr. Cooper.

Acid mine pollution control, S. 1870, Messrs. Randolph, Clark.

Improved control of pollution from vessels, S. 2525, Mr. Muskie et al.

R. & D. program by Department of Interior for improved control and prevention of pollution, S. 2760, Mr. Muskie et al.

Regional water pollution control advisory boards, S. 2820, Mr. Tower.

Environmental Quality Prevention Act, Council on Environmental Quality, S. 3031, Mr. Nelson.

Extension of Federal assistance for solid waste disposal planning, S. 3201, Mr. Muskie et al.

##### House

##### Committee on Agriculture

[Bill number and introduced by]

Federal Pesticide Control Act, H.R. 11846, Mr. Dingell.

Control of noxious plants on federally controlled land, H.R. 14158, Mr. Foley.

Committee on Banking and Currency  
Federal development grants for open space land, H.R. 5865, Mr. O'Hara.

##### Committee on Government Operations

Consolidation of water quality management and pollution control authorities in Department of the Interior, H.R. 3753, Mr. Dingell, H.R. 4893, Mr. Moss.

Establishment of Department of Marine

and Atmospheric Affairs, H.R. 4480, Mr. Hathaway.

Uniform land acquisition policy in urban areas, H.R. 5523, Mr. Dwyer.

Council of Social Advisers, H.R. 10261, Mr. Ottinger.

National Commission on Urban Living, H.R. 12494, Mr. Goodell.

Establishment of Department of Health, H.R. 15641, Mr. Rosenthal.

Committee on Interior and Insular Affairs

National scenic river system, H.R. 90, Mr. Saylor.

Investigation of the natural environmental systems in the United States by Department of the Interior, H.R. 258, Mr. Bennett.

Fresh water supply for the Northeastern United States, H.R. 1022, Mr. Ottinger.

Public Land Law Review Commission, H.R. 12121, Mr. Asplnall.

National Study Commission Act, H.R. 1416, Mr. Ullman.

National Study Commission on Water Conservation and Utilization, H.R. 5020, Mr. Wyatt.

Review of Nation's water resource problems, H.R. 6800, Mr. Helstoski.

Land and water conservation fund, H.R. 3578, Mr. Foley.

Wild and Scenic Rivers Act. Similar bill: H.R. 15429 (Mr. Fulton of Tennessee), H.R. 15690, Mr. Fraser.

Nationwide trails system, H.R. 4865, Mr. Taylor.

Committee on Interstate and Foreign Commerce

Pesticides; standards, H.R. 495, Mr. Dingell.

HUD study of potential damage to environment from erection of overhead electric transmission lines and towers, H.R. 4150, Mr. Ottinger.

Air Quality Act of 1967: The act incorporates provisions which appear as sections of numerous other bills. Some Members who authored similar bills are: Messrs. Horton, Halpern, Springer, Dingell, Adams, Eckhardt, Minish, Ryan, Long of Maryland, McCarthy, Moorhead, Rosenthal, Adams, Dent, Farbstein, Delaney, Gilbert, Murphy, Van Deerlin, Walker, Mrs. Kelly, Messrs. Johnson of Penn-

sylvania, Patten, Howard, Corman, Helstoski, Tunney, Eilberg, Fino, Pucinski, Roybal, H.R. 4279, Mr. Staggers.

Establishes regional airshed quality commissions and airshed quality regions, H.R. 8601, Mr. Blatnik.

Prohibits construction of power transmission lines on interior-designated public lands, H.R. 11509, Mr. Reuss.

Control and abatement of aircraft noise, H.R. 14896, Mr. Scheuer.

Solid wastes: extend and amend Public Health Service Act, H.R. 15768, Mr. Staggers.

Committee on the Judiciary

Conservation bill of rights, H.J. Res. 1321, Mr. Ottinger.

Marine Resources Conservation and Development Act, H.R. 17369, Mr. Willis.

Committee on Merchant Marine and Fisheries

Development and preservation of U.S. estuarine areas, H.R. 25, Mr. Dingell.

Navigable Water Pollution Control Act, H.R. 486, Mr. Dingell.

Protection of fish and wildlife resources from effects of Federal projects, H.R. 6731, Mr. Ottinger.

Coast Guard R. & D. related to release of harmful fluids from vessels, H.R. 9116, Mr. Howard.

Establishment of Marine Sanctuaries, H.R. 11584, Mr. Keith.

Congressional policy concerning authority to control fish and wildlife resources, H.R. 14849, Mr. Vander Jagt.

Endangered Species Act, H.R. 11618, Mr. Lennou.

Coast Guard studies of oil pollution, H.R. 14852, Mr. Keith.

Prevention of damage to fish and wildlife from pesticides, H.R. 15979, Mr. Karth.

Environmental Science Services Administration Commissioned Officers Corps Act, H.R. 17993, Mr. Garmatz.

Committee on Public Works

Federal Water Commission Act, H.R. 1252, Mr. Ryan.

Detergent Pollution Control Act, H.R. 8752, Mr. Eilberg.

Department of Interior's R. & D. program

to improve the quality of lake waters, H.R. 10751, Mr. Hanley.

Federal highway system beautification, H.R. 11705, Mr. Adams.

Clean Lakes Act, H.R. 13407, Mr. Zwach.

Control of acid and mine water pollution; similar bill introduced by Mr. Beville (H.R. 16133), H.R. 14000, Mr. Nedzi.

Oil and Hazardous Substance Pollution Control Act, H.R. 15906, Messrs. Fallon, Blatnik.

Water pollution control, Federal installations, prevention of discharge of heated effluents, H.R. 16852, Mr. Dingell.

Committee on Rules

Joint congressional committee to study problems of extraordinary pollution of air and navigable waters in the United States, H. Con. Res. 307, Mr. St. Onge.

House Standing Committee on Urban Affairs, H. Res. 1062, Mr. Cowger.

Select Committee on Technology and Human Environment, H. Res. 1116, Mr. Brown of California.

Committee on Science and Astronautics

Congressional support of international biological program, H. Con. Res. 6698, Mr. Miller of California.

Technology Assessment Board and General Advisory Council, H.R. 6698, Mr. Daddario.

Council on Environmental Quality, H.R. 7796, Mr. Dingell.

Council of Ecological Advisers, H.R. 13211, Mr. Tunney.

Council of Ecological Advisers, H.R. 14605, Mr. Matsunaga.

Council of Ecological Advisers, H.R. 14627, Mr. Corman.

Committee on Ways and Means

Incentive tax credit for construction of air or water pollution control facilities; similar bills presented by Messrs. Collier, Corbett, Feighan, Casey, Fuqua, Anderson, Perkins, Slack, Byrne, Reifel, Berry, King, Johnson of Pennsylvania, McClory, Zion, Whalley, Schweiker, Halpern, Schneebell, Andrews, Steiger, Cederberg, Kupferman, Keith, Hall, MacGregor, Mize, Meskill, Smith of New York, Teague, H.R. 385, Mr. Clancy.

Clean Lakes Act, H.R. 16257, Mr. Blackburn.

COMPARISON OF ENVIRONMENTAL QUALITY MEASURES

PROVISION	S. 1075	H.R. 12549 (S. 1075 AS AMENDED)
Title.	National Environmental Policy Act of 1969.	An Act to provide for the establishment of a Council on Environmental Quality.
Declaration of policy.	6-part Congressional declaration of policy (sec. 101(a)).	Brief statement of policy.
Recognition of environmental rights.	Congress recognizes right of persons to healthful environment (sec. 101(b)).	No provision.
Directions to Federal agencies as follows:	Congress authorizes and directs all Federal agencies to perform functions and make certain findings in support of the policy (sec. 102).	No provision (Council to make recommendations).
1. Interdisciplinary approach.	All agencies shall: 1. Utilize interdisciplinary approach to planning and decision-making (sec. 102(a)).	No provision.
2. Environmental values.	2. Develop methods to include presently unquantified values in decisions (sec. 102(b)).	No provision.
3. Make findings.	3. Must make findings in connection with proposals and decisions that:	No provision.
a. environmental impact.	a. environmental impact has been considered.	
b. adverse effects.	b. adverse effects are justified.	
c. short-term uses.	c. short-term uses are consistent with long-term productivity.	
d. irreversible commitments.	d. irreversible commitments are justified.	
4. Alternatives.	4. Study and present alternatives where conflicts occur.	No provision.
5. International effects.	5. Support international programs for the environment.	No provision.
6. Present authority.	6. Review existing statutory authorities and recommend legislation to conform to this Act.	No provision.

PROVISION	S. 1075	H.R. 12549 (S. 1075 AS AMENDED)
Supplement to existing enabling acts.	Act is made supplementary to existing mandates and authorizations of Federal agencies (sec. 103).	Nothing in act shall change existing authorities (sec. 9).
Data collection and dissemination.	Federal agencies are authorized to collect and disseminate environmental and ecological data (sec. 201).	No provision.
Grant Program.	The President is authorized to designate agencies to: 1. administer a grant program (sec. 202(a)(1)). 2. inventory resource projects (sec. 202(a)(2)). 3. collect ecological research data (sec. 202(a)(3)). 4. assist state (sec. 202(a)(4)).	No provision.
Project inventory.		No provision.
Ecological research.		No provision.
Assistance to states.		No provisions (Council will consult, sec. 7(a)).
Deputy Director for Office of Science and Technology.	Establishes new Deputy Director in OST (sec. 203).	No provisions.
Board of Environmental Quality Advisors (Council, Office).	Creates a 3-man Board in the Executive Office of the President. Appointed by President with advice and consent of Senate (sec. 301).	Creates a Council of Environmental Quality in Executive Office of President. Composed of 5 members appointed by President (sec. 3).
Duties of Board, Office, Council.		
1. Annual report to President.	1. Make annual report to the President (302(a)(1)).	1. Make annual report to President (sec. 6).
2. Assist President.	2. Advise, assist, and support President (302(a)(2)).	2. Prepare reports as President directs (sec. 5(e)).
3. Collect data.	3. Collect and disseminate information on environmental quality (sec. 302(a)(3)).	3. Gather data and prepare reports (sec. 5(b)).
4. Review Federal activities.	4. Review, appraise and make recommendations concerning Federal programs, projects, activities, and policies (sec. 302(b)).	4. Appraise programs and activities (sec. 5(c)).
5. Assist in President's report to Congress.	5. Assist President in preparation of annual report on the environment (sec. 302(c)).	5. Assist and advise President in preparing annual report (sec. 5(a)).
6. Other assignments.	6. Other duties directed by President (sec. 302(d)).	6. Make such studies as requested (sec. 5(e)).
7. Support Cabinet Council.	7. All Federal agencies (sec. 201(g)).	7. No provision.
8. Review monitoring system.	8. President designates agency (sec. 202(a)(3)).	8. No provision.
9. Promote knowledge.	9. All Federal agencies (sec. 201(a)).	9. No provision.
10. Develop policies.	10. Board to assist President (sec. 302(a)(2)).	10. Develop and recommend policies (sec. 5(d)).
11. Recommend priorities.	11. No provision.	11. No provision.
12. Evaluate techniques.	12. All agencies (sec. 102(b)).	12. No provision.
13. Coordinate programs.	13. Board reviews programs (sec. 302(b)).	13. No provision.
14. Review criteria.	14. Board reviews policies (sec. 302(b)).	14. No provision.
15. Consult with state and local government.	15. All agencies advise states, counties, etc. (sec. 201(d)).	15. Consult with state, local and private groups (sec. 7(a)).
Annual Report to Congress.	President shall submit report to Congress (sec. 303).	President shall transmit to the Congress (sec. 2).
Employment of Officers.	Board may employ (sec. 304).	Council may employ (sec. 4).
Appropriations.	For grant programs, \$500,000 first year, \$1 million each successive year (sec. 202 (b)). For Board—\$1 million annually (sec. 305).	\$300,000 for first year, \$500,000 for second year, \$1 million annually thereafter (sec. 10).
Biennial Forum.	No provision.	No provision.
Advisory Committees.	No provision.	No provision.

## SECTION-BY-SECTION ANALYSIS

## Section 1

This section provides that this act may be cited as the National Environmental Policy Act of 1969.

## Section 2

This section sets forth the purposes of the act. The purposes of the act are to declare a national environmental policy; to promote efforts to prevent environmental damage and to better the health and welfare of man; to enlarge and enrich man's understanding of the ecological systems and natural resources important to the Nation; and to establish in the Executive Offices of the President a Board of Environmental Quality Advisors.

## TITLE 1

## Section 101(a)

This section is a declaration by the Congress of a national environmental policy. The declaration is based upon a congressional recognition of mankind's dependence upon his physical and biological surroundings for material goods and cultural enrichment. It is further based upon a recognition of the increasing pressures exerted upon the environment as a result of population growth,

urbanization, industrial expansion, resource exploitation, and technological development.

The continuing policy and responsibility of the Federal Government is declared to be that, consistent with other essential considerations of national policy, the activities and resources of the Federal Government shall be improved and coordinated to the end that the Nation may attain certain broad national goals in the management of the environment. The broad national goals are as follows:

(1) Fulfill the responsibilities of each generation as trustee of the environment for future generations. It is recognized in this statement that each generation has a responsibility to improve, enhance, and maintain the quality of the environment to the greatest extent possible for the continued benefit of future generations.

(2) Assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings. The Federal Government, in its planning and programs, shall strive to protect and improve the quality of each citizen's surroundings both in regard to the preservation of the natural environment as well as in the planning, design, and construction of manmade structures. Each indi-

vidual should be assured of safe, healthful, and productive surroundings in which to live and work and should be afforded the maximum possible opportunity to derive physical, esthetic, and cultural satisfaction from his environs.

(3) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences. The resources of the United States must be capable of supporting the larger populations and the increased demands upon limited resources which are inevitable in the future. To do so, it is essential that the widest and most efficient use of the environment be made to provide both the necessities and the amenities of life. In seeking intensified beneficial utilization of the earth's resources, the Federal Government must take to avoid degradation and misuse of resources, risk to man's continued health and safety, and other undesirable and unintended consequences.

(4) Preserve important historic, cultural, and natural aspects of our national heritage, and maintain wherever possible an environment which supports diversity and variety

of individual choice. The pace of urbanization coupled with population growth and man's increasing ability to work unprecedented change in the natural environment makes it clear that one essential goal in a national environmental policy is the preservation of important aspects of our national heritage. There are existing programs which are designed to achieve these goals, but many are single-purpose in nature and most are viewed as being within the province of a particular agency of Government. This subsection would make it clear that all agencies, in all of their activities, are to carry out their programs with a full appreciation of the importance of maintaining important aspects of our national heritage.

This subsection also emphasizes that an important aspect of national environmental policy is the maintenance of physical surroundings which provide present and future generations of American people with the widest possible opportunities for diversity and variety of experience and choice in cultural pursuits, in recreational endeavors, in esthetics and in living styles.

(5) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities. This subsection recognizes that population increases underlie many of the resource and environmental problems which are being experienced in America. If the Nation's present high standards of living are to be made available to all of our citizens and if the general and growing desire of our people for greater participation in the physical and material benefits, in the amenities, and in the esthetic enjoyment afforded by a quality environment are to be satisfied, the Federal Government must strive to maintain magnitude and distribution of population which will not exceed the environment's capability to provide such benefits.

(6) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources. In recent years a great deal of the emphasis of legislative and executive action regarding environmental matters has concentrated upon the protection and improvement of quality of the Nation's renewable resources such as air and water. It is vital that these efforts be continued and intensified because they are among the most visible, pressing, and immediate concerns of environmental management.

It is also essential that means be sought and utilized to improve the effectiveness of recycling of depletable resources such as fiber, chemicals, and metallic minerals. Improved material standards of living for greater numbers of people will place increased demands upon limited raw materials. Furthermore, the disposal of wastes from the nonconsumptive single use of manufactured goods is among our most critical pollution problems. Emphasis must be placed upon seeking innovative solutions through technology, management, and, if necessary, governmental regulation.

#### Section 101(b)

This subsection asserts congressional recognition of each person's fundamental and inalienable right to a healthful environment. It is apparent that the guarantee of the continued enjoyment of any individual right is dependent upon individual health and safety. It is further apparent that deprivation of an individual's right to a healthful environment will result in the degradation or elimination of all of his rights.

The subsection also asserts congressional recognition of each individual's responsibility to contribute to the preservation and enhancement of the environment. The enjoyment of individual rights requires respect and protection of the rights of others. The cumulative influence of each individual

upon the environment is of such great significance that every effort to preserve environmental quality must depend upon the strong support and participation of the public.

#### Section 102

The policies and goals set forth in section 101 can be implemented if they are incorporated into the ongoing activities of the Federal Government in carrying out its other responsibilities to the public. In many areas of Federal action there is no body of experience or precedent for substantial and consistent consideration of environmental factors in decisionmaking. In some areas of Federal activity, existing legislation does not provide clear authority for the consideration of environmental factors which conflict with other objectives.

To remedy present shortcomings in the legislative foundation of existing programs, and to establish action-forcing procedures which will help to insure that the policies enunciated in section 101 are implemented, section 102 authorizes and directs that the existing body of Federal law, regulation, and policy be interpreted and administered to the fullest extent possible in accordance with the policies set forth in this act. It further establishes a number of operating procedures to be followed by all Federal agencies as follows:

(a) Wherever planning is done or decisions are made which may have an impact on the quality of man's environment, the responsible agency or agencies are directed to utilize to the fullest extent possible a systematic, interdisciplinary, team approach. Such planning and decisions should draw upon the broadest possible range of social and natural scientific knowledge and design arts. Many of the environmental controversies of recent years have, in large measure, been caused by the failure to consider all relevant points of view in the planning and conduct of Federal activities. Using an interdisciplinary approach that brought together the skills of the landscape architect, the engineer, the ecologist, the economist, and other relevant disciplines would result in better planning and better projects. Too often planning is the exclusive province of the engineer and cost analyst.

(b) All agencies which undertake activities relating to environmental values, particularly those values relating to amenities and aesthetic considerations are authorized and directed to make efforts to develop methods and procedures to incorporate those values in official planning and decisionmaking. In the past, environmental factors have frequently been ignored and omitted from consideration in the early stages of planning because of the difficulty of evaluating them in comparison with economic and technical factors. As a result, unless the results of planning are radically revised at the policy level—and this often means the Congress—environmental enhancement opportunities may be forgone and unnecessary degradation incurred. A vital requisite of environmental management is the development of adequate methodology for evaluating the full environmental impacts and the full costs of Federal actions.

(c) Each agency which proposes any major actions, such as project proposals, proposals for new legislation, regulations, policy statements, or expansion or revision of ongoing programs, shall make a determination as to whether the proposal would have a significant effect upon the quality of the human environment. If the proposal is considered to have such an effect, then the recommendation or report supporting the proposal must include statements by the responsible official of certain findings as follows:

(1) A finding shall be made that the environmental impact of the proposed action has been studied and that the results of

the studies have been given consideration in the decisions leading to the proposal.

(ii) Wherever adverse environmental effects are found to be involved, a finding must be made that those effects cannot be avoided by following reasonable alternatives which will achieve the intended purposes of the proposal. Furthermore, a finding must be made that the action leading to the adverse environmental effects is justified by other considerations of national policy and those other considerations must be stated in the finding.

(iii) Wherever local, short-term uses of the resources of man's environment are being proposed, a finding must be made that such uses are consistent with the maintenance and enhancement of the long-term productivity of the environment.

(iv) Wherever proposals involve significant commitments of resources and those commitments are irreversible and irretrievable under conditions of known technology and reasonable economics, a finding must be made that such commitments are warranted.

(d) Wherever agencies of the Federal Government recommend courses of action which are known to involve unresolved conflicts over competing and incompatible uses of land, water, or air resources, it shall be the agency's responsibility to study, develop, and describe appropriate alternatives to the recommended course of action. The agency shall develop information and provide descriptions of the alternatives in adequate detail for subsequent reviewers and decisionmakers, both within the executive branch and in the Congress, to consider the alternatives along with the principal recommendation.

(e) In recognition of the fact that environmental problems are not confined by political boundaries, all agencies of the Federal Government which have international responsibilities are authorized and directed to lend support to appropriate international efforts to anticipate and prevent a decline in the quality of the worldwide environment.

(f) All agencies of the Federal Government are directed to review their existing statutory authority, administrative regulations, policies, and procedures. The agencies are to propose to the President and to the Congress new executive legislative authority which they find to be necessary to make their authority consistent with the provisions and purposes of this act.

The committee expects that each agency will diligently pursue this review and that appropriate legislative recommendations will be prepared for presentation to the Congress within 1 year's time. The committee recognizes, however, that there is a wide difference in the complexity of legislation dealing with the activities of the various executive agencies and that a specific deadline might prove unreasonably burdensome on some agencies.

#### Section 103

This section provides that the policies and goals set forth in this act are supplementary to the existing mandates and authorizations of Federal agencies. They are not considered to repeal the existing authorizations. Where conflicts occur, they will be resolved under the procedure prescribed in section 102(f).

#### Section 201

This section provides authorization for the Federal agencies to include, as a part of their existing programs and their ongoing activities, certain environmental management functions which will be necessary to support the policies established by this act. No specific authorization of appropriations is provided for these activities. The committee believes that the agencies can perform the functions authorized as a part of the general administration and operation of their existing programs. To the extent that agencies are pursuing activities with environmental management implications, the costs of the functions authorized in this section are

appropriate costs of their work. The functions authorized for each Federal agency are as follows:

(a) To conduct investigations and research relating to ecological systems and environmental quality. It is intended that such activities will be undertaken by each agency when its activities would have an adverse impact on an ecological system or on the quality of the environment.

(b) To collect and document information relating to changes or trends in environmental conditions including ecological systems. It is intended that each agency perform this function in its area of expertise and operation.

(c) To evaluate and publish environmental and ecological data which it has collected.

(d) To make available advice and information at its disposal relating to environmental management.

(e) To utilize ecological information in the planning and development of resource-oriented projects. Each agency which studies, proposes, constructs, or operates projects having resource management implications is authorized and directed to consider the effects upon ecological systems to be a part of the analyses governing its actions and to study such effects as a part of its data collection.

(f) To conduct ecological research and studies within the Federal lands under its jurisdiction.

(g) To assist to the fullest extent possible the Board of Environmental Quality Advisers established by this act and any environmental council or committees established by the President.

#### Section 202(a)

This section authorizes the President to designate an agency or agencies to carry out the following functions regarding environmental management:

(1) Administer a program of grants, contracts and cooperative agreements, training and research to further the programs of ecological study authorized by title II and to accept and utilize donations for this purpose.

(2) Develop and maintain an inventory of Federal projects and programs, existing and contemplated, which have made or will make significant modifications in the environment.

(3) Establish an information collection and retrieval system for ecological research materials.

(4) Assist and advise State and local governments and private enterprise in developing policies and procedures to enhance the quality of the environment.

#### Section 202(b)

Appropriations in the amounts of \$500,000 annually for fiscal years 1971 and 1972 and \$1 million annually for 1973 and each fiscal year thereafter are authorized for the purposes of this section. The funds appropriated would be allotted to the designated agencies as the President recommends.

#### Section 203

This section establishes in the Office of Science and Technology an additional Deputy Director to be compensated at the rate provided for level IV of the executive schedule pay rates.

The Office of Science and Technology (OST) was established by Reorganization Plan No. 2 of 1962 to provide a permanent staff in the Executive Office of the President to advise and assist the President on matters pertaining to or affected by science and technology. It is also directed to take on such other assignments as the President may request. The Director of OST, appointed by the President with the advice and consent of the Senate, also serves as the science adviser to the President.

Since it was provided statutory authority in 1962, the OST has broadened the range and scope of its activities extending beyond

the province of research or policy for science and technology to the interrelations of science to broad national policies and programs. In this sense, the OST is concerned with assuring the most effective and beneficial use of technology in our society.

Thus, the OST deals with broad problems facing the country in health, education, the urban environment, energy policy and environmental quality.

The President's recent Executive order establishing an Environmental Quality Council directed the OST to provide the staff support and assistance to the work of the Council. The President's science adviser was named Executive Secretary of the Council.

In view of the importance of environmental management problems and the important role which the President's Council will have in resolving interagency conflict concerning environmental issues, and in coordinating the ongoing environmental programs of the Federal Government, a significant increase is expected in the already demanding work load of the OST.

The committee feels that the addition of a second Deputy Director as recommended by the Bureau of the Budget in its July 7, 1969, letter to the chairman, will be of great value in strengthening OST's capacity to contribute to effective environmental management.

#### TITLE III

#### Section 301(a)

This subsection creates in the Executive Office of the President a Board of Environmental Quality Advisers. The Board is to be composed of three members appointed by the President with the advice and consent of the Senate and who shall serve at the President's pleasure.

It is intended that the members of the Board shall be persons of broad experience and training with the competence and judgment to analyze and interpret trends and developing problems in the quality of the Nation's environment. The committee does not view the Board's functions as a purely scientific pursuit, but rather as one which rests upon scientific, economic, social, esthetic, and cultural considerations. The members of the Board, therefore, should not necessarily be selected for depth of training or expertise in any specific discipline, but rather for their ability to grasp broad national issues, to render public service in the national interest, and to appreciate the significance of choosing among present alternatives in shaping the country's future environment.

The President shall designate one member of the Board as Chairman and one as Vice Chairman.

#### Section 301(b)

This subsection provides that the members of the Board shall serve full time. The compensation for the Chairman of the Board is set at level II of the Executive Schedule pay rates and at level IV for the other two members. These provisions parallel the compensation provisions established by law for the Chairman and the members of the Council of Economic Advisers.

#### Section 302(a)

The primary function of the Board shall be to carry on continuing studies and analyses related to the status of the environment. The Board will seek to establish or cause to be established within the operating agencies of the Federal Government an effective system for monitoring environmental indicators, collecting data, and analyzing trends. It will further seek to relate trends in environmental conditions to short- and long-term national goals and aspirations.

In carrying out this function, the Board is required to perform a number of specified duties.

First, the Board is required to report at least once each year to the President on the state and condition of the environment.

This report should represent the Board's considered and impartial judgment. The Board's report would be useful to the President in the preparation of the annual environmental quality report which the President is required to transmit to the Congress by section 303.

Second, the Board would provide advice, assistance, and staff support to the President in the formulation of national policies designed to foster and promote the improvement of the quality of the environment. The President is, of course, free to utilize the services of the Board in any manner in which he desires. The committee hopes, however, that the President would rely on the Board's impartial and objective advice in the formulation of national environmental policies.

Third, the Board is authorized to obtain information from all existing sources concerning the quality of the environment. The committee intends and fully expects that all Federal agencies will cooperate and provide any assistance and information necessary to enable the Board to fulfill its duties and responsibilities under this act. The Board is also directed to make information concerning the quality of the environment available to the American people. It is the committee's strong view that there needs to be some one place in Government to which the public and the news media may turn for authoritative and objective information on particular environmental problems. A current example of the need relates to the controversy over the impact of certain chemicals, pesticides, and insecticides. Many news reports and the opinions of many competent scientists indicate that some present practices in the use and application of these substances pose grave health dangers. The extent of the danger, however, is often minimized and, in some cases, even denied by the responsible Government agencies. The Board could provide a useful and needed public function by reviewing all of the facts and furnishing competent judgment and advice on problems of this nature.

#### Section 302(b)

This subsection provides that the Board shall periodically review and appraise Federal programs, projects, activities, and policies which affect the quality of the environment. Based upon its review, the Board shall make recommendations to the President.

The committee does not view this direction to the Board as implying a project-by-project review and commentary on Federal programs. Rather, it is intended that the Board will periodically examine the general direction and impact of Federal programs in relation to environmental trends and problems and recommend general changes in direction or supplementation of such programs when they appear to be appropriate.

It is not the committee's intent that the Board be involved in the day-to-day decision-making processes of the Federal Government or that it be involved in the resolution of particular conflicts between agencies and departments. These functions can best be performed by the Bureau of the Budget, the President's interagency Cabinet-level Council on the Environment or by the President himself. The committee does, however, strongly feel that the President needs impartial and objective staff support which can provide him with unbiased information and an accurate overview of the Nation's environmental trends and problems and how these trends and problems affect the future material and social well-being of the American people.

The Board's recommendations to the President are for his use alone, and his actions on their recommendations will depend on the confidence he places in the judgment of the persons he nominates to membership on the Board. Used properly, the Board's review and appraisal of Federal

activities which affect the quality of the environment can add a new dimension and provide the President with a new insight into the long-range needs and priorities of the country. At the present time, the executive agencies' view of National needs, goals, and priorities in the field of environmental management appears to have been so thoroughly subjugated to budgetary and fiscal considerations that the nature of the fundamental values at stake has been obscured. It is the committee's view that the values which are at stake in the environmental management decisions which lie ahead need to be brought to the fore and made the subject of official decision at the highest levels of Government.

#### Section 302(c)

This subsection states that the Board will assist the President in the preparation of the annual environmental quality report required by section 303. The committee assumes that the Board would have the primary responsibility for the preparation of the President's annual report. It could, in large measure, be based upon the Board's report to the President required by section 302(a)(1).

#### Section 302(d)

This section provides that both the Board of Environmental Quality Advisers and the Office of Science and Technology shall carry out their duties under the provisions of this act at the direction of the President. This provision was not a part of S. 1075 as introduced, but was added as a committee amendment to make it clear that the duties and functions assigned to the Board and the Office of Science and Technology are to be carried out at the direction of the President as is true with regard to the other offices and bodies in the Executive office of the President. This provision will avoid any problems of duplication, coordination, and overlap which otherwise might subsequently arise between the activities of the Board and those of other offices or agencies.

The committee feels that this provision will enlarge the President's flexibility in organizing his staff and will enhance the overall policy-making capacity of the Executive office.

#### Section 303

This section provides that the President shall transmit to the Congress an annual environmental quality report. The first such report shall be transmitted on or before June 30, 1970. Subsequent reports shall be transmitted on or before June 30 in succeeding years.

The report is to include, but not be limited to, a current evaluation of the status and condition of the major environmental classes of the Nation. To the greatest extent possible, this information should be based upon measurements of environmental indicators relating quality and supply of land, water, air, and depletable resources to other factors such as environmental health, population distribution, and demands upon the environment for amenities such as outdoor recreation and wilderness. Significant current and developing environmental problems should be highlighted. Current and foreseeable environmental trends and evaluations of the effects of those trends upon the Nation's future social, economic, physical, and other requirements should be discussed.

It is the committee's strong view that the President's annual report should provide a considered statement of national environmental objectives, trends and problems. The report should provide the best judgment of the best people available on the Nation's environmental problems and the progress being made toward providing a quality environment for all Americans.

The report should summarize and bring together the major conclusions of the technical reports of other Federal agencies con-

cerned with environmental management. Too often, these reports go unread and unevaluated. A succinct, readable summary and evaluation would be of great assistance to the Congress and the President.

It is anticipated that the annual report and the recommendations made by the President would be the vehicle for oversight hearings and hearings by the appropriate legislative committees of the Congress. It would also appear to be desirable to hear the views of the Board of Environmental Quality Advisers at an annual session similar to that now conducted by the Joint Economic Committee with the Council of Economic Advisers.

#### Section 304

This section provides that the Board may employ a professional and support staff and may acquire the services of experts and consultants. The committee intends that the Board should have available a professional staff comparable in size and qualifications to the staff which currently services the Council of Economic Advisers. The staff members, like the members of the Board, should represent many disciplines and professions. They should be broad-gaged people who are capable of furnishing the Board with a balanced and knowledgeable overview of the state of the Nation's environment.

#### Section 305

This section authorizes appropriations in the amount of \$1 million annually to cover the salaries and operating expenses of the Board. The committee chose the \$1 million ceiling because it is comparable to the appropriations which have been required over the past several years for the Council of Economic Advisers.

Mr. JACKSON. Mr. President, the substance of these two initial titles of the Senate version of S. 1075 is not included in the House version. There are, in addition, a number of differences between title III of the Senate version, establishing a Board of Environmental Quality Advisers and calling for an annual environmental quality report to the Congress, and the similar House provisions.

Titles I and II of the Senate version perform two functions which are essential for the realization of a sound national environmental policy. The first of these functions is the statement of policies and broad goals to guide Federal decisionmakers. The statement will represent the first comprehensive enunciation of national concern for environmental quality.

The second function is the provision of authority and direction which will permit the policies set forth in the act to become a real working part of all the activities of all Federal agencies and programs.

There are about 80 major Federal agencies with programs underway which affect the quality of the human environment. If an environmental policy is to become more than rhetoric, and if the studies and advice of any high-level, advisory group are to be translated into action, each of these agencies must be enabled and directed to participate in active and objective-oriented environmental management. Concern for environmental quality must be made part of every phase of Federal action.

Mr. President, following my motion to disagree to the amendments of the House to S. 1075 and agree to the conference requested by the House, a motion will be offered that the conferees on

S. 1075 be instructed to insist upon the specific provisions of S. 1075, as modified by the agreed-upon proposed amendments that have been discussed in the debate and which will be set forth in the RECORD.

This procedure has been discussed by members of both committees, and while it is unusual, it has been accepted as a means which will insure that the Congress will have an opportunity to act on the conference report on S. 1075.

It is understood that the Senate conferees will make every possible effort to gain House agreement to the text of S. 1075 as passed by the Senate as well as the amendments discussed today and set forth in the RECORD. It is also understood, however, that the purpose of a conference committee is to compromise and adjust differences between the House and Senate passed bills, and that the final product of the conference committee will probably have to involve some changes in the language of both the House and Senate passed bills on S. 1075. It is, however, the hope and the intent of all concerned on the Senate side that these changes will not in any way affect the substance of what has been agreed upon.

In any event, any proposed changes from the agreed-upon text of S. 1075 will be discussed in advance by all of the parties involved.

Mr. MUSKIE. Mr. President, the statement just made by the distinguished Senator from Washington represents the agreement which we have reached.

Mr. JACKSON. Mr. President, I move that the Senate disagree to the amendments of the House of Representatives and agree to the request for a conference, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to.

Mr. JACKSON. Mr. President, before the Chair names conferees on the part of the Senate, I move that the conferees on S. 1075 be instructed to insist upon the specific provisions of S. 1075, as modified by the agreed-upon proposed amendments that have been discussed in the debate and specifically set forth as follows:

#### S. 1075

A bill to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality.

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

#### SHORT TITLE

SECTION 1. That this Act may be cited as the "National Environmental Policy Act of 1969".

#### PURPOSE

Sec. 2. The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Board of Environmental Quality Advisers.

## TITLE I

## DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

SEC. 101. (a) The Congress, recognizing that man depends on his biological and physical surroundings for food, shelter, and other needs, and for cultural enrichment as well; and recognizing further the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances on our physical and biological surroundings and on the quality of life available to the American people; hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may—

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve importance historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(b) The Congress recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

SEC. 102. The Congress authorizes and directs that the policies, regulations, and public laws of the United States, to the fullest extent possible, be interpreted and administered in accordance with the policies set forth in this Act, and that all agencies of the Federal Government—

(a) utilize to the fullest extent possible a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment;

(b) identify and develop methods and procedures, subject to review and approval of the Board of Environmental Quality Advisers established by Title III of this Act, which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decision-making along with economic and technical considerations;

(c) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on—

(i) the environmental impact of the proposed action;

(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented;

(iii) alternatives to the proposed action;

(iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and

(v) any irreversible commitments of resources which would be involved in the proposed action should it be implemented.

Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any established agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, including those authorized to develop and enforce environmental standards, shall be made available to the President, the Board of Environmental Advisers and to the public as provided by 5 USC 552 and shall accompany the proposal through the existing agency review processes.

(d) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(e) recognize the worldwide and long-range character of environmental problems and lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment; and

(f) review present statutory authority, administrative regulations, and current policies and procedures for conformity to the purposes and provisions of this Act and propose to the President such measures as may be necessary to make their authority consistent with this Act.

SEC. 103. Nothing in Sec. 102 shall in any way affect the specific statutory obligations of any Federal agency (a) to comply with criteria or standards of environmental quality, (b) to coordinate or consult with any other Federal or State agency, or (c) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

SEC. 104. The policies and goals set forth in this Act are supplementary to existing authorizations of Federal agencies.

## TITLE II

SEC. 201. To carry out the purposes of this Act, the Board of Environmental Quality Advisers is hereby authorized—

(a) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality to the extent that such activities do not overlap or conflict with similar activities authorized by law and performed by established agencies;

(b) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes; and

(c) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps.

SEC. 202. To carry out the purposes of this Act, all agencies of the Federal Government in conjunction with their existing programs and authorities, are hereby authorized—

(a) to make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining and enhancing the quality of the environment;

(b) to initiate and utilize ecological information in the planning and development of resource-oriented projects;

(c) to conduct research and studies within natural areas under Federal ownership which are under the jurisdiction of the Federal agencies; and

(d) to assist the Board of Environmental Quality Advisers established under title III of this Act and any council or committee established by the President to deal with environmental problems.

SEC. 203. There is hereby established in the Office of Science and Technology an additional office with the title "Deputy Director of the Office of Science and Technology." The Deputy Director shall be appointed by the President by and with the advice and consent of the Senate, shall perform such duties as the Director of the Office of Science and Technology shall from time to time direct, and shall be compensated at the rate provided for level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315).

## TITLE III

SEC. 301. (a) There is created in the Executive Office of the President a Board of Environmental Quality Advisers (hereinafter referred to as the "Board"). The Board shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. Each member shall, as a result of training, experience, or attainments, be professionally qualified to analyze and interpret environmental trends of all kinds and descriptions and shall be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interest of this Nation. The President shall designate the Chairman and Vice Chairman of the Board from such members.

(b) Members of the Board shall serve full time and the Chairman of the Board shall be compensated at the rate provided for Level II of the Executive Schedule Pay Rates (5 U.S.C. 5313). The other members of the Board shall be compensated at the rate provided for Level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315).

SEC. 302. (a) The primary functions of the Board shall be to study and analyze environmental trends and the factors that effect these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation. In carrying out this function, the Board shall—

(1) report at least once each year to the President on the state and condition of the environment;

(2) provide advice, assistance, and support to the President on the formulation of national policies to foster and promote the improvement of environmental quality; and

(3) obtain information using existing sources, to the greatest extent practicable, concerning the quality of the environment and make such information available to the public.

(b) The Board shall periodically review and appraise Federal programs, projects, activities, and policies which affect the quality of the environment and make recommendations thereon to the President.

(c) It shall be the duty and function of the Board to assist and advise the President in the preparation of the annual environmental quality report required under section 303.

(d) The Board shall carry out its duties under the provisions of this Act at the direction of the President and shall perform whatever additional duties he may from time to time direct.

SEC. 303. (a) The President shall transmit to the Congress, beginning June 30, 1970, an annual environmental quality report which shall set forth: (a) the status and condition of the major natural, manmade, or altered environmental classes of the Nation; and (b) current and foreseeable trends in quality, management, and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

(b) Such report shall be referred in whole or in part to the committees of each house of the Congress which have exercised jurisdiction over the subject matter contained therein.

SEC. 304. (a) In order to obtain assistance and independent advice in the development and implementation of the purposes of this

title, the Board may from time to time establish advisory committees. Committee members shall be selected from among representatives of various State, interstate, and local government agencies, of public or private interests concerned with population growth, environmental quality, and planning for the future, and of the other public and private agencies demonstrating an active interest, as well as other individuals in the fields of population, biology, medical science, psychology, social sciences, ecology, agriculture, economics, law, engineering, and political science who have demonstrated competence with regard to problems of the environment.

(b) The members of the advisory committees appointed pursuant to this title shall be entitled to receive compensation at a rate to be fixed by the Board, but not exceeding \$100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

(c) The Board shall organize and convene a biennial forum on current problems and issues concerning environmental quality, population, and the future, and publish the proceedings thereof, and participants in such forums shall be selected from among representatives of various State, interstate, and local government agencies, of public or private interests concerned with population growth, environmental quality, and planning for the future, and of other public and private agencies demonstrating an active interest, as well as other individuals in the fields of population, biology, psychology, medical sciences, social sciences, ecology, agriculture, economics, law, engineering, and political science who have demonstrated competence with regard to problems of the environment.

SEC. 304. The Board may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Board may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

SEC. 305. There are hereby authorized to be appropriated \$1,000,000 annually to carry out the purposes of this title.

Amend the title so as to read: "A bill to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers."

Mr. ALLOTT. Mr. President, as the ranking minority member of the Committee on Interior and Insular Affairs, I wish to congratulate our distinguished chairman, the Senator from Washington (Mr. JACKSON), for his unending efforts in obtaining passage of the National Environmental Policy Act of 1969, a measure of particular importance in this era of ever-degrading environment.

I believe that some background information would be helpful at this point. Let me take just a moment to trace the historical development of S. 1075.

The concept of a high level council on conservation, natural resources, and environment is not new. It first found support from a former chairman of the Senate Interior Committee, the late Senator Murray. In the 86th Congress, he introduced S. 2549, the Resources and Conservation Act, which would have estab-

lished a high level council on environmental advisers along with the first expression of a comprehensive environmental policy.

The bill while not enacted into law, provided a vehicle for obtaining information in this vital area. The 4 days of hearings before the Senate Interior Committee still serve as a useful reference in this area.

This concept of establishing an environmental policy was carried on in subsequent sessions of Congress. In the 89th Congress, S. 2282 entitled the "Ecological Research and Surveys Act" was introduced by the Senator from Wisconsin (Mr. NELSON). The provisions of this bill were later incorporated into S. 2805, introduced in the 90th Congress by the chairman (Mr. JACKSON), and the former ranking minority member of the committee, Thomas Kuchel.

S. 2805, and similar other measures, were the subject matter of a unique joint House-Senate colloquium held July 17, 1968. This colloquium, which was jointly sponsored by the Senate Interior Committee and the House Science and Astronautics Committee, provided a forum for Members of Congress and interested parties to meet and discuss these important issues.

During the 91st Congress three bills were introduced dealing with environmental policy and the creation of new overview institutions.

These bills—S. 237, S. 1075, and S. 1752—were all referred to the Senate Interior Committee, and open hearings were held on them in April of this year. Along with the usual notice in the Record, personal invitations were sent to Senators who had expressed a particular interest in this area, to attend and participate in the April hearings.

After the hearings, on May 29, 1969, the chairman introduced amendment No. 25. This amendment resulted from suggestions made by administration witnesses. There was general agreement by administration witnesses, including Dr. DuBridge, that a statutory declaration of a national environmental policy would be both appropriate and useful.

Senators will recall that President Nixon had committed himself in the 1968 campaign to a policy of improving the environment in his October 18, 1968, radio address entitled: "A Strategy of Quality: Conservation in the Seventies." In that address, Candidate Nixon characterized our environmental dilemma in these words:

The battle for the quality of the American environment is a battle against neglect, mismanagement, poor planning and a piecemeal approach to problems of natural resources.

Acting upon that commitment, President Nixon established by Executive order the Environmental Quality Council in May of 1969. This Council is of the highest level. The President, himself, is chairman, and its membership includes the Vice President and five Cabinet members. The council provides the action mechanism to implement environmental policy decisions.

S. 1075, as passed by the Senate, was coordinated with the administration, and was intended to complement the actions

taken by the President. As a result, the bill, as reported was cosponsored by every member of the Senate Interior Committee.

As Dr. DuBridge expressed it during the hearings:

I agree completely that one must have independent evaluations of the activities and responsibilities of the various departments, that it must have the best outside advice that one can get, and operate out of the President's Office to bring the best adversary position . . . to the attention of the Council.

That is what the Board of Environmental Quality Advisers, as envisioned by S. 1075, is intended to do.

In June of this year, after thorough discussions, S. 1075 was ordered to be reported by the Committee on Interior and Insular Affairs. Subsequent to this order, the administration through Director Mayo, of the Bureau of the Budget, recommended further amendments. On July 8, the committee, in a unique move, reconsidered the bill and adopted several of the recommended amendments.

On July 8 the bill was once again ordered reported. The report was filed on July 9 and S. 1075 was passed by the Senate on July 10.

Mr. President, I believe that this historical development is most important for several reasons. First, it shows the amount of work and thought which has gone into this bill. Second, it shows the degree of openness that the committee has displayed during this time. The committee sought suggestions, aid, and participation from Senators, Members of the House, and from the administration. Our committee listened to and acted upon suggestions from many sources.

I believe that it is both timely and appropriate for the Senate to move forward in completing congressional action on this important and urgent matter by appointing conferees to resolve the differences between the House and Senate passed versions of S. 1075. It should be noted, Mr. President, that the House has already appointed its conferees.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to, and the Presiding Officer appointed Mr. JACKSON, Mr. CHURCH, Mr. NELSON, Mr. ALLOTT, and Mr. JORDAN of Idaho conferees on the part of the Senate.

#### WATER QUALITY IMPROVEMENT ACT OF 1969

The Senate resumed the consideration of the bill (S. 7) to amend the Federal Water Pollution Control Act, as amended, and for other purposes.

Mr. MUSKIE. Mr. President, there are other matters involving the water pollution control provisions of the bill which will be discussed later in the afternoon, but at this moment I understand we will turn to the consideration of an amendment to be offered by the distinguished Senator from Delaware (Mr. WILLIAMS) involving a matter in which the distinguished Senator from North Carolina (Mr. JORDAN) is interested.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Vietnam. I wish to commend his courage and to honor his memory by including the following article in the RECORD:

PFC. NATHANIEL BUSH DIES IN WAR; WAS DUNBAR ATHLETE

Another Baltimore soldier has been killed in action in Vietnam, the Pentagon reported yesterday.

Army PFC Nathaniel Bush, 22, of 5119 Queensberry avenue, was killed October 2 when his combat patrol was ambushed in the city of Tay Ninh, 70 miles northwest of Saigon.

Drafted last December, Private Bush was sent to Vietnam four months ago as an infantryman with the 1st Cavalry Division (Airmobile).

A native of Baltimore, he graduated from Dunbar High School in 1966. Private Bush was on the Dunbar basketball and tennis teams and in his spare time worked on old cars.

Private Bush was buried yesterday in National Cemetery after a ceremony at the Waters A.M.E. Church.

He is survived by his mother, Mrs. Gladys C. Bush; two brothers, Hollis, L. Bush and Bradley L. Bush; and two sisters, Mrs. Lillie M. Watkins, and Mrs. Carol L. Cofield, all of Baltimore.

### FROM HERE TO OBLIVION?

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. NEDZI. Mr. Speaker, the October 1969 issue of *Field & Stream* carried an excellent article by Michael Frome, entitled "From Here to Oblivion?" So that my colleagues may have an opportunity to be aware of Mr. Frome's provocative views, I insert the text of his article at this point in the CONGRESSIONAL RECORD:

#### FROM HERE TO OBLIVION?

The question before the house, and not only the House but the Senate as well, and the President and his Cabinet too, is how to get the reins on a headstrong, runaway national environment and turn it in the right direction before it goes completely, everlastingly, irreversibly haywire.

The answer may be difficult to come by, but the facts of the case are now clearly known. I hear them stated again and again in sundry Washington quarters. The nation is always catching up with crises after the damage is done, they say, whether from pesticides, pollution, oil slicks, or other abuses of the once beautiful earth God bestowed upon us. Unless we can get out front, with long-range plans, including firm restraints and disciplines over industrial production, resource use, and human population growth, then the country will prove unworthy of its natural blessings; it will pass the point of no return on the course of ecological disaster before we know it.

There is no doubt of a growing sense of awareness and concern. One gets the feeling of it in contacts with some quarters of the Nixon Administration. An appreciable number of Congressmen of both parties, especially among the young members, are eager to get going with constructive legislative action. Even spokesmen of large corporations in Washington are reporting on the establishment of "environmental control committees" within their firms. These signs are all to the good.

Unfortunately, we are still falling behind in the race with the environment. The clean air and clear water calamities are worsening, not easing, because of the niggardly appro-

priation of funds and weakness of Federal regulations. Congress as a whole persists in weighing the desires of the special economic interests above the needs of the people, and of survival. It is little wonder that we are about to permit the unleashing of a whole new generation of supertankers on the spurious grounds of "economy" without reckoning the ultimate cost to society of potential superdisasters many times larger than the *Torrey Canyon* or *Santa Barbara*.

Besides which, no force on earth can command the whole Federal Government to "Go save the environment," and expect it to be done. At least eleven executive departments and sixteen independent agencies are involved in environmental programs, but too many are self-propelled and inbred, working at bureaucratic cross-purposes with each other, tied to powerful economic constituencies which lobby for expanding budgets. At best, personnel are limited in perspective by the tunnel vision of their specialized training. As Ralph McMullan, the Director of Natural Resources in Michigan and an outstanding state leader, declared in recent testimony before a Congressional Committee, "The air pollution specialist who thinks that replacing the soot-throwing, fossil-fueled electric generating plant with a nuclear-powered monster is going to eliminate environmental contamination has his head in the sand. He is forgetting that thousands of cubic feet per minute of hot water discharge isn't exactly a minor environmental problem."

Nevertheless, the President has taken promising steps toward charting a unified new course. His establishment of an Environmental Quality Council, composed of himself, the Vice President, and six Cabinet members, marks a milestone in Federal attitudes toward natural resources. For the first time, at the highest level, the executive departments will have the means for developing and coordinating a comprehensive and continuing effort. Certainly the President's participation as chairman adds a new dimension and sharpens the focus of his Cabinet members on the issues.

Functions assigned to the Council in the President's executive order include the assessment of new and changing technologies for their potential effects on the environment; encouragement of timely public disclosure by all levels of Government and by private parties of plans that would affect the quality of environment, and stimulation of public and private participation in programs and activities to protect against pollution of the nation's air, water and land, and its living resources.

Mr. Nixon has a long way to go to prove himself a conservation President. He must back these words with strong medicine on specific issues and go to Congress for money to fund critical programs like the Clean Water Restoration Act, even though it may mean cutting another billion dollars of fat from the Pentagon budget. He must ask members of the Environmental Quality Council: "Shall we look back at what we have accomplished, or at what we have talked about?"

Still, the Administration gives reason for hope. For example, Secretary of Transportation John A. Volpe came through by establishing a new office in his department to coordinate environmental problems, headed by the former mayor of Seattle, J. D. Braman; and, better yet, by backing its recommendation to deny Federal funds for the proposed New Orleans expressway because it would impair the quality of the historic French Quarter. This is the more remarkable considering Mr. Volpe's background in private contracting, serving then as a tried and proven member of the highway lobby, and that he is surrounded now by a crowd in the Bureau of Public Roads used to having its way. But his decision opened the path for rescuing parklands threatened by roads in

Memphis, San Antonio, in the middle of the Potomac River outside of the nation's capital, and for yet aborting the Everglades jetport in Florida before that ugly monster is born.

The President himself came through in his message to Congress on July 18 in which he recommended establishing a Commission on Population Growth and the American Future specifically to avert an over-impact on natural resources and the quality environment. "Pure air and water are fundamental to life itself," Mr. Nixon declared. "Parks, recreational facilities, and an attractive countryside are essential to our emotional well-being. Plant and animal and mineral resources are also vital. A growing population will increase the demand for such resources. But in many cases their supply will not be increased and may even be endangered. The ecological system upon which we now depend may seriously deteriorate if our efforts to conserve and enhance the environment do not match the growth of the population."

These momentous issues are much before both houses of Congress. If I am not mistaken, more than forty bills were introduced early in this session to create a national environmental council in one form or another, and one bill alone carried the names of forty sponsors. I believe a lot of this action was triggered by the persistence of Senator Gaylord Nelson, of Wisconsin, who came to Washington a few years ago as a proven conservation governor of Wisconsin with new ideas about the need of ecological research and surveys. Then last year Senator Henry Jackson, of Washington State, chairman of the Senate Interior Committee, took the lead by conducting an earnest discussion program involving Cabinet members, Congressmen and chosen outsiders, which led to his "National Environmental Policy Act of 1969."

The Jackson Bill has already been approved by the Senate; it varies in some ways with those bills in the House, but essentially they would all require Congress and every Federal agency to fully demonstrate ecological responsibility and would also establish a board of environmental advisers to evaluate and criticize the work of the agencies and to advise the President. "In both Federal and state governments, we have often indulged ourselves in the illusion that we are doing a grand job, but the facts don't support it," Senator Jackson told his colleagues. "Our responses have been too narrow, too limited, and too specialized. We have established programs without clear enough perception of objectives and goals."

During the recent summer, two progressive subcommittees of the House conducted hearings on environmental bills, providing a forum for warnings by scientists, citizen organizations, and public officials on the current ecological collision course. Representative John Dingell, of Michigan, noted that the basic jurisdiction of the subcommittee over which he presides relates to fisheries and wildlife. "However," he declared, "we can no longer hide from the fact that fish and wildlife are affected adversely by many other factors, including air pollution, water pollution, and the increasing misuse of pesticides. We must consider the interrelationships of these problems in formulating legislative policy." On this basis he introduced an amendment to the Fish and Wildlife Coordination Act that would establish a Council on Environmental Quality in the office of the President, and then fought hard to get action on it.

The other environmental hearings were held on a bill before the Conservation and Natural Resources Subcommittee of the Committee on Government Operations, a group that has not hesitated to tackle tough and broad-gauged issues. Representative Henry S. Reuss, the chairman, and his colleagues have also conducted hearings on the dangers of open-air testing of chemical poisons and on pollution and extensive fill-

ing of San Francisco Bay (as part of an intensive investigation into destruction of estuaries and waterways), and the last time I looked they were readying for new hearings on population problems. They courageously blocked a smelly landfill scheme on the Potomac River; criticized the Navy as the worst pesticide polluter in the Potomac Basin; and succeeded in getting the Interior Department to deny intrusive rights-of-way across Indian lands. The Democratic chairman has been blessed with the bipartisan cooperation of three energetic young Republicans—Gilbert Gude, of Maryland, Guy Vander Jagt, of Michigan, and Paul McCloskey, of California—all of whom have been pushing worthy conservation projects of their own. The latter, in fact, had fifteen interns in Washington during the summer studying national land-use policy and population problems.

The Republicans in the House have a Task Force on Earth Resources and Population, and the Democratic Study Group (an informal alliance of the young-in-spirit) has a Task Force on Natural Resources and the Environment. Representative Richard Ottinger, of New York, has gone further by forming an Ad Hoc Committee on the Environment, composed of 119 members of both houses; through the nongovernmental offices of the Environmental Clearinghouse, they exchange communications with leading scientists and conservationists.

But not all of Congress is tuned in. Although young members are ready for action, the leadership of both parties, in both houses, skirts the issues and continues to miss the big picture. The little done for the conservation cause in recent years is like a bone thrown to the dogs; it demonstrates the scope of the backlog of inaction piled up by Congresses, Democratic and Republican alike, for thirty years.

This is illustrated in the recent House Appropriations Committee report on the budget of the Interior Department and related agencies. After lamenting that inadequate attention is being given to conservation of natural resources, the committee proceeded to allocate less than one and a half percent of the total Federal budget for this purpose and sought to place the blame on the executive department. It specifically deleted funds for the President's Environmental Quality for Council, charging it to be a patchwork approach, "little better than nothing"—which is precisely how one might interpret the Appropriations Committee's actions and attitude on these issues.

The day of lip service is done. The people must have an accounting of the management of our little biosphere. No Federal agency can be exempt from scrutiny, for the opportunity to wreak lasting damage is now much too great. I fear the course of the Atomic Energy Commission, which is scheduled this fall to explode a massive "calibration shot" in the Aleutians as the prelude to bigger and better things, climaxing in the "full yield final device." Not only here but in other operations AEC is playing a dangerous game. There is no time to lose in getting a firm public fix on H-bombs, germ warfare, pesticides, and the rest of the deadly threats to the environment. Or the question of saving it will become purely academic.

LET US NOT DESTROY THE  
PRESIDENCY

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. SHRIVER. Mr. Speaker, at this time when there is so much discussion taking place on the issue of the war in Vietnam, I think the following editorial

that appeared in the Wichita Eagle, of Wichita, Kans., on October 13, 1969, is of great significance:

ACHESON MAKES SENSE ON THE PRESIDENCY

Perhaps it's too much to expect that the United States of 1969 or 1970 will have the patience and intelligence to follow the advice of Dean Acheson, who was Secretary of State under President Truman.

Mr. Acheson wishes the country would stop trying to destroy its presidents. He pointed to the viciousness of attacks on President Nixon, which repeat the pattern of criticism of Lyndon B. Johnson.

"I think we're going to have a major constitutional crisis if we make a habit of destroying presidents," said Acheson. "We'll have the situation we had after the Civil War when the presidency practically disappeared—from Andrew Jackson to McKinley."

This country must have a chief executive who will make decisions and carry them out. Otherwise it will dissolve into anarchy. Many Americans don't understand this basic fact of life. No President can possibly please everybody. And Americans increasingly are prone to turn upon the hapless chief executive and try to tear him to pieces the minute he doesn't please.

This does no good. It hampers the man in his work. Either he becomes more obstinate in pursuing his own course because he can see that much of the criticism reaches the point of irrationality; or he becomes so confused by the whirlwind of criticism that he cannot make good decisions.

Anti-authoritarianism has always been a facet of American character, but it wasn't until the administration of Lyndon Johnson that anti-presidential criticism reached such heights that the President no longer could appear in public. If criticism of Nixon continues, he'll be in the same sorry predicament.

No executive—be it college president, mayor, or the father in the home—can keep things running smoothly when subjected to constant irrational and vindictive opposition and criticism.

It's time America learned to quit destroying its presidents. Many a country which fell into such vicious anti-authoritarianism has ended with the worst authoritarian of all—a dictator, for only a dictator can rule an unruly mob.

THE NEED FOR A MARITIME  
PROGRAM

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, you have often heard me speak of our need for a new, efficient maritime program. Again, I will remind my colleagues of the complete lack of order and innovation in shipbuilding and transporting.

No nation has ever stayed a world power without a competent, productive merchant marine. Yet, we are almost totally dependent on other countries for our ocean transport. This not only loses billions of dollars for the United States every year in payment for freight carried, wages lost to American citizens, and taxes lost from large corporations that own the ships, but also endangers American cargoes and crews since many foreign builders do not comply with our safety standards. What is worse, we are insuring that the future will be the same,

since we are not encouraging skilled manpower in this field.

In relatively peaceful times, the inconvenience of not having a strong merchant marine of our own may not be obvious. However, in emergencies, it is evident that our supply of ships and needed cargoes will be dominated by the whims of other countries. This, of course, could cut us off from many desired products.

The first step to remedy this situation would be to improve our shipbuilding efforts. Edwin M. Hood, president of the Shipbuilders Council of America, before a summer seminar on shipbuilding at the Massachusetts Institute of Technology, stated that our shipyards have the ability to produce the needed ships, but the inconsistencies and fluctuations in our national policy stops all improvements in this field. There is a definite lack of order and aim in our present program. It seems as if no one in the administration is certain of what should be done. This uncertainty leads to confusion, and, thus, nothing is being accomplished. While we, Americans, are dropping behind in this field, other countries, realizing the importance, are forging ahead and have more than caught up to our once "first rate" sea program.

Mr. Speaker, I commend Mr. Hood's remarks to my colleagues:

THE NEED FOR A MARITIME PROGRAM

(By Edwin M. Hood)

It is a pleasure to be among such a gathering of experts on shipbuilding and related disciplines. You know far better than I that the technology of ship construction has been steadily advancing throughout the world. You know as well as I that from a purely technical standpoint, the opportunities for further advancement are infinite. In the years ahead, you and your counterparts elsewhere will have a substantial role in the application of technology to the construction of needed ships at lowest possible costs and in keeping with reasonable delivery schedules.

The technological advances, to which I refer, are found and will be found, in shipyards large and small—old and new. They are not limited by geographical boundaries; no one has a monopoly on ideas or ingenuity, and few, if any, technological leads are ever held for long. But, it seems to me that the potentials for continually expanding gains in shipbuilding technology can be circumscribed by one very definite consideration—national purpose. This comment, I am sure, has meaning to all in this audience whether they come from the United States or abroad.

The affairs of government affect technology just as do the influences of the market place. It can be argued which takes precedence—government or economics—but, in this country, shipbuilding is, and has been, very much a pawn on the chessboard of governmental policy making. Ups and downs, starts and stops, backing and filling, in the past two decades, can be traced to the vagaries of national policy pertaining to U.S. sufficiency on the oceans.

Levels of ship construction, in that period, have failed to offset the impediments of age which have plagued our naval fleet and merchant marine simultaneously. This situation results from the continued reliance on vessels built during World War II: nearly two-thirds of the active naval fleet and three-quarters of the active American-flag merchant marine are today composed of ships 20 years of age or older.

Because of these deficiencies, it has variously concluded that the strategic, foreign policy and merchant interests of the

gross income in Federal income taxes. Or, to put it another way, the Seattle family was permitted to retain 4.6 per cent more of its buying power than was the Fairbanks family, even though they purportedly have comparable incomes.

The solution to this problem is a simple one. The fixed exemptions and deductions now permitted under the income tax law should be adjusted to reflect the geographic differences in buying power. I have introduced a bill (S. 1908), which would accomplish this for the exemptions allowed for a taxpayer and his dependents. A similar provision should also be added to the limit on the standard deduction.

This would not be the first instance in which geographic differences in cost of living were taken into account. Industry provides for cost-of-living adjustments for transferred employees. Many government programs provide for adjustments to reflect cost of living differences. My proposal is simply to extend this concept into the area of Federal income taxation.

What we are doing with our present tax law is confusing income with wealth. A person is not wealthier simply because he has a larger dollar income. He is wealthier only if he has greater buying power. I urge the Committee on Finance, in its deliberations on the present tax reform bill, to consider the provisions of S. 1908, which relate to adjustment for geographic cost of living differences, and to include this basic and truly meaningful reform in the bill it reports.

#### THE CRISIS OF THE ENVIRONMENT

Mr. MONDALE. Mr. President, the public is becoming increasingly aware of the "other war" we are waging. It is a war we cannot win, but can certainly lose, because it is a battle of man against nature. If we continue on our present course, driving toward progress and comfort, all the while ignoring the side effects of our new luxuries, we may well wipe out the possibility of any future for our children.

It is time to channel the renewed interest in the preservation of our natural resources into the creating of an effective national environmental policy. The junior Senator from Wisconsin (Mr. NELSON) has been at the forefront of this effort for nearly all of his political life. He has called for a nationwide teach-in on the crisis of the environment, a day next spring to be set aside for educating the public on the severity and urgency of the problem. It is hoped that the teach-in may launch a movement that will lead to a positive environmental program.

Senator NELSON mentioned his teach-in proposal at a congressional conference on the crisis of the environment on October 24. An excellent report of the main points of the conference, written by Wolf Von Eckardt, was published in the Washington Post on Sunday, November 2. Because the problem is one that concerns us all and one that demands our immediate attention, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Nov. 2, 1969]

#### MEETING THE CRISIS OF AMERICA'S ENVIRONMENT

(By Wolf Von Eckardt)

Next spring the kids on the campuses all across the nation will conduct a teach-in on the crisis of environment.

A special day, still to be announced, will be set aside from routine business. And that day may launch a popular movement to demand a national environment program much as we have a national defense program and on much the same scale.

The teach-in is the idea of Sen. Gaylord Nelson (D-Wis.) who, like so many of us, had reached the desperation point about the insanity of a society that offers its young no hopeful future, a society that is about to kill its own children, if not by nuclear war, more slowly, by poisonous pollution.

Sen. Nelson announced the teach-in 10 days ago and says the response has been "overwhelming." There will be symposiums, convocations, panel discussions and outdoor rallies among students, scientists and faculty members, as well as labor, conservation, women's and other citizen organizations.

The senator says a Washington office to coordinate the event will be opened next week. But on each campus the students will do their own thing.

At the University of California they are likely to focus on the Santa Barbara oil spills. At Wisconsin they'll mostly talk about the impending death of Lake Erie.

On city campuses, the foremost concern will be the poisoned air. All the teach-ins will endeavor to involve their local community and emphasize local problems.

But the teach-ins will undoubtedly stress that the crisis of the environment cannot be viewed or solved in isolated local fragments—an oil spill in Santa Barbara or DDT-poisoned mother's milk in Boston.

Like national defense, which would hardly be assured by a submarine base here and an anti-missile missile there, it must be viewed and attacked in its ecological entirety.

Nor will we get very far with negative police measures, though they are an essential beginning. Air pollution control ordinances, for instance can at best have only a limited effect, as long as we keep building more freeways and predicate all our metropolitan planning on further proliferation of combustion engines.

What is desperately needed—and as a matter of the highest priority—is a positive national environment policy. The Congressional Conference at which Sen. Nelson first announced the teach-in brought out some premises on which such a policy must be based.

The conference, perhaps the most constructive I have ever attended, was sponsored by about 100 Congressmen and Senators and organized by the Fund for New Priorities in America (a New York-based organization of business and professional people), which had called together some two dozen bright people, including scientists and journalists.

The new phrase around which most of the discussion evolved, coined by Aaron J. Teller, dean of engineering and science at Cooper Union, was "looping the system."

It means the continuous reuse and regeneration of the water, fuels and chemicals that we now waste because we consider them garbage.

The garbage, of course, is often poisonous and always ugly and is now piling up to such an extent that it is seriously clogging the American way of life. The richer we get, the more garbage. We have reached, as John W. Gardner so eloquently put it, a state of affluence misery—"Crocus on a garbage heap!"

But the stuff isn't really garbage if you

look at it rationally. Teller points out, for instance, that, although we are short of sulfur, one of the most important resources of our economy, we dump 12 million tons of the 16 million tons we consume each year into the atmosphere and into our streams. That is an expensive way to cause a lot of damage. The price of sulfur is up from \$20 to \$40 a ton because of the shortage.

Abatement laws reduce the damage but not the waste, Teller says. One abatement process removes sulphur oxide from power plant stacks and converts it into a new waste—four pounds of waste for every pound of sulfur removed. A typical power plant will build a mound of 150,000 tons of solid waste every year.

The same is true of attempts to put afterburners into automobiles, which waste enough fuel to provide all the power and heating needs of two cities the size of Philadelphia. The afterburner makes the effluent less toxic. But it still wastes the fuel—12 billion gallons a year.

Instead, men like Teller say, we should reuse that sulfur and that carbon monoxide and all the other materials with which we now foul up America.

Teller says: "Pollution and preservation of natural resources are inexorably intertwined by nature, and the ultimate solution must result in the simultaneous solution of both problems. Such a solution must be based on the reality of the ecological system and not merely by policing a fragment. We must loop the system."

The technical machinery for recycling "wastes," insofar as it doesn't already exist, can be researched and developed as easily and quickly as we researched and developed the technical machinery to get to the moon (and probably a lot easier than getting to Mars). The question is how to start. Teller suggested a system of special taxes and tax incentives. But there wasn't much sentiment for that at the Congressional Conference. It is doubtful that a tax rise would have gotten us to the Sea of Tranquility or that a tax-manipulated market economy can buy us a livable environment.

Much of the country is sick of oily depletion allowances and at the same time as the conference in the Old Senate Office Building was hearing some doubt about industrial wisdom, another conference in the Interior Department heard one water polluting industrialist after another tell Secretary Walter J. Hickel that he was all in favor of clean water if only someone else will pay for making it clean.

"We the people," it says in the preamble of the Constitution, must provide not only for the common defense, but also promote the general welfare for ourselves and our posterity.

Building new towns, re-building the old cities, new fast trains and rapid transit, new order in the metropolitan areas, recreation parks and green-belts are therefore part and parcel of the effort of recycling wastes, and cleaning up our air, rivers and lakes. It's all one effort—the design of a human environment.

This is nothing new. More than 30 years ago, under Franklin D. Roosevelt's New Deal, we started all this with the Tennessee Valley Authority, the National Resources Board and the Greenbelt towns. Only the TVA survived.

Too expensive, say the small minds. But far more dangerous is the lofty computer mind that argues that a national environment program would be too cheap to replace our war program in the national economy. The "Report from the Iron Mountain on the Possibility and Desirability of Peace," which found that only ever-accelerating defense production could sustain our national economy, may have been a hoax. But the line of thinking that an environment program is too cheap for economy-sustaining is not.

The military-industrial complex is not convinced that sulfur recycling, rapid transit, new towns, recreation parks, swimmable rivers and breathable air gives them as much benefit for our cost as their ABMs and SSDs and the rest of their deadly alphabet soup.

This should give next spring's teach-in a lot to talk about.

#### DEDICATION OF HAMPSHIRE FIELD IN VIETNAM

Mr. McINTYRE. Mr. President, earlier this month I discussed my views on Vietnam in an address before the National Academy of Sciences at Hanover, N.H.

In the course of that speech, I said the war had truly come home to Tom McIntyre in a moment last month at Grenier Field in Manchester, N.H.

There I witnessed a scene I will never forget—the arrival of five flag-draped coffins bearing the bodies of five young members of New Hampshire's 197th Field Artillery Battalion of the National Guard—five young men from one neighborhood—killed in action the very week the battalion was to return home from Vietnam.

Last week those five young guardsmen were honored at the dedication of Hampshire Field, near where they fell in Vietnam on August 26.

The account of the dedication of the field was published in the Manchester, N.H., Union Leader on October 29. I ask unanimous consent that this touching tribute be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### FIVE SLAIN NEW HAMPSHIRE GI'S HONORED IN VIETNAM

FSB THUNDER III, VIETNAM.—Five New Hampshire National Guardsmen, killed by a mine near here on Aug. 26, were honored at the dedication of Hampshire Field here last week.

The newly dedicated field is a memorial to Staff Sergeant Richard P. Raymond, SP5 Richard E. Genest, SP4 Guy A. Blanchette, SP4 Gaetan J. Beaudoin and SP4 Roger E. Robichaud, all of Manchester.

Also honored during the ceremonies was 2nd Lieutenant Thomas J. Dostal, Des Moines, Iowa, who was killed Aug. 24 while serving as a forward artillery observer.

Battery A, 2nd Battalion, 12th Artillery, the unit which replaced Battery A, 3rd Battalion, 197th Artillery, N.H. National Guard, when the unit returned home in September, conducted the ceremony.

Most of those who took part in the dedication had known and served with the men they were honoring.

During the ceremonies, the rifles of the six men, with fixed bayonets and their helmets laying atop them, were stuck into the ground in the traditional tribute to fallen GIs.

Capt. Leo X. Dwyer, Marshfield, Mass., Battery A commander, told the artillerymen present "I can think of no better way to honor these American soldiers than to fly two flags over the field. The American flag to commemorate the country they loved so much and the Vietnamese flag for the country they were fighting to save."

At the conclusion of the ceremonies, a final salute was fired by the 155 millimeter howitzers that the six men had lived with for a year.

FSB Thunder III is about 65 miles north of Saigon and sits on Vietnamese National Route 15, known as Thunder Road, a vital link between the capital and bases along the Cambodian border.

It was on Thunder Road, about 15 miles south of the base, that the five Granite Staters were killed when their truck struck a mine on Aug. 26.

Lt. Dostal, a regular Army officer who had been with the battery since May, was killed by small arms fire two days earlier while serving as a forward observer with the Third Mobile Strike Force, a composite Vietnamese-Cambodian unit with Special Forces advisors, which was operating in the Duc Phong area, about 40 miles north of Thunder III.

#### THE MUKTUK GUARD

Mr. STEVENS. Mr. President, recruiting for the Alaska National Guard is not an occupation, it is a way of life.

M. R. "Muktuk" Marston is the most famous of the recruiters.

This summer "Muktuk" will again go on a recruiting mission. Muktuk Marston is a living legend in Alaska. He was responsible for the establishment of a territorial guard during the bleakest days of World War II; days when a Japanese invasion of Alaska was a reality, not just a fear.

Muktuk Marston is one of the men who helped to preserve Alaska and contribute to its growth. The Nation owes him a hearty thanks. But men like Muktuk do not rest on their laurels.

I ask unanimous consent that the news release about Muktuk's new efforts be printed in the RECORD.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

#### M. R. "MUKTUK" MARSTON

A familiar face will appear in Unalakleet, Nome, Kotzebue and Barrow next month, in conjunction with a National Guard recruiting campaign in those towns.

"Muktuk" Marston, the man generally credited with organizing the Alaska Territorial Guard during World War II, will visit the four cities to help recruit men for the 1st Scout Battalion, Alaska Army National Guard.

Now retired, and living in Anchorage, Marston volunteered to go north to help with the recruitment program for two reasons. First and foremost is his strong attachment to the Scouts, successors to his old ATG units, and second is his attachment to the youthful new commander of the 1st Scout Battalion, Major John W. Schaeffer, Jr.

Schaeffer is the son of John Schaeffer, Sr., of Kotzebue, a man who served Marston as a dog musher in those earlier days, and whom Marston credits with saving his life during a trying five-day ordeal in the Baird Mountains, east of Noatak.

The pair were traveling from village to village in the area, talking with the Eskimos, explaining the importance of the Alaska Territorial Guard, and forming ATG units in each village. During bad weather, in the dead of winter, the pair lost the trail, and spent five days in temperatures below minus 50 degrees before finding the trail and continuing their mission.

Marston won't admit they were really lost; "just a little confused" but he readily pays compliments to the trail-wise senior Schaeffer, and avers that he might not be here today "had it not been for a real man, and one of the greatest dog-mushers, John Schaeffer, Sr."

The story of Marston and the Alaska Territorial Guard goes back to the early days of World War Two.

In 1942 there was no Alaska National Guard. Alaska's Guard units had been called into Federal service, and its men were scat-

tered through units in the south 48. The regular Army forces in Alaska were still spread thinly through the Aleutians and Southeast Alaska. With the advance of Japanese invaders in the Aleutians, then-Governor Ernest Gruening resolved that Alaska needed a better defense, some kind of territorial guard.

He established the Alaska Territorial Guard, and gained the appointment of Major M. R. Marston, a reserve officer assigned to the staff at Ft. Richardson, to assist in the formation of ATG units.

Marston's efforts were invaluable. He served as an administrator, recruiter, organizer and trainer. Traveling throughout the state, Marston spread the gospel of self-defense in Alaska. He located men willing to tackle the tasks of organizing units in villages and towns across the state. He helped to procure arms, ammunition, equipment.

Often traveling in the dead of winter, going into villages which could be reached only by dog team, Marston persevered. Through his efforts a live and functioning Alaska Territorial Guard was available should the enemy have reached the mainland of the Great Land.

The bulk of the units he formed were located in the western half of the Territory. When the ATG was disbanded in March 1947, its peak strength had exceeded 3000 men. Throughout the war, it had provided the psychological security so necessary to prevention of panic in the State.

It was not until 1949 that the present day successors to the ATG, the Eskimo Scouts, were formally organized, but it was easy to recognize the lineal descent from the old ATG in the new Scout units. A large percentage of the men who joined in the villages were the same men who had volunteered seven years earlier.

It was during those troubled times in the early forties that Marston earned the nickname "Muktuk". He was accepted by the Eskimo and Indian residents of the remote area he knew so well. Accepted because he accepted them as the proud people they were, and learned their language and ways.

Stopping in one of the villages to check on the condition of the ATG unit there, Marston was invited to have his evening meal with a villager recognized as the champion eater in that area. During the course of the meal, Marston was offered a heaping platter of muktuk, the Eskimo delicacy formed of the skin and first fat layer of the whale. Whites, not being used to the extreme richness of the meat, normally can eat only a few bites. Because the major had been living with the natives during most of his travels, he had overcome this weakness of the stomach, and at the end of the meal had become the new local champion. His nickname was earned.

Even today, almost thirty years after his earlier recruiting trips into the villages, people look forward to the return of "Muktuk."

And this year, he will return to the scenes he knew so intimately in World War II.

Muktuk is going north to spread again the word of preparedness, and the need for a strong National Guard.

His first foray on behalf of the Scout Battalions will take him to Unalakleet on Nov. 10th, Nome on Veteran's Day, to Kotzebue on the 12th and Barrow the following day. There, Marston will talk with old friends, and meet new friends, the young men of the towns. He will tell these young men of the value to the Nation of their service in the National Guard, and of the returns they can gain by serving as volunteers in the 1st Scout Battalion units of the northwest.

Traveling with Marston on his mid-November journey will be Major John W. Schaeffer, Jr., who in his own right is a pioneer. Schaeffer is the first Eskimo to command a scout battalion. A native of Kotzebue, Schaeffer

nounced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 13111. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 13111) entitled "An act making appropriations for the Department of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. STENNIS, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. HOLLAND, Mr. COTTON, Mr. FONG, Mr. BOGGS, and Mr. YOUNG of North Dakota, to be the conferees on the part of the Senate.

#### GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks and include relevant extraneous matter on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### CONFERENCE REPORT ON S. 1075, NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

Mr. DINGELL submitted the following conference report and statement on the bill (S. 1075) to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers:

CONFERENCE REPORT (H. REPT. NO. 91-765).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1075), to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "National Environmental Policy Act of 1969".

#### PURPOSE

Sec. 2. The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

#### TITLE I

##### DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

Sec. 101. (a) The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

(b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may—

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(c) The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

Sec. 102. The Congress authorizes and directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act, and (2) all agencies of the Federal Government shall—

(A) utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment;

(B) identify and develop methods and procedures, in consultation with the Council on Environmental Quality established by title II of this Act, which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations;

(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on—

(1) the environmental impact of the proposed action,

(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,

(iii) alternatives to the proposed action,

(iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and

(v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of title 5, United States Code, and shall accompany the proposal through the existing agency review processes;

(D) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(E) recognize the worldwide and long-range character of environmental problems and, where consistent with the foreign policy of the United States, lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment;

(F) make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment;

(G) initiate and utilize ecological information in the planning and development of resource-oriented projects; and

(H) assist the Council on Environmental Quality established by title II of this Act.

Sec. 103. All agencies of the Federal Government shall review their present statutory authority, administrative regulations, and current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of this Act and shall propose to the President not later than July 1, 1971, such measures as may be necessary to bring their authority and policies into conformity with the intent, purposes, and procedures set forth in this Act.

Sec. 104. Nothing in Section 102 or 103 shall in any way affect the specific statutory obligations of any Federal agency (1) to comply with criteria or standards of environmental quality, (2) to coordinate or consult with any other Federal or State agency, or (3) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

Sec. 105. The policies and goals set forth in this Act are supplementary to those set forth in existing authorizations of Federal agencies.

#### TITLE II

##### COUNCIL ON ENVIRONMENTAL QUALITY

Sec. 201. The President shall transmit to the Congress annually beginning July 1, 1970, an Environmental Quality Report (hereinafter referred to as the "report") which shall set forth (1) the status and condition of the major natural, manmade, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland,

range, urban, suburban, and rural environment; (2) current and foreseeable trends in the quality, management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation in the light of expected population pressures; (4) a review of the programs and activities (including regulatory activities) of the Federal Government, the State and local governments, and nongovernmental entities or individuals, with particular reference to their effect on the environment and on the conservation, development, and utilization of natural resources; and (5) a program for remedying the deficiencies of existing programs and activities, together with recommendations for legislation.

SEC. 202. There is created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. The President shall designate one of the members of the Council to serve as Chairman. Each member shall be a person who, as a result of his training, experience, and attainments, is exceptionally well qualified to analyze and interpret environmental trends and information of all kinds; to appraise programs and activities of the Federal Government in the light of the policy set forth in title I of this Act; to be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interests of the Nation; and to formulate and recommend national policies to promote the improvement of the quality of the environment.

SEC. 203. The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

SEC. 204. It shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the Environmental Quality Report required by section 201;

(2) to gather timely and authoritative information concerning the conditions and trends in the quality of the environment both current and prospective, to analyze and interpret such information for the purpose of determining whether such conditions and trends are interfering, or are likely to interfere, with the achievement of the policy set forth in title I of this Act, and to compile and submit to the President studies relating to such conditions and trends;

(3) to review and appraise the various programs and activities of the Federal Government in the light of the policy set forth in title I of this Act for the purpose of determining the extent to which such programs and activities are contributing to the achievement of such policy, and to make recommendations to the President with respect thereto;

(4) to develop and recommend to the President national policies to foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the Nation;

(5) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(6) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes

or trends and an interpretation of their underlying causes;

(7) to report at least once each year to the President on the state and condition of the environment; and

(8) to make and furnish such studies, reports thereon, and recommendations with respect to matters of policy and legislation as the President may request.

SEC. 205. In exercising its powers, functions, and duties under this Act, the Council shall—

(1) consult with the Citizens' Advisory Committee on Environmental Quality established by Executive Order numbered 11472, dated May 29, 1969, and with such representatives of science, industry, agriculture, labor, conservation organizations, State and local governments, and other groups, as it deems advisable; and

(2) utilize, to the fullest extent possible, the services, facilities, and information (including statistical information) of public and private agencies and organizations, and individuals, in order that duplication of effort and expense may be avoided, thus assuring that the Council's activities will not unnecessarily overlap or conflict with similar activities authorized by law and performed by established agencies.

SEC. 206. Members of the Council shall serve full time and the Chairman of the Council shall be compensated at the rate provided for Level II of the Executive Schedule Pay Rates (5 U.S.C. 5313). The other members of the Council shall be compensated at the rate provided for Level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315).

SEC. 207. There are authorized to be appropriated to carry out the provisions of this Act not to exceed \$300,000 for fiscal year 1970, \$700,000 for fiscal year 1971, and \$1,000,000 for each fiscal year thereafter.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the amendment of the House to the title of the bill, insert the following: "An Act to establish a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes."

And the House agree to the same.

EDWARD A. GARMATZ,  
JOHN D. DINGELL,  
WAYNE N. ASPINALL,  
W. S. MAILLIARD,  
JOHN P. SAYLOR,

*Managers on the Part of the House.*

HENRY M. JACKSON,  
FRANK CHURCH,  
GAYLORD NELSON,  
GORDON ALLOTT,  
LEN B. JORDAN,

*Managers on the Part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1075) to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House struck out all of the Senate bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the Senate bill and the House amendment. Except for technical clarifying, and conforming changes, the following statement explains the differences between the House amendment and the substitute agreed to in conference.

#### PROVISIONS OF THE CONFERENCE SUBSTITUTE

##### *First section and section 2*

Section 1 of the Senate bill provided that the bill may be cited as the "National Environmental Policy Act of 1969". Section 2 of the Senate bill contained a statement of the purpose of the bill. There were no similar provisions in the House amendment. The conference substitute conforms to the Senate bill with respect to these two sections.

#### TITLE I—NATIONAL ENVIRONMENTAL POLICY

##### *Section 101*

The Senate bill contained a recognition by Congress of (1) the critical dependency of man on his environment, (2) the profound influences which the factors of contemporary life have had and will have on the environment, and (3) certain specified goals in the management of the environment which the Federal Government should, as a matter of national policy, attain by use of all possible means, consistent with other essential considerations of national policy. The House amendment (in the first section thereof) contained a general statement of national environmental policy, but did not include specified policy goals. The first section of the House amendment also stated that the Federal Government should achieve the general policy in cooperation with State and local governments and certain specified public and private organizations and that financial and technical assistance should be among the means and measures used by the Federal Government to achieve the policy. Under the conference agreement, the language of the House amendment is substantially retained in section 101(a) of the conference substitute; the language setting forth the specified organizations with which the Government should cooperate was dropped in favor of "other concerned public and private agencies".

The national goals of environmental policy specified in the Senate bill are set forth in section 101(b) of the conference substitute.

Section 101(c) of the conference substitute states that "Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment". The language of the conference substitute reflects a compromise by the conferees with respect to a provision in the Senate bill (but which was not in the House amendment) which stated that the Congress recognizes that "each person has a fundamental and inalienable right to a healthful environment . . .". The compromise language was adopted because of doubt on the part of the House conferees with respect to the legal scope of the original Senate provision.

##### *Section 102*

This section of the conference substitute is based on section 102 of the Senate bill. There was no comparable provision in the House amendment. Under the conference substitute, the Congress authorizes and directs that, *to the fullest extent possible*: (1) the Federal laws, regulations, and policies be administered in accordance with the policies set forth in the bill; and (2) all Federal agencies shall—

(A) utilize a systematic, interdisciplinary approach to insure integrated use of the sciences and arts in any official planning or decision-making which may have an impact on the environment;

(B) in consultation with the Council on Environmental Quality, identify and develop methods and procedures to insure that unquantified environmental amenities will be considered in the agency decision making process, along with economic and technical considerations;

(C) include in every recommendation or report on proposals for legislation or other major Federal actions a detailed statement by the responsible official on the environ-

mental impact of the proposed action, any adverse environmental effects which can not be avoided should the proposal be adopted, alternatives to the proposed action, the relationship between the short-term uses of the environment and the maintenance and enhancement of long-term productivity, and any irreversible and irretrievable commitments of resources which would be involved (Under the conference substitute, the responsible Federal official, prior to making any such detailed statement, shall consult with and obtain the comments of any Federal agency having jurisdiction by law or special expertise with respect to any environmental impact involved and the comments of any such agency, together with the comments and views of appropriate State and local agencies shall thereafter be made available to the President, the Council on Environmental Quality, and the public under the provisions of section 552 of title 5, United States Code, and shall accompany the proposal through the subsequent review process. The conferees do not intend that the requirements for comment by other agencies should unreasonably delay the processing of Federal proposals and anticipate that the President will promptly prepare and establish by executive order a list of those agencies which have "jurisdiction by law" or "special expertise" in various environmental matters. With regard to State and local agencies, it is not the intention of the conferees that those local agencies with only a remote interest and which are not primarily responsible for development and enforcement of environmental standards be included. The conferees believe that in most cases the requirement for State and local review may be satisfied by notice of proposed action in the Federal Register and by providing supplementary information upon request of the State and local agencies. To prevent undue delay in the processing of Federal proposals, the conferees recommend that the President establish a time limitation for the receipt of comments from Federal, State, and local agencies similar to the 90-day review period presently established for comment upon certain Federal proposals.);

(D) study, develop, and describe appropriate alternatives to recommend courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(E) recognize the worldwide and long range character of environmental problems and, where consistent with the foreign policy of the United States, lend support to programs and other ventures designed to maximize international cooperation in anticipating and preventing a decline in the world environment;

(F) make available to State and local governments and individuals and organizations advice and information useful in restoring, maintaining and enhancing the quality of the environment;

(G) initiate and utilize ecological information in the planning and development of resource-oriented projects; and

(H) assist the Council on Environmental Quality.

As noted above, the conference substitute provides that the phrase "to the fullest extent possible" applies with respect to those actions which Congress authorizes and directs to be done under both clauses (1) and (2) of section 102 (in the Senate bill, the phrase applied only to the directive in clause (1)). In accepting this change to section 102 (and also to the provisions of section 103), the House conferees agreed to delete section 9 of the House amendment from the conference substitute. Section 9 of the House amendment provided that "nothing in this Act shall increase, decrease or change any responsibility or authority of any Federal officials or agency created by other provision of law." In receding from this House provision in favor of the

less restrictive provision "to the fullest extent possible", the House conferees are of the view that the new language does not in any way limit the Congressional authorization and directive to all agencies of the Federal Government set out in subparagraphs (A) through (H) of clause (2) of section 102. The purpose of the new language is to make it clear that each agency of the Federal Government shall comply with the directives set out in such subparagraphs (A) through (H) unless the existing law applicable to such agency's operations expressly prohibits or makes full compliance with one of the directives impossible. If such is found to be the case, then compliance with the particular directive is not immediately required. However, as to other activities of that agency, compliance is required. Thus, it is the intent of the conferees that the provision "to the fullest extent possible" shall not be used by any Federal agency as a means of avoiding compliance with the directives set out in section 102. Rather, the language in section 102 is intended to assure that all agencies of the Federal Government shall comply with the directives set out in said section "to the fullest extent possible" under their statutory authorizations and that no agency shall utilize an excessively narrow construction of its existing statutory authorizations to avoid compliance.

#### Section 103

This section is based upon a provision of the Senate bill (section 102(f)) not in the House amendment. This section, as agreed to by the conferees, provides that all agencies of the Federal Government shall review their "present statutory authority, administrative regulations, and current policies and procedures to determine whether there are any deficiencies and inconsistencies therein which prohibit full compliance with the purpose and provisions" of the bill. If an agency finds such deficiencies or inconsistencies, it is required under this section to propose to the President not later than July 1, 1971, such measures as may be necessary to bring its authority and policies into conformity with the intent, purposes, and procedures of the bill. Section 103 thereby provides a mechanism which shall be utilized by all Federal agencies (1) to ascertain whether there is any provision of their statutory authority which clearly precludes full compliance with the bill and (2) if such is found, to recommend changes in their statutory authority which will enable full compliance with the bill. In conducting the review noted above, it is the understanding of the conferees that an agency shall not construe its existing authority in an unduly narrow manner. Rather, the intent of the conferees is that all Federal agencies shall comply with the provisions of section 102 "to the fullest extent possible," unless, of course, there is found to be a clear conflict between its existing statutory authority and the bill.

#### Section 104

This section, which was not in the House amendment and which is corollary to the actions taken by the conferees with respect to sections 102 and 103 of the conference substitute, provides that nothing in such sections 102 or 103 shall affect the specific statutory obligations of any Federal agency—

- (1) to comply with criteria and standards of environmental quality;
- (2) to coordinate or consult with any Federal or State agency; or
- (3) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

#### Section 105

This section declares that the policies and goals set forth in the bill are supplementary to those set forth in existing authorities of Federal agencies. The effect of this section, which is a slightly revised version of section 103 of the Senate bill, is to give recognition

to the fact that the bill does not repeal existing law. This section does not, however, obviate the requirement that the Federal agencies conduct their activities in accordance with the provisions of this bill unless to do so would clearly violate their existing statutory authorizations.

### TITLE II—COUNCIL ON ENVIRONMENTAL QUALITY

#### Section 201

Section 201 of the conference substitute, which conforms, except for a date change, with the language of section 2 of the House amendment, requires the President to submit to the Congress annually, beginning July 1, 1970, an Environmental Quality Report which will set forth an up-to-date inventory of the American environment, broadly and generally identified, together with an estimate of the impact of visible future trends upon the environment. Such report shall also include a review of the programs and activities of the Federal, State, and local governments, as well as those of nongovernmental groups, with respect to environmental conditions, together with recommendations for remedying the deficiencies of existing programs, including legislative recommendations.

#### Section 202

This section of the conference substitute establishes in the Executive Office of the President a Council on Environmental Quality composed of three members appointed by the President by and with the advice and consent of the Senate. One of the members shall be designated by the President as the chairman of the Council. The Senate bill would have created a three-member Board of Environmental Quality Advisors in the Executive Office of the President. (The Senate bill would also have provided for an additional officer, a Deputy Director, in the Office of Science and Technology to assist with environmental problems. The establishment of this additional office is not retained in the conference substitute.) Section 3 of the House amendment would have established a Council on Environmental Quality with five members. The conference substitute provision is basically the House provision but with the membership of the Council reduced to three.

#### Section 203

The provisions of section 203 of the conference substitute (which were contained in both the Senate bill and the House amendment), permits the Council to hire such officers and employees as are necessary to carry out the purposes of the Act and also permits the Council to hire such experts and consultants as may be appropriate.

#### Section 204

The House amendment set forth the following duties and functions of the Council on Environmental Quality—

- (1) to assist the President in the preparation of the Environmental Quality Report;
- (2) to gather information on the short- and long-term problems that merit Council attention, together with a continuing analysis of these problems as they may affect the policies stated in section 101;
- (3) to maintain a continuing review of Federal programs and activities as they may affect the policies declared in section 101, and to keep the President informed on the degree to which those programs and activities may be consistent with those policies;
- (4) to develop and to recommend policies to the President, on the basis of its activities, whereby the quality of our environment may be enhanced, consistent with our social, economic and other requirements;
- (5) to make studies and recommendations relating to environmental considerations, as the President may direct; and
- (6) to report at least once each year to the President.

The conference substitute contains the functions and duties listed above and also adds the following functions and duties (which, under the Senate bill, would have been the responsibilities of other Federal agencies)—

(1) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality; and

(2) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes.

#### Section 205

Section 205 of the conference substitute sets forth those public and private organizations with which the Council on Environmental Quality shall consult in carrying out its functions and duties under the Act and states that the Council should utilize, to the fullest extent possible, the services, facilities, and information of public and private organizations and individuals in carrying out such functions and duties. Section 205 conforms to the language in section 7 of the House amendment, with the exception that the conference substitute provision specifies that the Council shall consult with the Citizen's Advisory Committee on Environmental Quality which was established in May, 1969, by Executive Order.

#### Section 206

This section provides that the Chairman of the Council on Environmental Quality shall be compensated at the rate provided for at Level II of the Executive Schedule Pay Rates, and that the other members of the Council shall be compensated at the rate provided for in Level IV of such Rates. This section conforms with the rates of compensation provided for in both the Senate bill and House amendment.

#### Section 207

This section of the conference substitute authorizes the appropriation of not to exceed \$300,000 in fiscal year 1970, \$700,000 in fiscal year 1971, and \$1,000,000 in each fiscal year thereafter, to carry out the purposes of the Act. Under the House amendment, the same amounts were authorized to be appropriated except with respect to fiscal year 1971, for which \$500,000 was authorized. The Senate bill authorized \$1,000,000 to be appropriated annually.

EDWARD A. GARMATZ,  
JOHN D. DINGELL,  
W. S. MAILLIARD,  
JOHN P. SAYLOR,

*Managers on the Part of the House.*

### CONFERENCE REPORT ON S. 2917, FEDERAL COAL MINE HEALTH AND SAFETY ACT

Mr. PERKINS. Mr. Speaker, I call up the conference report on the bill (S. 2917) to improve the health and safety conditions of persons working in the coal mining industry of the United States, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. ERLBORN. Mr. Speaker, reserving the right to object, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. ERLBORN. It is my intention to make a point of order against the con-

ference report. I understand that this must be made before the statement on the part of the managers is read. Am I correct?

The SPEAKER. In response to the parliamentary inquiry, the gentleman's understanding is also the understanding of the Chair. The gentleman is correct.

Mr. ERLBORN. If I do not object to the unanimous-consent request for dispensing with the reading of the report, will I be protected in my point of order before the statement of the managers is read?

The SPEAKER. The gentleman could reserve a point of order, and he could exercise it at the conclusion of the reading of the statement of the managers on the part of the House.

Mr. ERLBORN. Mr. Speaker, I reserve the point of order against the report and withdraw my reservation of objection.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of December 16, 1969, page 39462.)

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

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

There was no objection.

Mr. ERLBORN. Mr. Speaker, I renew my point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ERLBORN. Mr. Speaker, I made a point of order against the conference report in that in several instances matters not in disagreement between the House and the Senate were amended in the conference report, and the conference report includes matters that were not included in either the House or the Senate version of the bill. I would like to be heard on that point of order.

The SPEAKER. The Chair will hear the gentleman.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. ERLBORN. I cannot yield at this time.

Mr. BURTON of California. It would be a little easier if those of us on this side of the aisle could get a copy of the gentleman's objections.

Mr. ERLBORN. I am sorry, I do not have additional copies.

Mr. Speaker, section 401, part B, of the conference report refers to total disability due to pneumoconiosis from working in coal mines as a disease that would come under the terms of this measure. The term "pneumoconiosis" is defined as a chronic dust disease of the lung. Both the House and Senate bills make only complicated pneumoconiosis as the basis for payments.

The SPEAKER. Will the gentleman state again the section of the report to which he makes reference?

Mr. ERLBORN. Section 401 of the

conference report. All of title IV of the conference report, section 401 and the other sections in title IV.

Mr. Speaker, there was no disagreement between the House and the Senate as to complicated pneumoconiosis being the sole basis that is compensable under both the House and the Senate versions of the bill. This matter was not in disagreement. But in the report of the conference, simple pneumoconiosis was made compensable. This not only violates the provision that matters in disagreement cannot be amended, but it brings in coverage for an additional disease that was not contemplated, or stage of the disease that was not contemplated in either the House or the Senate version.

Moreover, title IV itself, of which section 401 is a part, carries the caption "Black Lung Benefits," a designation which is applicable only to coal dust pneumoconiosis and not to other forms of the disease, such as silicosis.

Thus the conference report goes beyond both bills in providing compensation for every kind of pneumoconiosis, and thus a number of diseases other than those attributable to black lung or complicated pneumoconiosis, which is coal-dust-complicated pneumoconiosis. Consequently by referring to diseases of the lung caused by dust, other diseases such as silicosis, which were not covered in either the House or the Senate version, are now being made compensable.

Secondly, Mr. Speaker, section 412(c) provides that benefit payments under title IV shall not be deemed income under the Internal Revenue Code. This provision was in neither bill nor in any provision similar in substance. Neither bill addressed itself to the taxability of the compensation paid under those bills. This section 412(c) is entirely new matter that was not contained in either bill in any fashion whatsoever.

Third, Mr. Speaker, section 413(c) requires the miner to file a claim under the applicable State workmen's compensation law subject to certain conditions prior to filing a claim under this section. No such requirement was contained in either bill.

Fourth, Mr. Speaker, section 421(a) provides that after January 1, 1973, claims for benefits shall be filed pursuant to applicable State workmen's compensation laws. Similarly the other provisions of section 421(a) are tied to this prior application by the applicant under State workmen's compensation laws. No such requirements were contained in either bill. This is entirely new matter.

Fifth, Mr. Speaker, section 422(a) of the conference report provides that certain provisions of the Longshoremen and Harbor Workers' Compensation Act shall be applicable to coal mine operators in a State whose workmen's compensation law has not been approved by the Secretary of Labor. Subsections 422 (b), (c), (d), (e), (f), (g), (h), and (i) are related to subsection (a). None of these are in either bill. No reference was made in either bill to the Longshoremen and Harbor Workers' Compensation Act. This is entirely new matter.

Sixth, Mr. Speaker, section 423 of the conference report requires the coal mine

The **PRESIDING OFFICER**. The concurrent resolution will be stated by title.

The **ASSISTANT LEGISLATIVE CLERK**. A concurrent resolution to authorize the Secretary of the Senate to make a technical correction in the enrollment of the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the concurrent resolution?

There being no objection the Senate proceeded to consider the concurrent resolution.

Mr. **NELSON**. Mr. President, the printer made a mistake and designated one section as section 620(d), when it should be designated as section 602(d). That is what the concurrent resolution is about.

The **PRESIDING OFFICER**. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 51) was agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate, in the enrollment of the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes, is hereby authorized and directed to make the following correction:*

In section 114 strike out "section 620(d)" and insert "section 602(d)".

#### CORRECTION IN ENROLLMENT

Mr. **MANSFIELD** subsequently said: Mr. President, I ask unanimous consent that the vote by which the Senate earlier today agreed to Senate Concurrent Resolution 51 be reconsidered.

The **PRESIDING OFFICER**. Is there objection? There being no objection, the vote by which Senate Concurrent Resolution 51 is reconsidered. The resolution is before the Senate.

Mr. **MANSFIELD**. Mr. President, I send to the desk an amendment to the concurrent resolution and ask for its immediate consideration.

The **PRESIDING OFFICER**. The amendment will be stated.

The legislative clerk read the amendment as follows:

SEC. 2. That the Senate recede and concur in the House amendment to the title of S. 3016.

Mr. **MANSFIELD**. Mr. President, it is my understanding that this has to do only with the title and does not interfere in any way with the content of that which was discussed by the Senate.

The **PRESIDING OFFICER**. Is there objection to the amendment offered by the Senator from Montana? The Chair hears none, and the amendment is agreed to.

The question now is on agreeing to the concurrent resolution, as amended.

Senate Concurrent Resolution 51, as amended, was agreed to as follows:

S. CON. RES. 51

*Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate, in the enrollment of*

the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes, is hereby authorized and directed to make the following correction:

In section 114 strike out "section 620(d)" and insert "section 602(d)".

Sec. 2. That the Senate recede and concur in the House amendment to the title of S. 3016.

#### NATIONAL ENVIRONMENTAL POLICY ACT OF 1969—CONFERENCE REPORT

Mr. **JACKSON**. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1075) to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER**. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of December 17, 1969, pp. 39701-39702, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER**. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. **JACKSON**. Mr. President, the House amended the bill as passed by the Senate by striking all after the enacting clause and substituting the text of a new bill. The House bill included provisions similar to those of title III of the Senate bill which would establish a Council on Environmental Quality. It also included a short policy statement, but it omitted most of the provisions of titles I and II of the Senate bill.

The conference report represents a sound compromise worked out in three meetings of the conferees. It is a strong measure which will be an important step toward evolving a sound program of environmental management for the Nation.

S. 1075, the National Environmental Policy Act of 1969, was passed by the Senate on July 10, 1969, had three major titles. Title I provides a "declaration of national environmental policy" which set national goals for environmental management and established supplementary operating procedures for all Federal agencies to follow in planning and decisionmaking which have an impact on man's environment. Title II authorized certain research and data gathering functions. Title III authorized the creation of a three-member Board of Environmental Quality Advisers in the Executive Office of the President.

S. 1075 was amended and passed by the House of Representatives on September 23, 1969. As amended and passed by the House, S. 1075 consisted of one title which authorized the creation of

a five-member Council on Environmental Quality.

On October 8, 1969, the Senate disagreed to the amendments of the House of Representatives, agreed to the House's request for a conference, and authorized the Chair to appoint the conferees on the part of the Senate. Prior to the Senate's agreeing to the House's request for a conference on S. 1075, and in connection with debate on S. 7, the Water Quality Improvement Act of 1969, there was a discussion by members of the Senate Public Works Committee and the Senate Interior and Insular Affairs Committee on the relationship between title II of S. 7 and the provisions of S. 1075 as passed by the Senate on July 10, 1969. As a result of that discussion, it was agreed that the Senate conferees on S. 7 and on S. 1075 would seek certain agreed upon changes in each measure in conference committee with the House of Representatives.

The purpose of the agreed upon changes in S. 7 and in S. 1075, which to some extent, dealt with similar subject matter are set out in the October 8, 1969, CONGRESSIONAL RECORD at pages 29050 through 29089.

It was understood during the discussion of this matter on October 8 that the Senate conferees on S. 1075 would make every possible effort to gain House agreement to the text of S. 1075 as passed by the Senate as well as to the agreed-upon changes discussed on the floor. This understanding was referred to in a motion offered by the chairman of the Interior Committee that the conferees on S. 1075 be instructed to insist upon the provisions of S. 1075 as passed by the Senate and as modified by the agreed-upon changes discussed in connection with debate on S. 7. As was stated on the floor in connection with this motion:

It is also understood, however, that the purpose of a conference committee is to compromise and adjust differences between the House and Senate passed bills, and that the final product of the conference committee will probably have to involve some changes in the language of both the House and Senate passed bills on S. 1075. It is, however, the hope and the intent of all concerned on the Senate side that these changes will not in any way affect the substance of what has been agreed upon. (October 8, 1969, CONGRESSIONAL RECORD, page 29087.)

Mr. President, S. 1075 as agreed upon by the conference committee is very close to the bill as passed by the Senate. Most of the substantive provisions of the Senate passed bill have been retained. In addition, most of the substantive provisions of the agreed-upon changes which were discussed on October 8 were adopted in the report of the conference committee.

Mr. President, I might point out that during the conference, the junior Senator from Washington had an opportunity to work with the junior Senator from Maine, who is the chairman of the Subcommittee on Public Works which is directly involved in the environmental area. It was agreed that certain statements should be adjusted in the statement of the Senate managers and this has been done. The junior Senator from

Maine will comment on that in a moment.

The changes the conference committee made in S. 1075 as passed by the Senate and as agreed upon are reflected in the section-by-section analysis of the conference report accompanying the statement of the managers on the part of the Senate. The changes are also discussed in a separate attachment, titled "Major Changes in S. 1075 as Passed by the Senate."

Mr. President, I ask unanimous consent that the major changes in S. 1075, as passed by the Senate, be printed at the conclusion of my remarks, together with a section-by-section analysis of the bill.

The PRESIDING OFFICER (Mr. DODD in the chair). Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. JACKSON. Mr. President, it is my view that S. 1075 as passed by the Senate and now, as agreed upon by the conference committee, is the most important and far-reaching environmental and conservation measure ever enacted by the Congress.

Mr. President, it is my view that S. 1075 as passed by the Senate and now, as agreed upon by the conference committee, is the most important and far-reaching conservation-environmental measure ever acted upon by the Congress.

This measure is important because it provides four new approaches to dealing with environmental problems on a preventive and an anticipatory basis. As Members of the Senate are aware, too much of our past history of dealing with environmental problems has been focused on efforts to deal with "crises," and to "reclaim" our resources from past abuses.

First. The first new approach is the statement of national policy and the declaration of national goals found in section 101.

In many respects, the only precedent and parallel to what is proposed in S. 1075 is in the Full Employment Act of 1946, which declared an historic national policy on management of the economy and established the Council of Economic Advisers. It is my view that S. 1075 will provide an equally important national policy for the management of America's future environment.

A statement of environmental policy is more than a statement of what we believe as a people and as a nation. It establishes priorities and gives expression to our national goals and aspirations. It provides a statutory foundation to which administrators may refer to it for guidance in making decisions which find environmental values in conflict with other values.

What is involved is a congressional declaration that we do not intend, as a government or as a people, to initiate actions which endanger the continued existence or the health of mankind: That we will not intentionally initiate actions which will do irreparable damage to the air, land, and water which support life on earth.

An environmental policy is a policy for people. Its primary concern is with man and his future. The basic principle of the policy is that we must strive in all that we do, to achieve a standard of excellence in man's relationships to his physical surroundings. If there are to be departures from this standard of excellence they should be exceptions to the rule and the policy. And as exceptions, they will have to be justified in the light of public scrutiny as required by section 102.

Second. To insure that the policies and goals defined in this act are infused into the ongoing programs and actions of the Federal Government, the act also establishes some important "action-forcing" procedures. Section 102 authorizes and directs all Federal agencies, to the fullest extent possible, to administer their existing laws, regulations, and policies in conformance with the policies set forth in this act. It also directs all agencies to assure consideration of the environmental impact of their actions in decision-making. It requires agencies which propose actions to consult with appropriate Federal and State agencies having jurisdiction or expertise in environmental matters and to include any comments made by those agencies which outline the environmental considerations involved with such proposals.

Taken together, the provisions of section 102 directs any Federal agency which takes action that it must take into account environmental management and environmental quality considerations.

Third. The act in title II establishes a Council on Environment Quality in the Executive Office of the President. This Council will provide an institution and an organizational focus at the highest level for the concerns of environmental management. It will provide the President with objective advice and a continuing and comprehensive overview of the fragmented and bewildering Federal jurisdiction involved in some way with the environment. The Council's activities in this area will be complemented by the support of the Office of Environmental Quality proposed in the Water Quality Improvement Act of 1969.

The Council also will establish a system for monitoring environmental indicators, and maintaining records on the status of the environment. The Council will insure that there will be complete and reliable data on environmental indicators available for the anticipation of emerging problems and trends. This data will provide a basis for sound management.

Fourth. Finally in section 201, S. 1075 requires the submission by the President to the Congress and to the American people of an annual environmental quality report. The purpose of this report is to provide a statement of progress, to establish some baselines, and to tell us how well—or as some suspect how bad—we are doing in managing the environment—the Nation's life support system.

It is the clear intent of the Senate conferees that the annual report should be referred in the Senate to all committees which have exercised jurisdiction over any part of the subject matter con-

tained therein. Absent specific language on the reference of the report, the report would be referred pursuant to the Senate rules. It is the committee's understanding that under the rules all relevant committees may be referred copies of the annual report.

This was the intent of the Senate when S. 1075 was passed. In the section-by-section analysis of section 303 of S. 1075 at page 26 of the committee report No. 91-296 it is expressly stated that:

It is anticipated that the annual report and the recommendations made by the President would be a vehicle for oversight hearings and hearings by the appropriate legislative committees of the Congress.

The Senate conferees intend that under the language of the conference report, the annual report would be referred to all appropriate committees of the Senate.

Mr. President, one of the provisions of the Senate passed bill which the conference committee agreed to change requires special comment. Section 101(b) of S. 1075 provided that:

(b) The Congress recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

The conference committee changed this provision so that it now reads:

(b) The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

I opposed this change in conference committee because it is my belief that the language of the Senate passed bill reaffirmed what is already the law of this land; namely, that every person does have a fundamental and an inalienable right to a healthful environment. If this is not the law of this land, if an individual in this great country of ours cannot at the present time protect his right and the right of his family to a healthful environment, then it is my view that some fundamental changes are in order.

To dispell any doubts about the existence of this right, I intend to introduce an amendment to the National Environmental Policy Act of 1969 as soon as it is signed by the President. This amendment will propose a detailed congressional declaration of a statutory bill of environmental right.

Another provision which should be brought to the attention of the Senate is section 102(e) of the conference report. This section directs all Federal agencies to:

Recognize the worldwide and long-range character of environmental problems and, where consistent with the foreign policy of the United States, lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment.

This provision was added to the bill as an amendment I offered in the Senate Interior Committee in June. The purpose of the provision is to give statutory authority to all Federal agencies to par-

participate in the development of a positive, forward looking program of international cooperation in dealing with the environmental problems all nations and all people share. Cooperation in dealing with these problems is necessary, for the problems are urgent and serious. Cooperation is also possible because the problems of the environment do not, for the most part, raise questions related to ideology, national security and the balance of world power.

We must seek solutions to environmental problems on an international level because they are international in origin and scope. The earth is a common resource, and cooperative effort will be necessary to protect it. Perhaps also, in the common cause of environmental management, the nations of the earth will find a little more sympathy and understanding for one another.

I am hopeful that the United Nations Conference in 1972 on "the Problems of the Human Environment" will unite leaders of nations throughout the world in the effort of achieving solutions to international environmental problems. I am, however, concerned that at the present time the Federal Government is not doing enough to plan and prepare for the 1972 U.N. Conference. Section 102(E) of the conference report on S. 1075 provides the Federal agencies and the administration with the authority to make a positive and a far-reaching contribution to this international effort to deal with this critical and growing international problem. I am hopeful that this authority will be utilized.

Mr. President, there is a new kind of revolutionary movement underway in this country. This movement is concerned with the integrity of man's life support system—the human environment. The stage for this movement is shifting from what had once been the exclusive province of a few conservation organizations to the campus, to the urban ghettos, and to the suburbs.

In recent months, the Nation's youth, in high schools, colleges, and universities across the country, have been taking up the banner of environmental awareness and have been seeking measures designed to control technology, and to develop new environmental policies which reflect the full range of diverse values and amenities which man seeks from his environment.

S. 1075 is a response by the Congress to the concerns the Nation's youth are expressing. It makes clear that Congress is responsive to the problems of the future. While the National Environmental Policy Act of 1969 is not a panacea, it is a starting point. A great deal more, however, remains to be done by the Federal Government, both in the form of legislation and executive action, if mankind and human dignity are not to be ground down in the years ahead by the expansive and impersonal technology modern science has created.

Mr. President, the inadequacy of present knowledge, policies, and institutions for environmental management is reflected in our Nation's history, in our

national attitudes, and in our contemporary life. It touches every aspect of man's existence. It threatens, it degrades, and destroys the quality life which all men seek.

We see increasing evidence of this inadequacy all around us: haphazard urban and suburban growth; crowding, congestion, and conditions within our central cities which result in civil unrest and detract from man's social and psychological well-being; the loss of valuable open spaces; inconsistent and often, incoherent rural and urban land-use policies; critical air and water pollution problems; diminishing recreational opportunity; continuing soil erosion; the degradation of unique ecosystems; needless deforestation; the decline and extinction of fish and wildlife species; faltering and poorly designed transportation systems; poor architectural design and ugliness in public and private structures; rising levels of noise; the continued proliferation of pesticides and chemicals without adequate consideration of the consequences; radiation hazards; thermal pollution; an increasingly ugly landscape cluttered with billboards, powerlines and junkyards; growing scarcity of essential resources; and many, many other environmental quality problems.

A primary function of Government is to improve the institutional policy and the legal framework for dealing with these problems. S. 1075 as agreed to by the conference committee is an important step toward this end.

There should be no doubt of our capability to cope with environmental problems. The historic success of Apollo 11 last month demonstrates that if we—as a nation and as a people—commit our talents and resources to a goal we can do the impossible.

If we can send men to the moon, we can clean our rivers and lakes, and if we can transmit television pictures from another planet, we can monitor and improve the quality of the air our children breathe and the open spaces they play in.

The needs and the aspirations of future generations make it our duty to build a sound and operable foundation of national objectives for the management of our resources for our children and their children. The future of succeeding generations in this country is in our hands. It will be shaped by the choices we make. We will not, and they cannot escape the consequences of our choices.

Mr. President, I believe that the bill agreed upon by the conferees is a sound measure. This measure will be an important step toward building a capability within the Federal Government to cope with present and impending environmental problems.

Problems of environmental management may well prove to be the most difficult and the most important problems we have ever faced. I urge the Senate to prepare the Federal Establishment to face them. I urge the approval of the conference report.

## EXHIBIT 1

## MAJOR CHANGES IN S. 1075 AS PASSED BY THE SENATE

## TITLE

The title of S. 1075 as passed by the Senate was amended to reflect the major changes in the bill agreed to by the Conference Committee. These were the deletion of Title II and changing the name of the "Board" to "Council."

## Section 1

No change was made in the "short title."

## Section 2

The statement of "purpose" is unchanged except that it was agreed that the new institution created in the Executive Office of the President would be designated as the "Council on Environmental Quality" rather than a "Board of Environmental Quality Advisors" as in the Senate passed bill. All other references to the "Board" were also changed to "Council."

## TITLE I

## Section 101(a)

Section 101(a) of the Senate passed bill was divided into subsection 101(a) and (b) and subsection (b) was redesignated as subsection (c).

Section 101(a) of the Conference Report combines language from Section 1 of the House passed bill and from Section 101(a) of the Senate passed bill. As revised, this section declares that it is the continuing responsibility of the Federal government, in cooperation with state and local government and others to use all practical means to promote the general welfare and insure that man and nature exist in productive harmony.

## Section 101(b)

The new Section 101(b) with appropriate transitional language has been unchanged. This section declares national environmental goals and was taken from Section 101(a) of the Senate passed bill.

## Section 101(c)

This language was found in Section 101(b) of the Senate passed bill. The Conference Committee amended the language which read "each person has a fundamental and inalienable right to a healthful environment". Section 101(c) now reads "each person should enjoy a healthful environment".

## Section 102

The language of the first paragraph of Section 102 of the Senate passed bill was modified by the Conference Committee so that the phrase "to the fullest extent possible" modifies both directives. The directives were also given number designations.

## Section 102(a)

In view of the changes in the first paragraph of Section 102, the phrase "to the fullest extent possible" was deleted from Section 102(a).

## Section 102(b)

This section was modified by the adoption of language requiring all agencies to consult with the Council. In part, this was a language change which was discussed and agreed to on October 8, on the Senate floor.

## Section 102(c)

This section, with two minor changes, is the language of Section 102(c) of S. 1075 as passed by the Senate and as discussed and agreed to on the Senate floor on October 8.

## Section 102(d)

This section is identical to Section 102(d) as passed by the Senate and as agreed to on the Senate floor on October 8.

## Section 102(e)

This section is the same as Section 102(e) of S. 1075 as passed by the Senate except

that the phrase "where consistent with the foreign policy of the United States" was added.

#### Section 102(f)

This language is identical to Section 201 (d) of title II of the Senate passed bill. Title II of S. 1075 was deleted by the Conference Committee, but this and other provisions from this title were incorporated into title I and II of the bill reported by the Conferees.

#### Section 102(g)

This language is identical to Section 201 (e) of title II of the Senate passed bill.

#### Section 102(h)

This language is a modification of language found in Section 201(g) of title II of the Senate passed bill.

#### Section 102 in general

The conference substitute provides that the phrase "to the fullest extent possible" applies with respect to those actions which Congress authorizes and directs to be done under both clauses (1) and (2) of Section 102 (in the Senate passed bill, the phrase applied only to the directive in clause (1)). In accepting this change to section 102 (and also to the provisions of Section 103), the conferees agreed to delete section 9 of the House amendment from the conference substitute. Section 9 of the House amendment provided that "nothing in this Act shall increase, decrease or change any responsibility or authority of any Federal official or agency created by other provision of law." In making this change in favor of the less restrictive provision "to the fullest extent possible" the Senate conferees are of the view that the new language does not in any way limit the Congressional authorization and directive to all agencies of the Federal Government set out in subparagraphs (A) through (H) of clause (2) of Section 102. The purpose of the new language is to make it clear that each agency of the Federal Government shall comply with the directives set out in such subparagraphs (A) through (H) unless the existing law applicable to such agency's operations does not make compliance possible. If this is found to be the case, then compliance with the particular directive is not required but the provisions of Section 103 would apply. However, as to other aspects of the activities of that agency, compliance with the provisions of this bill is expected. Thus, it is the intent of the conferees that the provision "to the fullest extent possible" shall not be used by any Federal agency as a means to avoiding compliance with the directives set out in Section 102. Rather, the language in Section 102 is intended to assure that all agencies of the Federal Government shall comply with the directives set out in said section "to the fullest extent possible" under their statutory authorizations and that no agency shall seek to construe its existing statutory authorizations in a manner designed to avoid compliance.

Many existing agencies such as the National Park Service, the Federal Water Pollution Control Administration and the National Air Pollution Control Administration already have important responsibilities in the area of environmental control. The provision of Section 102 (as well as 103) are not designed to result in any change in the manner in which they carry out their environmental protection authority. This provision is, however, clearly designed to assure consideration of environmental matters by all agencies in their planning and decision making—especially those agencies who now have little or no legislative authority to take environmental considerations into account.

#### Section 103

This section is based upon a provision of the Senate passed bill (Section 102(f)) not in the House amendment. This section as

agreed to by the conferees, provides that all agencies of the Federal Government shall review their "present statutory authority, administrative regulations, and current policies and procedures to determine whether there are any deficiencies and inconsistencies therein which prohibit full compliance with the purpose and provisions" of the bill. If an agency finds such deficiencies or inconsistencies, it is required under this section to propose to the President not later than July 1, 1971 such measures as may be necessary to bring its authority and policies into conformity with the purposes and procedures of the bill. Section 103 thereby provides a mechanism which shall be utilized by all Federal agencies (1) to ascertain whether there is any provision of their statutory authority which precludes full compliance with any of the provisions of the bill, and (2) if any are found, to recommend changes in their statutory authority to the President, and, if recommended, to the appropriate Congressional Committees having jurisdiction. In conducting the review noted above, it is the understanding of the conferees that an agency shall not construe its existing authority in a manner which avoids full compliance with this Act. Rather, the intent of the conferees is that all Federal agencies shall comply with the provisions of Section 102.

It is not the intent of the Senate conferees that the review required by Section 103 would require existing environmental control agencies such as the Federal Water Pollution Control Administration and the National Air Pollution Control Administration to review their statutory authority and regulatory policies which are related to maintaining and enhancing the quality of the environment. This Section is aimed at those agencies which have little or no authority to consider environmental values.

#### Section 104

This language, with a minor reference change, is identical to language discussed and agreed to on the Senate floor on October 8 as a proposed Section 103 to S. 1075 when a conference with the House on S. 1075 was agreed to.

#### Section 105

This language is a modification of Section 103 of S. 1075 as passed by the Senate. As modified this section provides that the provisions of this Act are "supplementary to those set forth in existing authorizations of Federal agencies." The effect of this section is to give recognition to the fact that the bill is in addition to, but does not modify or repeal existing law. This section does not, however, obviate the requirement that the Federal agencies whose activities may have an adverse effect on the quality of the environment conduct their activities in accordance with the provisions of this bill unless to do so would violate their existing statutory authorizations.

#### TITLE II

Title II of S. 1075 as passed by the Senate was deleted. This title had authorized certain research and data gathering functions, a small grant-in-aid program, and the creation of a new position of Deputy Director in the Office of Science and Technology. The most important provisions of title II relating to research and data gathering were retained by the Conference Committee in Section 102 of title I and in Sections 204 and 205 of title II of the Conference Report.

Title II of the language agreed upon by the Conference Committee is largely from the House amendment to S. 1075 with a number of important substantive changes and exceptions. The language of the House amendment paralleled very closely the language of title III of S. 1075 as passed by the Senate. Major changes between the two provisions as well as substantive changes adopted by the Conference Committee are noted below.

#### Section 201

This section requires the President to transmit to the Congress an annual Environmental Quality Report. With minor word changes, this language was taken from Section 2 of the House amendment to S. 1075. The parallel language from the Senate passed bill is found in Section 303 of S. 1075.

On October 8, when the Senate disagreed to the House amendment and requested a conference it was agreed that the Senate conferees would seek to have language placed in the Conference Report which would provide that the annual Environmental Quality Report would be referred in whole or in part to the Committees of each House of the Congress which have exercised jurisdiction over the subject matter therein. This language would have been a new Section 303(b) of the Senate passed bill. The Senate conferees made every possible effort to have this language made a part of the Conference Report. When agreement could not be reached, an effort was made to have language which applied only to reference of the Report in the Senate made a part of the Conference Report. Again, agreement was not reached.

It is the clear intent of the Senate conferees that the annual report should be referred in the Senate to all Committees which have exercised jurisdiction over any part of the subject matter contained therein. Absent specific language on the reference of the report, the report would be referred pursuant to the Senate rules. It is the Committee's understanding that under the rules all relevant Committees may be referred copies of the annual report.

This was the intent of the Senate when S. 1075 was passed. In the Section-by-Section analysis of Section 303 of S. 1075 at page 26 of the Committee Report No. 91-296 it is expressly stated that:

"It is anticipated that the annual report and the recommendations made by the President would be a vehicle for oversight hearings and hearings by the appropriate legislative committees of the Congress."

The Senate Conferees intend that under the language of the Conference Report, the annual report would be referred to all appropriate Committees of the Senate.

#### Section 202

Section 202 was drawn, in part, from Section 3 of the House amendment and, in part, from Section 301(a) of the Senate passed bill. The conferees agreed that the Council should consist of "three" members and should be subject to Senate confirmation as provided in S. 1075 as passed by the Senate.

#### Section 203

This section, with minor reference changes, is the same language found in Section 4 of the House amendment. It is almost identical to Section 304 of the Senate passed bill.

In connection with the Senate's request for a conference on S. 1075 on October 8, it was agreed that the Senate conferees would seek to have language incorporated into the Conference Report authorizing the Council to establish advisory committees and to convene a biennial forum on environmental quality problems. The Senate conferees sought to have specific language of this nature incorporated into the Conference Report, but no agreement was reached. In large measure this was because of the fact that the language of Section 203 of the Conference Report, which authorizes the Council to employ experts and consultants, is broad enough to allow for the establishment of advisory committees and the convening of forums on environmental problems.

#### Section 204

This section, with minor language and reference changes, was drawn from Section 5 of the House amendment. In addition, Sections 201 (a) and (b) and Section 302(a) (1) from titles II and III of the Senate passed bill were

included by the Conference Committee as subsections 204 (5), (6) and (7).

#### Section 205

This section, with a couple of modifications, was drawn from Section 7 of the House amendment. Section 205(1) requires consultations with representatives of various groups and the Conference Committee added the Citizens Advisory Committee on Environmental Quality to those groups with which the Council should consult.

Section 205 (2) is designed to avoid duplication of expense and effort in connection with the Council's activities. The Conference Committee added new language, and language which the Senate had agreed to for Section 201 (a) in connection with the request for a conference on S. 1075. This language provides assurance that the Council's activities will not unnecessarily overlap or conflict with similar activities authorized by law and performed by established agencies.

#### Section 206

This section sets forth the compensation of the Council members and is substantially the same as Section 301(b) of the Senate passed bill.

#### Section 207

The appropriation authorization language in this section was drawn from Section 10 of the House amendment. The appropriation authorization for fiscal year 1971 was, however, increased from \$500,000 to \$700,000.

#### EXHIBIT 2

#### SECTION-BY-SECTION ANALYSIS

#### Section 1

This section provides that this act may be cited as the National Environmental Policy Act of 1969.

#### Section 2

This section sets forth the purposes of the act. The purposes of the act are to declare a national environmental policy; to promote efforts to prevent environmental damage and to better the health and welfare of man; to enlarge and enrich man's understanding of the ecological systems and natural resources important to the Nation; and to establish in the Executive Office of the President a Council of Environmental Quality Advisers.

#### TITLE I

#### Section 101(a)

This section is a declaration by the Congress of a national environmental policy. The policy is based upon a recognition of man's impact upon the natural environment particularly the influences of population growth, urbanization, industrial expansion, resource exploitation, and technological development. The Congress further recognizes the importance to the welfare of man of restoring and maintaining the quality of the environment.

The continuing policy of the Federal Government is declared to be, in cooperation with State and local governments and concerned public and private organizations (such as professional and technical societies, conservation organizations, industry and labor organizations and resource development organizations), to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

#### Section 101(b)

The continuing policy and responsibility of the Federal Government is declared to be that, consistent with other essential considerations of national policy, the activities and resources of the Federal Government

shall be improved and coordinated to the end that the Nation may attain certain broad national goals in the management of the environment. The broad national goals are as follows:

(1) Fulfill the responsibilities of each generation as trustee of the environment for future generations. It is recognized in this statement that each generation has a responsibility to improve, enhance, and maintain the quality of the environment to the greatest extent possible for the continued benefit of future generations.

(2) Assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings. The Federal Government, in its planning and programs, shall strive to protect and improve the quality of each citizen's surroundings both in regard to the preservation of the natural environment as well as in the planning, design, and construction of manmade structures. Each individual should be assured of safe, healthful, and productive surroundings in which to live and work and should be afforded the maximum possible opportunity to derive physical, esthetic, and cultural satisfaction from his immediate surroundings and from the environment he shares with the rest of humanity.

(3) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences. The resources of the United States must be capable of supporting the larger populations and the increased demands upon limited resources which appear inevitable in the immediate future. To do so, it is essential that the widest and most efficient use of the environment be made to provide both the necessities and the amenities of life. In seeking intensified beneficial utilization of the earth's resources, the Federal Government must take care to avoid degradation and misuse of resources, risk to man's continued health and safety, and other undesirable and unintended consequences.

(4) Preserve important historic, cultural, and natural aspects of our national heritage, and maintain wherever possible an environment which supports diversity and variety of individual choice. The pace of urbanization coupled with population growth and man's increasing ability to work unprecedented changes in the natural environment makes it clear that one essential goal in a national environmental policy is the preservation of important aspects of our national heritage. There are existing programs which are designed to achieve these goals, but many are single-purpose in nature. This subsection would make it clear that all agencies, in all of their activities, are to carry out their programs with a full appreciation of the importance of maintaining important aspects of our national heritage.

This subsection also emphasizes that an important aspect of national environmental policy is the maintenance of physical surroundings which provide present and future generations of American people with the widest possible opportunities for diversity and variety of experience and choice in cultural pursuits, in recreation endeavors, in esthetic appreciation and in living styles.

(5) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities. This subsection recognizes that population increases underlie many of the inter-related social and environmental problems which are being experienced in America. If the Nation's present high standards of living are to be made available to all of our citizens and if the general and growing desire of our people for greater participation in the physical and material benefits, in the amenities, and in the esthetic enjoyment afforded by a quality environment are to be satisfied, the Federal Government should—

and it is hoped that State government and private enterprise will—strive to maintain levels and a distribution of population which will not exceed the environment's capability to provide such benefits.

(6) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources. In recent years a great deal of the emphasis of legislative and executive action regarding environmental matters has concentrated upon the protection and improvement of the quality of the Nation's renewable resources such as air and water. It is vital that these efforts be continued and intensified because they are among the most visible, pressing, and immediate concerns of environmental management.

It is also essential, however, that means be sought and utilized to improve the effectiveness of recycling depletable resources such as fiber, chemicals, and metallic minerals. Improved material standards of living for greater numbers of people will place increased demands upon limited raw material. Furthermore, the disposal of wastes from the non-consumptive single use of manufactured goods is among our most critical pollution problems. Emphasis must be placed upon seeking innovative solutions through technology, better management, and, if necessary, governmental regulation.

#### Section 101(c)

This subsection asserts congressional recognition that each person should enjoy a healthful environment. It is apparent that the guarantee of the continued enjoyment of any individual right is dependent upon individual health and safety. It is further apparent that deprivation of an individual's healthful environment will result in the deprivation of all of his rights.

The subsection also asserts congressional recognition of each individual's responsibility to contribute to the preservation and enhancement of the environment. The enjoyment of individual rights requires respect and protection of the rights of others. The cumulative influence of each individual upon the environment is of such great significance that every effort to preserve environmental quality must depend upon the strong support and participation of the public.

#### Section 102

The policies and goals set forth in section 101 can be implemented if they are incorporated into the ongoing activities of the Federal Government in carrying out its other responsibilities to the public. In some areas of Federal action there is no body of experience or precedent to assure substantial and consistent consideration of environmental factors in decisionmaking. In some areas of Federal activity, existing legislation does not provide clear authority to assure consideration of environmental factors which conflict with other Federal objectives.

To remedy present shortcomings in the legislative foundation of existing programs, and to establish action-forcing procedures which will help to insure that the policies enunciated in section 101 are implemented, section 102 authorizes and directs that the existing body of Federal law, regulation, and policy be interpreted and administered to the "fullest extent possible" in accordance with the policies set forth in this act. It further establishes a number of operating procedures to be followed by all Federal agencies as follows:

(A) Wherever planning is done or decisions are made which may have an impact on the quality of man's environment, the responsible agency or agencies are directed to utilize a systematic, interdisciplinary, team approach. Such planning and decisions should draw upon the broadest possible range of social and natural scientific knowledge and design arts. Many of the environmental controversies of recent years have, in

large measure, been caused by the failure to consider all relevant points of view and all relevant values in the planning and conduct of Federal activities. Using an interdisciplinary approach that brings together the skills of landscape architect, the engineer, the ecologist, the economist, the sociologist and other relevant disciplines would result in better planning, better projects, and a better environment. Too often in the past planning has been the exclusive province of the engineer and cost analyst. And, as a consequence, too often the humanistic point of view, the relationship between man and his surroundings has been overlooked or purposely ignored.

(B) All agencies which undertake activities relating to environmental values, amenities, and aesthetic considerations, are authorized and directed, after consultation with the Council and other environmental control agencies, to make efforts to develop methods and procedures to incorporate those values in official planning and decisionmaking. In the past, environmental factors have frequently been ignored and omitted from consideration in the early stages of planning because of the difficulty of evaluating them in comparison with economic and technical factors. As a result, unless the results of planning are radically revised at the policy level—and this often means the Congress—environmental enhancement opportunities may be forgone and unnecessary degradation incurred. A vital requisite of environmental management is the development of adequate methodology for evaluating the full environmental impacts and the full costs—social, economic, and environmental—of Federal actions.

(C) After consultation with and obtaining the comments of Federal and State agencies which have jurisdiction by law with respect to any environment impact, each agency which proposes legislation and any other major Federal action shall make a detailed statement as to whether the proposal would have a significant effect upon the quality of the human environment. If the proposal is considered to have such a significant effect, then the recommendation or report on the proposal must include a detailed statement by the responsible official on:

- (i) The environmental impact of the proposed action.
- (ii) Any adverse impacts which cannot be avoided if the proposal is implemented.
- (iii) The alternative ways of accomplishing the objectives of the proposed action and the results of not accomplishing the objectives.
- (iv) The relationship between the local and short-term uses of environmental resources which are contemplated by the proposal and the general objective of maintaining and enhancing the long-term productivity of the environment.
- (v) Any irreversible and irremediable commitments of resources which would be involved in the proposal action should it be implemented.

This section further provides that any Federal, State or local agency comments on the required statement shall thereafter be made available to the President, the Council, and the public under the provisions of the Freedom of Information Act and shall accompany the proposal through the subsequent review process.

The committee does not intend that the requirements for comment by other agencies should unreasonably delay the processing of Federal proposals. The Committee anticipates that the President will promptly prepare and publish in the Federal Register a list of those appropriate agencies which have "jurisdiction by law" over various environmental

matters and those appropriate agencies which he finds to have "special expertise" in various environmental matters.

With regard to State and local agencies, unless there is some more restrictive requirement of existing law or regulation, the opportunity for review may be restricted to those agencies which have established environmental jurisdiction within the geographical area which will or which may be affected by the proposed action. It is not the intention of the Committee to include those local agencies with only a remote interest and which are not primarily responsible for development and enforcement of environmental standards. The Committee believes that in some cases the requirement for State and local review may be satisfied by notice of proposed action in the Federal Register and by providing all necessary supplementary information to enable full public participation.

To prevent undue delay in the processing of Federal proposals, the Committee recommends that the President establish a time limitation for the receipt of comments (other than those comments required prior to making a detailed statement) from Federal, State, and local agencies similar to the 90-day review period presently established for comment upon Federal water resource development proposals.

(D) Wherever agencies of the Federal Government recommend courses of action which are known to involve unresolved conflicts over competing and incompatible uses of land, water, or air resources, it shall be the agency's responsibility to study, develop, and describe appropriate alternatives to the recommended course of action. The agency shall develop information and provide descriptions of the alternatives in adequate detail for subsequent reviewers and decisionmakers, both within the executive branch and in the Congress, to consider the alternatives along with the principal recommendation.

(E) In recognition of the fact that environmental problems are not confined by political boundaries, all agencies of the Federal Government which have international responsibilities are authorized and directed to lend support to appropriate international efforts to anticipate and prevent a decline in the quality of the worldwide environment. In doing so however, the agencies are constrained to act in a manner consistent with the foreign policy of the United States.

(F) All agencies of the Federal Government shall make such advice and information on environmental management as is available from their expertise and studies to State and local governments, non-governmental institutions, and individuals.

(G) All agencies of the Federal Government shall utilize ecological information in the planning and development of resource-oriented projects. Each agency which studies, proposes, constructs, or operates projects having resource management implications is authorized and directed to consider the effects upon ecological systems in connection with their activities and to study such effects as a part of its data collection.

(H) All agencies of the Federal Government shall, within their areas of expertise or responsibility, assist the Council on Environmental Quality established by this Act.

#### Section 103

All agencies of the Federal Government are directed to review their present statutory authority, administrative regulations, and current policies and procedures to determine whether existing law prohibits full compliance with the purposes of this act. The agencies will comply with the provisions of this act wherever possible. If, however, there are existing provisions of law, regulations, or policies which are beyond the authority of the particular agency to revise, and if these laws, regulations, or policies which

prohibit the agency from acting in full compliance with the provisions of this Act, the agency is required by section 103 to recommend such measures as are necessary to make its authority consistent with this act. The agency must propose such measures to the President not later than July 1, 1971 and, if recommended, to the appropriate congressional committees.

#### Section 104

This section provides that nothing in sections 102 or 103 shall affect the specific statutory obligations of any Federal agency:

- (1) To comply with environmental quality standards and criteria,
- (2) To coordinate or consult with any other State or Federal agency, or
- (3) To act or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

There are existing statutes and there may in the future be new statutes which prescribe specific criteria or standards of quality for environmental indicators, or which prescribe certain procedures for coordination or consultation with State or other Federal agencies, or which require recommendations or certification of other Federal agencies as a prerequisite to certain actions. It is not the intent of sections 102 or 103 of this Act to substitute less specific requirements for those which are established concerning particular actions or agencies. It is the intention that where there is no more effective procedure already established, the procedure of this act will be followed. In any event, no agency may substitute the procedures outlined in this Act for more restrictive and specific procedures established by law governing its activities.

Where an agency has such specific instructions governing only one aspect of its coordination activities, or where environmental quality standards and criteria are established for only one aspect of an agency's proposed activity, the agency is not relieved of its obligations to conform with the provisions of sections 102 and 103 which are beyond the sphere of the existing instructions, standards, or criteria.

#### Section 105

This section provides that the policies and goals set forth in this Act are supplementary to but do not modify, those set forth in existing authorizations of Federal agencies.

#### TITLE II

#### Section 201

This section provides that the President shall transmit to the Congress an annual environmental quality report. The first such report shall be transmitted on or before July 1, 1970. Subsequent reports shall be transmitted on or before July 1, in succeeding years.

The report is to include, but not be limited to, a current evaluation of the status and condition of the major environmental classes of the Nation. To the greatest extent possible, this information should be based upon measurements of environmental indicators relating quality and supply of land, water, air, and depletable resources to other factors such as environmental health, population distribution, and demands upon the environment for amenities such as outdoor recreation and wilderness. Significant current and developing environmental problems should be highlighted. Current and foreseeable environmental trends and evaluations of the effects of those trends upon the Nation's future social, economic, physical, and other requirements should be discussed.

It is the committee's strong view that the President's annual report should provide a considered statement of national environmental objectives, trends and problems. The report should provide the best judg-

ment of the best people available on the Nation's environmental problems and the progress being made toward providing a quality environment for all Americans.

The report should summarize and bring together the major conclusions of the technical reports of other Federal agencies concerned with environmental management. Too often, these reports go unread and unevaluated. A succinct, readable summary and evaluation would be of great assistance to the Congress and the President.

It is anticipated that the annual report and the recommendations made by the President would be the vehicle for oversight hearings and hearings by the appropriate legislative committees of the Congress.

It is the clear intent of the Senate conferees that the annual report should be referred in the Senate to all Committees which have exercised jurisdiction over any part of the subject matter contained therein. Absent specific language on the reference of the report, the report would be referred pursuant to the Senate rules. It is the Committees' understanding that under the rules all relevant Committees may be referred copies of the annual report.

#### Section 202

This section creates in the Executive Office of the President a Council on Environmental Quality. The Council shall be composed of three members appointed by the President with the advice and consent of the Senate and who shall serve at the President's pleasure.

It is intended that the members of the Council shall be persons of broad experience and training with the competence and judgment to analyze and interpret trends and developing problems in the quality of the Nation's environment. The committee does not view the Council's functions as a purely scientific pursuit, but rather as one which rests upon scientific, economic, social, esthetic and cultural considerations. The members of the Council, therefore, should not necessarily be selected for depth of training or expertise in any specific discipline, but rather for the ability to grasp broad national issues, to render public service in the national interest, and to appreciate the significance of choosing among present alternatives in shaping the country's future environment.

The President shall designate one member of the Council as Chairman.

#### Section 203

This section provides the Council with general authority to employ staff and acquire the services of experts and consultants. This provision is designed to provide the Council with the necessary internal staff to assist members of the Council.

It is not intended that the Council will employ, pursuant to this section, a staff which would in any way conflict with the capabilities of the staff of the Office of Environmental Quality which would be created by Title II of the Water Quality Improvement Act of 1969. It is understood that when the Office of Environmental Quality is established, it will mesh with the Council as an integrated agency in the Office of the President—the Council operating on the policy level and Office of Environmental Quality on the staff level.

The professional staff of the Office will be available to the Council (as well as to the President) to assist in implementing existing environmental policy and the provisions of the legislation and to assist in forecasting future environmental problems, values and goals.

#### Section 204

This section sets forth the duties and functions of the Council as follows:

(1) The Council will assist and advise the President in the preparation of the annual

environmental quality report required by section 201. The committee assumes that the Council would have the primary responsibility for the preparation of the President's annual report. It could, in large measure, be based upon the Council's report to the President required by section 204.

(2) The Council will carry on continuing studies and analyses related to the status of the environment. The Council will seek to establish or cause to be established within the operating agencies of the Federal Government an effective system for monitoring environmental indicators, collecting data, and analyzing trends. It will further seek to relate trends in environmental conditions to short- and long-term national goals and aspirations.

(3) The Council shall review and appraise Federal programs, projects, activities, and policies which affect the quality of the environment. Based upon its review, the Council shall make recommendations to the President.

The committee does not view this direction to the Council as implying a project-by-project review and commentary on Federal programs. Rather, it is intended that the Council will periodically examine the general direction and impact of Federal programs in relation to environmental trends and problems and recommend general changes in direction or supplementation of such programs when they appear to be appropriate.

It is not the committee's intent that the Council be involved in the day-to-day decisionmaking processes of the Federal Government or that it be involved in the resolution of particular conflicts between agencies and departments. These functions can best be performed by the Bureau of the Budget, the President's interagency Cabinet-level Council on the Environment or by the President himself. The committee does, however, strongly feel that the President needs impartial and objective advice which can provide him with an accurate overview of the Nation's environmental trends and problems and how these trends and problems affect the future material and social well-being of the American people.

The Council recommendations to the President are for his use alone, and his actions on their recommendations will depend on the confidence he places in the judgment of the persons he nominates to membership on the Council. Used properly, the Council review and appraisal of Federal activities which affect the quality of the environment can add a new dimension and provide the President with a new insight into the long-range needs and priorities of the country. In the past, the executive agencies' views of National needs, goals, and priorities in the field of environmental management appears to have been so thoroughly subjugated to budgetary and fiscal considerations that the nature of the fundamental values at stake has been obscured. It is the committee's view that the values which are at stake in the environmental management decisions which lie ahead need to be brought to the fore and made the subject of official decision at the highest levels of Governments.

(4) The Council shall provide advice and assistance to the President in the formulation of national policies designed to foster and promote the improvement of the quality of the environment. The President is, of course, free to utilize the services of the Council in any manner in which he desires. The committee hopes, however, that the President would rely on the Council's impartial and objective advice in the execution and formulation of national environmental policies.

(5) The Council shall conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality.

(6) The Council shall document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes. The information made available by the Council will provide a reliable planning base for Federal agencies, a source of indications of emerging environmental problems, and a source of reliable public information on controversial claims regarding the state of the environment.

(7) The Council shall report at least once each year to the President on the state and condition of the environment. This report should represent the Council's considered and impartial judgment. The Council's report would be useful to the President in the preparation of the annual environmental quality report which the President is required to transmit to the Congress by section 201.

(8) The Council shall make and furnish such studies, reports thereon, and recommendations with respect to matters of policy and legislation as the President may request.

#### Section 205

This section provides that the Council, in exercising its powers, functions, and duties under this Act shall:

(1) consult with the Citizens' Advisory Committee on Environmental Quality, which has been established by Executive Order, and with representatives of such other non-Federal groups as the Council deems advisable.

(2) utilize to the fullest extent possible the services, facilities, and information relating to its functions which is already available from existing public and private organizations and individuals. It is the intent of this subsection to assure that duplication of effort and expense will be avoided and that the Council's activities will not conflict with similar activities authorized by law and being performed by other agencies. This section does not, however, preclude the Council from authorizing studies it deems necessary to ascertain the reliability of existing data. Neither does it preclude the Council from authorizing studies or collecting data in fields which are within the jurisdiction of other Federal agencies if the Council deems it necessary to validate or supplement such other agency's work.

#### Section 206

This subsection provides that the members of the Council shall serve full time. The compensation for the Chairman of the Council is set at level II of the Executive Schedule pay rates and at level IV for the other two members. These provisions parallel the compensation provisions established by law for the Chairman and the members of the Council of Economic Advisers.

#### Section 207

This section authorizes appropriations for the administrative expenses of the Council. The amounts of \$300,000 for Fiscal Year 1970 and \$700,000 for Fiscal Year 1971 are authorized to provide for the transition period in which the Council is organized. Thereafter an annual appropriation of \$1 million is authorized. The committee chose the \$1 million ceiling because it is comparable to the appropriations which have been required in recent years for the Council of Economic Advisers.

Mr. ALLOTT. Mr. President, as a cosponsor of S. 1075 and as the ranking minority member of the Senate Interior and Insular Affairs Committee, I wish to associate myself generally with the remarks of our distinguished chairman, the Senator from Washington (Mr. JACKSON). I congratulate him for his inde-

fatigable efforts to achieve final congressional action on the National Environmental Policy Act of 1969. This is a measure of particular significance in this era of ever degrading environment.

Mr. President, at this point, perhaps it would be appropriate to point out that while the explanatory statements relative to the interpretation of the conference report language, as provided by the chairman, are useful, they have not been reviewed, agreed upon, and signed by the other Senate conferees. Only the conference report itself was signed by all the Senate conferees, and therefore, only it was agreed upon and is binding. Unlike the House procedure, Senate rules do not provide for a coordinated and signed statement on the part of the managers for the Senate. Therefore, while I may agree with the chairman in most instances with regard to his statement, I must reserve the right to disagree with any part of his statement which I believe to be beyond the scope of the discussions and agreement of the conferees during the conference. The vote to be taken here today will be upon the conference report alone. I presume other Senate Members of the conference committee will similarly reserve their rights. I, also, wish to make reference to my remarks of October 8, 1969, as they appear on page 29061 of the CONGRESSIONAL RECORD.

It has been accurately stated that by the enactment of this measure, the Congress is not giving the American people something, rather the Congress is responding to the demands of the American people. The observation that Congress is generally far behind the demands of the people is, for the most part, accurate; but, then, this is an observation that can be made of any representative democracy. The measure of any representative democracy is the lapse of time between the appearance of the will of the people and the positive action on the part of their government. In this case, government response cannot be too soon. We can only hope that it is not too late.

The concept of a high-level council on conservation, natural resources, and environment has had congressional expression for nearly a decade. It first found legislative support from a former chairman of the Senate Interior Committee, the late Senator Murray. In the 86th Congress, he introduced S. 2549, the Resources and Conservation Act, which would have established a high-level council of environmental advisers along with the first expression of a comprehensive environmental policy. While the bill was not enacted into law, the 4 days of hearings before the Senate Interior Committee still serve as a useful reference in this vital area. Bills of similar purpose were also introduced in the 89th and 90th Congresses.

A unique joint House-Senate colloquium was held on July 17, 1968, which was sponsored by the Senate Interior Committee and the House Science and Astronautics Committee. This colloquium provided a forum for Members of Congress and interested parties to meet and discuss these important issues.

During the 91st Congress, three bills were introduced and referred to the Senate Interior Committee. All three dealt with environmental policy and creation of new overview institutions. Hearings were held and additional consultation and coordination with the administration ensued. As a result, S. 1075 was reported by the committee and passed by the Senate in a form which would provide the President and the executive branch with effective machinery to help it provide the necessary leadership in reversing the deterioration of our environment. In addition, the bill will establish by statute a national environmental policy. I believe it is significant to point out that S. 1075 enjoys the sponsorship of every single member of the Senate Interior Committee.

The Senate Interior Committee has long had an interest in conservation and environmental matters. Recent examples include the establishment of many national parks and monuments, national seashores and lakeshores, national recreation areas, a national trails system, a wild and scenic rivers system, and a wilderness system. The Outdoors Recreation Resources Commission was a product of this committee. Much of this Nation's most precious heritage has been preserved and protected by legislation emanating from the Interior Committee. This committee has also passed upon legislation to establish the land and water conservation fund.

In the area of water resources, this committee has produced a myriad of legislation to provide for the conservation and wise use of it, including weather modification. The Water Resources Council, the National Water Commission, and the various river basin planning commissions all have their foundations in legislation acted upon by the Interior Committee. The reclamation program, which is under the jurisdiction of this committee, is an environmental program. One only needs to observe the "before" and the "after" with respect to a reclamation project to know this.

In 1964, we passed upon legislation to establish the Public Land Law Review Commission and its companion measure, the Multiple Use and Classification Act. This is truly landmark legislation since our public lands are an important feature of our environment and its quality.

In the field of mineral resources, this committee and the Senate approved a measure, which I have introduced in six successive Congresses, which would establish a national mining and minerals policy. The significance of this measure to environmental quality may not be apparent at first view, but the quality of our environment has a direct relationship to the availability of materials. In addition, during the hearings on this measure, there was a recognition of the need to better control mine waste products by all concerned. Also, technology and the discovery of new materials may lead to the solution of some of our most troublesome environmental problems. Implicit in a national mining and minerals policy is the development of improved methods to recycle both industrial and other wastes and scrap back into the materials stream.

I have taken the time to mention just a few of the legislative achievements of the Interior Committee to demonstrate its long-standing interest and endeavors in the matter of environmental quality. Other committees have also displayed interest in the environmental field, and I do not intend to in any way diminish their achievements.

The President has expressed his concern over the degradation of our environment. Senators will recall that President Nixon had committed himself in the 1968 campaign to a policy of improving the environment in his October 18, 1968, radio address entitled: "A Strategy of Quality: Conservation in the Seventies." In that address, Candidate Nixon characterized our environmental dilemma in these words:

The battle for the quality of the American environment is a battle against neglect, mismanagement, poor planning and a piecemeal approach to problems of natural resources.

Acting upon that commitment, President Nixon established by Executive order the "Environmental Quality Council" in May of 1969. The Council is of the highest level. The President, himself, is Chairman, and its membership includes the Vice President and five cabinet members. The Council provides the action mechanism to implement environmental policy decisions.

S. 1075, as passed by the Senate and as reported from the conference is designed to complement the actions of the President and provide him with workable tools to get on with the task of repairing our damaged environment and preventing further detriment to it.

We can no longer afford to view the environmental problem on a basis of cleaning up our dirt. We must approach it from the stand-point of prevention. Prevention will require planning—long-range planning—and that planning must rest upon research and new technology. In the 89th and 90th Congresses, I introduced legislation which I believe would assist the Congress to participate in a meaningful way in determining the direction and emphasis of federally financed research. As Senators know, Federal expenditures for research and development approach an annual amount of \$17 billion. The funds for this research and development effort are made available in 13 separate appropriations bills, and at no point does Congress have an opportunity to exercise an overview of our total research and development program. My proposal would provide for the establishment of a nonlegislative joint House and Senate committee to review and report to the Congress on the effectiveness of our overall research and development program, based upon an annual report from the President. Such a mechanism, had it come into existence, could have helped the Congress to have made the necessary decisions with regard to research to have dealt with the many serious problems now facing us in the environmental area. I still hold the belief that some mechanism similar to the one proposed in my bill S. 1305 of the 90th Congress would prove to be useful and helpful.

In summary, the environment is the

concern of us all. In some respect, nearly every department of the Government is or may be involved in decisions or actions which affect the environment. And, the jurisdiction of the various committees of Congress are similarly affected by environmental considerations. The environment is not the exclusive bailiwick of any committee of Congress nor department of Government. S. 1075 recognizes this fact, and therein lies its strength, appropriateness, and timeliness. This is truly landmark legislation in history of man and his efforts to protect and improve his environment, and I am proud to be associated with this measure.

Mr. JACKSON. Mr. President, I wish to express my appreciation at this point for the fine cooperation that we have had in trying to work out differences which occurred since the conferees met on S. 1075.

The junior Senator from Maine has been most cooperative. We would have had many unresolved problems had it not been for his cooperation.

Mr. MUSKIE. Mr. President, I wish to express appreciation to the junior Senator from Washington for his cooperation in working out points of difference which otherwise might have been very difficult and could have led to difficulties on the floor of the Senate, which all of us wanted to avoid.

The basic objective of S. 1075 is one to which I think all members of the Committee on Public Works, as well as all members of the Committee on Interior and Insular Affairs subscribed, and that is the concept of developing an overall and total environmental improvement policy. We recognize that in order to do that we will be concerned with the work of many agencies in the executive branch of Government as well as with the work of many committees in Congress.

What we have undertaken to do in our cooperative effort on this bill and in S. 7, which is in conference between the two Houses, is to begin the process of developing a comprehensive review of our environmental policies as well as a comprehensive policy which we hope will emerge out of the work of these disparate executive agencies and eight Senate committees.

I do not intend to prolong my discussion of the bill, but I think the discussions which I have been privileged to have with the distinguished Senator from Washington and other members of the committee, as well as with members of the Committee on Public Works and the two staffs have raised some points of emphasis to which I should refer in this discussion.

I know my colleagues on the Committee on Public Works, the chairman, the Senator from West Virginia (Mr. RANDOLPH), and the distinguished ranking Republican member (Mr. Boggs), also might like to ask questions for points of emphasis.

One of the questions that primarily concerned us on the floor of the Senate on October 8, when we last had a discussion among those concerned, and one which concerned us in the discussion of the conference report, was the question

of the relationship of this legislation to the established agencies of the executive branch. First of all, we were concerned with those which have an impact upon the environment, actual or potential, and second, we were concerned with those agencies which have responsibilities in the field of environmental improvement.

I would like to refer to some of the insertions in the Record made by the distinguished Senator from Washington. He has inserted three principal documents: First, his floor statement, as it is described, in the conference report; second, a section-by-section analysis of the report as amended in conference; and finally, a statement of major changes in S. 1075, as passed by the Senate and as changed by the conference report.

First, I should like to refer to page 4 of the major changes analysis. On page 4 he refers to that part of the discussion which is entitled "section 102 in general" and I should like to read it:

The conference substitute provides that the phrase "to the fullest extent possible" applies with respect to those actions which Congress authorizes and directs to be done under both clauses (1) and (2) of section 102 (in the Senate-passed bill, the phrase applied only to the directive in clause (1)).

Mr. President, what disturbed us about this language in the "major changes analysis" was the impact of the phrase "to the fullest extent possible" upon the executive agencies which have authority under other statutes with respect to the improvement of the quality of our environment, specifically such agencies as the Federal Water Pollution Control Administration and the National Air Pollution Control Administration. Both agencies are of special interest to the Senate Committee on Public Works. Each operates under basic legislation which has been written under the jurisdiction of the Senate Public Works Committee and which has become law. Legislation has been carefully developed over the past 7 or 8 years. We were concerned that S. 1075, through such language as that which I have just quoted, should not have the effect of changing the basic legislation governing the operation of the agencies such as those to which I have referred.

As a result of the discussions with the Senator from Washington and his staff, language was inserted on page 5 of the "major changes document" put into the Record by the Senator from Washington which clarifies this point.

That insertion reads:

Many existing agencies such as the National Park Service, the Federal Water Pollution Control Administration, and the National Air Pollution Control Administration already have important responsibilities in the area of environmental control. The provisions of section 102 (as well as 103) are not designed to result in any change in the manner in which they carry out their environmental protection authority.

It is clear then, and this is the clear understanding of the Senator from Washington and his colleagues, and of those of us who serve on the Public Works Committee, that the agencies having authority in the environmental improvement field will continue to operate under their legislative mandates as previously

established, and that those legislative mandates are not changed in any way by section 102-5.

The second section of the conference report which is of concern to us is section 103, for the very same reasons that I have discussed already. I shall read this portion of the discussion in the major changes analysis placed in the Record by the Senator from Washington.

This portion reads:

This section is based upon a provision of the Senate passed bill [section 102(f)] not in the House amendment. This section, as agreed to by the conferees, provides that all agencies of the federal government shall review their "present statutory authority, administrative regulations, and current policies and procedures to determine whether there are any deficiencies and inconsistencies therein, which prohibit full compliance with the purpose of the provisions" of the bill. If an agency finds such deficiencies or inconsistencies, it is required under this section to propose to the President not later than July 1, 1971, such measures as may be necessary to bring its authority and policies into conformity with the purposes and procedures of the bill.

Now, Mr. President, in the discussion with the Senator from Washington and his staff, it developed that this language had different implications for different kinds of executive agencies, especially with respect to the agencies whose activities have an impact, potentially unfavorable, upon the environment. Obviously, it was the objective of this language to make such agencies environment conscious.

With respect to that objective, I was fully in accord with the Senator from Washington and his committee. However, the second set of executive agencies affected by that language are those agencies which have authority in the environmental improvement field; more specifically, insofar as the Public Works Committee is concerned, the Federal Water Pollution Control Administration and the National Air Pollution Control Administration.

We were concerned that the language which I have referred to should not have the effect of forcing the agencies over which we have jurisdiction to conform their basic legislative mandates to the provisions of S. 1075. This is made clear on page 7 of the major changes analysis, which was placed in the Record by the Senator from Washington.

I quote from it:

It is not the intent of the Senate conferees that the review required by section 103 would require existing environmental control agencies such as the Federal Water Pollution Control Administration and National Air Pollution Control Administration to review their statutory authority and regulatory policies which are related to maintaining and enhancing the quality of the environment. This section is aimed at those agencies which have little or no authority to consider environmental values.

This language in the "major changes analysis" document clarifies, with the full agreement of the Senator from Washington and his colleagues and myself, their understanding as to the implications of section 103 with respect to those executive agencies which have environmental improvement authority at

the present time under already existing legislation.

The third point to which I should like to refer, for the purpose of emphasis, is the question of committee jurisdiction with respect to the various areas of environmental concern which are now involved in the jurisdictions of several Senate standing committees.

It was our concern on October 8, when we discussed this matter in the Senate last, and it is our concern now, that S. 1075 shall not have the effect of altering existing committee jurisdictions in this respect. Understandably, the Senator from West Virginia (Mr. RANDOLPH), the Senator from Delaware (Mr. BOGGS), and I are especially concerned with the jurisdiction of the Public Works Committee of the Senate.

I think that in the "major changes analysis" document of the Senator from Washington this is again clarified in the following language, which I read from page 9:

It is the clear intent of the Senate conferees that the annual report would be referred in the Senate to all Committees which have exercised jurisdiction over any part of the subject matter contained therein. Absent specific language on the reference of the report, the report would be referred pursuant to the Senate rules. It is the committees' understanding that under the rules all relevant Committees may be referred copies of the annual report. This was the intent of the Senate when S. 1075 was passed. In the section-by-section analysis of Section 303 of S. 1075 at page 26 of the committee report No. 91-296, it is expressly stated that,

"It is anticipated that the annual report and the recommendations made by the President would be a vehicle for oversight hearings and hearings by the appropriate legislative committees of the Congress."

Mr. President, as I say, this was clearly understood on October 8 when we last discussed it on the Senate floor. It was never at issue as between the Senator from Washington and myself. It think it is clearly understood today.

The legislative language which was included in S. 1075 on October 8 was stricken from the conference report because, under House rules, it was considered to be new matter which was subject to a point of order. So I think it is appropriate that on the Senate floor today we reemphasize that it is the intent of the Senate, and of the representatives of both committees, that when the annual reports of the Council on Environmental Control and its legislative recommendations, as they are developed, reach the floor, they shall be referred to the committees which have had traditional jurisdiction with respect to the subjects of such report and such legislative recommendations.

I want to make one final point, and for this I would like to refer to a document inserted in the RECORD by the Senator from Washington (Mr. JACKSON) this afternoon, entitled "Section-by-Section Analysis." This point is important because, beginning on October 8, and a few days prior to that time, we undertook to do something new in legislative direction. We undertook to place in the Executive Office of the President an agency which was in part the product of S. 1075 and in part the product of S. 7,

the Water Quality Improvement Act, which is still in conference between the House and the Senate and which is not likely to be acted on finally in this session of Congress, not because of the subject I am about to touch upon, but because of other matters in this bill which are not touched upon in S. 1075 at all.

The point I wish to raise with respect to the Council on Environmental Quality established by S. 1075 and the Office of Environmental Quality which would be established under title II of S. 7 is that on page 18 of the section-by-section analysis which was inserted in the RECORD by the Senator from Washington (Mr. JACKSON) is found a discussion that clarifies the relationship of these two bodies.

On page 20 of the section-by-section analysis, in a discussion of section 203, is found the following:

#### SECTION 203

This section provides the Council with general authority to employ staff and acquire the services of experts and consultants. This provision is designed to provide the Council with the necessary internal staff to assist members of the Council.

It is not intended that the Council will employ, pursuant to this section, a staff which would in any way conflict with the capabilities of the staff of the Office of Environmental Quality which would be created by Title II of the Water Quality Improvement Act of 1969. It is understood that when the Office of Environmental Quality is established, it will mesh with the Council as an integrated agency in the Office of the President—the Council operating on the policy level and Office of Environment Quality on the staff level.

The professional staff of the Office will be available to the Council (as well as to the President) to assist in implementing existing environmental policy and the provisions of the legislation and to assist in forecasting future environmental problems, values and goals.

In conclusion, and before yielding to my colleagues on the Senate Public Works Committee, I would like to say that I agree with the Senator from Washington (Mr. JACKSON) that S. 1075 can become landmark legislation in the field of environmental quality. Whether it does will depend upon the effectiveness and performance of the new Council on Environmental Quality which S. 1075 would create, the performance of the Office of Environmental Quality which would be established under S. 7, and the coordination and the cooperation of the various executive agencies which have an impact upon the environment and those other agencies which have at present the authority to improve the environment in one respect or another.

In addition to that, the landmark quality of S. 1075 will depend upon the continuing cooperation of the Senate committees—at least seven or eight of them—which have supervisory authority and jurisdiction with respect to executive agencies, such as the Committee on Interior and Insular Affairs, the Committee on Public Works, the Committee on Agriculture and Forestry, the Banking and Currency Committee and its Subcommittee on Housing, the Joint Committee on Atomic Energy, and so many others. And so, in order to really

achieve the high-minded objectives of S. 1075 which are crucial, I think, to the future health and welfare of our country, we must move in the direction of coordinating the work of the Congress in this field.

S. 1075 undertakes to take important steps in the direction of coordinating the efforts of the executive agencies. We must now go beyond that in the Congress of the United States to coordinate the work of the senatorial and House committees. The Senator from Washington, other members of our two committees and I have discussed this objective as well.

There is pending, for example, in the Committee on Government Operations, Senate Resolution 78, which I first introduced two Congresses ago, to create a Senate Select Committee on Technology and the Human Environment, whose objective is this kind of coordination.

The Senator from Washington (Mr. JACKSON), in the course of our discussions, indicated his preference for the Senate and the House to coordinate their work more closely in the environmental field. I concur with him that it would be preferable to create a nonlegislative joint committee patterned on the basis of the select committee which I have proposed, and I am glad to join with him and interested Members on this side and in the House to undertake to create that kind of joint committee as early as possible in the next session of the Congress. We are agreed on that objective. We have in mind the kind of work which is envisaged in Senate Resolution 78.

So I would like to think that, notwithstanding the difficulties and the differences of opinion that the Senator from Washington (Mr. JACKSON) and I have had with respect to S. 1075 and S. 7, out of the labor pains of this creation we have begun a period of cooperation and coordination in the Senate's work in the field of the improvement of environmental quality which will result in a wiser, more effective policy in this field.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. JACKSON. I wish to express my concurrence in the comments made by the able Senator from Maine, with special reference to the need for a joint nonlegislative committee on the environment. I would hope that would be the first order of business next year. I think we can move expeditiously in the Senate. If we can have similar cooperation in the House, we can have it enacted into law in the next session.

Mr. BOGGS. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield to the Senator from Delaware.

Mr. BOGGS. Mr. President, as a member of the Public Works Committee of the Senate, I have a couple of questions I would like to ask the distinguished Senator from Maine.

Is my understanding correct that all reports and legislative proposals as a result of S. 1075 will be referred to all committees with established jurisdiction in the field? For example, any report or legislative proposal involving water pol-

lution would be referred to the Committee on Public Works. Is that correct?

Mr. MUSKIE. Yes. That is the clear understanding of the Senator from Washington (Mr. JACKSON), myself, and the two staffs. There is no fuzziness or doubt on that point at all.

Mr. BOGGS. Am I correct that the thrust of the directions contained in S. 1075 deals with what we might call the environmental impact agencies rather than the environmental enhancement agencies, such as the Federal Water Pollution Control Administration or National Air Pollution Control Administration?

Mr. MUSKIE. Yes. Sections 102 and 103, and I think section 105, contain language designed by the Senate Committee on Interior and Insular Affairs to apply strong pressures on those agencies that have an impact on the environment—the Bureau of Public Roads, for example, the Atomic Energy Commission, and others. This strong language in that section is intended to bring pressure on those agencies to become environment conscious, to bring pressure upon them to respond to the needs of environmental quality, to bring pressure upon them to develop legislation to deal with those cases where their legislative authority does not enable them to respond to these values effectively, and to reorient them toward a consciousness of and sensitivity to the environment.

Of course this legislation does not impose a responsibility or an obligation on those environmental-impact agencies to make final decisions with respect to the nature and extent of the environmental impact of their activities. Rather than performing self-policing functions, I understand that the nature and extent of environmental impact will be determined by the environmental control agencies.

With regard to the environmental improvement agencies such as the Federal Water Improvement Administration and the Air Quality Administration, it is clearly understood that those agencies will operate on the basis of the legislative charter that has been created and is not modified in any way by S. 1075.

Mr. BOGGS. I thank the Senator. Can he tell me how the staff of the Environmental Policy Council will mesh with the staff of the Office of Environmental Quality when it is established?

Mr. MUSKIE. As I indicated from the language I read from the section-by-section analysis put in the RECORD by the Senator from Washington (Mr. JACKSON), the Office of Environmental Quality which would be created by title II of S. 7, would constitute the staff of the secretariat of the Council on Environmental Quality established by S. 1075, and the two would be meshed together in a way to produce a strong agency, strong at the board level and at the staff level, to begin the development of a coordinated Federal policy in the environmental field.

Mr. BOGGS. Mr. President, I thank the distinguished Senator from Maine for yielding, and for his answers to these questions. I take this opportunity to congratulate and commend him and

the distinguished Senator from Washington (Mr. JACKSON) for the excellent and outstanding work both have done in this field, and for their cooperation in working together and bringing forth a sound agreement on the language in this bill, including its legislative history.

I think this language protects the jurisdiction of other committees that have exercised jurisdiction in the environmental field, while preserving the basic intent of S. 1075.

Mr. MUSKIE. I thank the Senator. I am happy to yield now to the distinguished chairman of the Committee on Public Works, the Senator from West Virginia (Mr. RANDOLPH). I appreciate the confidence he has shown in permitting me to conduct these negotiations with Senator JACKSON, and the confidence he has expressed in the results we have produced.

Mr. RANDOLPH. Mr. President, my knowledgeable colleagues, the Senator from Maine (Mr. MUSKIE), the Senator from Washington (Mr. JACKSON), the Senator from Colorado (Mr. ALLOTT), and the Senator from Delaware (Mr. BOGGS) have discussed this legislation which is of concern, not only because of congressional committee jurisdiction, but to Congress and the people of the United States. Today, approximately 203 million persons, live in an area that is becoming increasingly confined. Because of the problems of urban development, mobility of people, and the methods by which products are moved from one point to another our society and our environment are constantly changing.

I wish to stress—and do it very briefly, I hope—what I believe has come out of the discussion today and prior conferences that have been held by members of the Public Works Committee and the Committee on Interior and Insular Affairs. There may have been some elements of misunderstanding. If there were, they have been resolved. If there were some elements of controversy, they have been dissipated.

I think that we have, through these deliberations, come closer together. This is important if we are to deal with environmental quality effectively. It is only of recent years, Mr. President, though environmental quality means so much to every facet of our society, that the Congress has given specific attention to this subject.

I serve not only as the chairman of the Senate Public Works Committee, but of our Subcommittee on Roads. We recognize, as my able colleague from Maine and others in this body have recognized, that in America, as we put down a mile of highway, no matter what type of road it is, we are not only placing cement or asphalt on the earth, but we are enabling people to move from one point to another.

So in 1968, it was my purpose, and the Senate and Congress agreed, that we would write into the Federal Aid Highway Act that year the first approach to this matter of relocation, bringing people into the conferences before an actual decision was made as to where a road would go, either by the State or Federal Government, or by an agreement of both

agencies. The Federal Aid Highway Act is an example of how we are making the people a part of policymaking, even though they, in a sense, are laymen rather than experts, that they would have a part in thinking these matters through.

The Senator from Maine (Mr. MUSKIE) and other Senators who have followed these matters know that it is important that we take people into our confidence before the fact rather than after the fact, in order to provide the opportunity for discussion of the many approaches which can bring a catalyst into being. And so, in the 1968 act, we dealt with matters such as relocation. As the Senator from Washington (Mr. JACKSON) knows, this is a matter of environmental quality for the people whose lives are affected by highways. We are facing up to our responsibility for the first time, to provide prompt compensation for those who are displaced in business and industry, or in their places of residence.

I use only this one legislative enactment of Congress to indicate that we are moving more broadly and more sufficiently to improve environmental quality. I could discuss, of course, the Corps of Engineers of the U.S. Army, and how now they are beginning to look at environmental matters as never before, because in the Congress of the United States, and the Committee on Public Works they have provided leadership and required them to consider environmental quality.

We find environmental quality interwoven with whatever we do. Whether it is building a road or constructing a bridge, whether it is in the impoundment of waters or constructing a building, we must realize that we are working not only with statistics and figures, but we are working with people. The lives of people are involved.

I think it is important for the RECORD to reflect that Senators have given their attention in recent weeks and days to this matter, have attempted to bring S. 1075 and S. 7 together to resolve jurisdictional problems and to lay down the ground rules that will guide us to doing a better job in the months and years ahead.

The stress has been here today on the coordination and the cooperation. I think this is a very real partnership among Senator JACKSON, Senator MUSKIE, Senator ALLOTT, and Senator BOGGS.

I think we are merging our efforts. We have arrived at an agreement. We must not fragment this effort. We must pool our efforts to assure for future generations an environment in which people can live and grow.

We must assure that consideration of legislation, which affects the environment in which people live, by people and committees who are dedicated to this very real task that lies before us. The resolution of differences between S. 1075 and S. 7, now H.R. 4148, provides this assurance.

As chairman of the Committee on Public Works, I congratulate all of those Senators who have carried on these negotiations. They were negotiations in the very best sense of the word. Although

all of the members of the Committee on Public Works did not engage in the various negotiations, they were kept completely informed of what the Senator from Maine (Mr. MUSKIE) was thinking and what his plans were. The Senator from Delaware (Mr. BOGGS), who well represents the viewpoint of the minority, although there is no minority within our committee, was present during most of those negotiations.

Mr. MUSKIE. Mr. President, I thank my distinguished chairman.

I have taken more time than I expected this afternoon. However, this is an opportunity to make clear our understanding. The record is clear.

I express my appreciation to the Senator from Washington (Mr. JACKSON), the Senator from Colorado (Mr. ALLOTT), and my colleagues on the Senate Public Works Committee.

Mr. JACKSON. Mr. President, I express my appreciation to the able chairman of the Public Works Committee, the Senator from West Virginia (Mr. RANDOLPH), for the support and understanding we have received from all of our colleagues on both committees.

I express my appreciation also to the Senator from Maine (Mr. MUSKIE), with whom I have worked very closely, the Senator from Delaware (Mr. BOGGS), and the Senator from Colorado (Mr. ALLOTT), and for the fine cooperation of the staff.

Mr. President, I ask unanimous consent that the conference report on S. 1075 be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

CONFERENCE REPORT, REPT. No. 91-765

[To accompany S. 1075]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1075), to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: That this Act may be cited as the "National Environmental Policy Act of 1969".

PURPOSE

SEC. 2. The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

TITLE I

DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

SEC. 101. (a) The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the pro-

found influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

(b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may—

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(c) The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

SEC. 102. The Congress authorizes and directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act, and (2) all agencies of the Federal Government shall—

(A) utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment;

(B) identify and develop methods and procedures, in consultation with the Council on Environmental Quality established by title II of this Act, which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations;

(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on—

(i) the environmental impact of the proposed action,

(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,

(iii) alternatives to the proposed action,

(iv) the relationship between local short-term uses of man's environment and the

maintenance and enhancement of long-term productivity, and

(v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of title 5, United States Code, and shall accompany the proposal through the existing agency review processes;

(D) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(E) recognize the worldwide and long-range character of environmental problems and, where consistent with the foreign policy of the United States, lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment;

(F) make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment;

(G) initiate and utilize ecological information in the planning and development of resource-oriented projects; and

(H) assist the Council on Environmental Quality established by title II of this Act.

SEC. 103. All agencies of the Federal Government shall review their present statutory authority, administrative regulations, and current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of this Act and shall propose to the President not later than July 1, 1971, such measures as may be necessary to bring their authority and policies into conformity with the intent, purposes, and procedures set forth in this Act.

SEC. 104. Nothing in Section 102 or 103 shall in any way affect the specific statutory obligations of any Federal agency (1) to comply with criteria or standards of environmental quality, (2) to coordinate or consult with any other Federal or State agency, or (3) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

SEC. 105. The policies and goals set forth in this Act are supplementary to those set forth in existing authorizations of Federal agencies.

TITLE II

COUNCIL ON ENVIRONMENTAL QUALITY

SEC. 201. The President shall transmit to the Congress annually beginning July 1, 1970, an Environmental Quality Report (hereinafter referred to as the "report") which shall set forth (1) the status and condition of the major natural, manmade, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; (2) current and foreseeable trends in the quality management and utilization of such environments and the effects of those trends on the social, eco-

conomic, and other requirements of the Nation; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation in the light of expected population pressures; (4) a review of the programs and activities (including regulatory activities) of the Federal Government, the State and local governments, and nongovernmental entities or individuals, with particular reference to their effect on the environment and on the conservation, development, and utilization of natural resources; and (5) a program for remedying the deficiencies of existing programs and activities, together with recommendations for legislation.

Sec. 202. There is created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. The President shall designate one of the members of the Council to serve as Chairman. Each member shall be a person who, as a result of his training, experience, and attainments, is exceptionally well qualified to analyze and interpret environmental trends and information of all kinds; to appraise programs and activities of the Federal Government in the light of the policy set forth in title I of this Act; to be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interests of the Nation; and to formulate and recommend national policies to promote the improvement of the quality of the environment.

Sec. 203. The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

Sec. 204. It shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the Environmental Quality Report required by section 201;

(2) to gather timely and authoritative information concerning the conditions and trends in the quality of the environment both current and prospective, to analyze and interpret such information for the purpose of determining whether such conditions and trends are interfering, or are likely to interfere, with the achievement of the policy set forth in title I of this Act, and to compile and submit to the President studies relating to such conditions and trends;

(3) to review and appraise the various programs and activities of the Federal Government in the light of the policy set forth in title I of this Act for the purpose of determining the extent to which such programs and activities are contributing to the achievement of such policy, and to make recommendations to the President with respect thereto;

(4) to develop and recommend to the President national policies to foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the Nation;

(5) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(6) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(7) to report at least once each year to the

President on the state and condition of the environment; and

(8) to make and furnish such studies, reports thereon, and recommendations with respect to matters of policy and legislation as the President may request.

Sec. 205. In exercising its powers, functions and duties under this Act, the Council shall—

(1) consult with the Citizens' Advisory Committee on Environmental Quality established by Executive Order numbered 11472, dated May 29, 1969, and with such representatives of science, industry, agriculture, labor, conservation organizations, State and local governments, and other groups as it deems advisable; and

(2) utilize, to the fullest extent possible, the services, facilities, and information (including statistical information) of public and private agencies and organizations, and individuals, in order that duplication of effort and expense may be avoided, thus assuring that the Council's activities will not unnecessarily overlap or conflict with similar activities authorized by law and performed by established agencies.

Sec. 206. Members of the Council shall serve full time and the Chairman of the Council shall be compensated at the rate provided for Level II of the Executive Schedule Pay Rates (5 U.S.C. 5313). The other members of the Council shall be compensated at the rate provided for Level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315).

Sec. 207. There are authorized to be appropriated to carry out the provisions of this Act not to exceed \$300,000 for fiscal year 1970, \$700,000 for fiscal year 1971, and \$1,000,000 for each fiscal year thereafter.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the title of the bill, insert the following: "An Act to establish a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes."

And the House agree to the same.

EDWARD A. GARMATZ,  
JOHN D. DINGELL,  
WAYNE N. ASPINALL,  
W. S. MAILLIARD,  
JOHN P. SAYLOR,

*Managers on the Part of the House.*

HENRY M. JACKSON,  
FRANK CHURCH,  
GAYLORD NELSON,  
GORDON ALLOTT,  
LEN B. JORDAN,

*Managers on the Part of the Senate.*

Mr. JACKSON. Mr. President, I move the adoption of the conference report.

The motion was agreed to.

#### PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, we will shortly have the foreign aid appropriations bill conference report before us. Whether that bill can be finished today is highly doubtful.

Then on Monday, it is anticipated that we will have the supplemental appropriations bill and the tax reform bill, and somewhere along the line, perhaps, the Labor-HEW appropriations bill conference report. We have four altogether.

And for the information of the Senate, it can expect votes on the foreign aid appropriations bill conference report this afternoon or Monday or Tuesday or Wednesday or next month, whenever we get to the appropriate time.

#### RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent at this time that the Senate stand in recess until 4:30 p.m.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Thereupon (at 3 o'clock and 55 minutes p.m.), the Senate took a recess until 4:30 p.m.

The Senate reconvened at 4 o'clock and 30 minutes p.m. when called to order by the Presiding Officer (Mr. BYRD of West Virginia in the chair).

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed 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. 15149) making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1970, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 6 to the bill and concurred therein; and that the House receded from its disagreement to the amendments numbered 8 and 31 to the bill and concurred therein, each with an amendment, in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H.R. 9334. An act to amend title 38, United States Code, to promote the care and treatment of veterans in State veterans' homes; and

H.R. 14751. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes.

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a quorum call, and to comply with the rule, before I make that suggestion, I want to announce that it will be a live quorum. I hope officials will notify Senators that it will be a live quorum.

The PRESIDING OFFICER (Mr. HUGHES in the chair). Is the Senator suggesting the absence of a quorum?

Mr. MANSFIELD. Oh, yes. It will be a live quorum.

as ranking minority member of the House Science and Astronautics Committee, and also ranking member on the Manned Space Flight Subcommittee, my question is first for how long is this loan? I might say so far as the wording of the resolution is concerned, "loan" is a noun and "lend" is the verb. So it would be very nice to have it read—lend the flag—instead of loan it.

How long is this loan to be for? I favor lending the flag to the Smithsonian for a definite period, but not indefinitely. I am very interested in this flag taken to the moon by Apollo 11 astronauts, as I was the member who purchased the flag flown over the U.S. Capitol to be carried to the moon on behalf of the House. I have had the hope that the historic flag would be kept up in the Capitol for display by the House, as the House certainly had a lot to do with the Apollo 11 going to the moon—we were the strong backers of the Apollo moon program, backing it unanimously in the House on a record vote which I called, to support President Kennedy in his courageous plan announced in the House Chamber in a joint session in 1961, to land a man on the moon and return him safely in this decade.

The SPEAKER. In reply to the gentleman's inquiry, the resolution provides that the flag shall be returned to the House of Representatives on or before June 1, 1970.

Mr. FULTON of Pennsylvania. For how long, Mr. Speaker? I did not hear—until June 1, 1970?

The SPEAKER. Exactly.

Mr. FULTON of Pennsylvania. There is a definite time limit on the loan then when the flag will be returned?

The SPEAKER. Until June 1, 1970.

Mr. FULTON of Pennsylvania. I am glad to hear the loan is of limited time duration, and return will be made to the House. I had hoped originally that the flag would be brought up here and displayed either in the Rotunda of the Capitol or inside of the House, because it was for the purpose of display in the Capitol by the House of Representatives that I acquired the flag.

Mr. Speaker, on the basis the flag is returned by the Smithsonian Institution to the House, on June 1, 1970, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma (Mr. ALBERT)?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### CONFERENCE REPORT ON S. 1075, NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

Mr. DINGELL. Mr. Speaker, I call up the conference report on the bill (S. 1075) to declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources impor-

tant to the Nation; and to establish a Council on Environmental Quality, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, does the gentleman propose to take some time to explain this conference report?

Mr. DINGELL. In answer to the question of my good friend, the gentleman from Iowa, the answer is yes.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of December 17, 1969.)

Mr. DINGELL (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House be considered as read.

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

There was no objection.

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

Mr. DINGELL. Mr. Speaker, S. 1075, as originally passed by the Senate, contained three titles in the bill. Title I provided for a declaration by the Congress of a national environmental policy; title II provided the necessary authorization for the Federal agencies to carry out the purposes of the act in conjunction with their existing ongoing programs and activities; and title III provided for the creation of a Board of Environmental Quality Advisers in the Executive Office of the President.

Mr. Speaker, as the Members of the House will recall, the House struck out of the Senate bill all after the enacting clause and inserted in lieu thereof a substitute amendment. The House amendment to the bill was very similar to title III of the Senate-passed bill except for the name "Board of Environmental Quality Advisers" which was changed to read "Council on Environmental Quality." There were no provisions in the House amendment similar to titles I and II of the bill as originally passed by the Senate.

Mr. Speaker, the committee of conference has agreed to a substitute for both the Senate bill and the House amendment. The substitute is in effect title I of the bill as originally passed by the Senate and the House amendment to the bill.

Except for technical, clarifying, and conforming changes, following is a brief explanation of the differences between the bill, as passed by the House, and the substitute, as provided by the conference agreement:

#### PROVISIONS OF THE CONFERENCE SUBSTITUTE

Section 1 of the Senate bill provided that the bill may be cited as the "National Environmental Policy Act of 1969". Section 2 of the Senate bill contained a statement of the purpose of the bill. There were no similar

provisions in the House amendment. The conference substitute conforms to the Senate bill with respect to these two sections.

Title I of the bill provides for a declaration of a national environmental policy. There was no similar provision in the House amendment to the bill.

Section 101 of the Senate bill contained a recognition by Congress of (1) the critical dependency of man on his environment, (2) the profound influences which the factors of contemporary life have had and will have on the environment, and (3) certain specified goals in the management of the environment which the Federal Government should, as a matter of national policy, attain by use of all possible means, consistent with other essential considerations of national policy. The House amendment (in the first section thereof) contained a general statement of national environmental policy, but did not include specified policy goals. The first section of the House amendment also stated that the Federal Government should achieve the general policy in cooperation with State and local governments and certain specified public and private organizations and that financial and technical assistance should be among the means and measures used by the Federal Government to achieve the policy. Under the conference agreement, the language of the House amendment is substantially retained in section 101(a) of the conference substitute.

The national goals of environmental policy specified in the Senate bill are set forth in section 101(b) of the conference substitute. Some of the national goals are as follows:

- (1) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;
- (2) attain the widest range of beneficial uses of the environment;
- (3) preserve important historic, cultural, and natural aspects of our national heritage;
- (4) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
- (5) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

Section 101(c) of the conference substitute states that "Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment. There was no similar provision in the House amendment.

Section 102 of the conference substitute is based on section 102 of the Senate bill. There was no comparable provision in the House amendment. Under the conference substitute, the Congress authorizes and directs that, to the fullest extent possible: (1) the Federal laws, regulations, and policies be administered in accordance with the policies set forth in the bill; and (2) all Federal agencies shall—

(A) utilize a systematic, interdisciplinary approach to insure integrated use of the sciences and arts in any official planning or decision-making which may have an impact on the environment;

(B) in consultation with the Council on Environmental Quality, identify and develop methods and procedures to insure that unquantified environmental amenities will be considered in the agency decision-making process, along with economic and technical considerations;

(C) include in every recommendation or report on proposals for legislation or other major Federal actions a detailed statement by the responsible official on the environmental impact of the proposed action, any adverse environmental effects which cannot be avoided should the proposal be adopted, alternatives to the proposed action, the relationship between the short-term uses of

the environment and the maintenance and enhancement of long-term productivity, and any irreversible and irretrievable commitments of resources which would be involved. Prior to making any such detailed statement, the responsible Federal official would be required to consult with and obtain the comments of any Federal agency having jurisdiction by law or special expertise with respect to any environmental impact involved and the comments of any such agency, together with the comments and views of appropriate State and local agencies, would be required thereafter to be made available to the President, the Council on Environmental Quality, and the public.

In addition, the Federal agencies would be required to—

(D) study, develop, and describe appropriate alternatives to recommend courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(E) recognize the worldwide and long-range character of environmental problems and, where consistent with the foreign policy of the United States, lend support to programs and other ventures designed to maximize international cooperation in anticipating and preventing a decline in the world environment;

(F) make available to State and local governments and individuals and organizations advice and information useful in restoring, maintaining and enhancing the quality of the environment;

(G) initiate and utilize ecological information in the planning and development of resource-oriented projects; and

(H) assist the Council on Environmental Quality established under title II of the bill.

Section 103 is based upon a provision of the Senate bill (section 102(f)) which was not in the House amendment. This section provides that all agencies of the Federal Government shall review their "present statutory authority, administrative regulations, and current policies and procedures to determine whether there are any deficiencies and inconsistencies therein which prohibit full compliance with the purpose and provisions" of the bill. If an agency finds such deficiencies or inconsistencies, it is required under this section to propose to the President not later than July 1, 1971, such measures as may be necessary to bring its authority and policies into conformity with the intent, purposes, and procedures of the bill.

Section 104, which was not in the House amendment, provides that nothing in sections 102 or 103 shall affect the specific statutory obligations of any Federal agency—

(1) to comply with criteria and standards of environmental quality;

(2) to coordinate or consult with any Federal or State agency; or

(3) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

Section 105 declares that the policies and goals set forth in the bill are supplementary to those set forth in existing authorities of Federal agencies. The effect of this section is to give recognition to the fact that the bill does not repeal existing law and that it does not obviate the requirement that the Federal agencies conduct their activities in accordance with the provisions of this bill unless to do so would clearly violate their existing statutory authorizations.

Title II of the bill has to do with the establishment of the Council on Environmental Quality and is essentially the same as the House amendment to S. 1075.

Section 201 of the conference substitute requires the President to submit to the Congress annually, beginning July 1, 1970, an

Environmental Quality Report which will set forth an up-to-date inventory of the American environment, broadly and generally identified, together with an estimate of the impact of visible future trends upon the environment. Such report shall also include a review of the programs and activities of the Federal, State, and local governments, as well as those of non-governmental groups, with respect to environmental conditions, together with recommendations for remedying the deficiencies of existing programs, including legislative recommendations.

Section 202 of the conference substitute establishes in the Executive Office of the President a Council on Environmental Quality composed of three members appointed by the President by and with the advice and consent of the Senate. One of the members shall be designated by the President as the chairman of the Council. The conference substitute provision is basically the House provision except that the membership of the Council would be reduced from five to three and the members of the Council would have to be approved by and with the advice and consent of the Senate.

Section 203 of the conference substitute (which were contained in both the House amendment and the bill as it originally passed the Senate) would permit the Council to hire such officers and employees as are necessary to carry out the purposes of the Act and also would permit the Council to hire such experts and consultants as may be appropriate.

The House amendment set forth the following duties and functions of the Council on Environmental Quality—

(1) to assist the President in the preparation of the Environmental Quality Report;

(2) to gather information on the short- and long-term problems that merit Council attention, together with a continuing analysis of these problems as they may affect the policies stated in section 101;

(3) to maintain a continuing review of Federal programs and activities as they may affect the policies declared in section 101, and to keep the President informed on the degree to which those programs and activities may be consistent with those policies;

(4) to develop and to recommend policies to the President, on the basis of its activities, whereby the quality of our environment may be enhanced, consistent with our social, economic and other requirements;

(5) to make studies and recommendations relating to environmental considerations, as the President may direct; and

(6) to report at least once each year to the President.

Section 204 of the conference substitute contains the functions and duties listed above and also adds the following functions and duties (which, under title II of the bill as it originally passed the Senate, would have been the responsibilities of other Federal agencies)—

(1) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality; and

(2) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes.

Section 205 of the conference substitute sets forth those public and private organizations with which the Council on Environmental Quality shall consult in carrying out its functions and duties under the Act and states that the Council should utilize, to the fullest extent possible, the services, facilities, and information of public and private organizations and individuals in carry-

ing out such functions and duties. Section 205 conforms to the language in section 7 of the House amendment, with the exception that the conference substitute provision specifies that the Council shall consult also with the Citizens' Advisory Committee on Environmental Quality, which was established in May, 1969, by Executive Order of the President.

Section 206 provides that the Chairman of the Council on Environmental Quality shall be compensated at the rate provided for at Level II of the Executive Schedule Pay Rates, and that the other members of the Council shall be compensated at the rate provided for in Level IV of such Rates. This section conforms with the rates of compensation provided for in both the House amendment and the bill as it originally passed the Senate.

Section 207 of the conference substitute authorizes the appropriation of not to exceed \$300,000 in fiscal year 1970, \$700,000 in fiscal year 1971, and \$1,000,000 in each fiscal year thereafter, to carry out the purposes of the Act. Under the House amendment, the same amounts were authorized to be appropriated except with respect to fiscal year 1971, for which \$500,000 was authorized.

Mr. Speaker, before closing I would like to take this opportunity to pay tribute to my colleagues, particularly to my distinguished chairman, the Honorable EDWARD A. GARMATZ, the members of the Merchant Marine and Fisheries Committee, and the House and Senate conference committee, who have worked so courageously and diligently in seeing that this legislation came to fruition. It has been a long and hard-fought battle, but we have been successful, and I cannot congratulate my colleagues enough.

Mr. Speaker, my efforts in behalf of this legislation date back to March of 1967, when in the first session of the 90th Congress, I and several other members of the House introduced similar legislation to provide for the establishment of a Council on Environmental Quality. Although no action—other than hearings—was taken in the 90th Congress, much valuable groundwork was laid.

In February of this year, I again introduced legislation and was most fortunate in having it referred to the Committee on Merchant Marine and Fisheries, and subsequently to the Subcommittee on Fisheries and Wildlife Conservation, the subcommittee I have the honor of chairing. The subcommittee held 7 full days of hearings on the legislation, and as a result of the hearings, H.R. 12549, which was reported by the committee and passed by the House, was cosponsored by all the members of the subcommittee. As you will probably recall, the bill passed on the floor of the House overwhelmingly with a vote of 372 to 15.

Mr. Speaker, the passage of this legislation will constitute one of the most significant steps ever taken in the field of conservation. With the establishment of the Council on Environmental Quality, we can now move forward to preserve and enhance our air, aquatic, and terrestrial environments, and at the same time it will offer us an opportunity to carry out the policies and goals set forth in the bill to provide each citizen of this great country a healthful environment.

Mr. Speaker, I strongly recommend the adoption of this conference report.

Mr. Speaker, I have reviewed the state-

ment of the chairman of the Senate Interior and Insular Affairs Committee and find no inconsistencies in his statement with that of the statement on the part of the House managers.

Mr. Speaker, a communication from the gentleman from Maryland follows:

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON PUBLIC WORKS,  
Washington, D.C., December 20, 1969.

HON. JOHN D. DINGELL,  
House Committee on Merchant Marine and Fisheries, Rayburn House Office Building, Washington, D.C.

DEAR JOHN: It is my understanding that the Conference Report on S. 1075 will shortly be scheduled for Floor consideration. I have had an opportunity to review the Conference Report.

I have a few questions concerning the effects of the legislation which I would like to address to you for clarification on the Floor. Four questions are enclosed.

Sincerely yours,

GEORGE H. FALLON,  
Chairman.

QUESTIONS BY MR. FALLON

I have had an opportunity to review the Conference Report on S. 1075. I have a few questions concerning the effects of the legislation which I would like to address to the gentleman.

1. Would the gentleman advise as to the intent of the House Conferees with regard to committee jurisdiction concerning the annual report required of the President by Section 201 and the recommendations made therein?

Answer: It is the clear intent of the House Conferees that the annual report required by Section 201 would be referred in the House of Representatives to all committees which have exercised jurisdiction over any part of the subject matter contained therein. The House Conferees' refusal to accept specific language for inclusion in the Conference Report was based upon a parliamentary technicality and was in no way intended to place exclusive jurisdiction over the President's report in any one committee.

The House Conferees intend that under the language of the Conference Report, the annual report and the recommendations made by the President would be the vehicle for oversight hearings and hearings by the appropriate legislative committees of the House, and the referral of the annual report would be made to all appropriate committees.

2. H.R. 4148 which is now in conference includes provision for the Office of Environmental Quality which would serve to advise the Council of Environmental Quality which is established in S. 1075. Is there any conflict between the Office and the Council?

Answer: Title II establishes a Council on Environmental Quality in the Executive Office of the President. This Council will provide an institution and an organizational focus at the highest level for the concerns of environmental management. It will provide the President with objective advice, and a continuing and comprehensive overview of the Federal jurisdictions involved with the environment. The Council's activities in this area will be complemented by the support of the Office of Environmental Quality proposed in H.R. 4148, the Water Quality Improvement Act of 1969. It is not intended that the Council will employ, pursuant to Section 203, a staff which would in any way conflict with the capabilities of the staff of the Office of Environmental Quality.

It is further understood that, when the Office of Environmental Quality is established, it will mesh with the Council as an integrated agency in the Office of the President—the Council operating on the policy

level and the Office of Environmental Quality on the staff level. The professional staff of the Office will be available to the Council to assist in the implementation of existing environmental policy and the provisions of the legislation and to assist in forecasting future environmental problems, values and goals.

3. Is it intended that the Council become involved in the day to day operation of the Federal agencies, specific project, or in inter-agency conflicts which arise from time to time?

Answer: In including Section 204, Item (3), pertaining to the duties and functions of the Council, the Conferees on the part of the House did not view this direction to the Council as implying a project-by-project review and commentary on Federal programs. Rather, it is intended that the Council will periodically examine the general direction and impact of Federal programs in relation to environmental trends and problems and recommend general changes in direction or supplementation of such programs when they appear to be appropriate.

It is not the Conferees' intent that the Council be involved in the day-to-day decision-making processes of the Federal Government or that it be involved in the resolution of particular conflict between agencies and departments. These functions can best be performed by the Bureau of the Budget, the President's Interagency Cabinet-level Council on the Environment or by the President himself.

4. What would be the effect of this legislation on the Federal Water Pollution Control Agency?

Answer: Many existing agencies such as the Federal Water Pollution Control Agency already have important responsibilities in the area of environment control. The provisions of Sections 102 and 103 are not designed to result in any change in the manner in which they carry out their environmental protection authority. This provision is primarily designed to assure consideration of environmental matters by agencies in their planning and decision-making—but most especially those agencies who now have little or no legislative authority to take environmental considerations into account.

GENERAL LEAVE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may revise and extend their remarks on the conference report on environmental quality.

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

There was no objection.

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

Mr. DINGELL. I yield to the gentleman from California (Mr. MAILLIARD).

Mr. MAILLIARD. Mr. Speaker, I consider this a very important bill.

I support the conference report and statement of the House managers on S. 1075 to establish a national policy for the environment, and to provide for the establishment of a Council on Environmental Quality. I urge my colleagues to adopt this report.

S. 1075, as passed by the House, would establish a five-member Council on Environmental Quality appointed by the President whose principal duty would be to assist the President in the preparation of an annual environmental quality report. Additionally, the Council would make and furnish to the President such

studies, together with policy and legislative recommendations in the area of environmental quality as the President might request. The bill contained a brief statement of policy recognizing the impact of man's activity on all components of the natural environment, and the critical importance of restoring and maintaining environmental quality for the welfare of mankind.

The Senate bill would establish a comparable three-member Board on Environmental Quality which would perform essentially the same functions called for in the House bill. The Senate, however, substantially increased the responsibilities of this advisory group so that it would have continuing statutory authority and responsibility to monitor the quality of the environment and review the activities of the Federal Government to determine the extent to which its programs contribute to the achievement of environmental quality. The Senate bill would thus create a more dynamic council, one that need not wait for an executive request to pursue the policy mandate of the Congress. I believe this is an important and significant strengthening of the Council.

The Senate bill also contained a more detailed statement of policy and, most significantly, positive direction to all agencies of the Federal Government that they shall administer their programs to the fullest extent possible in a manner which reflects the declaration of national environmental policy set forth in the bill.

What the conference has done, in essence, is to adopt the basic House version of S. 1075 with respect to the establishment of the Council, together with the strengthening provisions I have mentioned previously, and that portion of the Senate bill setting forth detailed policy statements and agency directives.

Title I of the conference bill sets forth the statements of policy and requirements for implementation of these policies while title II of the bill establishes the Council on Environmental Quality.

Mr. Speaker, the work of the conference has produced a careful blending of the House and Senate-passed bills while retaining the basic thrust of both. This legislation stands as a commitment to the American people that the quality of life in this country in terms of its basic environmental components will be restored and maintained for our own benefit and that of succeeding generations of Americans.

Again, Mr. Speaker, I urge adoption of the conference report.

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

Mr. DINGELL. I yield to my good friend the gentleman from Pennsylvania.

Mr. SAYLOR. Mr. Speaker, I rise in strong support of the conference report on S. 1075, the National Environmental Policy Act of 1969. The bill as agreed upon by the conference is a landmark in the history of conservation legislation.

While this landmark legislation is not as strong and inclusive as I would pre-

fer it to be, it provides the foundation upon which this Congress and future Congresses can forge ahead toward the goal of providing all Americans with a quality environment in which they can live.

Mr. Speaker, the importance of this legislation cannot be overstated. My colleagues in this body should well understand the need and goals behind this legislation. In this Nation today, we read with ever increasing frequency about the pollution of our waters, pollution of the air we breathe, the scarring of our natural landscape, through the exploitation of our resources. The profound impact of man's activity through technological advances, to accommodate the growing urbanization, resource exploitation, and the industrial expansion has a direct interrelation to the health and welfare of all Americans.

The report of the conference committee seeks to meet this challenge by recognizing the need for a coordinated Federal program to attack the abuses so nonchalantly inflicted upon all mankind. The bill as reported by the committee of conference proposes a Council on Environmental Quality to coordinate the directives that each Federal agency examine its authority and programs, and to administer and interpret that authority and programs so as to assure for all Americans a safe, healthful, productive, esthetic, and cultural environment.

I am privileged to have sponsored a similar measure, H.R. 12900, in this first session of the 91st Congress. I have also witnessed during this first session of the 91st Congress a number of converts to our environmental concerns. I am thankful for their concern and support because it expresses the responsibility of Congress to the public demand. That public demand is for a coordinated Federal program directed toward the protection of our environment.

Mr. Speaker, I most strongly support the adoption of the conference report and urge my colleagues to support its adoption.

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

Mr. DINGELL. I yield to my good friend, the gentleman from Ohio (Mr. HARSHA).

Mr. HARSHA. Mr. Speaker, I would like to ask the distinguished gentleman from Michigan a question. It is my understanding this legislation contains several questions about jurisdiction of various committees in the House. It was my understanding there was to be a statement on the part of the managers, or on the part of the gentleman from Michigan, on the subject.

Mr. DINGELL. Mr. Speaker, I assure the gentleman from Ohio the statement will be in my extension of remarks.

Mr. HARSHA. Do I have the gentleman's assurance this will not invade the jurisdiction of the Public Works Committee in particular?

Mr. DINGELL. Mr. Speaker, it is not the intention of this committee to impair or alter or change in any fashion the jurisdiction of any sitting committee in this body.

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

Mr. GARMATZ. Mr. Speaker, I would like to join my colleagues in recommending passage of the conference report on S. 1075. This legislation, if enacted, would provide for the establishment of a Council on Environmental Quality.

The Council, which would be composed of outstanding and qualified leaders of the scientific, industrial and business community, would oversee and review all national policies relating to our environment; it would report directly to the President and recommend national programs to foster and promote the improvement of the Nation's total environmental quality.

One of the vital functions of this Council would be to consult with State and local governments and other interested groups and individuals, and to utilize the services, facilities and information of these agencies and organizations. I consider this to be an extremely important and significant function, since, for the first time, it would establish an effective liaison between the Federal Government and individual States, thereby creating a long-needed central clearinghouse of information.

Mr. Speaker, the ugly and devastating disease of pollution has contaminated every aspect of our environment—air, land, and water. The problem is so vast and interrelated, one segment of the environment cannot be separated from another. The only logical and practical approach is a broad-ranging, coordinated Federal program, as proposed in this legislation.

Establishing such a Council will not solve all our massive pollution problems. It will, however, constitute the most significant step yet taken to conserve and preserve our natural resources for future generations.

I also think it is fitting to add a word of praise about my distinguished colleague, JOHN DINGELL, because it is he—more than any other—who pioneered the movement that gradually evolved into the legislation we have before us today. Although we are considering the Senate bill, I think it is important to recognize that Congressman Dingell's efforts date back to March, 1967, when he first introduced legislation on this issue. As chairman of our Subcommittee on Fisheries and Wildlife Conservation, he also sacrificed much in personal time and effort in a series of seven hearings—which he chaired in May and June of this year. An impressive record was established at those hearings, which were held both morning and afternoon—on each of the 7 days.

Mr. Speaker, I am sure that this important legislation will be passed and enacted expeditiously, so that we can all get on with the job of protecting our environment from further destruction by man.

Mr. ASPINALL. Mr. Speaker, the conference report on S. 1075, which is now before this House for consideration, brings to the attention of the Members of Congress the many facets of the problems of environmental quality which are

continually coming before the Congress of the United States for consideration and solution. Most apparent of these various problems is the matter of jurisdiction of not only the executive departments but also the committees of Congress. For the first time, to my knowledge, since I have been a Member of Congress—some 21 years—the conferees appointed from this body included members of two different standing committees of the House. I do not see how the matter could have been resolved otherwise, although I would be the first one to admit that perhaps other committees of the House should have had representation on the conference committee in addition to those two committees handling the conference report. As a House conferee, I have signed the conference report but I have refused to sign the statement of the managers on the part of the House. This is the first time that I have found myself in this unenviable position. However, I find that I cannot read into the language that was finally agreed upon by the conferees the interpretation that is given to it in the statement of the House managers. I desire my position to be clearly set forth.

The two principal purposes of S. 1075 are: First, to state congressional policy with respect to protecting our natural environment; and, second, to establish a Council on Environmental Quality to alert this Nation with respect to environmental problems that we must face up to and resolve in the years ahead. The legislation which has emerged from the conference committee accomplishes both of these purposes. And while environmental problems are already receiving increased attention in connection with ongoing Federal programs, I believed that this legislation will add new emphasis and urgency to their resolution. Thus, the language of the conference report has my approval. However, the statement of managers, in certain respects, does not accurately interpret the language in the conference report.

Since I first became involved in this legislation at the time it was considered in the House, it has been my purpose to try to establish an orderly procedure for bringing the operations of all existing Federal agencies into compliance with the environmental policy requirements of this legislation. It has been my position from the beginning that existing Federal agencies should not be given new statutory authority by this legislation. All agencies should cooperate so far as possible under their existing authority in complying with the congressional statement of environmental policy and should seek, through normal procedures, the authority they need to fully comply with this policy. This agency procedure is established in sections 102 and 103 of the conference report, the final language of which is language that I suggested to the conference committee.

Section 102 tells the agencies to follow to the fullest extent possible under their existing authority the procedures required to make their operations consistent with the environmental policy established in this act; and section 103

tells them to review their statutory authority and, if there are deficiencies or inconsistencies which prohibit full compliance with the purposes and provisions of this act, to report not later than July 1, 1971, what additional authority is needed to permit them to operate in conformity with this act. There is no language in these two sections to support the interpretation given in the statement of managers which reads:

The House conferees are of the view that the new language does not in any way limit the Congressional authorization and directive to all agencies of the Federal Government set out in subparagraphs (A) through (H) of clause (2) of section 102. The purpose of the new language is to make it clear that each agency of the Federal Government shall comply with the directives set out in such subparagraphs (A) through (H) unless the existing law applicable to such agency's operations expressly prohibits or makes full compliance with one of the directives impossible. \* \* \* the intent of the conferees is that all Federal agencies shall comply with the provisions of section 102 "to the fullest extent possible," unless, of course, there is found to be a clear conflict between its existing statutory authority and the bill.

The conference report language requires the agencies to determine whether there are any deficiencies in their statutory authority which prohibit compliance, and you cannot make "deficiencies in statutory authority" mean "clear conflict between its existing statutory authority and the bill" merely by statements of intent and interpretation in the statement of managers. A deficiency in an agency statutory authority which prohibits compliance cannot be interpreted to mean that—

Each agency \* \* \* shall comply \* \* \* unless the existing law applicable to such agency's operations expressly prohibits or makes full compliance \* \* \* impossible.

Mr. Speaker, I do not believe that this matter is of such urgency that we cannot take the time to follow an orderly procedure in requiring all agencies to get their operations in line with the environmental policy, needs, and goals of this Nation. They can do that by proceeding as required in the conference report to examine their authority and move quickly to recommend the necessary changes. The new statutory authority that is needed can then be recommended to the Congress and can be considered by the committees of Congress having jurisdiction.

I recommend approval of the conference report.

Mr. GALIFIANAKIS. Mr. Speaker, I am very pleased to see the results of the House-Senate conference committee on S. 1075, the National Environmental Policy Act of 1969. Our colleagues have brought forth an excellent piece of legislation which will, in my opinion, become a landmark in society's struggle to preserve the quality of our surroundings while continuing to enjoy high standards of living.

This legislation is further demonstration of congressional leadership in resolving the basic conflicts of using the

environment. It caps a decade of response to public concern which has generated laws for pollution abatement, natural resource management, recreation and natural beauty. The enthusiastic administration of these laws by the executive branch should bring a restoration of environmental quality in the United States of which we may all be proud.

The activities of Government agencies will all be subjected to a thorough review, under the terms of this bill, to judge their impact on the environment and to minimize adverse effects. A great deal of scientific knowledge will be necessary to avoid subjective judgment and to form a basis for enforcement which is incontrovertible. I would call to the attention of the Congress, Mr. Speaker, the important facilities and the trained scientists and engineers now at work in North Carolina on these very problems. The research triangle area of Raleigh, Durham, and Chapel Hill houses three progressive institutions of higher learning. In addition the National Institute of Environmental Health and major laboratories of the National Air Pollution Control Administration are located in the area.

It is clear that these technical organizations will play a major role in implementing the bill we have before us today. The interplay of ideas facilitated by the proximity of many different laboratories and training centers will make North Carolina a focal point for Government and private sector management personnel as they seek the facts to bring their programs into consonance with the new National Environmental Policy Act.

Mr. HARSHA. Mr. Speaker, I am happy to have the assurance of the gentleman from Michigan (Mr. DINGELL) that there is no intent to infringe upon the jurisdiction of any committee in this Congress.

However, I am still concerned about the sweeping effect this legislation could have on the substantive law and the jurisdiction of practically every committee in this Congress.

Functions and responsibilities of the Federal agencies are substantively changed in the House substitute for S. 1075. These changes have a definite bearing on the interpretation of existing laws and administration of programs which are under the jurisdiction of committees other than the originating committee of this legislation in the House. In addition the annual environmental quality report which would include legislative recommendations for realigning agency functions and responsibilities conceivably could be referred to that one originating committee and in effect make them an oversight committee for a myriad of programs presently under the jurisdiction of other committees.

I trust this is not the case and that the remarks of the gentleman from Michigan (Mr. DINGELL) will preclude any such action.

While I appreciate the assurances of the gentleman from Michigan I still have deep reservations about this conference

report and feel I must warn the Members that they should be on guard against the ramifications of a measure that is so loose and ambiguous as this.

I fear that the purpose of this bill is to cause a change in the organization of the House of Representatives and to reorganize the administrative agencies for the purpose of transferring jurisdiction and powers to certain committees of this body.

Lest this sound too strong an accusation, I would remind this body that the President of the United States was the first to organize a Council of this nature. Under the guise for support of such a concept and with a view toward providing the benefits of a legislative organized body, S. 1075 and its original counterparts were set before the bodies of Congress.

However, if we read this bill and if we look at what it does, we discover it does absolutely nothing to control pollution. The language is vague and strange. The exposition which we may find in the CONGRESSIONAL RECORD of December 20 where the other body acted gives us cause to wonder. For example, I would invite the attention of my colleagues to the RECORD of December 20, 1969, page 40423, at the point where the distinguished junior Senator from Maine addresses himself to the meaning of this legislation. At that point the concern of the Public Works Committee of the other body was expressed because the language is such that it could be read and interpreted to mean that the jurisdiction of that committee in that body over various areas of environmental concern would be altered. It is my understanding of the RECORD that assurances were given to the Public Works Committee of the Senate by that body that this was not the case. I must admit that I would feel considerably more content about this bill if similar assurances were given in this body.

I would like, if I might, to invite the attention of my colleagues to page 40425 of the RECORD of December 20. In this, the distinguished junior Senator from Maine distinguishes between environmental control agencies and those agencies which have a strong impact upon the environment. In the latter category, he means the Bureau of Public Roads, for example, as well as the Atomic Energy Commission. He further states that the nature and extent of environmental impact with regard to these agencies will be determined by the environmental control agencies.

Now this might be a desirable thing; I do not know and I do not say at this time that it is not. I do say, however, that this is a major revision of the administrative functions of the U.S. Government and is indeed far beyond the concept of that which the House in its wisdom thought it was passing when H.R. 12549 was considered by this body.

Obviously there was considerable reservation in the Senator from Maine's mind about this bill or there would have been no need for the colloquy.

In other words, reasonable minds

could come to different conclusions about this legislation because it is so loose and ambiguous.

The impact of S. 1075, if it becomes law, I am convinced would be so wide sweeping as to involve every branch of the Government, every committee of Congress, every agency, and every program of the Nation. This is such an important matter that I am convinced that we here should consider it very, very carefully and make a clear record as to exactly the direction in which we wish the various elements of our Government, to move.

I regret that so important a matter is being handled in so light a manner. I realize the Members desire to adjourn for Christmas and that the hour is late and that we are all tired, but this is no subject to merely brush aside. I had hoped that this matter could be laid over until Congress reconvenes, providing the Congress with ample time to fully understand the complete ramifications of this legislation.

Mr. Speaker, I fear, too, that there may be a measure of politics in the action forced upon us here tonight.

Frequently, it is the practice in the American political arena to use emotionally charged words or phrases as a disguise for actions completely divorced from the true intent of the apparent purpose. I believe we have such a case here.

As we all know, the word "environment" has become emotionally charged. We are given to understand that a major thrust of the President's state of the Union address will concern itself with this subject. We have been told—and the CONGRESSIONAL RECORD supports it—that an effort is being made among the campuses of the country to make "environment" an issue leading to demonstrations of various types. It is my understanding indeed that high-placed Government officials in the legislative branch have extended their support for these demonstrations.

I would take the liberty, Mr. Speaker, of reminding this body that whenever a subject becomes so infused with emotion, the danger arises that it can be used to defeat the very purposes which it purports to support.

I suggest to this body that we have such a case here in S. 1075.

I have devoted much of the time that I have spent serving in this body to the creation, support and passage of pollution control legislation. I believe that I am thoroughly familiar with our problems in water pollution, our problems with the administrative agencies, and our problems in accomplishing the efforts made toward improving the environment. I am woefully aware of the problems that have not yet been solved; and I shall support as I have in the past, any legitimate effort to solve these problems but I cannot stand idly by and watch this most serious problem of our Nation and indeed of all the nations be used as a thin disguise of politically motivated moves.

Mr. Speaker, this matter should be laid over until Congress reconvenes in January so that Members can be adequately

apprised of the full import of this measure.

Mr. FARBSTEN. Mr. Speaker, I fully supported S. 1075 when it came to the floor of the House in October, and I continue to support it today. However, I hope that its passage will not serve as an excuse for substantive legislative action.

The bill establishes a national policy for the environment. Unfortunately, policy standards can easily get lost in the bureaucratic maze.

The bill authorizes studies and research on environmental problems. All too often, research has been used by the Federal Government as an excuse for action. The Federal Government has studied environmental problems to death. We know that our air and waters are polluted. It does us a great deal more good to establish programs to do away with this situation than to study the extent of it from every possible angle.

The bill also establishes a Board of Environmental Quality Advisers. More bureaucracy need not bring more action.

I hope that before this Congress adjourns next year, it can take some of the substantive steps necessary to demonstrate a genuine commitment to do something about the environment.

In the area of auto-caused air pollution, this means ignoring the pressure of the auto-oil complex and passing strict new standards for pollution control, controlling the use of additives in fuels, and making it clear in many other ways as well that the Federal Government is not going to sit idly by and let the automobile suffocate us all.

In the area of water pollution, this means enactment of legislation like the Regional Water Quality Act of 1970, to make the polluter pay for the cost of his pollution. It also means more money for water pollution abatement. I am the House sponsor of that bill.

It means that the Federal Government should be policing its own dispoiling of the environment.

The bill we have before us, S. 1075, is certainly a good bill and deserves enactment, but it must not be used as an excuse for substantive action.

The SPEAKER. The question is on the conference report.

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

#### REQUEST FOR AUTHORITY FOR SPEAKER TO DECLARE RECESS TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order at any time today for the Speaker to declare a recess subject to the call of the Chair.

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

Mr. GROSS. Mr. Speaker, I object. The SPEAKER. Objection is heard.

#### PERSONAL EXPLANATION

Mr. STOKES. Mr. Speaker, on Saturday, on rollcall No. 347, on the adoption

of the conference report on the Economic Opportunity Act amendments, I was away on business. Had I been present, I would have voted "yea."

Mr. Speaker, today, on rollcall No. 350, the conference report on the appropriation bill for the Departments of Labor and Health, Education, and Welfare, had I been present I would have voted "yea."

#### REVIEW OF THE FIRST SESSION, 91ST CONGRESS

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

Mr. ADAIR. Mr. Speaker, as the first session of the 91st Congress draws to a close, I think it propitious to review for the citizens of the Fourth Congressional District of Indiana the work of this Congress and my views on some of the important matters that have engaged our attention. In addition, I have included a summary of the legislation which I have introduced.

Although the Nixon administration has made more than 40 major proposals to the Congress, the Democratically controlled Congress has failed to act on many of these programs. There has been a sharp contrast between the vigor of the new administration and the lethargy of the Democratic leadership on Capitol Hill. Perhaps the greatest weakness of this Congress is that it did not manage the appropriations bills competently. The Government entered the new fiscal year last June 30 without a single appropriation being authorized. Consequently, many of the administration proposals on such badly needed programs as crime control, anti-inflation measures, tax reform, education and manpower training, revenue sharing, welfare reform, and electoral reform have been delayed.

There have, however, been occasional breakthroughs and action has at least been initiated on many of the Nixon proposals. Congress has been responding to the Nixon program to curb inflation by reducing Federal spending. The first comprehensive attempt at tax reform in years was undertaken by this session of Congress. Legislative progress was also made on improving the quality of our environment, draft reform, and social security. In addition, the Nixon plan for ending the Vietnam war has been solidly supported by the Congress.

#### TAXES

The major concern of the House of Representatives this session has been the overhaul of the antiquated tax structure. There are many loopholes in the tax laws which no longer serve the interests of the country, either from a revenue or public policy standpoint and which result in an undue tax burden being placed on the middle income group. Thus, I voted for the tax reform bill which passed the House in August. The \$7 billion measure provides a tax cut of at least 5 percent for all taxpayers with incomes under \$100,000 annually by 1972, removes 5 million low-income earners from all Federal income tax obligations, permits 10 million taxpayers

## SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title.

S. 1075. An act to establish a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes.

## JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 764. Joint resolution to authorize appropriations for expenses of the President's Council on Youth Opportunity.

## ACCOMPLISHMENTS OF THE FIRST SESSION, 91ST CONGRESS

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

Mr. ALBERT. Mr. Speaker, we are in the closing hours of the first session of the 91st Congress. This has been in many respects a difficult year for Members of the House on both sides of the aisle. It has been in some respects a time of adjustment and reassessment; however, in many other areas it has been a year of innovation and great initiative.

This has been a long session, but it has been a session in which major legislative accomplishments have been attained. Members of this great legislative body, Republicans and Democrats, have met their responsibilities and met them well. All Members can be proud of the achievements of this session including such landmark measures as passage by the House of a resolution providing for direct election of the President, increased support for education and water pollution, environmental control, increased social security benefits and the monumental tax reform bill, which is one of the great pieces of legislation of the last 25 years.

Mr. Speaker, it is not my intent, however, to speak in detail of the legislation passed by the House of Representatives during our first session. That will be done in a report which will be inserted in the Record following adjournment. Rather, I would like to take this time during the closing hours of the session and during this holiday season to express to all Members my deep and heartfelt thanks for their support and cooperation and to extend to them my best wishes for a most happy Christmas and for a few weeks of justly deserved rest.

Also, I would like to take a few minutes to pay tribute during this season of charity and good will to a man who is the very embodiment of the spirit of these blessed days, to a man of great compassion and conscience, a man of great honor and integrity, our respected and beloved Speaker. Serving under the leadership of JOHN W. McCORMACK has been

one of the great experiences of my life—second only perhaps to service in this House itself. Our distinguished Speaker has given much of himself to each of us as individuals, as members of the world's greatest deliberative body and to the legislative effort of this session. It has been a great privilege to serve under and work with our distinguished Speaker. In my view, there has been no greater man than JOHN McCORMACK to sit in the chair which has been distinguished by so many great and honored Speakers of the House.

Also, I want to say a word of thanks to my friend and colleague, HALE BOGGS, the Democratic whip and to his very able assistant whips. Our work this session would have been infinitely more difficult without his invaluable advice and counsel. I am deeply appreciative of the assistance he and his associates have rendered me and of the service they have given to this House.

Mr. Speaker, I also desire to express my deep thanks to my good friend and colleague, the distinguished minority leader, Mr. GERALD R. FORD, for his cooperation and assistance and for the service he has rendered all Members of the House through his wise and judicious leadership. As I have mentioned on similar occasions, we sit on opposite sides of the aisle. We often stand on opposite sides of the issues. But we stand shoulder to shoulder in our belief that the House of Representatives is truly the world's greatest legislative forum.

The distinguished minority leader has, as all of us know, a very able assistant who is one of the most congenial Members of the House of Representatives. There is certainly no more respected Member of the House than the Republican whip, LES ARENDS.

Mr. Speaker, we cannot finish our business for the year without expressing our thanks to Lew Deschler, our distinguished and able Parliamentarian and the preeminent parliamentary expert of the world, for his always sound advice. Without his efforts and those of his able staff we would be unable to carry on the business of this great body. Also, Mr. Speaker, I would like to express my thanks to the other officers of the House, our distinguished Clerk, Mr. W. Pat Jennings, our affable and able Doorkeeper, William M. "Fishbait" Miller, the distinguished Sergeant at Arms, Zeake W. Johnson, Jr., Postmaster H. H. Morris, and our beloved Chaplain, Dr. Edward Latch. Also, I want to say a special word of thanks to the many House employees—the clerks at the desk, the official reporters, the doormen, the pages, and all those who provide support and assistance in the conduct of our daily affairs. To all of them, to all officers and Members, and to you, Mr. Speaker, I again express my thanks and wish each of you a very merry Christmas.

Mr. Speaker, I am happy to yield to the distinguished gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, first I want to thank the distinguished majority leader for yielding to me. The ovation which has been given to our dis-

tinguished Speaker—unanimously—I believe is fully deserved. The distinguished Speaker has presided over the first session of the 91st Congress with his usual wisdom, skill, fairness, dedication and impartiality.

Speaking for the minority, Mr. Speaker, I want to thank you for your courtesy, for your cooperation not only with us on the Republican side of the aisle but also with the President of the United States.

This noon the distinguished Speaker was the host at a luncheon where the President of the United States was the honored guest. It was a bipartisan luncheon with the leaders on this side of the Capitol and the leaders on the other side of the Capitol.

The President of the United States said to the Speaker of the House how deeply grateful he was for the Speaker's complete and total cooperation on those vital matters affecting foreign policy and national security. The President indicated to the Speaker and to the others from the Democratic Party present his appreciation for their help and understanding in some of the terribly crucial matters concerning foreign policy before him and before the country.

The Republican leadership in the House want to express not only to the Speaker but to my friend, the distinguished majority leader, and the majority whip our gratitude for their help, cooperation and understanding.

We have had some differences on domestic issues from time to time, but these are normal and I think are really a vital part of a two-party system in America. Competition is healthy in the political arena just as competition is helpful and beneficial in all aspects of America's society whether in business, athletics or otherwise.

Mr. Speaker, I want to join the distinguished majority leader in congratulating all Members of the House of Representatives on their diligence, on their willingness to stay on the job until the final whistle is blown. I believe that the job done by this Congress thus far has been, in the areas where we have acted, a plus. However, we have a great many things to do in the next session. However, on the limited legislative production 1969 the record is reasonable quality—draft reform and the tax bill. I am hopeful, as I am sure the Speaker and the majority leader are, that when the curtain is drawn next year we can all go home and say that we have done a good job for America.

May I especially thank my colleagues in the Republican House leadership. They have been a great help to me and I am deeply grateful. I am indebted also to all Republican Members who have been loyal, hardworking, and willing to make great sacrifices for the benefit of our President and his program. I also express my appreciation to all House employees and officers.

I wish for each and every one of you a merry Christmas and the very best for a happy and joyous holiday season.

(Mr. McCORMACK asked and was

manpower or the machines. It is not so much the cost of the machines but the fact that we do not have the trained people who know how to use them. We can now save about two of eight. But eight are going to die. The same is true with heart disease and many other diseases, including cancer and lung diseases.

We do not have enough teachers in this country. We could argue from now until Christmas Eve on the quality and quantity of teachers, but a teacher is a teacher, and in this country we need more and better ones. We had an argument about the Teacher Corps, the Senate has often argued about this program but we increased the amount in the Senate quite a bit because we felt it was needed.

These are the priorities that we in Congress are talking about, and I am just hopeful that in the next 2½ or 3 weeks someone downtown will sit down and take a good long look at what has been provided for in this bill. We think it is a good bill, and most of Members of the House of Representatives think it is a good bill. They voted 261 to 110 yesterday in adopting the conference report; that indicates it is a good bill. The Senate and House voted for it by even a more overwhelming majority in passing the bill. Most of the amendments in the bill were put in on the floor of the House and more were added in the Senate floor action.

I think people have a feeling of approbation about certain segments of it. We had some testimony on the question of what we could do about strokes and spinal injuries. Few people realize that spinal injuries in this country cause more problems and more trouble than anything else, due to the large number of automobile accidents. There are 120,000 people involved in automobile accidents annually, and somebody always gets injured. We have few clinics to deal with that problem.

In the field of education, we put in an additional \$15 million for bilingual education. This aids the Mexican-American—I guess some Swedes are involved in this, too, who cannot talk very good English.

Mr. SCOTT. And Norwegians?

Mr. MAGNUSON. And Norwegians, yes. But these are the issues we were talking about in all seriousness, and we did not pass this bill because of any kind of a lobby. We think the health, education, and welfare of the people is the Nation's first priority and we hope the President when he evaluates this measure will change his mind and sign this important appropriation measure.

#### RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess while the distinguished minority leader and I notify the President that we have finished with our business.

Mr. SCOTT. And, Mr. President, if I may add, we sincerely hope the President will have no suggestions to make.

The ACTING PRESIDENT pro tempore. Does the Senator from Montana request that the Senate stand in recess subject to the call of the Chair?

Mr. MANSFIELD. Subject to the call of the Chair.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Thereupon, at 2 o'clock and 44 minutes p.m., the Senate took a recess, subject to the call of the Chair.

The Senate reconvened at 2:54 p.m., when called to order by the Acting President pro tempore.

#### REPORT OF PRESIDENTIAL NOTIFICATION COMMITTEE

Mr. MANSFIELD. Mr. President, the distinguished minority leader and I have had a talk with the President. He informs us that he has no further business on hand for the Senate to consider at this time.

Unless the distinguished minority leader has some further comments, I am about to make the concluding motion of this session.

Mr. SCOTT. Mr. President, if the distinguished majority leader will yield, the long-awaited moment nearing as it is, the President, upon being asked what his desires were, said that his principal desire was that we have a very happy holiday season and a happy New Year and that we all return refreshed on the 19th of January.

We expressed the same wish to him. He has indicated that he has no other request to make of this session of the Congress.

I have nothing further to add, and therefore will join in the motion the distinguished majority leader is about to make.

#### ADJOURNMENT SINE DIE

Mr. MANSFIELD. Mr. President, wishing everyone a merry Christmas and a happy and, hopefully, a peaceful New Year, I move, in accordance with the terms of House Concurrent Resolution 475, previously agreed to, that the Senate stand adjourned sine die.

The motion was agreed to; and (at 2 o'clock and 56 minutes p.m. Tuesday, December 23, 1969) the Senate adjourned sine die.

#### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED SUBSEQUENT TO SINE DIE ADJOURNMENT

Subsequent to the sine die adjournment of the Senate, the Acting President pro tempore, under authority of House Concurrent Resolution 476, signed the following enrolled bills and joint resolutions, which had previously been signed by the Speaker of the House of Representatives, and examined and found truly enrolled by the Secretary of the Senate:

On December 24, 1969:

S. 1075. An act to establish a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes;

S. J. Res. 117. Joint resolution to authorize appropriations for expenses of the Office of Intergovernmental Relations, and for other purposes;

H.R. 944. An act to amend section 404(d) of title 37, United States Code, by increasing the maximum rates of per diem allowance and reimbursement authorized, under

certain circumstances, to meet the actual expenses of travel;

H.R. 14227. An act to amend section 1401a (b) of title 10, United States Code, relating to adjustments of retired pay to reflect changes in Consumer Price Index;

H.R. 14571. An act to amend the Central Intelligence Agency Retirement Act of 1964 for certain employees, as amended, and for other purposes;

H.R. 15071. An act to continue for 2 additional years the duty-free status of certain gifts by members of the Armed Forces serving in combat zones;

H.R. 15209. An act making supplemental appropriations for the fiscal year ending June 30, 1970, and for other purposes;

H.J. Res. 1040. Joint resolution extending the time for filing the Economic Report and the report of the Joint Economic Committee; and

H.J. Res. 1041. Joint resolution establishing that the second regular session of the 91st Congress convene at noon on Monday, January 19, 1970.

On December 29, 1969:

H.R. 4293. An act to provide for continuation of authority for regulation of exports; and

H.R. 13270. An act to reform the income tax laws.

#### ENROLLED BILL AND JOINT RESOLUTION PRESENTED SUBSEQUENT TO SINE DIE ADJOURNMENT

The Secretary of the Senate reported that on December 26, 1969, he presented to the President of the United States the following enrolled bill and joint resolution:

S. 1075. An act to establish a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes; and

S.J. Res. 117. Joint resolution to authorize appropriations for expenses of the Office of Intergovernmental Relations, and for other purposes.

#### APPROVAL OF BILLS AND JOINT RESOLUTIONS SUBSEQUENT TO SINE DIE ADJOURNMENT

The President of the United States, subsequent to the sine die adjournment of the first session of the 91st Congress, notified the Secretary of the Senate that he had approved and signed the following acts and joint resolutions:

On December 23, 1969:

S. 2577. An act to lower interest rates and fight inflation; to help housing, small business, and employment; to increase the availability of mortgage credit; and for other purposes.

On December 24, 1969:

S. 1108. An act to waive the acreage limitations of section 1(b) of the act of June 14, 1926, as amended, with respect to conveyance of lands to the State of Nevada for inclusion in the Valley of Fire State Park;

S. 2734. An act granting the consent of Congress to the Connecticut-New York railroad passenger transportation compact;

S. 2864. An act to amend and extend laws relating to housing and urban development, and for other purposes;

S. 3169. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes;

S.J. Res. 54. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas; and

S.J. Res. 90. Joint resolution to enable the United States to organize and hold a diplomatic conference in the United States in fiscal year 1970 to negotiate a Patent Co-

operation Treaty and authorize an appropriation therefor.

On December 26, 1969:

S. 59. An act to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Army National Guard Facility, Ethan Allen, and the U.S. Army Materiel Command Firing Range, Underhill, Vt.

On December 30, 1969:

S. 65. An act to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to Emogene Tilmon of Logan County, Ark.;

S. 80. An act to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to Enoch A. Lowder of Logan County, Ark.;

S. 81. An act to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to J. B. Smith and Sula E. Smith, of Magazine, Ark.;

S. 82. An act to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to Wayne Tilmon and Emogene Tilmon of Logan County, Ark.;

S. 740. An act to establish the Cabinet Committee on Opportunities for Spanish-speaking People, and for other purposes;

S. 2325. An act to amend title 5, United States Code, to provide for additional positions in grades GS-16, GS-17, and GS-18;

S. 2917. An act to provide for the protection of the health and safety of persons working in the coal mining industry of the United States, and for other purposes;

S. 3016. An act to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes;

S.J. Res. 117. Joint resolution to authorize appropriations for expenses of the Office of Intergovernmental Relations, and for other purposes; and

S.J. Res. 154. Joint resolution to authorize and request the President to proclaim the month of January 1970 as "National Blood Donor Month."

On January 1, 1970:

S. 1075. An act to establish a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes.

#### NOMINATIONS

Executive nominations received by the Senate December 23, 1969:

##### FOREIGN CLAIMS SETTLEMENT COMMISSION

Lyle S. Garlock, of Virginia, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 3 years from October 22, 1969, vice Leonard v. B. Sutton, term expired.

#### IN THE ARMY

The following-named officers for appointment in the Regular Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3284 and 3307:

##### To be major general

Maj. Gen. George Edward Pickett, 577-54-0390, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Roger Merrill Lilly, 176-32-2881, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Woodrow Wilson Vaughan, 444-40-8227, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Gilbert Hume Woodward, 224-52-6485, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Glenn David Walker, 425-07-7949, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Melvin Zais, 016-14-9359, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Charles Gribble, Junior, 574-12-9564, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Edward Leon Rowney, 219-18-9284, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Norton, 421-52-8670, Army of the United States (brigadier, U.S. Army).

Maj. Gen. Walter James Woolwine, 704-12-6183, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James William Sutherland, Jr., 432-01-3212, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Elmer Hugo Almqvist, Jr., 224-52-8768, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Leo Bond Jones, 484-05-2930, Army of the United States (brigadier general U.S. Army).

Maj. Gen. William Albert Becker, 452-14-2696, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Frederick Carlton Weyand, 565-01-7616, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. George Irvin Forsythe, 517-07-9904, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Orwin Clark Talbott, 572-03-9875, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Walter Phillip Leber, 499-01-2011, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Hancock Hay, Jr., 517-05-6304, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Richard Joe Seitz, 514-03-9046, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Clarence Joseph Lang, 480-09-6322, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Ellis Warner Williamson, 238-22-

3130, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. William Eugene DePuy, 503-16-0459, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Richard Thomas Knowles, 340-10-3134, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Russell Deane, Jr., 460-64-0004, Army of the United States (brigadier general, U.S. Army).

#### CONFIRMATIONS

Executive nominations confirmed by the Senate December 23, 1969:

##### IN THE ARMY

The following-named officer for temporary appointment in the Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

##### To be brigadier general

Chaplain (Colonel) Gerhardt Wilfred Hyatt, 494-22-7575, Army of the United States (lieutenant colonel, U.S. Army).

##### IN THE NAVY

Vice Adm. Allen M. Shinn, U.S. Navy, for appointment to the grade of vice admiral, when retired, in accordance with the provisions of title 10, United States Code, section 5233.

Rear Adm. Frederic A. Bardshar, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

##### IN THE ARMY

The nominations beginning William J. Nelson, to be lieutenant colonel and ending Thomas F. Zurla, to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 12, 1969.

##### IN THE NAVY

The nominations beginning David G. Adams, to be ensign, and ending Charles T. Walter, Jr., to be a permanent lieutenant (j.g.) and a temporary lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 12, 1969.

The nominations beginning Kenneth Dean Aanerud, to be lieutenant, and ending Charles K. Kicker, to be lieutenant commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 16, 1969.

##### IN THE MARINE CORPS

The nominations beginning Michael R. Antonelli, to be second lieutenant, and ending George E. Zakielarz, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 12, 1969.

## EXTENSIONS OF REMARKS

### THE 91ST CONGRESS—ITS RECORD OF INITIATIVE AND INNOVATION

#### HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 23, 1969

Mr. McCORMACK. Mr. Speaker, the House of Representatives during the first session of the 91st Congress has seized the initiative and been innovative in every significant area of legislation.

Its record in this respect stands out in sharp contrast to that of the executive branch.

Early this year I urged the chairmen of the several committees of the House to promptly review the various legislative areas falling within their jurisdiction and to move ahead as expeditiously as possible on the major bills that Congress would have to deal with during this session. I am most gratified with the response given my request. In every major field the committee chairmen moved promptly to fill the vacuum created by

the lack of Presidential recommendations. In all too many cases, unfortunately, their efforts were severely hampered by lack of recommendations and cooperation from the executive branch.

For example, Chairman CELLER on January 6 introduced House Joint Resolution 179 to provide for the direct election of the President and Vice President. This was in response to the near constitutional crisis resulting from last year's presidential election. He commenced public hearings on February 5. President Nixon did not transmit his

FOREIGN AFFAIRS AND NATIONAL DEFENSE  
VIETNAM

The United States, though still engaged in the bitter war in Vietnam, is beginning the process of reducing our military commitments in that part of the world under a troop withdrawal plan announced by President Nixon. In a televised address to the Nation on December 15, 1969, President Nixon announced a third round of American troop withdrawals, reducing military strength in Vietnam by an additional 50,000 men by April 15, 1970, a total decrease of approximately 110,000 men since the Nixon administration took office. President Nixon's conclusion about these most recent troop withdrawals was: "It marks further progress in turning over the defense of South Vietnam to the South Vietnamese. It is another clear sign of our readiness to bring an end to the war and achieve a just peace." The House shares Mr. Nixon's goal of achieving peace in Vietnam.

## NONPROLIFERATION TREATY

The U.S. Senate on March 13, 1969, ratified the Nonproliferation Treaty. The treaty bars the nuclear countries from giving possession or control of atomic weapons to nations which do not already possess them, and prohibits non-nuclear nations accepting its terms from receiving or producing such weapons. As President Lyndon B. Johnson stated in 1968:

I believe history will look on this treaty as a landmark in the effort of mankind to avoid nuclear disaster while insuring that all will benefit from the peaceful uses of nuclear energy. This treaty will be a testament to man's faith in the future.

I am sure I speak for all Members of the House in congratulating the Senate for ratifying this important treaty.

RESOLUTION TOWARD PEACE WITH JUSTICE IN  
VIETNAM

On December 2, 1969, the House approved House Resolution 613 endorsing President Nixon's efforts to secure a "just" peace in Vietnam. Speaker JOHN McCORMACK stated that the passage of this resolution gave additional support to the principle of free elections in Vietnam. Another important provision of this resolution called upon the North Vietnamese Government to abide by the Geneva Convention of 1949 in the treatment of prisoners of war.

## NATIONAL COMMITMENTS

On June 25, 1969, the U.S. Senate adopted Senate Resolution 85 which invited the Executive to reconsider its excesses, and the legislature to reconsider its omissions, in the making of foreign policy, and in the light of such reconsideration, to bring their foreign policy practices back into compliance with the division of responsibilities envisioned by the Constitution. The resolution amounts to a declaration that the Senate will henceforth insist upon its constitutional prerogatives. The House supports this reassertion of Congress role in foreign affairs.

## CHEMICAL-BIOLOGICAL WARFARE

President Nixon announced on November 25, 1969, that the United States would never engage in germ warfare and

greatly expanded the existing Federal responsibility for air pollution control. One of the major provisions of this act authorized an expanded research and development program for the control of pollution from fuel combustion and automobiles, including authority for research grants to nonprofit organizations, with specific authorizations of \$35 million in fiscal year 1968 and \$90 million in fiscal year 1969.

Public Law 91-137, as passed by the 91st Congress amends this provision of the 1967 act to extend the research and development program through fiscal year 1970 and authorizes \$45 million for this period. The other sections of the Air Quality Act of 1967 will expire in 1970, and for that reason only a 1-year extension was provided. In this way all the programs will expire at the same time and Congress will again have an opportunity to evaluate the research effort.

## NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

S. 1075, as agreed upon by the conference committee and as passed by both the House and the Senate, is one of the most important and far-reaching environmental and conservation measures acted upon by Congress in recent years. This measure is vital because it provides four new approaches to dealing with environmental problems on a preventive and anticipatory basis.

## Title I of this act states that:

It is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned private and public organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

It also declares that, consistent with other essential considerations of national policy, the activities and resources of the Federal Government shall be improved and coordinated in order that the Nation may attain certain broad national goals in the management of the environment. Section 102 of this title authorizes and directs all Federal agencies to the fullest extent possible to administer their existing laws, regulations, and policies in conformance with the policies set forth in this act. It also directs all agencies to assure consideration of the environmental impact of their actions in decisionmaking.

Title II of the act establishes the Council on Environmental Quality in the Executive Office of the President. This Council will provide an organizational focus at the highest level for the concerns of environmental management. It will provide the President with objective advice and a continuing and comprehensive overview of the fragmented Federal jurisdictions involved with the environment. The Council shall be composed of three members appointed by the President with one member to be designated as Chairman. This title also requires that the President submit to the Congress and to the Amer-

ican people an annual environmental quality report. The purpose of this report is to provide a statement of progress, to review the programs and activities of the Federal, local, and State governments, and to propose a program, together with recommendations for legislation.

The Environmental Quality Act of 1969 is a significant starting point in the task of renewing our environment. It makes clear that Congress is responsive to the needs of present and future generation of Americans.

## WATER QUALITY IMPROVEMENT ACT OF 1969

Congressional concern with water pollution dates back to 1947 when Public Law 80-845, the Federal Water Pollution Control Act, was adopted. This law authorized the Attorney General to assist in and encourage State studies, interstate compacts, and the creation of uniform State laws to control pollution in surface and underground waters. It also authorized him to support research in water pollution and established the Water Pollution Control Advisory Board. In 1965, Congress significantly strengthened this act with the passage of Public Law 89-234 which amended the Water Pollution Control Act to require the States to establish and enforce water quality standards for all interstate waters within their boundaries. This legislation was further reinforced by the Clean Waters Restoration Act of 1966 and the Water Pollution Control Act amendments of 1967.

In 1969, both the House of Representatives and the Senate passed legislation, entitled the Water Quality Improvement Act of 1969, amending the Federal Water Pollution Control Act.

The House version, similar to a bill passed in the House in the 90th Congress which failed to reach the Senate floor, is designed to protect public waters from pollution by oil, sewage, and other matter and authorizes grants for water quality research and education. Specific provisions of H.R. 4148 include prohibiting the discharge of oil or any other polluting matter in U.S. waters and requiring the immediate removal of the polluting material by the owner or operator; directed the Secretary of the Interior to set Federal standards for marine sanitation devices; authorized a \$15 million demonstration program for the elimination or control of mine water pollution; authorized \$62 million in educational grants over a 3-year period for training programs in waste treatment; provided for a Great Lakes water control demonstration; and authorized appropriations totaling \$348 million for 1970-72.

On October 8, the Senate passed an amended version of H.R. 4148 which incorporated the provisions of an amended Senate bill, S. 7. The Senate version strengthened the House bill through provisions forbidding any Federal agency to pollute the Nation's waters, extending the provisions regarding the Great Lakes, and in other ways.

These two versions of the Water Quality Improvement Act of 1969 are now in conference committee and final action is expected in the second session.