

HOUSE OF REPRESENTATIVES—Monday, October 14, 1968

The House met at 12 o'clock noon.

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

Keep yourselves in the love of God.—
 Jude 21.

Almighty God, from whom all thoughts of justice and peace proceed, kindle in our hearts and in the hearts of all our people a real love for brotherhood that we may learn to live together in peace with liberty and justice for all.

Most heartily do we pray that Thou wilt bless our President, our Speaker, the Members of Congress, and all who labor for them and with them. So rule their hearts and so direct their endeavors that law and order, justice and peace may here and everywhere prevail for the good of man and the glory of Thy holy name.

May virtue live in every heart, health and happiness in every home, friendship and fellowship in all our relationships, justice in our land, and peace in our world.

May Thy blessing abide with us now and forever more. Amen.

THE JOURNAL

The Journal of the proceedings of Saturday, October 12, 1968, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 944) entitled "An act relating to the establishment of parking facilities in the District of Columbia."

REPORT OF THE COMMITTEE TO NOTIFY THE PRESIDENT

The SPEAKER. The Chair will receive a report.

Mr. ALBERT. Mr. Speaker, your committee appointed to join a committee of the Senate to inform the President that the Congress is ready to adjourn, and to ask him if he has any further communications to make to the Congress, has performed that duty. The President has directed us to say that he has no further communication to make to the Congress.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a concurrent resolution of the Senate of the following title:

S. Con. Res. 83. Concurrent resolution establishing that when the two Houses of Congress adjourn on Friday, October 11, 1968, they stand adjourned sine die.

The message also announced that the Vice President, pursuant to Public Law

84-689, appointed Mr. METCALF as an alternate delegate to the North Atlantic Treaty Organization Parliamentary Conference to be held in Brussels, Belgium, November 11 to 16, 1968.

The message further announced that the Vice President, pursuant to Public Law 88-606, appointed Mr. FANNIN to the Public Land Law Review Commission in lieu of Mr. KUCHEL, resigned.

CORRECTION OF VOTE

Mr. GUBSER. Mr. Speaker, on rollcall No. 363 I am recorded as voting "yea." I voted "nay." I ask unanimous consent that the permanent RECORD and Journal be corrected accordingly.

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

Mr. ARENDS. Mr. Speaker, reserving the right to object, I shall not object to this one unanimous-consent request by the gentleman from California [Mr. GUBSER]. However, it is my hope that other Members will refrain from asking unanimous consent today until the most important matter before this House comes up; namely, the resolution of adjournment. We have gone to great pains to request our Members to come back today. They have gone out of their way to be here, and on that basis, we should immediately proceed with the question of sine die adjournment.

The SPEAKER. Does the gentleman object to this unanimous-consent request?

Mr. ARENDS. Mr. Speaker, not this one, because I did not have an opportunity to first advise the gentleman from California of my plans.

Mr. CLEVELAND. Mr. Speaker, reserving the right to object, are other Members—some of whom like myself came a long way to be here—going to be given an opportunity for unanimous-consent requests, such as inserting their remarks in the body of the RECORD, or to deliver 1-minute speeches? After we adopt the sine die resolution, will other Members be allowed to address the Members?

The SPEAKER. The Chair will cooperate to the fullest extent possible in cooperating with the Members. If objections are made, the Chair has no control over that situation.

Mr. CLEVELAND. Mr. Speaker, I withdraw my reservation of objection. I think I understand the Speaker.

The SPEAKER. The Chair recognized the gentleman from California [Mr. GUBSER], who happens to be a Member of the House elected as a Republican, and the Chair would be surprised if anybody would object if the Chair would recognize somebody elected to the House as a Democrat.

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

The SPEAKER. Without objection, the request of the gentleman from California is granted.

There was no objection.

PARLIAMENTARY INQUIRY

Mr. WYMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WYMAN. Mr. Speaker, if a quorum call should develop today and a quorum not be present, in the event the Sergeant at Arms is directed to return absent Members, will those Members who have responded to the call be free to leave?

The SPEAKER. Be free to leave where? Mr. WYMAN. Be free to leave the Chamber.

The SPEAKER. The gentleman knows the answer to that inquiry himself. The Chair acted on that during the period when the equal time bill was up.

Does the gentleman want an answer to his inquiry?

Mr. WYMAN. I am seeking guidance for myself, Mr. Speaker, in trying to make future plans.

The SPEAKER. The Chair cannot stop the gentleman from leaving the Chamber now if he wants to, under the present situation.

The answer to the question is, of course, Members under the rules have the right, in the exercise of their own judgment and discretion, to leave the Chamber if they want to. That is the responsibility of each individual Member.

The Chair is not inviting the gentleman to leave.

Mr. WYMAN. The reason for my parliamentary inquiry was because, as I understand it, there is no pending business before the House, but only the question of adjournment.

The SPEAKER. The Chair would not say that is the only question before the House.

REQUEST FOR 1-MINUTE SPEECH

The SPEAKER. For the purpose of testing, the Chair recognizes the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

Mr. ARENDS. Mr. Speaker, reserving the right to object, I appreciate the fact that an invitation to put me on the spot has just been made. I welcome it, since I made a request a moment ago that I would hope no Member would make me object. I have never objected to a unanimous-consent request during the 34 years I have served in this body, and I do not want to do so now. I know the adjournment resolution must leave this body and go to the Senate to be corrected and amended as to the date of adjournment, and it will then come back. During the interim Members will have ample time for putting matters in the RECORD. I respectfully ask the Members to refrain from making any such requests at this time.

Mr. WHITTEN. Mr. Speaker, since my

colleague has had his minute, I am glad to ask unanimous consent to withdraw my unanimous-consent request.

Mr. ARENDS. I appreciate that.

The SPEAKER. The gentleman withdraws his request.

DATE OF ADJOURNMENT OF THE 90TH CONGRESS SINE DIE

Mr. ALBERT. Mr. Speaker, I call up Senate Concurrent Resolution 83, and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 83

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall adjourn on Friday, October 11, 1968, and that when they adjourn on said day, they stand adjourned sine die.

AMENDMENT OFFERED BY MR. ALBERT

Mr. ALBERT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALBERT: Page 1, line 3, strike out "Friday, October 11, 1968," and insert "Monday, October 14, 1968."

Mr. ALBERT. Mr. Speaker, I yield 5 minutes for the purpose of debate to the gentleman from Michigan [Mr. O'HARA].

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, I had announced on Friday of last week that I would attempt to prevent the adjournment of this session of Congress until the Senate had considered what I believe to be, in terms of the functioning of our political system, one of the most important bills that we have considered in the last 4 years. That proposal, Mr. Speaker, was the proposal that would have permitted network TV debates among the major candidates, for the Presidency of the United States.

Mr. Speaker, I did not take that position because I wanted to obstruct the business of this House. The Members of this House who know me know that I have never been an obstructionist. I took the position I did because of my conviction that this legislation was appropriate, necessary, and useful to the operation of our political system. The people of the United States ought to have an opportunity to examine these candidates, and see and hear them in a face-to-face confrontation before they determine which of them they will support on November 5. I believe that then and I believe now, that this is vital legislation and that it is legislation upon which the Senate had an obligation to act. It is with deep and sincere regret that I learned that the minority leader of the Senate had, by denying the U.S. Senate a quorum, prevented the Senate from even considering this legislation.

Mr. Speaker, that is obstructionism. But it is not obstructionism to do as we have done in the last few days, to try to get the Senate to meet its plain obligations. It is a far different thing than the obstructionism of the Senate Republi-

cans who prevented the Senate from meeting its obligations.

Mr. Speaker, much has transpired since last Friday. For one, Vice President HUMPHREY announced last night that he has reserved an hour of network television time next Sunday night and urged Mr. Nixon and Governor Wallace to join him then to debate the great issues of this campaign. He issued that invitation by telegram to Mr. Nixon and to Governor Wallace. He asked that they reply by 5 p.m. tomorrow. I hope they will reply and I hope that their reply will be in the affirmative.

I have also had an opportunity to carefully review the situation in which the U.S. Senate finds itself. I have come to the reluctant conclusion that it will probably not be possible to acquire a quorum for the consideration of this legislation. I have become convinced that the minority will persist in its obstructionist tactics; that it is desperate to avoid this confrontation.

For these reasons and because I certainly do not want to inconvenience Members of the House of Representatives, I wish to announce that I will not attempt to prevent the passage of the sine die adjournment resolution. But I remain convinced, Mr. Speaker, that the other body has done a disservice to the country, that the Congress has an unfulfilled obligation to the American people and that we ought to be dealing with that obligation rather than going home.

Mr. ROONEY of New York. Mr. Speaker, will the distinguished gentleman from Michigan yield?

Mr. O'HARA of Michigan. I yield to the gentleman from New York.

Mr. ROONEY of New York. I should like to inquire of the distinguished gentleman from Michigan whether he agrees with the statement of the Speaker of the House of Representatives made last week that interested Americans should contribute to defray the expense of the television debates?

Mr. O'HARA of Michigan. I certainly do.

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

Mr. O'HARA of Michigan. I yield to the distinguished gentleman from Indiana.

Mr. MADDEN. Mr. Speaker, I wish to commend the distinguished gentleman from Michigan for the position he has taken on this legislation calling for debates between the three leading presidential candidates. In Indiana there is almost a universal response in opposition to postponing or to allow the Congress to adjourn without something being done about this legislation to make possible a joint debate between the three major presidential candidates.

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

Mr. ALBERT. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. MADDEN. Mr. Speaker, if the gentleman will yield further, the people do not want the Congress to adjourn without something being done about this so that these principals can be brought together.

In the CONGRESSIONAL RECORD of Sat-

urday—and the Members can refer to that—I called the Members' attention to the fact that there is such a terrific demand for these presidential principals to appear on television and clarify their position on the important issues. Millions in this country do not as of today know how the candidate on the Republican side, Richard Nixon, stands on these international and domestic questions. I suggested on Saturday—and it is in the RECORD—that possibility—and I contacted one of the leaders in the Democratic National Committee regarding this fact—of having Senator THURMOND, of South Carolina, substitute for the Republican candidate, Richard Nixon. I have decided, after examining their legislative records over the years there is not 10 cents worth of difference between Senator THURMOND, of South Carolina, and the candidate on the Republican side. I am satisfied that the people of the country would be willing to have Senator THURMOND substitute for the Republican candidate. The Senator is a great debater, public speaker, former candidate on the States Rights Party for President in 1948, Governor of South Carolina, and candidate Nixon's manager for southern delegates at the Miami Beach convention.

Mr. O'HARA of Michigan. I thank the gentleman.

Mr. ALBERT. Mr. Speaker, I yield 5 minutes to the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the distinguished majority leader yielding me this time to make an observation or to comment upon this particular situation. Naturally, I believe it was well for the distinguished gentleman from Michigan [Mr. O'HARA] to take the course of action that he is taking here today.

Any remarks that I make subsequently I hope the gentleman will understand, and will consider them to be fair under all the circumstances. I cannot help but make the observation, Mr. Speaker, that if—and I say "if"—the action of the Senate on this legislation has been obstructionism in 1968, that perhaps the action taken August 18, 1964, by the other body, could be construed to be identical.

On that particular date there was a vote on similar legislation in the other body. The issue there was whether or not the Communications Act should be amended in order that there could be in that great presidential election a debate between Mr. Johnson and Senator Goldwater. On that particular date, August 18, 1964, the other body had a rollcall, and on that issue, which was for all intents and purposes the precise issue that has been raised in 1968, the vote was 44 to 41 against any amendment to the Communications Act.

It might be appropriate in light of some of the things that have been said here today, and some of the remarks that have been made in the last several weeks, to point out that two very distinguished Members of the other body on that occasion made key votes against any amendment to the Communications Act.

Those two very distinguished and honorable Members of the other body are now the presidential and vice-presidential candidates for the gentleman's party.

Now, I cannot help but say—and I hope it is clearly understood that if there is obstructionism in 1968, that perhaps such key votes in 1964 could likewise be given precisely the same label.

Therefore, Mr. Speaker, in order to keep the record straight, I have given these facts which are a part of the CONGRESSIONAL RECORD so that all Members on either side of the aisle, and independents and others, will know what the facts are, not only as to 1968, but in 1964.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield briefly, I know the distinguished minority leader realizes that there is this distinction between the two things about which the gentleman is talking: In the earlier case there was a vote.

Mr. GERALD R. FORD. I appreciate the observation of the distinguished majority leader, but the facts are precisely as I stated them, and if the distinguished majority leader wants to add that clarification I certainly have no objection.

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

Mr. GERALD R. FORD. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I thank the gentleman for yielding for a statement of further clarification.

As I understand that vote in 1964, in the Senate, was 44 to 41, and if Mr. MUSKIE and Mr. HUMPHREY had voted "nay" instead of "yea" on the motion to table, the motion would have failed and the bill probably would have passed.

Is that a correct statement?

Mr. GERALD R. FORD. That is precisely the situation.

Mr. CRAMER. Another thing, if the gentleman will yield further: In fact, the 44 that voted "nay" to kill it were all Democrats—they just happened to be.

Mr. GERALD R. FORD. Mr. Speaker, I yield back the balance of my time.

Mr. ALBERT. Mr. Speaker, I yield myself 1 minute only for the purpose of observing that the bill which has precipitated this discussion came to this body from the Senate. It was a Senate bill. The House amended the bill and sent it back to the Senate. It seems to us, therefore, that the Senate should have taken action under the circumstances. The statement made by our distinguished colleague, the gentleman from Michigan [Mr. O'HARA], amply sets forth the numerous reasons why we on this side of the aisle feel as we do about this matter.

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

The previous question was ordered.

The SPEAKER. The question is on the amendment offered by the gentleman from Oklahoma [Mr. ALBERT].

The amendment was agreed to.

The resolution was agreed to.

The title of Senate Concurrent Resolution 83 was amended to conform with the text of the amended resolution.

A motion to reconsider was laid on the table.

AUTHORIZING PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO SIGN ENROLLED BILLS AND RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I call up Senate Concurrent Resolution 82 and ask for its present consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 82

Resolved by the Senate (the House of Representatives concurring), That, notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate, the President pro tempore, or the Acting President pro tempore be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF RULES AND MANUAL OF THE HOUSE OF REPRESENTATIVES FOR THE 91ST CONGRESS AS A HOUSE DOCUMENT

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 1322) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1322

Resolved, That a revised edition of the Rules and Manual of the House of Representatives for the Ninety-first Congress be printed as a House document, and that one thousand six hundred additional copies shall be printed and bound for the use of the House of Representatives, of which seven hundred copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House for distribution to officers and Members of Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF REPORTS OF COMPTROLLER GENERAL AS HOUSE DOCUMENTS OF 90TH CONGRESS

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 1323) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1323

Resolved, That, notwithstanding the sine die adjournment of the House, reports of the Comptroller General of the United States made to the Congress pursuant to the Government Corporation Control Act (31 U.S.C. 841 et seq.) shall be printed during such adjournment as House documents of the second session of the Ninetieth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING CLERK OF THE HOUSE TO RECEIVE MESSAGES FROM THE SENATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstand-

ing the sine die adjournment of the House, the Clerk be authorized to receive messages from the Senate.

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

There was no objection.

AUTHORIZING SPEAKER OF THE HOUSE TO ACCEPT RESIGNATIONS AND APPOINT COMMISSIONS, BOARDS, AND COMMITTEES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the 2d session of the 90th Congress, the Speaker be authorized to accept resignations, and appoint commissions, boards, and committees authorized by law or by the House.

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

There was no objection.

AUTHORIZING REPORTS FILED WITH CLERK TO BE PRINTED AS REPORTS OF THE 90TH CONGRESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that reports filed with the Clerk following the sine die adjournment by committees authorized by the House to conduct investigations may be printed by the Clerk as reports of the 90th Congress.

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

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members of the House have the privilege of inserting their own remarks in the Extensions of Remarks section of the CONGRESSIONAL RECORD and to include therewith brief related extraneous material on one or more subjects; this order to be effective until publication of the last edition of the RECORD authorized by the Joint Committee on Printing, but it shall not apply to any subject matter which may have occurred, or to any speech delivered after adjournment of Congress.

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

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS AND INCLUDE SUMMARIES OF WORK OF COMMITTEES TO CHAIRMEN AND RANKING MINORITY MEMBERS OF COMMITTEES AND SUBCOMMITTEES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the chairmen of all the standing committees and subcommittees of the House may extend their remarks up to and including the publication of the last RECORD and to include a summary of the work of their committees; also that the ranking minority Member of such standing committee or

any subcommittee may have the same permission to extend their remarks and to include a summary, if they desire, from their point of view, separately from that of the chairman.

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

There was no objection.

THE YEAR 1066 AND ALL THAT

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, as a student of history I believe that many lessons can be learned from the great events of the past and the notable personages who have marched across the pages of history. Today marks the 902d anniversary of the great Battle of Hastings which was fought on October 14, 1066.

A century later, there flashed on the scene of history a King of England whose very name has been an inspiration for men of valor down through the ages. King Richard I earned the sobriquet of "Coeur de Lion"—the heart of a lion—and he was henceforth known as Richard the Lion-hearted.

I am confident that if Richard the Lion-hearted were here today, our colleagues in the House of Representatives would have been able to enjoy a full night's sleep instead of the 46 rollcalls we experienced one day and night last week. Also, if Richard the Lion-hearted were here today, I am confident we would not suffer this pirouetting and toe-dancing between the House and Senate over when to adjourn. Finally, the American people would have had an opportunity to see and hear all three presidential candidates in the kind of confrontation which is the essence of democracy.

Therefore, as students of history, we should salute a man whose name symbolizes courage—Richard the Lion-hearted, King of England.

HAPPY BIRTHDAY, GEN. DWIGHT D. EISENHOWER

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I am certain and positive that every Member of this House, regardless of political affiliation, will join me in saying to Gen. Dwight D. Eisenhower, "Happy Birthday."

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

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. What the gentleman has said certainly applies to every Member, but may I emphasize from our side of

the aisle that we join the gentleman in wishing this great American a happy birthday and many more of them.

Mr. GERALD R. FORD. I thank the gentleman from Oklahoma. It has been almost unbelievable that General Eisenhower could recover from the series of heart attacks that he has had over the last several months. I think his courage and his determination exemplifies the kind of great man that he is. He was a military leader who carried the United States forward in its great struggle against Nazism and against aggression in Western Europe. He was a superb military leader, throughout his career in the Military Establishment. He was also a highly successful President of the United States, and certainly left an indelible mark on the history of our country.

I hope and trust that in the days and weeks ahead he fully recovers, and I am sure that all of us extend to him our best wishes not only for a happy birthday, but for continued years of health and happiness.

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

Mr. GERALD R. FORD. I yield to the gentleman from Kansas.

Mr. MIZE. Because the distinguished American, General Eisenhower, is from my congressional district, I merely wish to say, "Amen" to what has been said by both the majority leader and the minority leader.

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

Mr. GERALD R. FORD. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I am pleased to have this opportunity to join with my colleagues here in the House in extending our birthday greetings and best wishes to General Eisenhower. I know that not only here, but around the world, people everywhere rejoice for this day. Free men of good will everywhere join with us in thanks to God of all of us that we are blessed to have this truly great American with us, although presently confined to Walter Reed Hospital. We will continue in our prayers for his complete recovery.

I first became acquainted with General Eisenhower many years ago when, as a young Army officer, he periodically appeared before what was then known as the Military Affairs Committee, now a part of the Armed Services Committee. No one then imagined that he would be the man who would lead the Allied Powers to victory over forces of evil and destruction that engulfed practically all of Europe. But it was quite evident that this young officer had great potential, and that young officer became our President and our Commander in Chief.

When General Eisenhower was our President I was privileged to work closely with him week by week. During these 8 years I came to know him well. He had but one desire and that was to do what was best for our country. I have never known anyone more dedicated than General Eisenhower.

I join with all of you in wishing him a happy birthday and many, many more. I hold for him the deepest affection and the greatest respect.

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

Mr. GERALD R. FORD. I yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, I join with the gentleman from Michigan and other Members in conveying to President Eisenhower our hearty congratulations on his birthday anniversary and also in conveying to him our deep feelings of respect, esteem, and friendship.

We sincerely hope and pray that God will continue to bless him with countless future birthday anniversaries. There is no question that millions of Americans have showered the Good Lord with their prayers, asking the Good Lord to look with kindness and generosity upon our beloved former President—and humbly I have been one of those who have been doing it. I know countless millions of other Americans have done it.

President Eisenhower served our country during a trying period of our Nation's history and of the world's history. He endeared himself to all of us, without regard to party affiliation, by his understanding mind. I might say President Eisenhower received—and I think he would be the first one to admit it—support from the Democratic side, because we cooperated with him from the angle of understanding, and it was a pleasure for us to do so.

President Eisenhower served our country in a military capacity, and in a civilian capacity, dedicating the greater part of his life to the service of our country. He was one of our great military leaders, and he will also go down in history as one of our outstanding Presidents.

But today we speak to Dwight Eisenhower as friends, not only respecting him as a former President of the United States, but also respecting him as an individual. Our respect for him as an individual also goes to Mrs. Eisenhower, because they have been a beautiful couple, an example for all other Americans to follow. So, to our friend, Dwight Eisenhower, we wish you every joy on this day and we hope that God will continue to bless you for countless years to come.

Mr. GERALD R. FORD. Mr. Speaker, I am certain General Eisenhower will appreciate your beautiful, your sincere, and your wonderful words more than anything I can say.

At this point, Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. GOODLING. Mr. Speaker, today marks the birthday anniversary of one of America's greatest living figures, Dwight David Eisenhower.

Ike—as he is popularly known to his fellow citizens—is a typical American. In a like manner, his dedication to hard work and his job is the mark of the average American who believes that diligence and application should be the hallmarks of personal endeavor.

Dwight Eisenhower helped to fashion

one of the greatest military machines that has ever been formed, and in fashioning it directed it toward the accomplishment of free-world objectives. Immediately after the dust and clouds of war had settled, he took a leading part in a great crusade for world peace. That crusade continues.

His remarkable military career was followed by a spectacular tour of public service in the White House. As President of the United States he presided over a country that was sound fiscally and highly respected internationally.

Still, while Ike walked with kings and leaders of the world, he always retained the common touch. He remained unaffected by pomp and ceremony, always retaining an unpretentious demeanor.

In many respects it can be said that Ike has been, and remains, a kind of father figure to millions of Americans. Citizens of all walks of life have been drawn to him for consolation and encouragement in times of trouble, and they have not been denied. This remarkable man has the capacity to reward trust with performance.

Dwight Eisenhower is a strong and courageous man, as is evidenced by the spirit with which he has met and conquered the various illnesses that have assailed him. This strength has been fortified by a delightful and infectious grin that has become famous the world over, a grin which when turned on seems automatically to dissipate shadows.

Mr. Speaker, I can lay claim to a special distinction, for it is my high privilege to have Dwight D. Eisenhower as a constituent, his home being in Gettysburg, which is in my congressional district. On various occasions I have visited Ike at his home, and I have been deeply impressed with his knowledge of domestic and international affairs, as well as his warm and congenial nature.

All Americans love and respect Ike. So too do all freedom-loving peoples throughout the world. This day, then, becomes one of special significance, for it relates to a truly great individual.

I extend my very best wishes to this great personality. "Happy Birthday, Ike and may you have many, many more."

Mr. SMITH of Oklahoma. Mr. Speaker, today, Monday, October 14, is the birthday anniversary of a great gentleman.

Gen. Dwight David Eisenhower, former President of the United States, is 78 years old today. A patient at Walter Reed Army Medical Center recovering from his seventh heart attack, his courage and will to recover are indicative of the sturdy, forward-thinking life he has lived.

It was my privilege and pleasure one time to visit General Eisenhower at his Gettysburg, Pa., home. It was an hour of inspiration I shall never forget.

The former President has made many contributions as citizen, soldier, and leader, but I like to believe that one of his greatest accomplishments was to sign a bill June 14, 1954, adding "under God" to our Flag Salute.

The Salute might well stand as a symbol of the life of this great gentleman:

I pledge allegiance to the flag of the United States of America and to the Republic for

which it stands, one Nation under God, indivisible, with liberty and justice for all.

Mr. CLEVELAND. Mr. Speaker, at the request of the leadership I have returned today from my home in New London canceling campaign plans to be here for the adjournment vote. Although I think it is regrettable that our affairs could not have been concluded more expeditiously and indeed a long time ago, I am delighted that we are in session on the birthday of our beloved Dwight David Eisenhower. I am glad that the general has lived to enjoy yet another birthday and I am even more pleased that with the passing of time he has lived to see a renewed appreciation of some of the things that he stood for and some of the things that we accomplished during his administration.

I can well recall how fashionable it was to say that the Eisenhower administration was not particularly exciting. I think the American people are now aware of the fact that sound leadership and real progress does not necessarily have to be exciting. I think the American people have a renewed appreciation for such old-fashioned virtues as patience and fortitude and firm leadership that led to peace abroad and stability at home.

And so I join with my many other colleagues and say "Happy Birthday to Ike" and many happy returns of the day. I can honestly say that I am glad that I had to come back here so that I could participate in paying tribute to this great American.

GENERAL LEAVE TO EXTEND

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks following the remarks of the gentleman from Michigan, GERALD R. FORD, relating to the birthday of General Eisenhower.

TRIBUTE TO THE HONORABLE DWIGHT DAVID EISENHOWER

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. STRATTON. Mr. Speaker, I take this time so that the RECORD will indicate I was present and in the Chamber and prepared to vote today on the adjournment resolution. I am grateful that no such vote was necessary but, having cancelled a number of commitments to come back here to be available, I would like the RECORD to so indicate.

Mr. Speaker, I also want to join in expressing my greetings to General Eisenhower on his birthday, and I wish to express my warm appreciation to the Members of this body, and particularly to the gentleman from Michigan [Mr. GERALD R. FORD] for the action taken in passing and sending to the Senate, and from there to the President, now signed into law, the legislation which I introduced more than a year ago to extend

a sum of money to Eisenhower College in Seneca Falls in my congressional district as a living memorial to the life and times of President Eisenhower. That action, I think, was commendable. I believe it represents a true bipartisan spirit, and I am proud to have been the author of the original bill.

THE HONORABLE GEORGE MILTON RHODES

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, it is a great advantage to a man to have been born in the closing years of the 19th century. He has seen so much of history, and has had a part in so much economic and social change. GEORGE RHODES has had a remarkable as well as a most interesting career. As a lad, he grew up in the light of the great awakening of the early years of the new century. Then came the First World War, and the spark of progress was snuffed out under the blanket of reaction following the war.

GEORGE was one of that valiant band who saw the gleam of better things through the cloud of depression. In one of the most effluent sections of his native State, he espoused the cause of labor. As an eloquent and persuasive spokesman for the labor movement, he earned for himself an impressive reputation for ability, sagacity, and integrity.

Then came another conflict, and another wave of conservatism. But this time the force of progress, under the direction of such men as GEORGE RHODES, was too strong. The heroic and brilliant campaign of 1948 swept him into the Halls of Congress.

For 20 history-making years GEORGE has given his energy and his skill to the task of solidifying the cause of progressivism. As a valued and influential member of the powerful Ways and Means Committee, the stamp of his genius has been placed upon many a piece of legislation.

But the cycle of the years has rolled us swiftly away from 1948. GEORGE has earned a rest, and he insists on taking it. We accept his decision with an infinite sadness, a sadness that is mingled with pride over the accomplishments of a glorious period. May he find ahead of him many years in which to contemplate with satisfaction and content the achievements of a well-spent life.

DISTRICT OF COLUMBIA PARKING FACILITY ACT

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. NELSEN. Mr. Speaker, I am sure

Members noticed the report coming over relative to the conference committee on the parking bill for the District of Columbia.

Early in this session I introduced a bill, and my colleague from Virginia [Mr. BROYHILL] introduced a bill. My bill was similar to the Senate bill.

We worked out a compromise which I believe is a very good bill. It is understandable that parking interests would want to be very careful that their property not be taken by eminent domain. It is understandable that the downtown businessmen are interested in proceeding with parking in the District of Columbia.

Proper safeguards were put into this bill to protect those who had invested in property in this city. At the same time, the machinery for progress was incorporated in the conference report.

I realize that the bill is in danger, because of the lack of a quorum. I have every confidence that if a quorum were present there would be a very overwhelming vote in support of this measure. I do hope that this measure may be adopted.

I say, in all fairness to everyone concerned, I would almost feel I am wasting my time on the District of Columbia Committee if, after a long and conscientious effort to try to arrive at a sensible answer to the problem, we would find the bill die at this time. If this bill fails in this session I have every confidence that early in the next session a similar bill will pass, but I have my doubts it will be a better one.

I hope this body will adopt this bill at this session of Congress.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. I want to express my thanks as well as my congratulations to the gentleman from Minnesota for the work he has done in helping to arrive at a solution to this vexing and complicated problem.

As the gentleman has pointed out, we have arrived at a compromise, which seemed almost impossible a few weeks ago. There was give and take on both sides. It does result in a good bill, a bill with the overwhelming support of this body, I am certain.

As the gentleman pointed out, if there is a rollcall, the bill will pass by an overwhelming majority. It would be most unfortunate, after all the work of the gentleman from Minnesota and the members of the House Committee on the District of Columbia and the Members of the other body, for this bill not to pass and become law before this Congress adjourns.

Mr. NELSEN. I should like to point out I did receive a call from a representative of the downtown progress group today, very concerned about this measure and wholeheartedly in its support.

I thank the gentleman for his statement.

DISTRICT OF COLUMBIA PARKING BILL

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for

1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. GUDE. Mr. Speaker, I would like to commend the gentleman from Minnesota [Mr. NELSEN] not only for the wonderful work he has done on the parking bill, which he mentioned here a few moments ago on the floor, but for his dedicated effort on so many critical District of Columbia problems. This bill that has come from the conference is a great step forward. We are getting half a loaf instead of one thin slice. It is thanks to the dedicated work of gentlemen such as Mr. NELSEN on the District of Columbia Committee that we have gotten this far.

CRIME AND DISORDER SHOULD NOT BE TOLERATED

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. SCOTT. Mr. Speaker, we remember some 6 months ago there was rioting within the District of Columbia and at that time one Stokely Carmichael was inciting people to riot and saying, "Go home and get your gun. I've got mine." This gentleman has not been prosecuted by the Attorney General for inciting persons to riot. I noticed in the newspaper yesterday he was up to his old tricks again, because he was certainly guilty of the greatest kind of racism in saying that it was perfectly all right for a black man to shoot a honky cop. If a white person would say something of this nature, I believe that the present administration would not hesitate to take action. We have nightly disorders in the District of Columbia, and I wonder how long it will be before the chief prosecutor for this Government, the Attorney General of the United States, will take action pursuant to the laws that this body has passed with regard to inciting persons to riot? As long as this man continues going throughout the country inciting to violence we will continue to have permissiveness in this country. I think that the blame can be laid right at the doorstep of the present administration.

PERSONAL EXPLANATION

Mr. FULTON of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, as ranking minority member of the House Committee on Science and Astronautics, and as senior member of the Manned Space Flight Subcommittee, I was invited by the National Aeronautics

and Space Administration to be an official observer for the important launch of the Apollo VII mission at Cape Kennedy, Fla., Friday, October 11, 1968. The chairman of the Science and Astronautics Committee authorized the trip to Cape Kennedy as official business. The House of Representatives granted me official leave of absence for this trip.

While I was away from the House of Representatives on this official leave of absence, three automatic rollcall votes were taken. The votes occurred on rollcall Nos. 424, 425, and 426, taken after 6 p.m. Thursday night and early Friday afternoon, before our official plane arrived at Andrews Air Force Base, Washington, D.C., on our return from Cape Kennedy.

Had I been able to be present, I would have voted "yea" on rollcall No. 424, House Resolution 1304, authorizing travel for the Committee on Banking and Currency. On rollcall No. 425, the conference report on H.R. 19908, foreign assistance and related agencies appropriations for 1969, I had a live pair favoring the foreign aid conference report. If present I would have voted "yea." I would have voted "yea" on rollcall No. 426, the conference report on H.R. 20300, supplemental appropriations for fiscal year 1969.

WATER QUALITY IMPROVEMENT ACT OF 1968

Mr. CLARK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3206) to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes, together with Senate amendments to the House amendment to the text, and consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments to the House amendment, as follows:

Page 2, lines 20 and 21, of the House engrossed amendments, strike out "in excess of \$100,000,000".

Page 2, line 25, of the House engrossed amendments, strike out "in excess of \$100,000,000".

Page 3, line 8, of the House engrossed amendments, after "section." insert: "If, in any fiscal year, less than \$100,000,000 is appropriated to be available for grants under subsection (b) of this section, no appropriation Act for such fiscal year shall make available any amount for contracts under this section for such fiscal year."

Page 7, strike out lines 2 to 17, inclusive, of the House engrossed amendments, and insert "than additional construction, the Secretary shall conduct a study of the need for, the desirability of, and the feasibility of, a program of assistance to any State, municipality or intermunicipal or interstate agency to pay a portion of the cost of operating such works to implement water quality standards. The Secretary shall submit a report on this study together with his recommendations thereon to the Congress, not later than June 1, 1969."

Page 9, lines 12 and 13, of the House engrossed amendments, strike out "after giving appropriate consideration to" and insert "within the limits of".

Page 9, line 21, of the House engrossed amendments, strike out "recreational vessels"

and insert "vessels not equipped with installed toilet facilities".

Page 11, line 22, of the House engrossed amendments, strike out "of this subsection" and insert "of the initial standards promulgated under this section."

Page 17, of the House engrossed amendments, strike out lines 8 and 9.

Page 17, line 10, of the House engrossed amendments, strike out "(6)" and insert "(5)".

Page 17, line 13, of the House engrossed amendments, strike out "(7)" and insert "(6)".

Page 17, line 16, of the House engrossed amendments, strike out "(8)" and insert "(7)".

Page 17, line 19, of the House engrossed amendments, strike out "(9)" and insert "(8)".

Page 17, line 23, of the House engrossed amendments, strike out "(10)" and insert "(9)".

Page 17, after line 25, of the House engrossed amendments, insert:

"Sec. 7. Section 11 of the Federal Water Pollution Control Act, as amended, is amended to read as follows:

"COOPERATION BY OTHER FEDERAL DEPARTMENTS AND AGENCIES TO CONTROL POLLUTION

"SEC. 11. (a) It is hereby declared to be the intent of the Congress that any Federal department or agency—

"(1) having jurisdiction over any building, installation, or other property, or

"(2) which carries out, or issues any license, or permit for any activity, shall, insofar as practicable and consistent with the interests of the United States and, where applicable, within any available appropriations, cooperate with the Secretary in the case of interstate waters, or with any State or interstate agency or municipality having jurisdiction over other waters into which any matter is discharged from such property, or which is affected by such activity, to insure compliance with applicable water quality standards.

"(b) In his summary of any conference pursuant to section 10(d) (4) of this Act, the Secretary shall include references to any discharges allegedly contributing to pollution from any Federal property. Notice of any hearing pursuant to section 10(f) involving any pollution alleged to be effected by any such discharges shall also be given to the Federal agency having jurisdiction over the property involved and the findings and recommendations of the Hearing Board conducting such hearing shall also include references to any such discharges which are contributing to the pollution found by such Hearing Board."

Page 18, line 1, of the House engrossed amendments, strike out "7." and insert "8."

Page 18, line 14, of the House engrossed amendments, after "vessel" insert "or owning or operating an offshore facility".

Page 19, line 14, of the House engrossed amendments, strike out "and" where it appears the fourth time.

Page 19, line 18, of the House engrossed amendments, strike out "Zone." and insert "Zone; and".

Page 19, after line 18, of the House engrossed amendments, insert:

"(10) 'offshore facility' means any drilling structure and appurtenances thereto located in or upon the navigable waters of the United States or in or upon the waters of the contiguous zone."

Page 21, line 8, of the House engrossed amendments, strike out "(e)" and insert "(e) (1)".

Page 21, line 24 of the House engrossed amendments, strike out "liability," and insert "liability".

Page 22, line 5, of the House engrossed amendments, strike out "subsection" and insert "paragraph".

Page 22, after line 14, of the House engrossed amendments, insert:

"(2) The owner or operator of any offshore facility, who willfully or negligently discharges or permits or causes or contributes to the discharge of oil into or upon the navigable waters of the United States or adjoining shorelines or beaches or into or upon the waters of the contiguous zone, shall immediately notify the Secretary or his delegate of such discharge and shall remove such discharged oil immediately from such waters, shorelines, and beaches in accordance with regulations prescribed under subsection (h) of this section. If such owner or operator fails to so act for any reason, or if the source of the discharge is unknown, the Secretary or his delegate may remove the oil or arrange for its removal and such owner or operator shall be liable to the United States for the full amount of the actual costs reasonably incurred by the United States for the removal of such oil. The aggregate liability under this paragraph for the cost of removal of discharged oil shall not exceed \$5,000,000."

Page 22, line 15, of the House engrossed amendments, strike out "In" and insert:

"(3) In".

Page 23, line 7, of the House engrossed amendments, after "vessel" insert "or offshore facility".

Page 23, line 14, of the House engrossed amendments, after "vessel" insert "or offshore facility".

Page 23, line 17, of the House engrossed amendments, after "vessel" insert "or offshore facility".

Page 24, line 19, of the House engrossed amendments, strike out "establishing water quality standards" in and insert "for".

Page 27, line 4, of the House engrossed amendments, strike out "8" and insert "9".

Page 27, line 7, of the House engrossed amendments, strike out "9" and insert "10".

Mr. CLARK (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the Senate amendments be dispensed with and that they be printed in the RECORD.

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

There was no objection.

MOTION OFFERED BY MR. CLARK

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

The Clerk read as follows:

Mr. CLARK moves that the House concur in Senate amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 21, and 28, and disagree to Senate amendments numbered 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, and 30.

Mr. CLARK. Mr. Speaker, S. 3206, passed originally by the Senate, was reported by the Committee on Public Works of the House with an amendment to the text in the nature of a substitute and that language was accepted by this House by unanimous vote on October 7. The legislation has been further amended by the Senate and returned to the House for concurrence. The House cannot completely concur in the Senate proposition and, for this reason, the request has been made to concur in certain of the Senate amendments and disagree to certain others.

The legislation as passed the House was a result of many months of hard work and thorough consideration by the Committee on Public Works. As it passed this body it contained the basis for still further extension and development of our water pollution program. It provided

for the first time overall financing for the water pollution control program by authorizing contracts on a 30-year basis. As a result of the economic situation we face today this contract method of financing is needed to temporarily provide an alternative method of funding this program. It was made quite clear, however, in the committee report that this was to be temporary, on an emergency basis, and in no way shape or form a substitute for the grant program. This bill, as passed by the House, further provided a program for research for demonstration programs to control lake pollution and acid and other mine water pollution, as well as a new program of oil pollution research. For the first time it authorized the Federal Government to control sewage discharges from certain of the vessels under the jurisdiction jointly of the Secretary of the Interior and the U.S. Coast Guard. This bill also authorized for the first time a workable program to be administered essentially by the Secretary of the Interior to prevent oil pollution from vessels on the inland, coastal, territorial, and contiguous waters of the United States. As part of the program the bill directed a study to be made of the need for, and the measure requires, provision of financial responsibility and limitations of liability with regard to vessels using U.S. waterways. This legislation as passed the House presented the best bill at this particular time. That bill, however, has since been amended by the Senate.

After discussions on an informal basis by the two committees, the Committee on Public Works of the House feels that the House position can best be maintained by what is being done here today and I will describe briefly what is here proposed.

The 30 Senate amendments fall into several categories. One group of these amendments are clearly clerical and technical in nature and the House should concur in them. A second group of amendments covers the inclusion by the Senate of recreational vessels equipped with installed toilet facilities. The House should concur in these amendments. A third group of amendments is designed to alter the formula establishing the amount of money available for contracts. This does not affect the total authorization of funds but merely its allocation between the contract and grant programs. The Senate feels a greater amount should be available for contracts at this time. The House can reasonably concur in these amendments. The fourth group of amendments is designed to require that offshore drilling and other oil facilities be made responsible for cleaning up oil spillages. The question of the responsibility of both onshore and offshore installations in this area is one which the House bill did not treat. The committee feels that much information remains to be developed before any informed judgment can be made in this area. Therefore, the House should disagree to this group of Senate amendments.

A final group of Senate amendments would revise section 11 of the existing Water Pollution Control Act to essentially require the imposition of conditions in permits and licenses issued by

the Federal Government in areas which the issuing authority feels may affect pollution. Obviously this would include Corps of Engineers licenses, Federal Power Commission licenses, Atomic Energy Commission licenses, as well as many others. The implications of a basic change in Government policy of this magnitude are too great for hasty and ill-considered action at this time. Therefore, this group of Senate amendments should also be rejected.

Therefore, I believe that the action which I now urge upon the House is one which should be unanimously concurred in by this body. May I conclude by thanking all those on the committee who worked long and hard for this legislation, to all Members of the House who supported it and commend the Members of the other body for their diligent efforts. I express the earnest hope that the President will soon be in a position to sign this legislation so that implementation of this fine program may be continued without any further delay.

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

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

Mr. CRAMER. Mr. Speaker, I have asked the gentleman to yield to me at this time for the purpose of spreading upon the Record and making certain that the intent and purpose of the motion is as I understood it to be and as has been agreed to by the majority and the minority in the effort to see that there is passed, if possible, at this session of the Congress the much needed water pollution control legislation.

Mr. CLARK. That is correct.

Mr. CRAMER. Mr. Speaker, for the purpose of accomplishing that, I would like to ask the distinguished gentleman from Pennsylvania a few questions with respect to his motion.

Mr. Speaker, as I understand it, the amendments which are disagreed to by this unanimous-consent request are basically amendments that in the first instance concern the question of the Secretary of Interior being given the authority to advise Federal agencies as to the granting of permits and licenses involving the possible pollution of water, a question which we all recognize to be of great importance. However, the impact of the proposed amendment is to place under the Secretary of Interior authority over industries of many types. The reason why it was agreed that this matter should not be legislated upon at this moment, is that very similar language was stricken from the bill in the committee itself by mutual agreement in order to try to get a consensus upon the bill and in order to pass it under a suspension of the rules. This matter was not heard in our committee. It is a question which certainly deserves extreme consideration. We cannot give it the consideration that it merits at this time. We cannot intelligently legislate upon this question at this time. That was the reason why it was unanimously agreed upon in the committee and on the floor of the House that we could not do so. Now the other body has reinstated that section of the bill. It should remain out of the bill until we have an opportunity to have adequate

hearings held on the matter and that is involved in amendment 14; is that correct?

Mr. CLARK. The gentleman is correct.

Mr. CRAMER. Mr. Speaker, that dispenses of that basic subject matter.

There is one other subject matter on which there is unanimous understanding, I believe, between the minority and the majority, just as there was in committee. However, the other body disagreed. This resulted in their amendment. The second group of amendments, which I understand the gentleman's unanimous-consent request involves, applies to offshore oil facilities. This is another matter on which it is mutually agreed that further knowledge is needed in order to decide what, if any, legislative action should be promulgated. Further, as I understand it, under the present licensing authority of the agency that permits drilling on offshore land on the Continental Shelf, that they can include in their licensing authority whatever restrictions they wish relating to pollution by oil spillage, and for that reason we are not turning our heads away from the problem and ignoring the problem, but in fact there is a remedy today. Whether or not there should be a further remedy is a matter the committee needs to study considerably before a legislative decision can be made.

That was unanimously understood in the committee, and I trust and hope that if this unanimous consent request is agreed to it will be unanimously so by this body. Is that not correct?

Mr. CLARK. The gentleman states the situation correctly.

Mr. Speaker, certain of the amendments before us present no great problem to the passage of the Water Quality Improvement Act of 1968. In many respects they are compromises between the positions expressed by the House amendments and the original Senate version.

For example under Senate amendments 1, 2 and 3, the amount of sums authorized to be appropriated that can be made available for contract authority has been increased by \$100,000,000. Certain changes have been made to the vessel pollution portion of the bill for the purpose of assuring that unreasonable demands are not made on small recreational vessels, but that marine sanitation device performance standards would only be promulgated when our technology permits these standards to be practicable and reasonable. The exemption of vessels that do not have installed toilet facilities relieves a burden upon those vessel owners who otherwise could be driven out because of the lack of feasibility of installing toilet facilities and marine sanitation devices on certain types of vessels.

Certain technical provisions have been incorporated to eliminate problems that might arise between State enforcement of local vessel pollution laws while standards are under development by the Secretary.

In the area of oil pollution the establishment of regulations for removing discharged oil and matter is clarified by some technical changes in language.

However, there are two sets of amendments proposed by the Senate with which

it would be unreasonable to agree at this time.

The first concerns the question as raised by Senate amendment 14 of the Secretary of the Interior being given the authority to advise Federal agencies as to the granting of permits and licenses involving possible pollution of water and is one of great import. The impact of the proposed amendment is to place under the Secretary of the Interior strong control of industries of many types.

Now this proposition is before us with no hearings, with no opportunity for those most affected to be heard and with no opportunity for us to determine the wisdom of this amendment. It would be an abuse of due process to impose these restrictions upon our citizens without giving them a chance to be heard.

In the second set, Senate amendments 18, 19, 22, 23, 24, 25, 26, and 27 a similar situation applies to offshore oil facilities. We need further knowledge in order to decide what legislation should be promulgated.

The other body found itself constrained to act in a parallel fashion concerning grants for the operation of treatment plants. In that case they opted by amendment 4 for a study to enlighten them. We feel that in the matters of licenses and offshore facilities, hearings rather than a study are in order at this time.

Mr. Speaker, I feel it only proper that this body should recognize the very great statesmanlike approach of the other body in coming to agreement in most areas of this legislation, which are difficult and to some extent controversial. The members of that body have displayed great comprehension of the problems of water pollution and the difficulties of legislation controlling it. With their knowledge and expertise, I feel that we have been able to achieve a compromise that is reasonable and beneficial to the Nation.

There follows a copy of the House engrossed amendments and the numbered Senate amendments to the House amendment so the record will be clear as to what the unanimous consent motion of the gentleman from Pennsylvania [Mr. CLARK] contains:

IN THE HOUSE OF REPRESENTATIVES,

October 7, 1968.

Resolved, That the bill from the Senate (S. 3206) entitled "An Act to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes", do pass with the following amendments:

Strike out all after the enacting clause, and insert:

"That this Act may be cited as the 'Water Quality Improvement Act of 1968.'

"Sec. 2. Section 8 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466e), is amended—

"(1) by redesignating subsections (f) and (g) as (g) and (h);

"(2) by inserting after the word 'grant' in clauses (1), (3), (4), and (5) of subsection (b) the words 'or contract'; and after the word 'grantee' in clause (3) of subsection (b) the words 'or contractee';

"(3) by inserting after the word 'appropriated' wherever it appears in the second and third sentences of subsection (c) the words 'for grants under subsection (b) of this section';

"(4) by inserting after 'subsection (b) of this section' in the first sentence of redesignated subsection (g) a comma and the following: 'or the amount contracted for under subsection (f) of this section,' and by striking out in such sentence 'the amount of such grant' and inserting in lieu thereof 'such amount';

"(5) by inserting after 'grants' in redesignated subsection (h) the following: 'or contracts'; and

"(6) by inserting a new subsection after subsection (e) to read as follows:

"(f) (1) For the purpose of this subsection, the term "contracting party" means a State, municipality or intermunicipal or interstate agency.

"(2) For the purpose of providing an additional method of financing treatment works under this Act, the Secretary, within limits to be established in appropriation Acts for the fiscal years 1969 and 1970, which limits shall not exceed in any such year twice the amount appropriated in excess of \$100,000,000 for grants under subsection (b) of this section for such fiscal year, and within limits to be established in appropriation Acts for fiscal year 1971 which limits shall not exceed in such year an amount equal to the amount appropriated in excess of \$100,000,000 for grants under subsection (b) of this section for such fiscal year, may enter into contracts, in accordance with the provisions of this subsection, with any contracting party to make payments over a period of not to exceed thirty years from the date of the contract to cover the Federal share of construction costs of treatment works that meet the applicable requirements of subsection (b) of this section and the first sentence of subsection (c) of this section. The principal sum available for contracts under this subsection for each fiscal year beginning after June 30, 1968, shall be allotted by the Secretary in accordance with the ratio that the population of each State bears to the population of all the States. Sums allotted to a State which are not obligated within six months following the end of the fiscal year for which they were allotted shall not be reallocated and shall lapse, except that sums allotted to a State in fiscal year 1969 shall be available for obligation therein for eighteen months from the effective date of this subsection. The total of such principal sum and the amount actually appropriated for grants under subsection (b) of this section for fiscal years 1969, 1970, and 1971 shall not exceed the sums authorized to be appropriated for grants for such fiscal years. The Secretary shall, upon the request of any State, enter into such contracts for treatment works approved by him since June 30, 1966, constructed or under construction with no Federal grant under this section or with a partial Federal grant under this section.

"(3) The Federal share for treatment works with respect to which a contract is entered into under paragraph (2) of this subsection shall be the same percentage as would be the case if a grant were being made for such works under subsections (b) and (g) of this section.

"(4) In any case where the contracting party uses payments made to it under a contract entered into under paragraph (2) of this subsection to pay bonds or other financial obligations issued by it to pay construction costs of treatment works, no payment made under such a contract shall exceed the amount which the contracting party agrees to use within sixty days of the date it receives such payment to reduce the principal amount of such bonds or other obligations.

"(5) Each contract shall include such reasonable terms and conditions as the Secretary deems appropriate."

"Sec. 3. Section 8(d) of the Federal Water Pollution Control Act, as amended, is amended to read as follows:

"(d) For the purposes of making grants

and payments on contracts under this section, there is authorized to be appropriated \$700,000,000 for the fiscal year ending June 30, 1969; \$1,000,000,000 for the fiscal year ending June 30, 1970; and \$1,250,000,000 for the fiscal year ending June 30, 1971. At least 50 per centum of the first \$100,000,000 so appropriated for each fiscal year beginning on or after July 1, 1965, shall be used for grants for the construction of treatment works servicing municipalities of one hundred and twenty-five thousand population or under. There is authorized to be appropriated such sums as may be necessary to make payments after June 30, 1971, on contracts entered into under subsection (f) of this section. Sums appropriated to carry out this section shall remain available until expended."

"Sec. 4. Section 5 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466c), is amended—

"(1) by redesignating subsection (h) as subsection (k);

"(2) by inserting after subsection (g) three new subsections to read as follows:

"(h) The Secretary is authorized to enter into contracts with, or make grants to, public or private agencies and organizations and individuals for the purpose of developing and demonstrating new or improved methods for the prevention, removal and control of natural or manmade pollution in lakes, including the undesirable effects of nutrients and vegetation.

"(i) The Secretary is authorized to make grants to, or enter into contracts with, public or private agencies and organizations and individuals to carry out any project which, in his judgment, will demonstrate feasible and practical techniques of eliminating or controlling acid or other mine water pollution.

"(j) The Secretary shall engage in such research, studies, experiments, and demonstrations as he deems appropriate relative to the removal of oil from any waters and to the prevention and control of oil pollution, and shall publish from time to time the results of such activities."

"(3) by changing in subsection (g) (4) the words 'and June 30, 1969,' to 'June 30, 1969, and June 30, 1970,'; and

"(4) by changing in redesignated subsection (k) the period after '1969' to a comma and adding the words 'and for the succeeding fiscal year.'

"Sec. 5. (a) Section 6 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466-1), is amended—

"(1) by changing in subsection (e) (1) the word 'three' to 'four'; and

"(2) by changing in subsection (e) (2) and (3) the word 'two' to 'three'.

"(b) Section 7 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466) is amended by inserting after subsection (j) the following new subsection:

"(k) For the purpose of improving the operation of treatment works on which construction was initiated after the enactment of this Act above its optimum design efficiency to achieve a substantial immediate improvement in effluent quality through the use of new methods or devices, other than additional construction, the Secretary is authorized to make grants annually to any State, municipality or intermunicipal or interstate agency in an amount not to exceed 25 per centum of the cost of operating such treatment works, but in no event more than 50 per centum of the cost of improving such operation during the twelve-month period for which application is made. No grant shall be made unless the State water pollution control agency certifies, and the Secretary finds, that the operation of the treatment works with the new methods or devices will achieve the intended improvement in effluent quality. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, and for each of the next two succeed-

ing fiscal years, the sum of \$25,000,000 per fiscal year for the purpose of this subsection. Sums so appropriated shall remain available until expended."

"Sec. 6. Sections 17 and 18 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466m and 466n), are amended to read as follows:

"AREA ACID AND OTHER MINE WATER POLLUTION CONTROL DEMONSTRATIONS

"SEC. 17. (a) The Secretary, in cooperation with other Federal agencies, is authorized to enter into agreements with any State to carry out one or more projects which will demonstrate methods for the elimination or control, within all or part of a watershed, of acid or other mine water pollution resulting from active or abandoned mines. Such projects shall demonstrate the engineering and economic feasibility and practicality of various abatement techniques which will contribute substantially to effective and practical methods of acid or other mine water pollution elimination or control.

"(b) The Secretary, in selecting watersheds for the purposes of this section, shall (1) require such feasibility studies as he deems appropriate, (2) give preference to areas which have the greatest present or potential public value for use for recreation, fish and wildlife, water supply, and other public uses, and (3) be satisfied that the project area will not be affected adversely by the influx of acid or other mine water pollution from nearby sources.

"(c) Federal participation in such projects shall be subject to the conditions—

"(1) that the State shall pay not less than 25 per centum of the actual project costs which payment may be in any form, including land or interests therein that is needed for the project, personal property, or services, the value of which shall be determined by the Secretary; and

"(2) that the State shall provide legal and practical protection to the project area to insure against any activities which will cause future acid or other mine water pollution.

"(d) There is authorized to be appropriated \$7,500,000 to carry out the provisions of this section, which sum shall be available until expended. No more than 25 per centum of the total funds appropriated under this section in any one year shall be granted to any one State.

"CONTROL OF SEWAGE FROM VESSELS

"SEC. 18. (a) (1) As soon as possible after the enactment of this section, the Secretary, after consultation with the Commandant of the Coast Guard and after giving appropriate consideration to available technology and economic costs, shall promulgate Federal standards of performance for marine sanitation devices (hereinafter referred to as 'standards') which shall be designed to prevent the discharge of untreated or inadequately treated sewage into or upon the navigable waters of the United States from new vessels and existing vessels, except (A) existing commercial fishing vessels forty-five feet or under in length, and (B) new or existing recreational vessels. Such standards shall be consistent with maritime safety and the marine and navigation laws and regulations and shall be coordinated with the regulations issued by the Commandant of the Coast Guard under this subsection. The Commandant of the Coast Guard shall promulgate regulations, which are consistent with the standards under this section and with maritime safety and the marine and navigation laws and regulations, governing the design, construction, installation, and operation of any marine sanitation device on board such vessels.

"(2) Any existing vessel equipped with a device or devices installed pursuant to the requirements of State statute, regulation, or recommended levels of control set forth in

the Handbook on Sanitation and Vessel Construction (Public Health Service, 1965) prior to the effective date of initial standards and regulations required by this section shall be deemed in compliance with this section until such time as the device or devices are replaced or are found not to be in compliance with such State statute, regulation, or recommended level.

"(b) (1) Initial standards and regulations under this section shall become effective for new vessels two years after promulgation, but not earlier than September 1, 1970, and for existing vessels five years after promulgation.

"(2) The Secretary and the Commandant of the Coast Guard, with regard to their respective regulatory authority established by this section, may distinguish among classes, types, and sizes of vessels as well as between new and existing vessels, and may waive applicability of standards and regulations for such periods of time as necessary or appropriate for classes, types, and sizes of vessels, and, upon application, for individual vessels.

"(c) The provisions of this section and the standards and regulations promulgated thereunder apply to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security. With respect to vessels owned and operated by the Department of Defense, regulations under subsection (a) and certifications under subsection (f) (2) of this section shall be promulgated and issued by the Secretary of Defense and not by the Commandant of the Coast Guard.

"(d) Before the standards and regulations under this section are promulgated the Secretary and the Commandant of the Coast Guard shall consult with the Secretary of State; the Secretary of Health, Education, and Welfare; the Secretary of Defense; the Secretary of Commerce; other interested Federal agencies; and the States and industries interested; and otherwise comply with the requirements of section 553 of title 5 of the United States Code.

"(e) After the effective date of this subsection, no State or political subdivision thereof shall adopt or enforce any statute or regulation with respect to the use of any marine sanitation device on any vessel subject to the provisions of this section.

"(f) (1) No manufacturer of a marine sanitation device shall sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States for sale or resale any marine sanitation device manufactured after the effective date of the standards and regulations under this section unless such device is in all material respects substantially the same as a test device certified under this subsection.

"(2) Upon application of the manufacturer, the Commandant of the Coast Guard shall certify a marine sanitation device if he determines, in accordance with the provisions of this paragraph, that it meets the appropriate standards and regulations promulgated under this section. The Commandant shall test or require such testing of the device in accordance with procedures set forth by the Secretary as to standards of performance and for such other purposes as may be appropriate. The Secretary, upon notification of the results of such tests, shall determine if such results are in accordance with the appropriate performance standards promulgated under this section and shall notify the Commandant of his determination. Upon such notification the Commandant, if he determines that the device is satisfactory from the standpoint of safety and any other requirements of maritime law or regulation, and after consideration of the design, installation, operation, material, or other appropriate factors, shall certify it. Any device which is in all material respects substantially the same as the certified test device shall be deemed to be in conformity

with the standards and regulations established under this section.

"(3) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary or the Commandant may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this section and regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary or the Commandant, permit such officer or employee at reasonable times to have access to and copy such records. All information reported to, or otherwise obtained by, the Secretary or the Commandant or their representatives pursuant to this subsection which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this section.

"(g) After the effective date of standards and regulations promulgated under this section it shall be unlawful—

"(1) for the manufacturer of any vessel subject to such standards and regulations to manufacture for sale, to sell or offer for sale, or to distribute for sale or resale any such vessel unless it is equipped with a marine sanitation device certified pursuant to this section;

"(2) for a vessel subject to such standards and regulations to discharge sewage into or upon the navigable waters of the United States in violation of such standards and regulations or to be operated on such waters with an installed marine sanitation device not certified pursuant to this section or otherwise in compliance with regulations;

"(3) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information required under this section; and

"(4) for any person, prior to the sale or delivery of a vessel subject to such standards and regulations to the ultimate purchaser, wrongfully to remove or render inoperative any certified marine sanitation device or element of design of such device installed in such vessel.

"(h) The district courts of the United States shall have jurisdiction to restrain violators of subsection (g) of this section. Actions to restrain such violators shall be brought by, and in, the name of the United States. In any such action subpoenas for witnesses who are required to attend a district court in any district may run into any other district.

"(i) Any person who knowingly violates either clause (1) or (4) of subsection (g) of this section shall, upon conviction, be fined not more than \$2,500 or imprisoned for not more than one year, or both. Each violation shall constitute a separate offense.

"(j) Any person who violates a provision of this section or any regulation issued thereunder shall be liable to a civil penalty of not more than \$1,000 for each violation. The Commandant of the Coast Guard may assess and collect any such penalty and may remit or mitigate any penalty imposed under circumstances he considers appropriate.

"(k) The provisions of this section shall be enforced by the Commandant of the Coast Guard, and he may utilize by agreement with or without reimbursement law enforcement officers or other personnel and facilities of the Secretary or other Federal agencies to carry out the provisions of this section.

"(l) Anyone authorized by the Commandant of the Coast Guard to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a war-

rant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

"(m) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions.

"(n) For the purpose of this section, the term—

"(1) "new vessel" includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed after promulgation of standards and regulations under this section;

"(2) "existing vessel" includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed before promulgation of standards and regulations under this section;

"(3) "commercial fishing vessel" means a vessel engaged in the business of taking of fish, mollusks, or crustaceans for subsequent sale;

"(4) "public vessel" means a vessel owned and operated by the United States, by a State, or by a foreign nation, except where such vessel is engaged in commercial activities;

"(5) "recreational vessel" means any vessel operated for noncommercial recreational purposes;

"(6) "person" means an individual, partnership, firm, corporation, or association, but does not include an individual on board a public vessel;

"(7) "United States" includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands;

"(8) "sewage" means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

"(9) "manufacturer" means any person engaged in the manufacturing, assembling, or importation of marine sanitation devices or of vessels having installed on board such devices; and

"(10) "marine sanitation device" means any equipment for installation on board a vessel designed to receive, retain, treat, or discharge sewage.

"Sec. 7. The Federal Water Pollution Control Act, as amended, is amended by redesignating section 19 as section 20 and by inserting after section 18 a new section to read as follows:

"CONTROL OF OIL AND OTHER HAZARDOUS POLLUTING MATTER FROM VESSELS

"Sec. 19. (a) As used in this section, the term—

"(1) "oil" means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil;

"(2) "owner or operator" means any individual or organization owning, operating, or chartering by demise, a vessel;

"(3) "vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water;

"(4) "public vessel" means a vessel owned and operated by the United States, or by a State or by a political subdivision thereof, or by a foreign nation, except where such vessel is engaged in commercial activities;

“(5) “discharge” means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil or matter;

“(6) “United States” includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

“(7) “remove or removal” refers to the taking of reasonable and appropriate measures to mitigate the potential damage of the discharge to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, shorelines, and beaches;

“(8) “matter” means any substance of any description or origin, other than sewage, oil, and dredged spoil, which, when discharged from a vessel into any waters in substantial quantities, presents, in the judgment of the Secretary, an imminent and substantial hazard to the public health or welfare, including fish, shellfish, and wildlife, and shorelines and beaches; and

“(9) “contiguous zone” means the entire zone established or to be established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone.

“(b) Except in case of an emergency imperiling life or property of substantial value, an act of God, war, or sabotage, or an unavoidable accident, collision, or stranding, or except as otherwise permitted by regulations issued by the Secretary under this section, or except where not prohibited under the provisions of article IV of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended, whoever discharges or permits the discharge of oil from a vessel by any method, means, or manner into or upon the navigable waters of the United States or adjoining shorelines and beaches of the United States, or into or upon the waters of the contiguous zone if such oil threatens to pollute or contribute to the pollution of the territory or the territorial sea of the United States, shall be punished in accordance with the provisions of this section.

“(c) Any owner or operator of a vessel, other than a public vessel, who willfully violates the provisions of subsection (b) of this section or any regulation issued thereunder, shall, upon conviction, be punished by a fine not exceeding \$2,500, or by imprisonment not exceeding one year, or by both, for each offense.

“(d) Any vessel, other than a public vessel, which willfully or negligently causes the discharge of oil in violation of subsection (b) of this section, or any regulation issued thereunder, shall be liable for a civil penalty of not more than \$10,000. Clearance of a vessel liable for this penalty from a port of the United States may be withheld until such penalty is paid or until a bond or other surety satisfactory to the Secretary is posted. Such penalty shall constitute a maritime lien on such vessel which may be recovered by action in rem in the district court of the United States for any district within which such vessel may be found.

“(e) The owner or operator of any vessel who willfully or negligently discharges or willfully or negligently permits, causes, or willfully or negligently contributes to the discharge of oil or matter into or upon the navigable waters of the United States or adjoining shorelines or beaches or into or upon the waters of the contiguous zone shall immediately notify the Secretary or his delegate of such discharge and shall remove such discharged oil or matter immediately from such waters, shorelines, and beaches in accordance with regulations prescribed under subsection (b) of this section. If such owner or operator fails to so act for any reason, or if the source of the discharge is unknown, or if the discharge occurs in waters beyond the contiguous zone and threatens to pollute or contribute to the pollution of the waters of the territorial sea of the United States, the Sec-

retary may remove the oil or matter or arrange for its removal, and such owner or operator and, as appropriate, the vessel shall be liable to the United States, in addition to the penalties prescribed in this section, for the full amount of the actual costs reasonably incurred by the United States under this subsection for removal of any oil or matter which is willfully or negligently discharged, except that there shall be no such liability, in the case of discharges beyond the waters of the contiguous zone. In the case of discharges into the waters of the contiguous zone, there shall be no such liability unless the Secretary determines that the discharge threatens to pollute or contribute to the pollution of the territory or the territorial sea of the United States. The aggregate liability under this subsection for the cost of removal of discharged oil or matter shall not exceed \$5,000,000 or \$67 per registered gross ton of such offending vessel, whichever is the lesser amount. Clearance of a vessel, other than a public vessel, liable for such costs from a port of the United States may be withheld until such costs are paid or until a bond or other surety satisfactory to the Secretary is posted. Such costs shall constitute a maritime lien on such vessel which may be recovered by action in rem in the district court of the United States for any district within which such vessel may be found. In carrying out the provisions of this subsection, the Secretary shall immediately, by agreement, delegate to the Secretary of the Department in which the Coast Guard is operating, the authority on a reimbursable basis to coordinate the removal of such oil or matter, including planning, directing, and controlling such removal, in the coastal and contiguous zone waters, ports and harbors, Great Lakes and major inland navigable waterways, and in other areas where the Coast Guard has the capability to effect such removal. Authority shall be delegated to other appropriate Federal agencies, subject to their agreement, in such other areas where the Secretary of the Department in which the Coast Guard is operating advises the Secretary that the Coast Guard lacks capability. Both Secretaries shall, whenever possible, utilize with or without reimbursement the personnel, services, and facilities of other Federal agencies.

“(f) In any action instituted by the United States under subsections (d) or (e) of this section, evidence of a discharge of oil or matter from a vessel shall constitute a prima facie case of liability on the part of the owner or operator thereof and the burden of rebutting such prima facie case shall be upon such owner or operator. The United States shall also have cause of action under subsection (e) of this section against any owner or operator of a vessel whose willful act or negligence is found to have caused or contributed to the discharge of oil or matter from a vessel involved in a collision or other casualty. The burden of rebutting the prima facie case of liability which the United States shall have against a vessel or the owner or operator thereof from which the oil or matter is discharged shall in no way affect any rights which such owner or operator may have against any other vessel or owner or operator or other persons whose willful act or negligence may in any way have caused or contributed to such discharge. An owner or operator who removes oil or matter discharged pursuant to subsection (e) of this section shall be entitled to reimbursement from any other owner or operator or vessel for the reasonable costs expended for removal when such discharge resulted from the willful act or negligence of such other owner or operator or vessel.

“(g) There is hereby authorized to be appropriated to a revolving fund established in the Treasury not to exceed \$2,500,000 to carry out the provisions of subsection (e) of this section. Any funds received by the United

States in payment of any actual costs incurred by the Secretary pursuant to said subsection and any penalties collected for any violation of this section shall also be deposited in said fund for such purposes. All sums appropriated to, or deposited in, said fund shall remain available until expended.

“(h) Within 180 days after the effective date of this subsection—

“(1) the Secretary shall issue regulations, in consultation with the Secretary of the department in which the Coast Guard is operating and consistent with maritime safety and with marine and navigation laws and regulations establishing water quality standards in removing discharged oil and matter, including criteria relative to the methods and means of removal, from any waters, shorelines, or beaches.

“(2) the Secretary of the department in which the Coast Guard is operating shall issue regulations, in consultation with the Secretary, which will establish procedures, methods, and equipment (A) to prevent discharges of oil and matter from vessels, and (B) to implement the regulations of the Secretary relative to removing discharged oil and matter.

“(i) The Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating and consistent with maritime safety and with marine and navigation laws and regulations, may issue regulations which authorize the discharge of oil or matter from a vessel in quantities, under conditions, and at times and locations deemed appropriate by him, after taking into consideration various factors such as the effect of such discharge on applicable water quality standards, recreation, and fish and wildlife.

“(j) The provisions of this section and the regulations issued thereunder shall be enforced by the Secretary of the department in which the Coast Guard is operating. The Secretary and the Secretary of the department in which the Coast Guard is operating may utilize by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency in carrying out the provisions of this section and the regulations issued thereunder, including those relating to enforcement.

“(k) Anyone authorized by the Secretary of the department in which the Coast Guard is operating to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

“(l) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions.

“(m) The Secretary of Transportation, in consultation with the Secretaries of Interior, State, Commerce, and other interested Federal agencies, and representatives of the merchant marine, oil, and insurance industries, and of other interested individuals and organizations, shall conduct a study of the need for and to the extent determined necessary, measures to provide financial responsibility and limitations of liability with respect to vessels using the navigable waters of the United States for the cost of removing discharged oil and paying all damages resulting

from the discharge of such oil. The Secretary of Transportation shall submit a report, together with any legislative recommendations, to Congress and the President by January 1, 1970.

"Sec. 8. Section 14 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466k), is amended by deleting the following: 'the Oil Pollution Act, 1924, or'.

"Sec. 9. The Oil Pollution Act, 1924 (43 Stat. 604), as amended (80 Stat. 1246-1252), is hereby repealed."

Amend the title so as to read: "An Act to amend the Federal Water Pollution Control Act, as amended, relating to the control of oil and hazardous substances; financing the construction of waste treatment works; to the conduct of water pollution control research; to the control of sewage from vessels, and for other purposes."

IN THE SENATE OF THE UNITED STATES,

October 11, 1968.

Resolved, That the Senate agree to the amendments of the House of Representatives to the bill (S. 3206) entitled "An Act to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes", with the following Senate amendments to House amendments:

(1) Page 2, lines 20 and 21, of the House engrossed amendments, strike out "in excess of \$100,000,000".

(2) Page 2, line 25, of the House engrossed amendments, strike out "in excess of \$100,000,000".

(3) Page 3, line 8, of the House engrossed amendments, after "section." insert "If, in any fiscal year, less than \$100,000,000 is appropriated to be available for grants under subsection (b) of this section, no appropriation Act for such fiscal year shall make available any amount for contracts under this section for such fiscal year."

(4) Page 7, strike out lines 2 to 17, inclusive, of the House engrossed amendments, and insert "than additional construction, the Secretary shall conduct a study of the need for, the desirability of, and the feasibility of, a program of assistance to any State, municipality or intermunicipal or interstate agency to pay a portion of the cost of operating such works to implement water quality standards. The Secretary shall submit a report on this study together with his recommendations thereon to the Congress, not later than June 1, 1969."

(5) Page 9, lines 12 and 13, of the House engrossed amendments, strike out "after giving appropriate consideration to" and insert "within the limits of".

(6) Page 9, line 21, of the House engrossed amendments, strike out "recreational vessels" and insert "vessels not equipped with installed toilet facilities".

(7) Page 11, line 22, of the House engrossed amendments, strike out "of this subsection" and insert "of the initial standards promulgated under this section".

(8) Page 17, of the House engrossed amendments, strike out lines 8 and 9.

(9) Page 17, line 10, of the House engrossed amendments, strike out "(6)" and insert "(5)".

(10) Page 17, line 13, of the House engrossed amendments, strike out "(7)" and insert "(6)".

(11) Page 17, line 16, of the House engrossed amendments, strike out "(8)" and insert "7".

(12) Page 17, line 19, of the House engrossed amendments, strike out "(9)" and insert "(8)".

(13) Page 17, line 23, of the House engrossed amendments, strike out "(10)" and insert "(9)".

(14) Page 17, after line 25, of the House engrossed amendments, insert:

"Sec. 7. Section 11 of the Federal Water

Pollution Control Act, as amended, is amended to read as follows:

"COOPERATION BY OTHER FEDERAL DEPARTMENTS AND AGENCIES TO CONTROL POLLUTION

"Sec. 11. (a) It is hereby declared to be the intent of the Congress that any Federal department or agency—

"(1) having jurisdiction over any building, installation, or other property, or

"(2) which carries out, or issues any license, or permit for any activity, shall, insofar as practicable and consistent with the interests of the United States and, where applicable, within any available appropriations, cooperate with the Secretary in the case of interstate waters, or with any State or interstate agency or municipality having jurisdiction over other waters into which any matter is discharged from such property, or which is affected by such activity, to insure compliance with applicable water quality standards.

"(b) In his summary of any conference pursuant to section 10(d) (4) of this Act, the Secretary shall include references to any discharges allegedly contributing to pollution from any Federal property. Notice of any hearing pursuant to section 10(f) involving any pollution alleged to be affected by any such discharges shall also be given to the Federal agency having jurisdiction over the property involved and the findings and recommendations of the Hearing Board conducting such hearing shall also include references to any such discharges which are contributing to the pollution found by such Hearing Board."

(15) Page 18, line 1, of the House engrossed amendments, strike out "7." and insert "8."

(16) Page 18, line 14, of the House engrossed amendments, after "vessel" insert "or owning or operating an offshore facility".

(17) Page 19, line 14, of the House engrossed amendments, strike out "and" where it appears the fourth time.

(18) Page 19, line 18, of the House engrossed amendments, strike out "Zone." and insert "Zone; and".

(19) Page 19, after line 18, of the House engrossed amendments, insert:

"(10) 'offshore facility' means any drilling structure and appurtenances thereto located in or upon the navigable waters of the United States as in or upon the waters of the contiguous zone."

(20) Page 21, line 3, of the House engrossed amendments, strike out "(e)" and insert "(e) (1)".

(21) Page 21, line 24, of the House engrossed amendments, strike out "liability," and insert "liability".

(22) Page 22, line 5, of the House engrossed amendments, strike out "subsection" and insert "paragraph".

(23) Page 22, after line 14, of the House engrossed amendments, insert:

"(2) The owner or operator of any offshore facility, who willfully or negligently discharges or permits or causes or contributes to the discharge of oil into or upon the navigable waters of the United States or adjoining shorelines or beaches or into or upon the waters of the contiguous zone, shall immediately notify the Secretary or his delegate of such discharge and shall remove such discharged oil immediately from such waters, shorelines, and beaches in accordance with regulations prescribed under subsection (h) of this section. If such owner or operator fails to so act for any reason, or if the source of the discharge is unknown, the Secretary or his delegate may remove the oil or arrange for its removal and such owner or operator shall be liable to the United States for the full amount of the actual costs reasonably incurred by the United States for the removal of such oil. The aggregate liability under this paragraph for the cost of removal of discharged oil shall not exceed \$5,000,000."

(24) Page 22, line 15, of the House engrossed amendments, strike out "In" and insert:

"(3) In".

(25) Page 23, line 7, of the House engrossed amendments, after "vessel" insert "or offshore facility".

(26) Page 23, line 14, of the House engrossed amendments, after "vessel" insert "or offshore facility".

(27) Page 23, line 17, of the House engrossed amendments, after "vessel" insert "or offshore facility".

(28) Page 24, line 19, of the House engrossed amendments, strike out "establishing water quality standards in" and insert "for".

(29) Page 27, line 4, of the House engrossed amendments, strike out "8." and insert "9."

(30) Page 27, line 7, of the House engrossed amendments, strike out "9." and insert "10."

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

Mr. CRAMER. I will yield to the gentleman under my reservation of objection.

Mr. BURLESON. Mr. Speaker, I thank the gentleman for yielding.

I want to be sure that the historic position of this House is maintained relative to the jurisdiction of States over water pollution matters. I believe it was clearly established in 1965 under the Water Quality Act that the States were to preserve their prerogatives and authority over the methods and the application of their own laws to the pollution of interstate navigable streams. I believe the gentleman has well stated it, but I want to be sure that section 11 as approved by the other body is completely eliminated.

Is this the case and if the request of the gentleman from Pennsylvania, [Mr. CLARK] is agreed to, the position of the States will be maintained as heretofore established?

Mr. CRAMER. In answer to the question of the gentleman from Texas, that was the first suggestion made, which I discussed, and it is completely eliminated, I will say to the gentleman.

Mr. CLARK. I can assure the gentleman it is.

Mr. BURLESON. If the gentleman will yield further, as I understand it, the position of this House, which has been well established, is that the policy relative to offshore operations will be preserved? In other words, amendment No. 14 added by the Senate is not agreed to and is eliminated in the action now here proposed?

Mr. CRAMER. I will say to the gentleman that that is amendment No. 14 added by the other body, which the unanimous-consent request of the gentleman from Pennsylvania specifically includes that it shall not be agreed to.

Therefore section 11 as passed by the other body is out.

Mr. CLARK. The gentleman is correct.

Mr. BURLESON. I thank the gentleman for yielding.

Mr. CRAMER. Mr. Speaker, I withdraw my reservation of objection.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from Florida?

There was no objection.

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

The motion was agreed to.

A motion to reconsider was laid on the table.

AMENDING INTERNAL REVENUE CODE REGARDING CREDITS

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 17332) to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain use of gasoline and lubricating oil, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the Senate amendments, as follows:

Page 6, after line 15, insert:

"Sec. 3. Section 2(b) of the Act entitled 'An Act to continue for three years the existing suspension of duties on certain alumina and bauxite, and for other purposes' (H.R. 7735, Ninetieth Congress) is amended by striking out 'the date of the enactment of this Act' and inserting in lieu thereof 'January 10, 1967'."

Amend the title so as to read: "An act to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain use of gasoline and lubricating oil, and for other purposes."

Mr. MILLS. Mr. Speaker, H.R. 17332 extends the time for claiming a credit or refund of excise tax on gasoline or lubricating oil used for certain nonhighway purposes. In essence, this bill will make the time for filing these claims similar to the time presently available for claiming other income tax credits. In most cases this is approximately 3 1/4 years after the year in which the payment is made.

Mr. Speaker, the Senate agreed to the provisions in the House version of this bill without change. However, the Senate also added an additional provision to the bill to extend the period for filing certain claims for drawbacks of distilled spirits on account of certain nonbeverage uses. This provision would apply retroactively to claims filed on or after January 10, 1967.

We considered this identical matter in connection with H.R. 7735 which was recently agreed to by both the House and Senate and sent to the President. At that time, the House rejected this retroactive effective date and agreed to an amendment which was prospective only. Since we have just considered this matter and decided that the amendment should not apply retroactively, I do not believe we now should do an about face and say it is to apply retroactively. It is for this reason, Mr. Speaker, that I am moving that we disagree to the Senate amendment to this bill.

MOTIONS OFFERED BY MR. MILLS

Mr. MILLS. Mr. Speaker, I move that the House disagree to the amendment of the Senate to the text of the bill.

The motion was agreed to.

Mr. MILLS. Mr. Speaker, I move that the House disagree to the amendment of the Senate to the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

AMENDING SECTION 337 OF INTERNAL REVENUE CODE

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 18101) to amend section 337 of the Internal Revenue Code of 1954 with respect to the recognition of gain or loss on sales or exchanges in connection with certain liquidations, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the Senate amendments, as follows:

Page 5, after line 3, insert:

"Sec. 3. (a) Section 4063(a) of the Internal Revenue Code of 1954 (relating to exemption of specified articles from the tax on motor vehicles) is amended by adding at the end thereof the following new paragraph:

"(5) CONCRETE MIXERS.—The tax imposed under section 4061 shall not apply in the case of—

"(A) any article designed (i) to be placed or mounted on an automobile truck chassis or truck trailer or semitrailer chassis and (ii) to be used primarily to process or prepare concrete, and

"(B) parts or accessories designed primarily for use on or in connection with an article described in subparagraph (A)."

"(b) The amendment made by subsection (a) shall apply with respect to articles sold after June 30, 1968."

Amend the title so as to read: "An act to amend section 337 of the Internal Revenue Code of 1954 with respect to the recognition of gain or loss on sales or exchanges in connection with certain liquidations, and for other purposes."

Mr. MILLS. Mr. Speaker, the House-passed version of H.R. 18101 dealt with improvements in the provision of present law—Section 337—which provides that gain is not recognized to a corporation on the sale of property by it where, after it adopts a plan of liquidation, it completes its distributions to its shareholders within a 12-month period. In part, the modifications made by the House bill correct an unintended oversight in this provision and in part the House provisions close a loophole wherein losses attributable to the sale of property in a liquidation were taken before the 12-month liquidation period against other income, while the gains attributable to the liquidation were not recognized.

The Senate accepted the House-passed provision without any change, but added a minor amendment dealing with the excise tax on trucks in the case of concrete mixers. I am moving to disagree to the Senate amendment because the Committee on Ways and Means has not had an opportunity to consider this amendment. This refusal to agree to the Senate amendment does not mean that

the committee may not at some future time approve of the amendment. We are not going along with this amendment at this time solely because this matter has not been considered by the committee.

MOTIONS OFFERED BY MR. MILLS

Mr. Speaker, I move that the House disagree to the amendment of the Senate to the text of the bill.

The motion was agreed to.

Mr. MILLS. Mr. Speaker, I move that the House disagree to the amendment of the Senate to the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

EXTENDING FOR ADDITIONAL TEMPORARY PERIOD EXISTING SUSPENSION OF DUTIES ON CERTAIN CLASSIFICATIONS OF YARN OF SILK

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15798) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the Senate amendments, as follows:

Page 1, strike out line 8 and insert "11/7/71".

Page 1, after line 8, insert:

"Sec. 2. Headnote 2(a) of part 1 of schedule 6 of the Tariff Schedules of the United States is amended by inserting between 'copper,' and 'zinc concentrates,' the following: 'manganese.'"

Mr. MILLS. Mr. Speaker, H.R. 15798 was unanimously approved by the House on June 4, 1968, as reported by the Committee on Ways and Means on May 22, 1968. One of the Senate amendments was added to the bill at our request, since the purpose of the bill as reported was to continue for 3 years the existing suspension of duties on certain classifications of silk yarn but through an inadvertency, the bill as passed by the House provided for a temporary suspension of duties on these articles for only 2 years. Thus, the technical amendment made by the Senate was at our request.

The second Senate amendment to H.R. 15798 involves a tariff classification problem of roasted or sintered manganese ores and concentrates. The Committee on Ways and Means has not had the opportunity to consider this matter. In view of this, I believe that the House should disagree to the second Senate amendment at this time.

MOTIONS OFFERED BY MR. MILLS

Mr. Speaker, I move that the House concur in Senate amendment No. 1.

The motion was agreed to.

Mr. MILLS. Mr. Speaker, I move that the House disagree to Senate amendment No. 2.

The motion was agreed to.

A motion to reconsider was laid on the table.

AMENDING TARIFF SCHEDULES SO AS TO PREVENT PAYMENT OF MULTIPLE CUSTOMS DUTIES IN CASES OF HORSES TEMPORARILY EXPORTED FOR RACING

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15003) to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill. The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert:

"That schedule 8, part 1, subpart A of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after item 802.30 the following new item:

" 802.40	In the case of horses, use for racing.	Free.	The column 2 rate applicable in the absence of this item.
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"Sec. 2. Schedule 8, part 5, subpart C of the Tariff Schedules of the United States is amended by inserting after item 864.75 the following new item:

" 864.80	Motion-picture feature films, the product of the United States, if having had dubbed into them abroad sound tracks made for non-English-speaking audiences to replace original sound tracks made for English-speaking audiences; all the foregoing, and copies thereof, imported by proprietors or managers of theaters for commercial exhibition in the United States.	Free, under bond, as prescribed in head-note 1.	Free, under bond, as prescribed in head-note 1."
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On page 1 of the Senate engrossed amendments, strike out line 4 and all that follows through line 6 on page 2.

"Sec. 3. The article description for item 734.65 of the Tariff Schedules of the United States is amended by inserting 'and curling equipment' after 'curling stones'.

"Sec. 4. The amendments made by this Act shall apply to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act."

Amend the title so as to read: "An Act to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing, and to provide for duty-free entry of certain motion picture films and curling equipment."

MOTION OFFERED BY MR. MILLS

Mr. MILLS. Mr. Speaker, I move that the House concur in the amendment of the Senate to the text of the bill with the following amendment:

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

Mr. MILLS. I yield to the gentleman.

Mr. BYRNES of Wisconsin. Mr. Speaker, I have asked the gentleman to yield so that I may ask the chairman for an explanation of what we are doing.

Mr. MILLS. Mr. Speaker, as the Members will recall, H.R. 15003 as unani-

mously passed by the House on September 30, 1968, was designed to amend the Tariff Schedules of the United States so as to prevent payment of multiple customs duties by U.S. owners of racehorses purchased outside of the United States. The Senate amended the bill as passed by the House, and the action of the Senate primarily involves matters which have not been considered by the Committee on Ways and Means.

Section 1 of the Senate amendment is purely technical in nature and would carry out the intent of the House-passed bill.

Section 2 of the Senate amendment involves the temporary admission, free of duty, of motion picture films produced in the United States which are dubbed abroad in a foreign language and then returned to the United States.

Section 3 of the Senate amendment would extend to equipment used with curling stones the duty-free treatment now accorded curling stones and parts.

Mr. Speaker, I am urging that the House agree to the technical amendment of the other body to H.R. 15003.

Mr. Speaker, since sections 2 and 3 of the Senate amendment involve matters that have not been considered by the Committee on Ways and Means, I am urging that the House agree to section 1 and disagree to sections 2 and 3 of the Senate amendment to H.R. 15003.

Mr. BYRNES of Wisconsin. Mr. Speaker, it might be well, I think, to explain at this point that for the most part what we are doing in each of these bills is perfecting amendments offered in the Senate in areas that we had not in our committee had an opportunity to go into and examine on their merits. This does not necessarily express our viewpoint, for instance, on the merits of these two amendments in this legislation.

It is simply a matter that we have not had an opportunity to check on them at this late date.

Mr. MILLS. Mr. Speaker, will the gentleman yield further?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. I certainly want to join my friends from Wisconsin in that statement. We are not passing judgment on this subject matter at all. We merely had not had an opportunity in the Ways and Means Committee to make any study whatsoever of the treatment of the subject matter of these amendments.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas to concur in the Senate amendments with an amendment.

The motion was agreed to.

A motion to lay on the table was agreed to.

MOTION OFFERED BY MR. MILLS

Mr. MILLS. Mr. Speaker, I move that the House disagree to the amendment of the Senate to the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954 RELATING TO DISTILLED SPIRITS

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's

desk the bill (H.R. 11394) to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes, and consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, line 19, strike out "The" and insert: "For purposes of subsection (b), the".

Page 5, after line 3, insert:

"SEC. 5. That (a) section 175(c)(1) of the Internal Revenue Code of 1954 (relating to soil and water conservation expenditures) is amended by striking out the last sentence and inserting in lieu thereof the following: 'Notwithstanding the preceding sentences, such term also includes any amount, not otherwise allowable as a deduction, paid or incurred to satisfy any part of an assessment levied by a soil or water conservation or drainage district to defray expenditures made by such district (i) which, if paid or incurred by the taxpayer, would without regard to this sentence constitute expenditures deductible under this section, or (ii) for property of a character subject to the allowance for depreciation provided in section 167 and used in the soil or water conservation or drainage district's business as such (to the extent that the taxpayer's share of the assessment levied on the members of the district for such property does not exceed 10 percent of such assessment).'

"(b) Section 175 of such Code is amended by adding at the end thereof the following new subsection:

"(f) RULES APPLICABLE TO ASSESSMENTS FOR DEPRECIABLE PROPERTY.—

"(1) AMOUNTS TREATED AS PAID OR INCURRED OVER 9-YEAR PERIOD.—In the case of an assessment levied to defray expenditures for property described in clause (ii) of the last sentence of subsection (c)(1), if the amount of such assessment paid or incurred by the taxpayer during the taxable year (determined without the application of this paragraph) is in excess of an amount equal to 10 percent of the aggregate amounts which have been and will be assessed as the taxpayer's share of the expenditures by the district for such property, and if such excess is more than \$500, the entire excess shall be treated as paid or incurred ratably over each of the 9 succeeding taxable years.

"(2) DISPOSITION OF LAND DURING 9-YEAR PERIOD.—If paragraph (1) applies to an assessment and the land with respect to which such assessment was made is sold or otherwise disposed of by the taxpayer (other than by the reason of his death) during the 9 succeeding taxable years, any amount of the excess described in paragraph (1) which has not been treated as paid or incurred for a taxable year ending on or before the sale or other disposition shall be added to the adjusted basis of such land immediately prior to its sale or other disposition and shall not thereafter be treated as paid or incurred ratably under paragraph (1).

"(3) DISPOSITION BY REASON OF DEATH.—If paragraph (1) applies to an assessment and the taxpayer dies during the 9 succeeding taxable years, any amount of the excess described in paragraph (1) which has not been treated as paid or incurred for a taxable year ending before his death shall be treated as paid or incurred in the taxable year in which he dies.'

"(c) The amendments made by subsections (a) and (b) shall apply to assessments levied after the date of the enactment of this Act in taxable years ending after such date."

Page 5, after line 3, insert:

"Sec. 6. (a) Section 504(a) of the Internal Revenue Code of 1954 (relating to denial of exemption) is amended by inserting after the second sentence thereof the following new sentence: 'Paragraph (1) shall not apply to income attributable to property transferred to a trust before January 1, 1951, by

the creator of such trust, if such trust was irrevocable on such date and if such income is required to be accumulated pursuant to the mandatory terms (as in effect on such date and at all times thereafter) of the instrument creating such trust."

"(b) Section 681(c) of such Code (relating to limitation on charitable deduction of trusts by reason of accumulated income) is amended by inserting after the second sentence thereof the following new sentence: 'Paragraph (1) shall not apply to income attributable to property transferred to a trust before January 1, 1951, by the creator of such trust, if such trust was irrevocable on such date and if such income is required to be accumulated pursuant to the mandatory terms (as in effect on such date and at all times thereafter) of the instrument creating such trust.'

"(c) The amendments made by subsection (a) and (b) shall apply with respect to taxable years beginning after December 31, 1953, and ending after August 16, 1954. For purposes of section 3814 and 162(g) (4) of the Internal Revenue Code of 1939, provisions having the same effect as such amendments shall be treated as included in such sections effective with respect to taxable years beginning after December 31, 1950."

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

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, and I shall not object, I do so in order that the chairman of the committee may make an explanation of the amendments and the position of the House.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, H.R. 11394 as passed by the House made three amendments to the distilled spirits excise tax provisions of the Internal Revenue Code of 1954 and makes corresponding amendments to two provisions of title 19 of the United States Code. These provisions allow the abatement of tax after the packaging of the distilled spirits but before their removal from the distilled spirits premises in the event of a disaster loss. These provisions also simplify the exportation procedures, permitting the stamping and marking of the spirits for export after they have left the premises of the plant where they were originally bottled. The bill further makes available to all imported distilled spirits in bulk containers the privilege to be transferred from customs custody to internal revenue bond without the payment of the internal revenue tax at the time of this transfer.

The Senate accepted these provisions of the House bill without change but added two provisions to the bill. One of the provisions added to the bill is a bill previously passed by the House dealing with assessments for depreciable property in the case of soil and water conservation districts. The bill passed by the House was H.R. 2767. This amendment, with minor technical improvements, is the same as the House-passed bill. That bill provided that if a farmer pays an assessment levied by a soil or water conservation or drainage district which is attributable to the acquisition by the district of depreciable property, the amount paid can be deducted for in-

come tax purposes generally on an amortized basis over a 10-year period.

The second amendment added to this bill provides that the provisions of existing law denying tax-exempt status to otherwise tax-exempt organizations, and denying unlimited charitable contribution deductions for trusts, because of an unreasonable accumulation of income is not to apply in the case of income from property transferred to trusts before 1951 if the trusts were irrevocable at that time and income under the terms of the trusts was required to be accumulated. Present law already contains a similar provision, but this provision is limited to testamentary trusts created before 1951. The 1951 date appears in this case because this is when Congress first required distributions of unreasonable accumulations by these tax-exempt organizations. The idea here is that where the accumulation is mandatory under the trust instrument and the trust is irrevocable, and this occurred before Congress first enacted the unreasonable accumulations provision, it is unfair to deny tax-exempt status to the organization or trust because it does not comply with the unreasonable accumulations provision. In the past this was recognized in the case of testamentary trusts but overlooked in the case of inter vivos trusts where the trusts were irrevocable before 1951 and at all times thereafter and the accumulations were mandatory.

This provision has been studied by the Committee on Ways and Means and probably would have previously been reported had not there been some procedural problems associated with other legislation. It appears fair and equitable, and I believe this is the view of the Committee on Ways and Means as a whole.

This provision was originally called to the committee's attention in connection with the Duke Endowment Trust although it is my understanding that it will have other impact as well. The funds of the Duke Endowment Trust, except for the mandatory accumulation, have been distributed on a reasonable basis and all for purposes such as Duke University, hospitals, other universities, orphanages, and Methodist churches, and retired ministers. I want to make it clear that in passing on this provision we are concerned here only with mandatory accumulations and do not intend to affect the tax status of any voluntary accumulations of the Duke Endowment or any other trust or tax-exempt organization. Moreover, this provision will not have any effect except insofar as accumulations actually are mandatory under the terms of the trust instrument or other covering document.

The Treasury Department has indicated that it has no objection to the provisions I have described.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TRIBUTE TO THE SPEAKER AND THE MAJORITY LEADER

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. BOGGS. Mr. Speaker, I know that this is the last day of this session of Congress, and I would just like to take this minute, aside from the material which will follow and which will be quite lengthy, to say to the Speaker what a great privilege it has been for me to work with him in this session of Congress. I say that the record this session has made is one that the Speaker can be proud of, and I say that the Speaker of the House of Representatives is active, aggressive, and is a wonderful leader. I am proud to be a part of his team and, as a further part of his team, CARL ALBERT of Oklahoma, the distinguished majority leader.

I think both of these men have made magnificent contributions to the advancement of this country and all of the people who live in our country. I thank these gentlemen.

Now, Mr. Speaker, let me recount a series of events.

On Friday night I attempted to recount to my colleagues events surrounding a public bribe as well as what was involved in an application by the State of Maine and the Occidental Petroleum Corp. for a foreign trade zone in Maine, where they could build a 300,000-barrel-per-day-capacity refinery.

I was unable to do this because the distinguished Republican gentleman from Ohio [Mr. LATTA] insisted on a quorum and knew that one could not be obtained, and therefore I would not be able to say what had to be said on the floor.

His action also deprived his Republican colleagues—namely, the minority leader, GERALD FORD, and the one-term Republican Congressman from Texas, ROBERT PRICE, and my good friend, GEORGE BUSH, as well as the junior Senator from Texas, JOHN TOWER—from being able to reply to what I had to say. I had notified the office of each one of these distinguished Members of Congress that I had mentioned their names. I am sorry that Mr. LATTA did not give them a chance to be there and hear what I had to say.

To say the least, he was discourteous. Thereafter, I immediately called a press conference in my office in the Capitol where I said what I would have said on the floor. There was one difference, however. What I said there was not covered by congressional immunity. Had I made the speech on the floor there would have been immunity. Despite this, however, the New York Times on Sunday devoted a full column on the matter which I attach herewith, and the papers throughout the country, including the New Orleans States-Item, had a front page news story about the matter.

Dr. Armand Hammer, chairman of the Occidental Petroleum Corp., following my press conference, called the charges

outrageous and false. I thereupon invited him, in view of the fact that I did not have congressional immunity, to sue me in a court of his choice for libel or slander or both. Should he do so the facts will be documented. The Occidental Petroleum Corp. unquestionably sought to bribe me.

Now it is passing strange to me that a great newspaper here in Washington failed to print one word about this interview. They were represented there by one of the ablest reporters I know, Mr. Richard Lyons. He was present in person for most of the interview. I am quite certain that he must have written a story because the idea of the Democratic majority whip being offered a public bribe has got to be news.

In addition to that I introduced a bill, H.R. 20507, making the law even more specific because I feel that this should be done, although I have no doubt whatsoever that what the representatives of Hooker Chemical and Occidental Petroleum did constitutes a violation of title 18 of the United States Code—18 U.S.C.A. 201.

The Washington Post editorializes periodically about the need for campaign reforms, also about the need to reform congressional procedures.

Since 1951 when I headed the Special Committee on Elections and went into the cost of the campaign between former President Eisenhower and the late former Governor, Adlai Stevenson, I have introduced in every session of Congress a very comprehensive bill which would tighten up the law on campaign contributions and would amend and repeal many of the existing inadequate provisions in our Corrupt Practices Act. I call to the specific attention of the Washington Post this bill, H.R. 29, introduced on January 10, 1967.

I suspect that the Washington Post feared that it would be sued for libel. In other words, it did not have the guts to publish the story. I am sorry. I suggest to the Washington Post the admonition of Matthew, chapter 7: "Do not judge, that you may not be judged."

Here is the story. On September 25, before the Mid-Continent Oil & Gas Association I made a speech in New Orleans. The speech is attached. I said in that speech after examining the Occidental plan for its refinery in Maine in a foreign trade zone that I would go to Maine to oppose the granting of such a zone by the Foreign Trade Zone Board composed of the Honorable C. R. Smith, the Secretary of Commerce; the Honorable Henry H. Fowler, the Secretary of the Treasury; and the Honorable Stanley Resor, Secretary of the Army.

The application is filed under an act of Congress passed in 1950 and sponsored by Congressman CELLER of New York, and myself, which amended the Foreign Trade Zone Act to permit certain practices within the zone. I include herewith a legal memorandum on this subject.

But it was never intended by this amendment that the zone would be used for the purpose of evading the tariff, quota provisions, or other import restrictions that we have carefully worked out to balance our export-import indus-

try with our domestic manufacturers and producers.

Here is roughly what Occidental proposes to do in a foreign trade zone in Maine. It would import from Libya 300,000 barrels of crude oil and it would build in the foreign trade zone an enormous refinery where the crude would be refined. There much of the 300,000 barrels would be converted into so-called residual fuels. Residual fuels come in free. Such fuels are not subject to the import quota. Much of the balance would be converted into jet fuel. This jet fuel would then be moved from Maine to Kennedy International Airport in New York and other international airports. It would be sold to airlines headed out of the country and thereby pay no tax of any kind to our Government, or to any State or city. We cannot impose taxes on exports. These sales would be considered exports. Thus Occidental would be given a tremendous competitive advantage over every other major company.

Now the Occidental application in Maine on its own would cost my State at least \$5 million, according to my able conservation commissioner, the Honorable Pete Menefee. But more frightening, if such an application were granted every other major oil company would be forced to file similar applications to meet this type of unfair competition.

These applications would have to be granted. This would, of course, mean that the domestic oil industry goes down the drain and my State of Louisiana, which derives half of all its income from the oil industry, and where at least 100,000 people are employed in that industry, would go down the drain with it. That is why I oppose this application. The impact on the quota system would be ruinous. The present system allots 12.2 percent of our domestic consumption to imports. This breaks down to a total of 2,424,000 barrels a day. Of this figure, Canada supplies 449,000 barrels, Mexico 48,000 barrels, and the entire Middle East only 200,000. These were the latest figures available to me.

You will note that in the Middle East there is a quota of only 200,000 barrels, but Occidental proposes to bring from its field in Libya 300,000 barrels a day which is a 150-percent increase for the whole of the Middle East.

Occidental represented itself in the hearing in Maine as being an independent competing with giant major oil companies. A company which produces 500,000 barrels of crude in one country alone certainly cannot be called a small independent. The whole production per day in my own State is 1,000,000 so that Occidental produces in 1 day in Libya exactly one-half of the whole production of the State of Louisiana.

The one State more dependent upon oil and gas production than Louisiana is Texas. In Texas, about 3,000,000 barrels of oil are produced each day. Houston, I regretfully admit, is known as the oil capital of the world. And it is. I will insert in the RECORD at the conclusion of my remarks the Portland paper article wherein I note a statement attributed to Governor Curtis, of Maine. He is a fine man and an able Governor. I commend

him for trying to help his State, but Maine and New England have never had a better friend than myself.

I know that Maine and New England do not have either petroleum or coal resources. I have therefore been able to maintain residual fuels going into New England without being subject to any import restriction.

These fuels are the ones used by the utilities to provide the electric power for the whole area and to provide fuel for the heat that is needed in the homes of New England during their long winters. They are not subject to import quotas. The coal industry has always opposed me on this position.

I have not been entirely unselfish about this. Residuals are not competitive in Louisiana and because of the fact that Venezuela exports most of the residuals to New England, Venezuela is able to buy from American manufacturers many, many hundreds of millions of dollars of goods. These goods move through the Port of New Orleans giving employment to my people.

Now Maine also needs hydroelectric power. For years it has sought a project known as the Dickey-Lincoln School Dam which has been defeated time and time again in Congress. Each time that it has come up one of the men most vigorously opposed to the project has been my good friend and able colleague, the Honorable GERALD FORD, the minority leader from Michigan. As many times as he has voted against it, I have voted for it because I know that Maine needs this project and I will continue to work with the able Congressmen from Maine, the Honorable WILLIAM HATHAWAY, the Honorable PETER KYROS, and Senator MUSKIE to get the project for Maine despite the opposition of Congressman FORD of Michigan and other members of his party.

Now turning back to the Governor's statement. He said that he was outraged at the Commerce Department scheduling a further hearing on this application here in Washington tomorrow. It seemed to me that if Governors from all over the country could come to Maine it was not impossible for my colleagues to go there. I was particularly outraged by a Congressman from Texas whom I have never heard of, despite the fact that I am the majority whip of the House of Representatives, named ROBERT PRICE. He called the proposal "a Johnson administration fix." This is a direct quote from the Portland Press Herald of October 10, 1968.

Mr. Speaker, that is a lie. A pure, simple, unadulterated lie. This is an outrageous statement. If such a thing as a Johnson "fix" had occurred, could you imagine me being here?

Everyone knows that I have supported poverty programs, education of our children at all levels, programs making it possible for minority groups to have the right to vote. I supported medicare, health programs, antipollution and conservation measures, and landmark consumer protection laws, most of which were difficult to pass, as well as countless others proposed for the benefit of all of our people. I make no apology for this record. I am proud of it.

Texas wanted strong representation

in Maine against this project. I will include a letter that I received from Texas, and resolutions from Texas organizations. To me it was passing strange that Mr. PRICE made his charge safely from way down in Texas rather than look them in the eye in Portland like I did.

But personally, I really did not want to go to Portland. I went because I had to go. I went because it was a matter of honor. Let me tell you why, Mr. Speaker.

After I made the speech on September 25 before the Mid-Continent Oil & Gas Association, this was carried in the press. Then I said to myself, this hearing is a mere formality and I cannot imagine Secretary Udall wrecking the import quota system and sending the domestic industry down the drain. Nor could I imagine the distinguished panel which makes up the Foreign Trade Zone Board so misconstruing the act in granting this outrageous application. I was reasonably assured, therefore, that at least the present occupants of these offices would not do such a thing.

So having accomplished the mission, for all practical purposes going to Maine for a formality was a vain and useless thing to do. At least that is the way I saw it at that time.

Also, I did not want to embarrass in any way Congressmen HATHAWAY and KYROS, whom I admire and respect, and the many other distinguished Democrats who support the project.

So I called my people in Louisiana and said that I would not go. They were very disappointed and said please reconsider. Thereupon, I said to myself, "Why not make it bipartisan and then there would be no reflection of partisanship within the opposition to the project."

I herewith refer you to the news story in the New Orleans Times-Picayune for Wednesday, September 25, saying that I was going to Portland, Maine.

I thereupon suggested to my Louisiana people that GEORGE BUSH, my able friend and distinguished colleague from Texas, go with me.

This would have made it bipartisan and more than that, he is unopposed in November in Houston and he himself is violently opposed to the Maine project. He wrote me to that effect—note letter. Moreover he is a member of the House Committee on Ways and Means and serves there very capably and well and is in a position to do something about all of these matters.

In short, he was a natural.

Moreover, Texas produces 3,000,000 barrels of crude per day and certainly the oil and gas industry must be as vital to Texas as it is to Louisiana.

So I called my friend in Louisiana, an outstanding attorney with no official position, who was most anxious for me to go to Maine, despite the tremendous schedule which I had taking me across the continent and suggested that he get his friends in Texas to have my friend, GEORGE BUSH, accompany me to Portland, Maine.

My friend immediately saw the practicality of this suggestion and said that he would accomplish it. He said that he would contact the Nixon campaign manager in Texas and the Nixon cam-

paign manager would get him there, meaning Congressman BUSH.

He had every reason to be confident because the name of the man he had in mind is James Posgate, vice president in charge of production of the Humble Oil & Refining Co., who should, of course, be on the side of Texas and not Occidental.

Whether any contact was made with Mr. Posgate is something I have no knowledge of. However, I cannot imagine Mr. Posgate not urging Texas Republicans to go to Maine. I am sure that he must have.

As far as I can ascertain my Louisiana friend gave him a title that he does not enjoy. He is not a manager for former Vice President Nixon, but as far as I can ascertain supports him.

The minute he said to me that he would use a Nixon supporter to get BUSH to Maine with me, I felt that I would not have to go.

Whether the Nixon forces had anything to do with the fact that none of the Texas Representatives in Congress or Senators did appear is something that I do not know.

But I do know that on Thursday, October 3, I called my friend in Louisiana, and said, "Is GEORGE BUSH going?" He said he was still working on it and I said, "Well, it has to be bipartisan. If he does not go, I could not go. I cannot embarrass my own Democratic colleagues."

But again I reassured him that my not going there did not make any difference anyway.

Now the story becomes very interesting. It is the old adage: "Truth is stranger than fiction." And this is the reason, Mr. Speaker, that I went.

I left Washington on Friday morning September 27, at 8:35 a.m. on Delta flight No. 987, from Friendship Airport. I arrived in New Orleans at 9:50 a.m. central daylight time. I went immediately to the Roosevelt Hotel. There I received a telephone call from a very good friend of mine who represents the petro-chemical industry in my district. He told me in essence that he had told some people, meaning Occidental, that if he represented the Second District of Louisiana that he would do exactly as I was doing; namely, going to Maine.

I asked what was their interest.

He said they own Hooker Chemical Co.

This was the first time that I knew that Occidental owned Hooker Chemical.

I refer here to the news story in the Wall Street Journal on Occidental's acquisition of Hooker. It was then that I began thinking that I had to go to Maine whether or not any Republican from Texas went or not.

Now what happened? My friend undoubtedly reported back that I was going to Maine.

Shortly thereafter a telephone call came to my office in Washington from the treasurer of Hooker Chemical, Mr. E. W. Mathias, saying that they wanted to help me in my campaign.

I learned of this call later that afternoon, and I told my Washington office to tell the Hooker Chemical people to see me.

They came to see me on Tuesday morn-

ing, October 1, at 10 a.m. They met with me in the whip's office. In between the Friday telephone calls, and the Tuesday meeting in the whip's office in the Capitol, I went on Sunday, September 29, to a Saints football game in New Orleans, and I had as my guest a very fine gentleman named Julius "Duck" Sellers, the assessor of St. Charles Parish, who determines how much taxes Hooker Chemical has to pay on its giant plant there.

During the game I casually asked Sellers about the Hooker Co. He said that they were fine people. I asked no further questions.

This plant is an invaluable asset to St. Charles Parish. It gives employment to many of our people and it is operated efficiently and ably.

I am only sorry that Occidental bought it.

Now I am asking the SEC to investigate the transaction to see whether the insider rule was violated in its acquisition of Hooker Chemical on July 24, 1968.

In this connection I attach articles from the Wall Street Journal noting certain suits alleging just that sort of thing in previous transactions by Occidental. I think—I do not know—but I think the law was violated in this case. It is being made a matter of intense investigation and in due course we will know whether it was violated or not, and whether or not any indictment will be required.

Now returning to the meeting in the whip's office on Tuesday, October 1, Present were Mr. James Baldwin of Occidental Petroleum Corp., Mr. E. W. Mathias, treasurer of Hooker Chemical Co., and Mr. O. A. Mattison, Washington manager of Hooker, and my whip administrative assistant, Mr. Gary Hymel.

When the gentlemen walked into the office we made a picture and then Mr. Hymel listened very carefully to the conversation.

I said in effect I am glad to see you gentlemen. I have much to do. What can I do for you?

They replied in effect we understand that you are in a campaign; we want to help you.

They said that they had helped me before. I learned that they had in a very small amount in 1966. This was 2 years prior to their acquisition by Occidental.

I thereupon said, "what do you mean?"

They said, "campaign funds."

Then Mr. Mathias asked me if I knew Mr. "Duck" Sellers. He was the man I had taken to the football game. He is a fine gentleman, an intimate friend of mine, and one of the ablest and most effective young leaders in my State. I predict for him a very bright future in Louisiana politics.

I said that I knew Mr. Sellers. They said, "Then we can make arrangements through him."

I said, "You are saying you want to give me a campaign contribution through Mr. Sellers?"

They said, "Yes."

I thereupon turned to Mr. Baldwin; I asked him if Occidental wanted me to go to Maine and testify against its application for a foreign trade zone; he blushed, but I asked him again, "Just

answer the question, yes or no." He replied "No." I thereupon left the office and have not seen these gentlemen since that time.

They immediately wrote me a letter signed by Mr. E. W. Mathias which is attached herewith. The letter is an obvious attempt to justify what happened in my office and to avoid the violation of the statute.

There is no question about this being a violation of the law. This was why I meant it was a matter of honor.

Mr. Speaker, no man or woman, no corporation or subsidiary thereof, can select which law he obeys or which law he does not obey. Lawlessness in all of its forms must be suppressed. When NBC bugged the executive session of the platform committee, I said that was a violation of the law and it has been reported to the enforcement agency, as has this matter.

I suggest to Mr. Armand Hammer that he read the history of the Teapot Dome scandal.

The various documents and articles referred to in my remarks follow at this point:

ADDRESS BY U.S. REPRESENTATIVE HALE BOGGS, BEFORE THE MID CONTINENT OIL & GAS ASSOCIATION BANQUET, ROYAL ORLEANS HOTEL, NEW ORLEANS, LA., SEPTEMBER 24, 1968

I am pleased to have all of you of this great Mid Continent Oil and Gas Association, and particularly the division from my own state, here in my own city. I work very closely with Tom Martin and Robert Brooksher and so many other of your representatives. Believe me, they are doing a splendid job for you and for this great industry.

Here in New Orleans and throughout the entire state of Louisiana, we know what your industry means to our people. I know this, too, as the chairman of the committee on foreign economic policy of the joint economic committee. Consider the way the oil and gas industry is operated in the United States—where using the tools of private enterprise it is able to employ the incredible technology that freedom has made possible.

Compare that to the other nations in the world where minerals have become the pawns of self-serving demagogues.

Let me give you an example close to home . . . the great country of Brazil desperately needs petroleum. The geologists and engineers tell us that the potential production of Brazil has not been touched. Yet—because her minerals have by and large been nationalized and because American companies are categorized by the Communists and others as greedy yankee capitalists—the know-how that our industry possesses has not been utilized. So, Brazil continues to spend what foreign credit it is able to earn through the sale of its coffee to the United States on crude that it must import to fuel and energize its economy.

It thus runs an export deficit and a balance of payment deficit year after year and its unbelievable inflation goes on year after year, resulting in an unstable government and crisis after crisis—year after year.

Compare this to the United States. Here is what private enterprise industry means to our country.

Until now, not only has the government not had to spend one penny to develop the tidelands, but it has collected in bonuses the astonishing sum of \$3,178,633,280. Louisiana has collected in oil and gas lease bonuses \$1,799,468,737. In terms of oil and gas royalties collected off-shore—\$785,810,460 have been collected. Louisiana, in terms of royalties has collected up to now \$762,509,028. From all Federal off-shore delay rentals

there has been collected \$18,874,993—Louisiana's share being \$12,912,835.

That is only a bit of the story. Current statistics show that a million and a half people in our country are employed in the oil and gas industry.

Bringing it right down to home, Louisiana is more dependent on the petroleum industry for its economic growth and strength than any state in America.

For example:

Over 1 million dollars in taxes and fees is generated for the state every day of the year. This is more than one half of all income from any state source.

Almost \$2 million are invested every day in drilling and equipping oil and gas wells or drilling dry holes—the largest capital investment in the state.

Three million dollars is spent every day by Louisiana refineries for the oil they process. The refinery capacity is now more than one million barrels per day. In the past 20 years, three billion dollars has been invested in Louisiana petroleum facilities to supply the growing demand for petroleum-derived chemicals.

More than one hundred thousand Louisiana citizens—one out of ten non-agricultural jobs in the state—depend on the oil and gas industry for employment.

The 1967-68 fiscal year budget of the state anticipates about 470 million dollars from oil and gas sources.

Three fourths of the state's contribution to its public school system for their operation comes from oil and gas industry monies. Forty two per cent of the state's expenditures on higher education come from our petroleum and petro-chemical industry.

More than 90 per cent of the money Louisiana spends on roads is the product of motor fuel taxes and revenue from leases on state land and water bottoms, generated by the oil and gas industry.

The oil and gas industry in Louisiana has grown tremendously in size and economic impact to the State in the past 20 years. Its production has more than quadrupled in this time. The state is now closing in on Texas as the leading state in both production and reserves of petroleum.

The United States as a whole depends on Louisiana for these things:

I. One-fourth of his domestic oil needs. Louisiana-produced crude oil and condensate provides the liquid fuel for the nation in five hours and forty minutes out of every 24 hour day.

II. Almost one third of its natural gas. For 7 hours and 12 minutes out of every day, Louisiana natural gas supplies all of the nation's needs.

III. The proved reserves which, for more than a decade, have provided half of the new oil and gas which is needed for our future use.

But all is not rosy for my state.

Other than the attacks on the depletion allowance, the most serious current problem facing the state of Louisiana and the domestic oil and gas industry today is the proposal of Occidental Petroleum Corporation to establish a trade zone in Machias, Maine, and to construct a 300,000 barrel per day refinery there to process imported oil. This is a cleverly planned scheme which has drawn the strong support of the New England states since the applicant, utilizing the cheap cost of the imported oil, is offering as bait to these states a royalty of 20 cents a barrel on all of the imported oil or products brought through the refinery.

It is clear to me, as I am sure that it is to each of you, that the impact of the importation of this substantial quantity of cheap imported oil and oil products must be borne almost entirely in two areas; this is in Texas and Louisiana, as the two major oil-producing states.

The studies of the able staff of conservation commissioner, Pete Menefee, show that

the immediate loss to the State of Louisiana in royalties and severance taxes through the establishment of the occidental proposal would be in the range of \$5,000,000 annually. The oil and gas industry represented by your organization will feel the adverse effect of this project in every facet of its operations from exploration through refining. But, ladies and gentlemen, what concerns me far more than this immediate single project, bad as it is, is the obvious fact that if the Occidental Maine project wins approval, the precedent will have been set for others just like it. If Maine and the New England States can put over this program, there will be no basis whatever for denying similar projects in New York, Delaware and other areas along the eastern seaboard.

I leave it to your imagination as to what the ultimate results would be to us here in Louisiana. I can only say that they will be staggering.

I consider this project proposal to be squarely in the teeth of the mandatory oil import program established by Congress. As chairman of the Committee on Foreign Economic Policy of the Joint Economic Committee and as vice chairman of the Ways and Means Committee, and as the third ranking Member of the House leadership, I am going to make every effort to go to Portland on Thursday, October 10th and personally testify against this proposal—despite the fact that the day before I must be in St. Louis and must be back in New Orleans on Friday, October 11th.

Now, one final word about percentage depletion. I don't find it hard to defend percentage depletion because I believe in it. I know that all that I have said about the revenues that have gone to our Nation and our State could not have happened without percentage depletion.

But let's look at it as it really is. There are both Democrats and Republicans who oppose percentage depletion. In the recent session of the Democratic platform committee in which I had the somewhat difficult job of chairman, a strong effort was made to advocate in that platform reducing percentage depletion . . . that didn't happen—and you know why it didn't.

(Tells joke about country preacher.)

And let me say this to you. . . . Percentage depletion is not going to be tampered with in the 91st Congress, if God spares me. But, without being immodest, I have enough confidence in the people in my district to believe that they are going to continue to employ me after November 5th. And of this you may be sure—as the second ranking member of the House Committee on Ways and Means, I will be there when the votes are counted in that committee. I know that we can win in that committee. Should we lose in the Senate where tax bills can be amended, then the conference will be made up of Senator Russell Long, who is the chairman of the Finance Committee, and myself as well as four or five other people.

Few people realize the power that represents. To think that a State of 4 million people would have that much power with respect to the whole economic structure (trade, tax, tariffs, fiscal matters, etc.) is hard to imagine. I am certain it has never happened before in the history of any State.

Someone said to me—well, suppose a Democrat is not the next President? At the expense of being immodest, let me assure you that Senator Long and I will work responsibly with the President of the United States—whichever he may be—and that our seniority on these two vital committees will merit the cooperation of the President.

One final word . . . you know, I am tired of people selling this country short. I'm tired of seeing nothing but the bad things about us. All sensible people know that we have problems in our country—that we have disaffection between the young and the old—

that we have crime and lawlessness—that we need to secure an honorable peace—but the sensible thing to do is to do something about these problems—do not tear down the country.

The best way to learn about the United States is to leave it and go somewhere else—and wherever you go—when you come back you will say with quiet pride—"thank God that I am an American."

A well-known journalist in giving a commencement day address very recently said this:

"It is not hard to master the technique of militant anarchy. Any madman can terrorize a city or kill a Senator, but remaking society into something even a little more fair, decent and compassionate is a more difficult and complicated job."

LEGAL MEMO OF THE HON. HALE BOGGS BEFORE THE EXAMINERS COMMITTEE INVESTIGATING THE APPLICATION OF THE MAINE PORT AUTHORITY FOR THE PRIVILEGE OF ESTABLISHING, OPERATING AND MAINTAINING A FOREIGN-TRADE ZONE AT PORTLAND, MAINE, AND A SUBZONE FOR THE PURPOSE OF OIL REFINING IN MACHIASPORT, MAINE, PURSUANT TO THE PROVISIONS OF THE FOREIGN-TRADE ZONES ACT OF 1934, AS AMENDED

I appreciate the opportunity to comment upon the application which has been made by the Maine Port Authority for the privilege of establishing, operating and maintaining what is described as a general purpose foreign-trade zone in Portland, Maine, and a subzone for the purpose of oil refining in Machiasport, Maine, pursuant to the provisions of the Foreign-Trade Zones Act of 1934, as amended in 1950 to permit manufacturing within foreign-trade zones.

As you may know, I was privileged, with Congressman Celler of New York, to sponsor the 1950 amendment. I requested this opportunity to appear before your Committee today because I am satisfied that the Congress, in enacting the Foreign-Trade Zones Act in 1934, and in amending that Act in 1950, neither contemplated nor authorized a grant to a public corporation of a State of the privilege of establishing a foreign-trade zone comprising less than 8,000 square feet with a "subzone" comprising 1,680.3 acres, or more than 73 million square feet, elsewhere in the state to enable a private corporation to operate an oil refinery.

It is clear from the record that, in enacting the Foreign-Trade Zones Act of 1934, Congress thought of the foreign-trade zone as primarily a zone to which foreign goods would be imported "not for domestic consumption, but for reexport to foreign markets and for conditioning or for combining with domestic products previous to export."¹ The proposal of the Maine Port Authority is neither designed to nor capable of accomplishing this primary objective of Congress.

The Foreign-Trade Zones Act, entitled "an act to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce . . ." authorizes the Foreign-Trade Zones Board "to grant to corporations the privilege of establishing, operating, and maintaining foreign-trade zones in or adjacent to ports of entry under the jurisdiction of the United States."² While the law requires that "preference shall be given to public corporations"³ it nevertheless requires such public corporations to demonstrate that "the proposed plans and location [of the foreign-trade zone] are suitable for the accomplishment of the purpose of a foreign-trade zone under this act, and that the facilities and appurtenances which it proposed to provide are sufficient . . ."⁴ Under the Act, "each zone shall be operated as a public utility . . . and the grantee [in this case the public corporation] shall afford to all who may apply for the use of the zone and its facilities and

appurtenances uniform treatment under like conditions . . ."⁵

Provision for a subzone is found in the regulations which presuppose firstly, that there are "existing or authorized zones" in or adjacent to ports of entry and, secondly, that such existing or authorized zones "will not serve adequately the convenience of commerce with respect to the proposed purpose."⁶

The application of the Maine Port Authority for the privilege of establishing, operating and maintaining what is described as a general purpose foreign-trade zone in Portland, Maine, is a sham. There is neither an "existing" zone nor an "authorized" zone. Moreover, it is clear upon the face of the application of the Maine Port Authority that the 8,000 square foot area set aside for the proposed zone is not fit⁷ for a zone and that the facilities and appurtenances which it proposes to provide are wholly insufficient.

It is clear to me that Congress anticipated that a public corporation of a state would make a good faith application for the privilege of establishing, operating and maintaining a zone and would not take advantage of the Act to establish a nominal zone as a vehicle to enable a private corporation to achieve the privileges of zone status.

The application of the Maine Port Authority identifies the zone as "an area of 7,930 square feet . . . located on the property of the Maine Port Authority . . ." Referring to the blueprint and aerial photograph filed with the application, this area appears to be part of the parking lot for the Maine State Pier. Within the enclosing fence, the Maine Port Authority proposes to construct a one-story concrete building, a mere 50 feet by 60 feet.⁸ This building will contain "one office and one toilet room constructed of concrete block partitions . . . for exclusive use of Customs Official."⁹

The Maine Port Authority, in all seriousness and in considerable detail, sets forth the facts that the building which will serve the nation's new foreign-trade zone will be lighted, heated, and have service connections for water and drainage.¹⁰

In Exhibit 7 to the application, the total cost of the proposed facilities at the zone is estimated at \$49,500. The proposed subzone at Machiasport, on the other hand, is to comprise 1,680.3 acres, or 73,193,868 square feet. The cost of its facilities is estimated in Exhibit 7 at \$70,150,000, or over 1,400 times as much as those at the zone.

The Maine Port Authority candidly states in its application that the foreign commerce in the Machiasport area is currently "minimal." Although Machiasport would develop if the proposed subzone were granted, foreign commerce, except for a pipeline, would remain "minimal." There is no serviceable pier there now and it appears that there is no plan to build one if the grant is made. According to the application, a dolphin would be constructed from which a tanker could be unloaded via pipeline to the refining facilities of Occidental Petroleum Corporation. Apparently, no wharfing facilities are to be provided for ordinary foreign commerce.

The lease agreement by and between Machiasport Company and the Maine Port Authority filed with the application recites that the former leases the entire acreage to the Maine Port Authority. By separate agreement, it is provided that the Authority will, upon approval of its application for the privilege of establishing a subzone at Machiasport, lease this land to Occidental Petroleum Corporation for the same amount that the Authority is required to pay to Machiasport Company plus an amount equal to the Authority's expenses in the operation of the subzone. This agreement provides that Occidental "understands" that such acreage within the subzone "not necessary for its use for its oil refinery" shall be available to

any party wishing to lease said property and bear "its proportionate share of the rental and operating expenses."¹¹ Under the circumstances, it is inconceivable to me that any business engaged in international commerce in products other than petroleum based products would avail itself of surplus acreage in the subzone.

In Exhibit 3 to the application, Machiasport Company is identified as "a company privately formed to assist the Authority in establishing the foreign trade zone and subzone."¹²

In fact, I believe that it is fair to say that the Maine Port Authority is a nominal applicant and would be a nominal grantee. In consideration of its services, the state is promised rich rewards from the operation of the refinery. Indeed, the entire proposal under consideration by this Examiners Committee is, in my opinion, a transparent effort by Occidental Petroleum Corporation to avoid Section 17 of the Foreign-Trade Zones Act, which provides that a grant "shall not be sold, conveyed, transferred, set over, or assigned."

In practical effect, this is an application for "the establishment of a zone . . . for . . . the specialized purposes of storing, manipulating, manufacturing . . ."¹³ petroleum products by a private corporation¹⁴ which, so far as the record shows, has not been authorized by the legislature of the State of Maine to establish, operate and maintain a foreign-trade zone.

Regarded as an application by a public corporation for a subzone in Machiasport, Maine, an area separate from an existing zone, the application is defective under Regulations of the Foreign-Trade Zones Board, Section 400.304 since there is no "existing zone" and the Board cannot make the requisite finding that "existing" or "authorized zones" "will not serve adequately the convenience of commerce with respect to the proposed purposes."¹⁵

Finally, regarded as an application by a public corporation for a zone in Portland, Maine, the application is defective because the proposed zone does not meet the requirements of the Act.

FOOTNOTES

¹ This quotation is taken from a study which was made by the United States Tariff Commission in 1919 of the purposes and policies which would be served by legislation which would permit free zones (now called foreign-trade zones) to be established in the United States. Although the Foreign-Trade Zones Act did not become law until 1934, this study by the Tariff Commission was one undertaken at the request of Congress and was influential in the hearings and debates which led to the Act. See *Information Concerning Free Zones in Ports of the United States*, USITC, October 9, 1919, at page 8. In commenting on H.R. 5332 on June 30, 1949, the Secretary of Commerce advised the House Committee on Ways and Means that "the proposed permission of manufacturing in the zones is expected to further assist American business by enabling it to manufacture certain types of products for export under minimum cost conditions." (Emphasis added.)

² Section 2(a).

³ Section 2(c).

⁴ Section 7.

⁵ Section 14.

⁶ Regulations of the Foreign-Trade Zones Board, Section 400.304.

⁷ See Section 6(a)(1)(C).

⁸ Application, page 4.

⁹ Application, Exhibit 6, page 74.

¹⁰ Application, Exhibit 6, page 74.

¹¹ Application, Exhibit 6, pages 74-75.

¹² "Agreement," page 2 at application, page 16.

¹³ Application, page 10. (Emphasis added.)

¹⁴ Regulations of the Foreign-Trade Zones Board, section 400.304.

¹⁵ The act defines a "private corporation"

as "any corporation (other than a public corporation) which is organized for the purpose of establishing, operating, and maintaining a foreign-trade zone and which is chartered under special act enacted after the date of enactment of this act of the State or States within which it is to operate such zone. . . ."

¹⁹Regulations of the Foreign-Trade Zones Board, section 400.304.

FORT WORTH, TEX.,
September 30, 1968.

Hon. HALE BOGGS,
House of Representatives,
Washington, D.C.

Sir: I respectfully request that you use your influence to prevent the Interior Department from granting any new special exceptions which would permit the additional import of cheap foreign crude into the United States.

I call your attention to the following problems concerning the domestic oil business in the United States and more particularly the problems of the independent producer and refiner.

The original intent of the oil import program as promulgated by the Eisenhower administration was to protect the domestic oil industry and the Nation under the National Defense Act, as outlined by the following general terms:

1. To maintain adequate producing capacity and crude oil reserves in the ground in the continental United States in the event of war;

2. To arrest the flood of cheap foreign oil and maintain a fair price for United States oil producers so they could continue to explore for more reserves and to stop the decline of the number of drilling rigs and crews;

3. To assure all refiners, both independent and major, a fair share of the permissible oil imports of cheap foreign crude oil; and

4. To assure the military and defense commands an on-shore, uninterrupted source of petroleum products in the event of war.

This general concept has worked fairly for the domestic oil industry and the country as a whole until the present administration under the leadership of Secretary of the Interior Udall began to grant exceptions to the program. Glaring inequities in the program are specifically pointed out such as: the special import quotas granted to off-shore refineries in the Caribbean; namely, Phillips Petroleum Company and Sun Oil Company in Puerto Rico and Hess Oil & Chemical Company in the Virgin Islands. There are a number of other applications for special exception import quotas, in this area, and if granted by the Secretary of Interior will further compound the inequities in the oil import program since companies refining and operating chemical plants in the Caribbean Islands are given a 100% capacity crude oil quota and a 20 year tax exemption. Needless to say, this is a tremendous economic advantage over domestic oil companies with on-shore refineries and chemical plants who pay normal taxes and receive only a small per cent of their crude oil capacity in cheap foreign crude oil.

There is now a proposal and it is under active consideration by the Secretary of Interior to award terminal operators on the eastern seaboard foreign heating oil quotas to help reduce their costs. With present excessive heating oil inventories on the Gulf Coast and eastern seaboard, there is no possible excuse to further weaken the oil import program under the National Security Act unless the Department of Interior is politically motivated in such action.

There are also applications for Free Trade Zones in several parts of the domestic United States which will allow both refining and chemical plants to be built and run entirely on foreign crude oil and/or products. This will further weaken the oil import program

if granted by the Department of Commerce and approved by the Department of Interior.

The Occidental Petroleum Company has an application before the Department of Interior for a 300,000 barrels per day crude oil import quota. This application states a refinery of this capacity will be built in the State of Maine and will operate entirely on Libyan and Venezuelan crude oil. The resulting products to be sold at a 10% discount below domestic refiners' prices to both domestic consumers and the United States military in this area. This obviously is only possible because of cheap foreign crude oil and foreign flag vessels for transportation.

The domestic producing states are now drastically prorated as to the amount of crude oil each producer may produce per well per day. If the above application should be granted by the Secretary of Interior, it would result in additional cutbacks in the daily allowables given to domestic producers in the producing states. This will further compound the producers problems. With reduced incomes, they cannot continue to explore for new reserves and producing capacity, which would be urgently required in the event of war or needed for national energy consumption for the future.

I urgently request your efforts and influence to prevent any more special exceptions being granted by the Secretary of Interior to applicants, as outlined above. None of these come under the original conception of furthering National Defense. Any more of the politically motivated exceptions will be the end of the crude oil import program and with it, the end of a healthy domestic producing and refining industry. This will be particularly true of the hundreds of small producers and refiners who will not have the facilities for the purchasing and handling of cheap foreign oil in competition with the major oil companies who already own 60% or more of the free world's foreign crude oil production.

Very truly yours,

A. R. MATTHEWS,
Independent Producer and Refiner.

INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA,
Washington, D.C., October 3, 1968.

Hon. HALE BOGGS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BOGGS: The application of the Occidental Petroleum Company for a foreign-trade zone at Machiasport, Maine, in which to operate a 300,000 barrel per day refinery entirely on foreign oil, a privilege no other refinery enjoys, has been set for hearing on October 10, 1968, at Portland, Maine. If approved, this proposal would destroy the Mandatory Oil Import Program so essential to our future supply of petroleum.

In view of the fundamental policy questions involved, we have requested the Foreign-Trade Zones Board to conduct the hearing rather than the technical Examiner's Committee as now proposed. There is also good reason why the hearing should be postponed which we have also requested. A copy of our request is enclosed.

It would be appreciated if you could consider urging the Board to grant our request. I also hope you will consider requesting the Board for permission to appear at the hearing. I know your appearance would be persuasive on the Board.

Very best regards.

Sincerely,

L. DAN JONES

INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA,
Washington, D.C., October 2, 1968.

Hon. C. R. SMITH,
Secretary of Commerce,
Department of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: We feel that the application now pending before the Foreign-

Trade Zones Board at Machiasport, Maine, presents a number of very broad policy questions which go beyond the legal and technical considerations that are normally involved in such applications. We, therefore, urge you as Chairman of the Board to consider the propriety of (1) the Board, sitting en bloc, conducting the public hearing to be held in this matter, and (2) postponement of such hearing until the Secretary of the Interior has published regulations on the treatment of foreign-trade zones in the administration of the Mandatory Oil Import Program.

Our detailed views in support of this request are set forth in the attached memorandum.

It is requested that this letter together with the attachment be treated and accepted as a formal petition for the actions requested and that the two requests set forth above be considered separately and individually.

In view of the very short time remaining before the scheduled hearing by the Examiner's Committee on October 10, we hope our requests may be promptly considered and acted upon.

Very truly yours,

HAROLD M. McCLURE, Jr.

MEMORANDUM OF THE INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA IN SUPPORT OF ITS PETITION FILED WITH THE FOREIGN-TRADE ZONES BOARD FOR (1) THE BOARD, SITTING EN BLOC, TO CONDUCT A PUBLIC HEARING ON THE APPLICATION FOR A ZONE AT MACHIASPORT, MAINE, AND (2) POSTPONEMENT OF ANY HEARING IN THIS MATTER UNTIL THE SECRETARY OF THE INTERIOR HAS PUBLISHED REGULATIONS ON THE TREATMENT OF FOREIGN-TRADE ZONES IN THE ADMINISTRATION OF THE MANDATORY OIL IMPORT PROGRAM¹

A. The Foreign-Trade Zones Board, sitting en bloc, should conduct a public hearing on the application for a trade zone at Machiasport, Maine, for the following reasons:

1. The application pending before the Board involves broad and far-reaching policy questions which go beyond the Foreign-Trade Zones Act. Whenever petroleum is involved as in the pending application, the applicable law embraces Presidential Proclamation No. 3279, as amended, establishing the Mandatory Oil Import Program. In the pending application, questions are raised regarding such matters as (1) effect on the exploratory and development activity of the domestic industry and the resulting impact on the national security objective of the Program, and (2) equity among those parties permitted to import oil under the Program. The issues raised in such an application, therefore, must be determined in light of and conformity with both of these applicable laws and the policy objectives of each of them.

2. The application pending before the Board also raises a substantial question regarding its impact on the balance of payments since the immediate and direct adverse effect of importing 300,000 barrels daily as applied for would be in the order of \$300 million annually.

3. The application pending before the Board is of deep and widespread concern to parties throughout the United States, substantially affecting the interests of many individuals and corporate entities. The issues involved are not confined to the state of Maine or to the northeastern United States. The issues go beyond the question of local industrial development, air pollution abatement or conservation of local resources. Likewise, the issues go beyond the technical and legal considerations under the Foreign-

¹ Attached to letter dated October 2, 1968, from Harold M. McClure, Jr., President Independent Petroleum Association of America, to The Honorable C. R. Smith, Secretary of Commerce and Chairman of the Foreign-Trade Zones Board.

Trade Zones Act which are normally presented in such applications.

4. The Independent Petroleum Association of America, and it is submitted that many other interested parties are in a similar position, is not concerned with the technical and legal considerations involved in determining whether or not the pending application meets the requirements of the Foreign-Trade Zones Act. The Association, however, is deeply and vitally concerned with the policy questions which arise from the impact the operation of the zone may have on the Mandatory Oil Import Program.

5. In view of the special circumstances existing here, as distinguished from an application not involving oil, it is submitted that the Examiner's Committee designated to conduct an investigation of the application is not a proper or adequate forum to hear and resolve all of the issues presented; and that the Board, sitting en bloc, should hear the matter and make the initial findings therein, such hearing to be held in Washington, D.C. or some centrally located city more convenient to all the parties concerned than is Portland, Maine.

6. If the Board deems the Examiner's Committee investigation and public hearing before it as now scheduled on October 10, 1968, essential to the resolution of the technical and legal requirements of the Foreign-Trade Zones Act, then it is submitted that the public hearing be divided into two phases: Phase One, to be conducted by the Examiner's Committee as now scheduled and confined to the technical and legal requirements of the Foreign-Trade Zones Act; Phase Two, to be conducted by the Board and confined to the policy questions which arise from the impact the operation of the foreign-trade zone may have on the Mandatory Oil Import Program, the balance of payments and other policy matters, said hearing to be held in Washington, D.C. or some centrally located city most convenient to all the parties concerned.

B. Any public hearings held on the application for a zone at Machiasport, Maine should be postponed until the Secretary of the Interior publishes regulations on the treatment of foreign-trade zones in the administration of the Mandatory Oil Import Program, for the following reasons:

1. Secretary Udall, under Presidential Proclamation No. 3279 as amended, has the responsibility to determine the policy for treatment of foreign-trade zones as related to oil imports. The Secretary has indicated that this matter is now under consideration and that regulations reflecting such policy determinations will be published.

2. The interest of all concerned, the Government as well as individual parties would best be served if actions by the Board were deferred until the Secretary of the Interior has announced his policy position with respect to the treatment of foreign-trade zones. Otherwise both the Government and other parties may unnecessarily be put to the expense, burden and inconvenience of attending the hearing now scheduled to be held on October 10 at Portland, Maine. In the absence of action by the Secretary, the Board and the Examiner's Committee cannot know whether their actions will be meaningful or for naught. Orderly procedure, therefore, suggests that public hearings be deferred until the Secretary of the Interior has enunciated his policy position with respect to this matter.

3. The notice of the hearing to be held by the Examiner's Committee on October 10, 1968, was dated September 17, 1968, and appeared in the Federal Register dated September 18, 1968. In view of the broad interest in this matter, the many parties interested therein, the substantive rights involved and the very complex issues presented, it is submitted that notice was inadequate and for this reason alone the hearing should be postponed for at least 30 days.

HOUSE OF REPRESENTATIVES,
CONGRESS OF THE UNITED STATES,
Washington, D.C., October 3, 1968.

HON. HALE BOGGS,
U.S. House of Representatives,
Washington, D.C.

DEAR HALE: My good friend, Bob Mosbacher, has just stepped down as President of the American Association of Petroleum Landmen. He plans to be in Portland, Maine, for the hearing on the Machias Bay, free trades zones deal.

I asked him to look you up. He is a delightful person and has been a terrific advocate for sound positions in the oil business. I hope that he will get a chance to meet you up there.

Best regards,

GEORGE BUSH,
Member of Congress.

[From the Washington (D.C.) Post, Oct. 12, 1968]

SPOTTY CONGRESSIONAL RECORD

By traditional standards, the Congress that now passes into history has been fairly productive. Especially during its post-convention period. It has enacted a large number of bills contributing to the national welfare. Yet it has fallen far short of covering itself with glory, and the antics of recent weeks have highlighted its deficiencies.

After much floundering, Congress passed the President's tax surcharge and discriminatingly defeated his proposed travel tax. It extended poultry inspection, authorized a study of automobile insurance, passed a weak gas pipeline safety bill, the truth-in-lending bill and various other measures aimed at the protection of consumers. The 1968 Civil Rights Act is probably the most sweeping measure of its kind ever passed by Congress. Along with it stands the Federal Jury Reform Act, a highly controversial Crime Control and Safe Streets Act, a far-reaching juvenile delinquency program and the restrained but useful gun-control bill.

No less significant is the housing and urban development program approved this year, with its emphasis on helping the poor to buy homes and rent apartments. The food stamp program was continued and various other social welfare programs extended. Federal aid to education got additional underpinning, although some appropriations were unfortunately cut, and the HEW's school desegregation enforcement program finally won approval.

In the field of conservation the record is highly creditable. Most noteworthy perhaps was the opening of new revenue sources to the Land and Water Conservation Fund for the purchase of additional park and recreational lands. This helped to prepare the way for the creation of two great new national parks (the Redwoods and the North Cascades) both of which were specifically authorized. In addition Congress passed the Scenic Rivers and Estuary Preservation Acts, created a national trails system, set up a National Water Commission and authorized the Central Arizona Project in a comprehensive Colorado River package that will cost more than \$1.3 billion.

[From the Boston Herald Traveler, Oct. 10, 1968]

A REFINERY DOWN EAST

In Portland today, the Foreign Trade Zones Board of the U.S. Commerce Department will hear an application for a foreign trade zone—one outside U.S. customs territory—in Maine. If the application is approved, and if the Interior Department grants the requested oil import permits, Occidental Petroleum Corp. plans to build a refinery at Machiasport.

The proposal enjoys wide support. (Competing oil companies, not surprisingly, oppose it.) Six northeastern governors favor the plan, as does the New England Council, a

regional development group which sees economic stimulus in the project.

The average citizen no doubt will find the argument of the Massachusetts Consumers Council most pertinent. If the Machiasport refinery were allowed to ship 90,000 barrels of home heating oil and 10,000 barrels of gasoline into New England daily, its lower prices would mean savings to consumers of some \$26 million a year, the Council says. The Council has consistently fought for measures that would forestall fuel shortages and price increases.

Of less immediate impact but still of importance is the quality of fuel which Occidental proposes to supply to New England. Low sulphur crude oil from Venezuela and Occidental's own fields in Libya will supply the refinery, and the fuel that emerges will have a lower air-pollution potential than that now used.

The proposal makes sense. More sense, at least, than the fact that New England burns some 800,000 barrels of oil products a day and yet not one of the country's more than 290 refineries is located here.

FUEL COSTS HIGH IN NEW ENGLAND—FREE TRADE PORT, REFINERY PROPOSED

WASHINGTON.—Electric rates and fuel costs generally are higher in the six New England states than in other regions of the United States because they lack fossil fuels and hydroelectric power.

So governors of the six states, and practically all New England congressional members, including Sen. Edward M. Kennedy, D-Mass., are backing a proposed "free trade" Atlantic world port in Maine.

The Foreign Trade Zone board will conduct hearings Oct. 10 and 11 at Portland, Me., on the zone at Portland and a subzone at Machiasport, Me.

Application for the zone also is supported by Occidental Petroleum Corp., which has agreed to build a 300,000-barrel-daily capacity refinery in the area. Occidental would import oil for the refinery.

Maine Gov. Kenneth M. Curtis in a statement issued here, said the refinery would lower the annual cost of New England heating oil by up to \$60 million.

He said there are 291 refineries in the other 44 states but not one in New England. Gov. Curtis' statement was critical of opposition which he said is being pressed by major oil companies. He called their opposition "selfish" and said it ignores the public interest of his region.

HOOVER CHEMICAL CORP.,

Washington, D.C., October 1, 1968.

HON. HALE BOGGS,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BOGGS: In view of our conversation I thought it would be useful to provide you with information regarding the sequence of events which led to our meeting today.

As you know, several of the employees of the Taft-Louisiana plant of Hooker Chemical Corp., including myself, contributed small sums to your campaign two years ago. This year, not having heard from you, I called your secretary to inquire concerning where the contributions should be sent. Your secretary, Miss Barbara Rathe, did not have the information, but she called me yesterday morning to suggest a meeting with you. I felt this was unnecessary, but she said that you insisted upon it. I confess I was a little perplexed by this insistence, for I do not consider myself a major contributor. However, I acceded to her request in view of the urgent way in which she presented it, and asked Mr. James Baldwin to accompany me so that he could meet you. I also asked the manager of our Washington office, who knows you, to join us.

When we arrived you had a photographer take several pictures of us, and I am grate-

ful for this. I hope you will send me a copy. After the pictures were taken I told you what I had told your secretary and we had a general discussion about how your campaign was progressing. You indicated you needed help, and, as I told you, I will be glad to make whatever contribution I can.

This general discussion was concluded, and I was preparing to leave the office when you inquired whether Occidental Petroleum owned Hooker Chemical Corp. Of course they do. You then asked whether Hooker had an interest in the Maine refinery. To the extent that Hooker is a part of Occidental, it has an interest in the Maine refinery. Your third inquiry puzzled me somewhat. You raised the question whether you should testify or not. In fact, I did not know until this that you had an interest in the Maine refinery. I had not considered this before. Mr. Baldwin, who told me later that he thought you were concerned about whether there was a conflict of interest, responded in the negative. Before Mr. Baldwin could elaborate or explain his reason you terminated the meeting and asked us to return at 4:00.

Lest there be any misunderstanding, Mr. Baldwin and I want it abundantly clear that there is no relationship between the discussion regarding the campaign contribution and the Maine refinery. We assume you will do what you feel is in the best interests of your constituents with regard to the Maine refinery, and we do not wish to influence your judgment in this matter in any way.

Campaign contributions are personal matters and not at all related to any company policies or programs. I repeat, please understand that our only reason for responding to your request for a meeting was a matter of courtesy. We had no intention of raising or discussing the Maine refinery.

Yours sincerely,

E. W. MATHIAS,
Treasurer.

H.R. 20507

A bill to amend the bribery provisions of title 18, United States Code

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

SECTION 1. Section 201 (a) of title 18, United States Code, is amended by adding at the end thereof, the following new sentence: "The term 'official act' shall also mean attendance at, or absence from a hearing or other proceeding concerning matters under the jurisdiction of any department, agency, or branch of the United States Government."

SEC. 2. Section 201(d) of title 18, United States Code, is amended by changing "absent himself therefrom" to read "appear or refrain from appearing at any such proceeding, whether or not under oath or affirmation".

[From the New Orleans (La.) Times-Picayune, Oct. 13, 1968]

GROUP SUPPORTS BOGGS IN FIGHT—POLICE JURY IS AGAINST MAINE TRADE ZONE

The St. Charles Parish Police Jury Saturday passed a resolution supporting U.S. Representative Hale Boggs in his fight against granting a free trade zone in Portland, Me.

The jury took the action in a special poll of the members in a meeting at Norco, according to jury president Roosevelt Dufrene.

The resolution agreed with Boggs' position that the granting of the trade zone would "wreck the oil import quota system and ruin the refinery and petro-chemical industry in St. Charles Parish.

The resolution said St. Charles Parish has one of the largest refineries, the Shell plant, in the country, and several large petro-chemical plants, all of which would be adversely affected if the Portland application was granted.

The resolution said Louisiana gets 45 per cent of its revenue from the oil industry

and that granting the Portland request would insulate 300,000 barrels of foreign crude oil from the American import quota and would ultimately affect thousands of well-paying jobs in Louisiana.

"We commend Hale Boggs for his stand," the resolution said.

[From the Wall Street Journal, July 25, 1968]

OCCIDENTAL PETROLEUM CONSUMMATES MERGER WITH HOOKER CHEMICAL

LOS ANGELES.—Occidental Petroleum Corp. said it completed final contractual arrangements and consummated its merger with Hooker Chemical Corp. of New York.

At the same time, Hooker said it completed its acquisition of Sel-Rex Corp., Nutley, N.J.

Thomas F. Willers, who will continue as president and chief executive officer of Hooker, was named Occidental president. Dr. Armand Hammer, formerly president of Occidental, remains chairman and chief executive officer. Mr. Willers, F. Leonard Bryant and R. Wolcott Hooker, all Hooker directors, became Occidental directors.

On closing of the transaction, each share of Hooker common stock was converted into one-half share of a new Occidental \$3.60 convertible preferred stock, and Hooker's \$2.16 convertible preference stock became Occidental \$2.16 convertible preference stock. Each share of the \$3.60 preferred is convertible at any time into three shares of Occidental common and each share of the \$2.16 preferred into one and a half shares of Occidental common.

As was scheduled to be done just before consummation of the Occidental-Hooker merger, Hooker called for redemption on Aug. 23 all outstanding shares of its \$4.25 cumulative preferred stock and cumulative second preferred stock, Series C, at the respective prices of \$100 and \$103 a share plus accrued dividends.

NEWS OF OIL, GAS INDUSTRY—ALLOWABLE CUT REQUEST FACING LOUISIANA PRODUCERS—13,463 BARREL DROP PER DAY IS INDICATED (By W. Jeff Davis)

Louisiana's oil producers are faced with another request for an allowable cut in November. A state-wide hearing, called by Commissioner J. M. Menefee for Tuesday morning, indicated a drop in demand of about 13,463 barrels a day.

These were the advance nominations, which can of course, be changed from the floor. Last month's decline in demand of about the same size resulted in a one per cent decrease, based on the depth bracket formula.

Last week the national production was reported to be about 2,000 barrels a day above the previous week's totals.

Imports were running 1,059,000 barrels a day in the area east of the Rocky mountains. Gasoline stocks were up, approximately 2,000,000 barrels over the previous week's report.

Crude stocks east of California totaled 262,002,000 barrels, compared to 264,932,000 barrels a week earlier.

Total nominations reported in advance of Tuesday's hearing were for a daily 1,872,434 barrels. This compares to 1,885,900 for October and 2,006,043 for August, when the first cut in allowables was announced by the Commissioner.

[From the New Orleans (La.) Times-Picayune]

BOGGS OPPOSES MAINE REFINERY—WILL GO TO PORTLAND, HE TELLS OILMAN

(By W. Jeff Davis)

Congressman Hale Boggs told the Mid-Continent Oil & Gas Association Tuesday night that he will be in Portland, Me., on

Oct. 10 to oppose the proposed establishment of a crude oil refinery in that state.

Occidental Petroleum Corp., has proposed to build the refinery to use imported crude oil from Libya, provided a free trade zone is established. Boggs said that he is unalterably opposed to the proposition, and as one of the authors of the bill which established a free trade zone in New Orleans, the present proposal is entirely out of context with the meaning of the law.

"The obvious fact is," Boggs said, "that if the Occidental Maine project wins approval, the precedent for others has been set. If Maine and the New England states can put over this program, there will be no basis whatever for denying others," he concluded.

DANGERS SEEN

He implied that it would be a staggering blow to Louisiana's million-barrel-a-day refining industry, and implied that Texas would also suffer. Boggs said he considered this to be a blow to the mandatory import control program.

Earlier Tuesday, Thomas A. Martin, head of the oil and gas association's tax division department, said that despite all the assurances that the recently-imposed 10 per cent surcharge was to be only a temporary measure, it will be extended by Congress for at least another year and such action will probably take place as soon as Congress meets next January.

Martin told his audience of more than 300 oilmen that Social Security taxes will go up next year and all industry, including the oil and gas business, can prepare for an increase in unemployment insurance assessments. He said the cost of administering this program has increased greatly, and the administration is planning to put the additional burden on the employer.

NEW REGULATIONS

New regulations by the Internal Revenue Service have placed what Martin described as "an onerous burden" on the oil and gas producer, in making the proposed reports. This measure has been opposed by all organizations within the industry, and some relief has been promised, but the ruling still has not been handed down and he was not optimistic over the outcome. However, he was due back in Washington Wednesday to appear before the committee handling these proposals, and said he hopes to be able to report some relief in sight before the new regulations are handed down by the IRS director.

The speaker said the new pipeline safety bill has been drawn up in a manner which the industry can now accept, but the pending occupational safety bill has been submitted, and is too much for any manufacturer or producer to agree to submission.

Several parts of this measure are being opposed by all industries, including the refiners and gas processors. He predicted this bill will not pass in the present session of Congress, and it may be two to three years before approval is final.

PERCENTAGE DEPLETION

Arthur V. Harris, Gulf Oil Corporation's tax expert in the Pittsburgh, Pa., headquarters, presented a talk on percentage depletion which his company is giving to all of its employe groups. He said the company is making the talk and the illustrated slides used in the presentation, available to all companies, and that Gulf will send a lecturer to any group which wants to hear the story.

This is a part of the campaign being launched to counteract some of the 33 measures introduced in Congress this year to cut the oil industry's tax allowance.

Lewis Brubaker, an examiner for the Federal Power Commission, said the new concept in offshore pipeline practices is designed to cut the cost to the consumer. He said the

FPC's suggestion for cooperative lines by the producing companies will prove to be an economic advantage, despite the fact that the proposals have been opposed by the companies which want to operate as independent units.

NATURAL GAS COST

Brubaker predicted the cost of natural gas in the New York area is almost at the peak of competitive operation. He said that liquefied natural gas can now be shipped into the New England states from Africa at a cost of 50 cents a thousand cubic feet. The cost of Louisiana gas delivered to New York by pipeline is now 42 cents, he stated.

Coal fired and nuclear generator power will soon be down to the level where they can compete with natural gas as energy sources, in the findings of the FPC examiners.

Registration for the New Orleans meeting, the 46th in the Mid-Continent history, had passed the 200 mark by the time L. C. Adams, Pan American Petroleum Corp., called the meeting to order Tuesday morning.

The annual President's Banquet on Tuesday night initially had scheduled W. M. Wilson of the American Petroleum Institute as its speaker. However, Congressman Boggs, who was initially scheduled to speak at the closing session Wednesday at noon, was rescheduled for the banquet. Boggs left immediately after this speech to return to Washington where he has important matters coming up on Wednesday morning.

[From the New Orleans (La.) States-Item, Oct. 8, 1968]

THREAT TO LOUISIANA IN MAINE REFINERY

Way up in Machiasport, Me., far from oil fields, Occidental Petroleum Corp. wants to build an oil refinery. There'd be nothing wrong with that of itself, although it might be uneconomic if it were to use American oil.

But there are special angles. Occidental wants to use low-cost foreign crude oil and it wants to refine it in a foreign trade zone, an enclave free of import duties.

So Occidental wants special treatment—on taking away part of somebody else's quota of restricted oil imports or obtaining an extra quota and creation of a free trade zone for a 300,000-barrel-a-day refinery. This week's hearings concern the second.

Since there is presently a 644,000-barrel daily import quota total for all American refiners, the Maine project would upset the appletart vigorously.

Louisiana and all other oil-producing states are up in arms. To increase use of foreign oil is to decrease use of American oil, and repercussions would extend all the way from reduced oil explorations to reduced payments into oil-state treasuries on bonuses, severance taxes and royalties.

For Maine and the five other New England states, the refinery project takes on the nature of a crusade. Occidental Petroleum sweetens the proposal by telling the states it will pay per-barrel royalties expected to yield the six states about \$7 million annually for conservation work.

Occidental, of course, wants a market for some of its Libyan crude oil.

Arguments arrayed by the firm on behalf of the proposed Machiasport refinery range from human needs (the area is designated as "distressed") to lowered oil costs for home furnaces and less air pollution (lower sulphur content oil).

Operation of a refinery in a free trade zone is nothing new, but the Maine project would stretch the concept unconscionably, in our opinion.

At Taft, La., for example, Union Carbide Corp. converts imported naphtha into petrochemicals for shipment abroad. Domestic naphtha, UCC showed, was not available.

In the case of the proposed Maine refinery, it cannot be claimed there is a shortage of domestic crude oil. American oil wells are choked back to prevent a market glut.

Expansive claims for the Maine venture

say that government could save on defense oil costs and more shipping would be provided United States tankers.

It stands to reason that if American oil is displaced by foreign oil, federal income will be impaired because part of the oil displaced will be that produced from the federal offshore areas and other federal lands.

And the Maine proponents do not consider that if foreign oil supplants domestic oil and products, this will be at the expense of shipping from the Gulf area.

Greater reliance on foreign oil would naturally be bad news for the nation's deficit in international payments. More dollars would be sent abroad in a period when the federal government seeks to curtail such outflow.

The great trouble about the Machiasport refinery project is that it works in so much political snake oil represented to be good for everything from poverty to New England state treasuries.

And that snake oil, unless there is vigorous opposition from Louisiana and other oil states, could lubricate the hinges to let the doors swing wide to cheap foreign oil and harm the domestic oil industry irreparably.

[From the New Orleans (La.) Times-Picayune, Oct. 12, 1968]

MAINE REFINERY PROPOSED BY SPEAKERS OF FIVE STATES—PROPOSAL IS "FRIGHTENING," MENEFFEE ASSERTS

(By Edgar Poe)

PORTLAND, MAINE.—Spokesmen for the governors of Louisiana, Texas, Oklahoma and Wyoming, and Colorado Gov. John Love, who testified in person, Friday opposed the proposed "Down East" refinery in a Foreign Trade Subzone in Maine that would operate on cheaper foreign-produced oil as being nationally unsound with far-reaching economic ramifications.

Louisiana Conservation Commissioner J. M. Meneffee, representing Gov. John McKeithen, insisted the long range implications of the proposal of Occidental Petroleum Corporation, to operate the refinery on oil produced abroad, are "frightening."

Meneffee said that much publicity has been directed toward Occidental's intention to pass along many benefits to domestic New England customers in the form of lower prices. He said the absolute maximum of such reductions would be about \$16 million a year, still permitting Occidental to reap \$24 million a year under the import plan.

On the other hand, Gov. Phillip H. Hoff of Vermont testified before the Examiners' Committee of the Foreign Trades Zones Board, that fuel-deficient New England is supporting the application of the Maine Port Authority to establish a New Foreign Trade Zone at Portland and a subzone at Machiasport, about 150 miles away on deep water, which would accommodate the world's largest oil tankers.

MAJOR FIELD

None of the opponents of the refinery proposal have expressed any opposition to a Foreign Trade Zone for Portland. The objection is to the proposal that would give special treatment to Occidental to bring in crude oil from its major field in Libya and elsewhere in competition to domestic production. Neither is there an official objection to Occidental building the 300,000 barrel a day capacity refinery and operating it with domestic production as other refineries.

Chairman Jim C. Langdon of the Texas Railroad Commission, representing the state and Gov. John B. Connally, told the examiner's committee that the plan would not only cripple the economy of Texas and Louisiana, the nation's two largest oil-producing states, but he maintained it would have a diverse effect on the entire domestic oil industry.

N. Norman Englebert of the Department of Commerce, chairman of the examining

panel, and his associates, at some future date will make their recommendations pertaining to the proposed foreign trade zone and subzone in Maine, to the board consisting of the Secretaries of Commerce, Treasury and the Army. A final decision by the board is perhaps months away.

Englebert said Friday the hearings will be resumed in Washington Tuesday when additional members of Congress will be given an opportunity to be heard on the controversial plan.

THREE MEMBERS

Three members of the U.S. House of Representatives, including Rep. Hale Boggs of New Orleans, who sharply attacked the plan, testified Thursday.

Boggs said pressure was made to keep him from appearing at the hearing in Portland. He told the panel that his "honor" was at stake. However, he did not elaborate. As a result, numerous attendants at the hearing Friday were speculating informally what he meant. One union representative said he could not comprehend what the Louisianian was referring to.

The Louisiana conservation commissioner submitted to the examining committee a prepared statement, on behalf of the state of Louisiana. Meneffee said the proposed Maine foreign trade zone is the most serious threat yet imposed upon the oil import program and could lead to the end of an effective import controls program.

"If within the 12.2 per cent level, the volume now allocated to refineries would be reduced by 18 percent from 565,000 barrels a day, to 465,000 barrels a day," said Meneffee, "this reduction would be even greater (28 percent) if historic refineries were not forced to share the reduction. The quota previously allocated to 122 refineries for the importation of numerous crudes from 14 foreign countries would not be assigned to a single refinery for predominately a single crude from one country for the benefit of one producer.

OUTSIDE LEVEL

"If the special allocation were outside the 12.2 per cent level, domestic production would be reduced by 100 barrels a day. Furthermore, if the promoters of the project actually provided lower product prices for domestic customers, these reductions would ultimately be reflected in reduced crude prices."

Meneffee maintained that if Occidental is granted approval of the plan, other companies will demand and would probably obtain similar "special treatment." He expressed belief that it would be difficult to foresee how New York, Georgia, North Carolina and South Carolina could be denied trade zones on a similar basis.

He said the effect of a series of these projects on the domestic oil and gas industries would be staggering.

Meneffee said the immediate effect on this special 100,000 a day quota grant on the present import program would be tremendous. He said if approved, a loan operation in one special grant would have accomplished greater inroads into the import program than the entire petrochemical industry has managed in more than five years of concerted effort.

Langdon said that the refinery proposal would have a marked effect on two neighboring oil-producing countries, Canada and Venezuela. He said both countries would be adversely affected with Venezuela particularly hard put since it currently supplies District 1-IV with approximately 55 per cent of all licensed imports of crude and unfinished oils, 85 per cent of all residual fuel imports, and more than 90 per cent of finished product imports.

MARKED CONCERN

The Texas Railroad Commission chairman said the trade zone plan is of marked concern to states like Pennsylvania and New Jersey, which produce little or no oil, but

have large refining and petrochemical facilities located within their states, "not because they are a depressed area, but because of their geographical location and their proximity to the market for their products."

Gov. Hoff said that he didn't recall when New England was more united behind a plan than it is in behalf of the refinery proposal. After the Vermont governor completed his formal testimony, he was asked whether a refinery in Maine would not attract industry away from Vermont.

"That sounds like a divide-and-conquer sort of question to me," he said. He added that any benefits coming to Maine would also help the entire New England area.

Warren A. Morton spoke on behalf of Wyoming Gov. Stanley K. Hathaway.

Morton said that the plan constitutes a grave threat to the national security by treating as unnecessary, dependents on foreign trade supplies. He said hundreds of thousands of people throughout the nation are dependent on the oil industry for their employment. He said the implication of 300,000 barrels a day of foreign crude at an approximate value of \$2 a barrel, would represent an annual deficit of over \$200 million.

He said in Wyoming more than one-third of the state's assessed property is provided by the oil and gas industry. He added that more than half of the city, county and state income is provided by taxes and royalties paid by the oil industry.

"I object to the disrupting influence it would have if it is 100 per cent dependent on foreign oil," said Morton.

Gov. Love was the lead-off witness for the morning session. He said national security is dependent to a marked degree upon petroleum self-sufficiency.

Gov. Love said the oil shales of Colorado, Utah and Wyoming contained quantities of petroleum products far in excess of oil thus far discovered in this country. He said oil shales potentially will become a competitor in the energy market.

"The time has come," said Love, "when the erosion of the import control program must stop. Foreign trade zones are helpful as long as they encourage exports." The governor said he would have no objection to the establishment of a Maine foreign trade zone as long as it did not bring in foreign oil in excess of the quota.

[From the New Orleans (La.) Times-Picayune, Oct. 13, 1968]

FINAL MAINE OIL REFINERY PROPOSAL HEARING IS SET—MEMBERS OF CONGRESS TO BE HEARD
(By Edgar A. Poe)

WASHINGTON, D.C.—The final public hearing on the highly controversial and now bitterly contested proposed major New England Oil Refinery in Maine will be conducted in Washington Tuesday, it was announced in Portland Saturday by the Hearing Examiners Committee.

Chairman N. Norman Englebert of the committee, which has been conducting hearings in Portland this week on behalf of the Foreign Trade Zones Board, gave various members of Congress a chance to be heard concerning the controversial issues.

The dispute grows out of a proposal of Occidental Petroleum Corp. of Los Angeles to build a \$150 million refinery with a daily capacity of 300,000 barrels in a proposed foreign trade subzone at Machiasport, Me., with a 90-foot deep port for oil tankers.

The controversy involves a plan to import foreign oil from Occidental's big Libya field and other foreign oil. There is no official opposition from Louisiana, Texas and the other oil states nor from the major and independent competing oil companies to the building of the refinery in Maine. The opposing states and the opposition of companies said the foreign import plan would be bad for the oil states and for the oil companies.

DESTRUCTION SEEN

Louisiana witnesses maintained in their testimony that the proposal to bring in foreign oil would destroy the tax structure of Louisiana and would cripple its economy.

On the other hand, Gov. Kenneth M. Curtis of Maine summed up in his testimony on behalf of the New England states the proponents' story in this matter: "The large oil companies pretend their opposition is because of their concern with the destruction of the import quota system. This, they say, will destroy the production of oil in this country." Gov. Curtis described the contentions as "hypocritical cries."

New Hampshire Gov. John W. King, charging that the major oil companies have abandoned New England, said this six-state region is the highest cost energy region in the nation. He added: "No wonder that the majors view with alarm the efforts (of Occidental) . . . to break the monopolistic stranglehold on heating oil presently clamped on New England by these very same majors."

It appears following the Portland hearings that the New England states have made a strong case for the need for more and cheaper energy fuel.

POWERFUL CASE

However, it seems to some observers at the hearings that the oil producing states and their major and independent opposing companies, have made a powerful case against any special import treatment sought by Occidental.

The final decision in the case will be made at some future date by the Foreign Trades Zones Board, composed of the Secretaries of Commerce, Treasury and the Army.

Meantime, the controversy is making headlines in Maine. The Portland Press Herald Saturday carried a page one story with an eight-column headline: "Boggs Says Campaign Funds Offered For Oil Aid."

The story was based on allegations by U.S. Rep. Hale Boggs of New Orleans Friday night at a press conference in Washington that he was offered campaign funds by a representative of Occidental Petroleum Corp. who allegedly asked him to name the sum of campaign funds he needed. Boggs said Occidental officials did not want him to go to New England to testify in opposition to the proposed refinery. Boggs in appearing before the examiners committee Thursday said that his "honor was at stake."

FALSE, OUTRAGEOUS

The newspaper also carried a page one adjoining story in the form of a 400-word statement by Dr. Armand Hammer, chairman of Occidental, who described the Congressman's statement as "false and outrageous." At the same time Dr. Hammer called on Congressman Boggs to disclose what contributions "the oil executives of the major and other companies have made to his campaigns" and "will he tell us the total."

Meantime, Thomas Wachtell, vice-president of Occidental and executive assistant to Hammer, told the hearing examiners in his prepared testimony that Occidental's proposed big heating oil refinery in Maine has an alternative of building a plant in Canada a few miles north of Maine if the pending application is turned down.

Wachtell said in his written statement that the questions of the oil import program are not rightfully a part of the issue before the board. He said the board is concerned with whether import licenses should or should not be granted for the importation of crude oil into the foreign trade zone, or the importation of refinery products into the customs territory of the U.S.

The Occidental vice-president said a massive campaign is underway in connection with the pending application to transfer the oil import policy issue into the application of the state of Maine for a trade zone at Portland and a subzone 180 miles away, where the

refinery would be built. He charged that the oil import program has "become a veritable gold mine for the domestic oil industry."

J. M. Menefee, Louisiana's conservation commissioner, in a statement presented to the board said that Occidental had received substantial publicity that it will pass along many benefits to New England customers.

PROFIT OF \$24 MILLION

Commissioner Menefee said that the maximum reductions would be about \$16 million a year, still allowing Occidental to make profits of \$24 million a year under the import plan.

Shell Oil Co., strongly opposed to the Occidental plan, said that it is claimed the balance of payments would be improved by building the refinery in Maine. Shell states that its calculations indicate that the annual adverse effect on the balance of payments would be approximately \$60 million annually.

In a letter to Interior Secretary Stewart L. Udall, a member of the Foreign Trades Zones Board, president R. C. McCurdy of Shell said: "We feel very strongly that when measured by the yardstick of objective economic appraisal, the Occidental proposal is stripped of its many misleading claims and stands revealed for what it is—a bold attempt to manipulate the import program in the hope of realizing massive profits denied to Occidental's competitors. I am firmly convinced that approval of the Machiasport proposal would be but another step down the road toward the destruction of the domestic producing industry and to national dependence on foreign energy sources."

John G. Buckley, an independent oil consultant of Weston, Conn., currently on retainer from Occidental Petroleum Corp. in connection with the proposed project, told the examiners committee that he was "amazed to find the Shell Oil Co. charging that Occidental's project was going to result in a foreign exchange loss to the U.S."

"Shell," said Buckley, "as I am sure the board knows, is a majority owned and controlled affiliate of the Royal Dutch Shell group of companies, and as its name implies, Royal Dutch is a British-Dutch majority owned company. The most profitable affiliated company in the Shell group in the U.S. branch is the United States branch. Last year, for example, the U.S. branch of Shell earned a net profit of some \$285 million. Now that performance, I am sure, was quite beneficial to the British and Dutch balance of payments position internationally, and, goodness knows, our British friends need balance of payments help. Their problems in this regard are as famous as our own."

[From the New Orleans (La.) States-Item, Oct. 12, 1968]

BOGGS REPORTS OIL FIRM FUNDS OFFER—ASKS FBI TO INVESTIGATE

WASHINGTON.—House Majority Whip Hale Boggs, D-La., said yesterday he has asked the FBI to look into the legal aspects of a meeting in which, he said, representatives of an old company offered him unlimited campaign funds.

Boggs told a news conference these visitors admitted, under his questioning, that they did not want him to go to Maine, where Boggs was to testify against the proposed establishment of a foreign trade zone as a location for their firm to build a refinery.

But he also displayed a letter from one of the men, stating emphatically that "there is no relationship between the discussion regarding the campaign contribution and the Maine refinery."

The State of Maine has asked the Commerce Department's Board of Foreign Trade Zones to establish a subzone at Machias, Maine, into which foreign material could be brought, duty-free, for processing.

Occidental Petroleum Corp. of Los Angeles

wants to build a refinery in this zone and is seeking the Interior Department's permission to import oil to feed it.

Boggs said constituents had asked him to oppose the foreign trade zone at a board meeting in Maine because the Louisiana oil industry opposes the oil imports sought by Occidental.

Boggs testified against the proposed trade zone at the hearing in Portland, Maine, last Wednesday.

Armand Hammer, chairman of Occidental, issued a statement in Los Angeles last night denying what he termed "the false and outrageous charges made by Congressman Boggs."

"We deny emphatically any impropriety," Hammer said.

He said Occidental has not contributed to Boggs' campaign funds and said the congressman's allegations were "wild" and "untrue."

Meanwhile, Boggs said today if Hammer thinks the charges are false we should sue him.

"If Dr. Hammer thinks my charges are 'outrageous and false' I invite him to sue me for libel.

"The remarks were made in my office off the floor of the House of Representatives and are not protected by congressional immunity.

"He is welcome to sue me for libel or slander in the federal or local courts in Washington or New Orleans. In fact, I invite him to do so."

[From the New York Times, Oct. 12, 1968]
TWO GOVERNORS CLASH OVER A TRADE ZONE PROPOSED IN MAINE

PORTLAND, MAINE, October 11.—The Governors of Colorado and Vermont clashed at the second day of hearings today on Maine's application for a foreign-trade zone in Portland and a subzone in Machiasport.

Gov. John A. Love, Republican of Colorado, argued that approval of the proposals would endanger the national security, and prevent the development of petroleum resources in the Rocky Mountain region.

Gov. Philip H. Hoff, Democrat of Vermont, focused on the high cost of oil and other petroleum products in the New England region, describing the situation as "intolerable" and "a scandal."

New England has the highest energy costs of any area in the country, according to oil industry sources, because the region has no primary refineries.

HEARINGS CONDUCTED

The Maine Port Authority has applied for the foreign-trade zones, and permission to construct a \$150-million oil refinery in Machiasport, which is in an economically depressed area of the state.

The hearings are being conducted by a three-man committee of the Foreign Trade Zones Board.

Governor Love, the first witness today, said, "It is beyond question that our national security is dependent in part upon petroleum self-sufficiency."

He told the crowded hearing that the strict limitation of oil imports to 12.2 per cent of domestic production would have assured the protection of the domestic industry, but that exception followed exception "so that today we are allowing importation of more than 26 per cent of our domestic production."

HIGH COST CITED

Governor Hoff said the high cost of oil and other petroleum products to the New England region had resulted in support there, "I don't ever recall a time when New England was so united," Governor Hoff declared.

Approving the application would move New England into "an upward course"—a move "we badly need," he added.

The Occidental Petroleum Corporation of Los Angeles plans to build the refinery, contingent on the granting of licenses for the trade-zones.

The Secretaries of the Army, Commerce and the Treasury comprise the Foreign Trade Zone Board. The Department of the Interior must act on the oil import quota and license application.

Warren A. Morton, representing Gov. Stanley K. Hathaway of Wyoming, said granting the application would threaten national security, discourage the search for dependable domestic reserves and give temporary benefits to one company and region at the expense of others.

[From the New Orleans (La.) Times-Picayune, Oct. 3, 1968]

FREE TRADE ZONE DISTORTION THREAT

It's promoted in New England on the theme "If it's good for New England, I'm for it," but it could spell havoc for U.S. oil production—especially in Louisiana and Texas—if an oil company's request for a free trade zone in Maine is allowed by the Department of Interior.

From initial reports, we understand that Occidental Petroleum, over strenuous objections of the Independent Petroleum Assn. of America, seeks permission to import 300,000 barrels of crude oil a day, mostly from Libya, at bargain-basement prices—\$2 cheaper than prevailing U.S. prices of \$2.90 a barrel.

Competitive petroleum firms contend that if a new refinery were so allowed to use imported crude in a free trade zone, the present mandatory control of foreign oil imports would be meaningless, and the domestic oil market, now producing on an allowable basis and under capacity, would be plagued with new shut-ins and a further slowdown in reserves exploration.

A kind of precedent for U.S. free trade zones in the petroleum industry was set here at Taft about four years ago, when Union Carbide was allowed to import foreign naphtha for processing into petrochemicals, with tariff due on the imported portion of the processed products sold in the U.S. markets. But this was naphtha, not crude oil and was predicated on the need for the naphtha in order to compete in the export chemical markets.

Free trade zones were initially conceived as public facilities where foreign goods could be brought in duty-free and stored, processed, or mixed with domestic materials. A later provision allowed manufacturing, with the part-tariff feature for products marketed in this country.

Initial reports on the Maine enterprise make no mention of tariff proportions, if any are intended, for imports that would ultimately enter national markets, but the company proposes to pay 20 cents a barrel "royalty" into a seven-state New England conservation fund for products sold domestically. The 20-cent carrot, it is predicted, would amass an annual \$7 million kitty.

Last year the Department of Interior allocated to the whole petrochemical industry import oil quotas totaling 74,000 barrels a day. Union Carbide's share naphtha was 13,903 a day. By comparison, the Occidental request to pour 300,000 barrels daily of foreign oil into United States petroleum production is more than 21 times greater than going into the Taft operation, and four times greater than the whole national oil import quota last year.

Four years ago opponents of the Taft free trade zone argued that a rash of applications involving oil imports would follow, with subsequent displacement, they said, of as much as 300,000 barrels of Louisiana crude a day, an annual state severance tax loss of \$5 million and loss of petroleum jobs through slowed Louisiana operations.

Congressman Hale Boggs, who successfully maneuvered a 1950 amendment to the trade zone act that permitted manufacturing processes in the zones, contends the Occidental application is contrary to intent of the

amendment, and plans to fight the proposal at an Oct. 10 Interior Department hearing.

What is sauce for the goose is traditionally sauce for the gander. But we trust that the distinctions between the two states' free trade zone concepts will be amply clear to show that what is sauce for Louisiana's Pelican is not sauce for Maine's Chickadee.

[From the New York Times, Oct. 13, 1968]

BOGGS ACCUSES THREE OF BRIBE ATTEMPT—SAYS OIL EXECUTIVES ASKED HELP ON MARINE PROJECT

(By William M. Blair)

WASHINGTON, October 11.—Representative Hale Boggs, Democrat of Louisiana, accused three oil company executives tonight of seeking to "bribe" him to head off his opposition to a major oil project in Maine.

He said three men from the Occidental Petroleum Corporation and its subsidiary, the Hooker Chemical Corporation, sought to keep him from appearing yesterday at a hearing in Portland, Me., on Maine's application for creation of a foreign trade zone where Occidental Oil would build a refinery.

"There is no doubt in my mind that Republican politics is mixed up in this," Mr. Boggs said. He complained that House Republicans had not permitted him to speak on the House floor of a meeting with the oil executives.

Mr. Boggs, who is Democratic whip, held a news conference in his office after he was cut off on the House floor by a Republican call for a quorum.

The three oilmen, he said, met with him last week in his office.

"They said, 'We want to help you with your campaign,'" Mr. Boggs related.

"I said, 'You mean a campaign contribution.'"

"They said, 'Exactly.'"

"What sums are you talking about? I asked," he said.

"You spell it out, you name it," they said.

Mr. Boggs said he then asked them, "Do you want me to go to Maine?"

They responded, he said, "My, you drive a hard bargain."

Finally, they said "they didn't want me to go to Maine," Mr. Boggs asserted.

He said he replied, "This is no bargain," and then said, "You're in trouble," and walked out.

Mr. Boggs supplied newsmen with a copy of a letter written to him by Edward A. Mathias, treasurer of the Hooker Chemical Corporation, 277 Park Avenue, New York. The letter was dated Oct. 1, the day of the meeting described by Mr. Boggs. Mr. Boggs said the letter was an effort by the oil executives to get "off the hook."

"Lest there be any misunderstanding," Mr. Mathias wrote, "Mr. [James] Baldwin and I want it abundantly clear that there is no relationship between the discussion regarding the campaign contribution and the Maine refinery."

"We assume," Mr. Mathias went on, "you will do what you feel is in the best interests of your constituents with regard to the Maine refinery, and we do not wish to influence your judgment in this matter in any way."

Mr. Boggs, who said he held some Occidental stock, testified yesterday at the Portland hearing that the proposed Occidental refinery would wreck the domestic oil industry.

The Maine Port Authority has applied to the Federal Government for a foreign trade zone at Portland with a sub-zone at Machiasport. Occidental would build a \$150-million refinery at Machiasport if the zones are approved. The refinery would handle 100,000 barrels of foreign oil a day to turn out 300,000 barrels a day of refined products, including home heating oil, gasoline and jet airplane fuel.

The project is being bitterly fought by the domestic industry, which views the plan as an attempt to circumvent the oil import quota program, depress prices and wreck the domestic oil economy.

CHARGES CALLED "OUTRAGEOUS"

Dr. Armand Hammer, chairman of the Occidental Petroleum Corporation, last night denied Mr. Boggs' charges as "false and outrageous."

Dr. Hammer, in a statement released in Los Angeles, said: "We deny emphatically any impropriety."

He said he expected that "the major oil companies" would use "every desperate means to protect their monopoly" and avoid the competition Occidental would give them by building in Maine.

"The stakes are high for the major oil companies," he said. "They have made \$5-billion in the last nine years from the oil import quota."

"Now," he continued, "when New England wants its fair share of that quota and Occidental is cooperating to achieve it, we are subjected to every scurrilous attack that unscrupulous minds can concoct. However, we did not anticipate that they would use a Congressman as a tool."

Answering charges against Hooker Chemical executives, he said that careful inquiries had been made of each of them and that "they are outraged by the falsity of the accusation."

Dr. Hammer described arrangements that he said were initiated by Mr. Boggs' office to set up a meeting between Mr. Boggs and Hooker Chemical executives.

"If, according to Mr. Boggs' statement, he considered that he had been 'approached' in an improper manner," Dr. Hammer said, "why did he wait 10 days and why has he decided to break the news only when he knows that the hearings on Maine's application for a foreign trade zone are going badly for the major oil companies?"

[From the Portland (Maine) Press Herald, Oct. 11, 1968]

U.S. REPRESENTATIVE BOGGS STEALS SHOW AT TRADE ZONE HEARING

Florid-faced, big-voiced U.S. Rep. Hale Boggs of Louisiana stole the show at Thursday's hearing on a proposed foreign trade zone for Portland and subzone for Machiasport.

Another "big name" at the opening session was lawyer Louis Nizer, also known for his books about lawyering, "My Life in Court" and "The Jury Returns."

Whether it was quoting the Bible to Gov. Kenneth M. Curtis or exchanging barbs with actor-politician Gary Merrill, Boggs was the southern master speechmaker, talking off the top of his head and doing it well.

Nizer, in turn, quarreled with figures used by Boggs.

Boggs spoke against the establishment of an oil refinery at Machiasport by Occidental Petroleum Corp. Nizer, is chief counsel for Occidental.

Boggs said he spoke as a stockholder of Occidental, "the only oil company in which I do hold any stock."

He said he also spoke as a man who almost didn't come here for the hearing. "I had made up my mind not to come," he declared, "and then something changed it."

That something was a visit from officials of Hooker Chemical Co., which operates a plant in Boggs' district. "I did not even know that Hooker had been taken over by Occidental until they told me," he said.

Boggs said pressure was put on him to stay away from the hearing. At that point the House Democratic whip made up his mind to come. He would not say what the pressure was, merely declaring that "if you people here can't understand what I mean, you're not very bright."

Boggs advised Gov. Curtis to enter more into the field of oceanography to improve Maine's economic picture (the governor has already done quite a bit in that area) and he quoted Luke 14:1-11 to the governor which he said, boils down to "When you have a problem, do something about it."

He said over and over again that he wants to help Maine and declared he's voted 11 times for the Dickey-Lincoln federal hydroelectric power project on the St. John River—"though I come from a district where public power is unpopular."

His sparring with Merrill came when Boggs started reading passages from the Thursday morning Press Herald about the hearing.

Suddenly Merrill popped up with an objection: "As Rep. Boggs says, most of us have already read the paper. Can't he get along to something else?"

Boggs asked who Merrill was and whom he represented. "I'm an unemployed actor," he answered, "and I'm representing myself." Merrill added that he's also "an unemployed politician."

"I was for the anti-poverty program and helped word some of the acts developing it. I hope this unemployed actor can find a job because of it," the Congressman asserted.

Boggs agreed with Gov. Curtis and Maine's two U.S. representatives that the last minute move by the Foreign Trade Zones Board to have a hearing on the zone and subzone in Washington Tuesday where Congressmen only can testify was "discourteous" to the State of Maine.

He blasted Rep. Robert Price, R-Texas, who had earlier called the proposal "a Johnson administration fix" for not coming to the hearing here.

"Why didn't he have the guts to come up?" Boggs asked. "This is all an attempt to get Republican politics into this thing."

Boggs gave the distinct impression he felt Price was the cause behind the call for the Washington hearing.

The difference in figures used by Boggs and Nizer concerned the actual amount of quota the oil firm seeks at Machiasport from the Department of the Interior.

Occidental seeks to import 300,000 barrels a day into the subzone under a special quota for foreign trade zones.

It also seeks, under the regular import quota, to send 100,000 barrels of the 300,000 into this country.

The House majority whip said Occidental wants an import quota of 300,000 barrels of oil a day.

Using a map and pointer, he showed that only 700,000 barrels a day of oil are allowed now under the oil import program. Of that, 200,000 barrels comes from Canada and 100,000 from Mexico, Boggs said.

"That leaves only 400,000 and Occidental wants 300,000. This company which poses as a small independent but which is really in the union with Humble and Shell and Texaco Co. and Gulf and the rest is asking for a 75 per cent increase," Boggs declared.

He put forward the theory, already repeatedly made by the major oil companies which oppose the proposal, that if Occidental gets such oil import quotas, all the major companies will ask for similar privileges and "the domestic oil industry will be ruined."

"I come from the second largest oil-producing state in the nation," Boggs declared. "Forty-five per cent of all Louisiana's state revenue comes from the oil and gas industries. Seventy-five per cent of all the money for our schools comes from the same source. I just can't imagine the Department of Interior granting these quotas. It's just fantastic."

Boggs left immediately for Washington after his testimony.

Famed courtroom lawyer Louis Nizer followed Rep. Boggs. He wrote two lists of figures on a blackboard. One list was headed "Boggs," the second "Corrections." Written

at the bottom of the board was "Error 700 per cent."

Nizer had said before the hearing began that he would serve as Occidental's counsel without appearing as a witness himself. But he changed his mind and spoke.

Instead of 700,000 barrels as the total oil import quota figure, Nizer said it was 1,101,416. Canada takes 280,000 barrels of that instead of the 200,000 Boggs quoted, he said, and Mexico only 30,000 instead of the 100,000 Boggs listed.

Subtraction left 791,416 barrels instead of the 400,000 the Democratic whip reported. And Occidental, Nizer said, is only seeking a 100,000 barrel a day quota under that system, not 300,000 as Boggs had said.

Nizer's figures left 691,416 barrels for other companies under the quota compared to the 100,000 Boggs had left.

Occidental is seeking its 300,000 barrel import quota as a special situation for a foreign trade zone. No such situation has yet been handled by the Department of the Interior. Jurisdiction over such a foreign trade zone quota falls to Secretary of the Interior Stewart L. Udall.

Nizer said he believed the "mistakes" made by Boggs were "inadvertent."

After discussing the poverty that earlier witnesses had described in Washington County, Nizer said: "Anything that wipes out that kind of poverty is of benefit to the entire area."

Jim C. Langdon, chairman of the Texas Railroad Commission, rose to suggest that industry figures would speak for themselves and that there was no point in disputing them. He added that Nizer "doesn't know what he's talking about."

The Texas Railroad Commission is instrumental in fixing the amount of oil that is produced in that state annually.

[From the Portland (Maine) Press Herald, Oct. 11, 1968]

THIRTY-NINE FIRMS EYE USE OF ZONE (By Frank Sleeper)

Thirty-nine industries, including giant General Electric Co., have shown interest in use of a proposed foreign trade zone in Portland, the city's attorney, Corporation Counsel Barnett I. Shur, said Thursday.

Thirteen industries have submitted letters of intent to use the proposed zone, said Edward Langlois, general manager of the Maine Port Authority.

Both testified at the hearing on the trade zone proposal at the Federal Court House Building.

Those 13 are S. D. Warren Division of Scott Paper Co.; Danforth-White Division of the Eastern Corp.; Woodside Co., Inc.; William Underwood Co.; Sebago Mocc Co., Inc.; Quoddy Moccasins; Sanders Associates; Bath Iron Works; Gardiner Shoe Co.; Taterstate Frozen Foods; C. M. Almy Co.; Schlotterbeck and Foss Co.; and Portland Warehouse and Storage Co.

Shur said the zone would give "a great boost to Portland's major effort to revitalize its waterfront."

That revitalization, he said, basically involves preserving what is best of the old and attracting the best of the new.

The afternoon session of the hearing was taken up almost entirely by proponents of the foreign trade zone here and the subzone in Machiasport.

Favoring the proposal were such organizations as the New England Fuel Institute, the Oil Dealers Association of Rhode Island, the Maine State Chamber of Commerce, the New England Council, and the Massachusetts Port Authority, U.S. Sens. John O. Pastore of Rhode Island and Norris Cotton of New Hampshire sent telegrams of support.

Department of Economic Development Commissioner James K. Keefe was perhaps most caustic in his disapproval of opposition

to the Machiasport subzone and the oil refinery which would be built there.

"The major oil companies we foresaw, would oppose this project to the extent it eroded their New England monopoly," Keefe declared. "Frankly, we were unprepared for their hysterical outbursts.

"Even more surprising, I may add, was the tirade in Congress by a minion of the Texas oil interests. This man's case rested on the edifice of unassailable logic. He reasoned, for instance, that this project was 'political payola' which amounted to a special privilege to Occidental Petroleum Corp."

He referred to Rep. Robert Price, a Republican congressman who earlier had called the trade zone proposal a Johnson administration "fix" supported by pressure from Sen. Edmund S. Muskie.

Keefe asked if there can be anything "more incongruous" than the sight of a Texas congressman crying "payola" in such a case.

"Remember that some Gulf states have been given the opportunity to extend their offshore jurisdiction over vast oil reserves to about three marine leagues (or about nine miles). This, in contrast, to the strict limitation of a three mile offshore jurisdiction imposed on all other coastal states.

"And so, our friends from Texas have been allowed to push their petroleum frontiers out about six miles beyond most other states. A bloated boundary, of course, has value in its own hard currency."

Machiasport would be a magnet for other industries which require large amounts of raw materials which might be carried in large tankers or other large vessels.

The deep harbor at Machiasport is not equaled on the Atlantic coast, as several supporters of the trade zone proposal pointed out.

Prof. Adelman noted that the large super-tankers need a half mile radius for their turning circle. They are 1,200 feet long and have a draft of 80 feet, thus needing the 90 feet of water at Machiasport.

He called the look of East Coast ports in general "curiously old-fashioned and ineffective."

Cheaper oil will lower costs of electricity made in plants powered by such oil. Prof. Adelman said the cost of nuclear power facilities "is very unsettled" and has risen considerably in the past two years.

Electricity made with cheap oil as its fuel could well compete with nuclear power in New England, he said.

[From the Portland (Maine) Evening Express, Oct. 11, 1968]

GOVERNORS DISAGREE ON TRADE ZONE BID (By Richard S. Kimball)

The governor of the Green Mountain State opposed the governor of a Rocky Mountain State at this morning's session of the Foreign Trade Zone Hearings.

Gov. John A. Love of Colorado led the opposition to the applications for a foreign trade zone in Portland and a subzone in Machiasport, while Gov. Philip Hoff of Vermont appeared for the proponents.

Representatives also appeared to offer testimony for the governors of Wyoming, Texas, Oklahoma and Louisiana. Like those who appeared yesterday, most of today's witnesses concentrated on the Occidental Petroleum Co.'s plan to build a refinery if the subzone is approved and if the Interior Department approves its request for an oil import quota.

Appearing first in the witness chair, Love argued that approval of the proposals would endanger national security and prevent the development of petroleum resources in the Rocky Mountain region.

"It is beyond question that our national security is dependent in part upon petroleum self-sufficiency," he said. And the resources of Colorado and neighboring states provide

an "impregnable basis for the petroleum self-sufficiency of our nation."

"Every barrel of foreign oil which enters our land subtracts a barrel from our domestic industry."

Love said that strict limitation of oil imports to 12.2 per cent of domestic production would have assured the protection of the domestic industry.

But this is not what has happened! Instead, exception after exception to the import limitation has been granted so that today we are allowing importation of over 26 per cent of our domestic production.

"And yet, these exceptions have been sought—and supported—and granted—by men of good will."

In "a final word," Love described compromise as a basic ingredient of the American system, and said, "But sometimes a line must be drawn. Sometimes equivocation is dangerous. Sometimes it is fatal.

"I think we are in such a position now. I believe that giving Occidental half a loaf is just as dangerous as giving it the whole."

Hoff concentrated on the high cost of oil and other petroleum products to the New England region. The high cost of energy, he said, is "intolerable" and "a scandal."

He added he knew of no concerted opposition to the plan in New England. "I don't ever recall a time when New England was so united."

Hoff was asked after his statement whether a Maine refinery would not attract industry away from Vermont.

"That sounds like a divide and conquer sort of a question to me," he replied, adding that what would benefit Maine would help the entire area.

Approving the applications would "set our region on an upward course and an upward course we badly need," he told the three-man committee hearing the testimony.

The several statements from other governors opposing the application all gave reasons similar to the five listed by Warren A. Morton, who spoke for Gov. Stanley K. Hathaway of Wyoming.

He said that granting the application would threaten national security, discourage the search for dependable domestic reserves, disrupt the domestic industry, aggravate the balance of trade deficit, and give temporary benefits to one company and region at the expense of others.

"Over one-third of the cost of city, county, and state government in Wyoming is provided by taxes and royalties paid by the oil industry in the state and the entire school structure is virtually 100 per cent dependent upon this prime industry," Hathaway's statement said.

"At the risk of appearing selfish I trust that the committee in judging this application will consider all of the benefits that accrue from a strong and virile domestic oil and gas industry."

Judge Jim C. Langdon, representing Texas Gov. John B. Connally, argued that the economic benefits predicted for New England by proponents would not be as great as they have been described.

The benefits are "grossly overrated" and "extremely nebulous" he said.

He also argued that Machiasport, which "is not even close to Portland" would not be the proper place to build a refinery to serve New England. He said the proposed project would hurt not only established U.S. oil regions, but those in Canada and Venezuela, as well as potential resources in Alaska.

While not as spirited as yesterday's sessions, this morning's meeting was almost as well attended. There was standing room only until a section of the courtroom reserved for dignitaries was open to the general public.

Yesterday's hearing sessions were devoted largely to testimony by proponents of the applications for foreign trade zones in Port-

land and Machiasport and Occidental's planned refinery.

Gov. Kenneth M. Curtis opened the proceedings with a strong attack on the opposition. Supporting statements followed from New Hampshire Gov. John W. King; Occidental counsel Louis Nizer; U.S. Reps. William D. Hathaway and Peter N. Kyros, and a number of other regional and local leaders.

A leading member of the opposition Rep. Hale Boggs, D-La., also spoke, however. And though he spent only a few hours at the hearing, he made the time pay with a flamboyant speech which made a distinct impression on his audience.

In effect, Curtis presented an outline of the proponents' arguments, which others filled in and supplemented.

He gave three general reasons for the creation of the foreign trade zones:

Maine and Washington county's employment needs, New England's needs for its own fuel industry and for the zones; and the promise made by Occidental to create a marine resources foundation with a percentage of the profit from the proposed refinery.

Portland's attorney, Corporation Counsel Barnett I. Shur, and Edward Langlois, general manager of the Maine Port Authority, testified that 39 industries had shown interest in using a Portland Foreign Trade Zone.

Howard J. Marsden, chief of the Division of Ports and Systems, U.S. Maritime Administration, testified on the suitability of the Machiasport harbor for handling the super-tankers of the future.

Only three ports in the U.S., all on the West Coast, can now handle the largest U.S. tanker, the Manhattan. Six tankers three times her size (106,000 deadweight tons) are now being built. Unless Machiasport is developed, then substantial dredging of existing East Coast facilities may be necessary.

Several proponents minced no words in attacking the opponents of the zones, many of whom represent oil producing regions and businesses.

Maine Department of Economic Development Commissioner James K. Keefe said. "The major oil companies, we foresaw, would oppose this project to the extent it eroded their New England monopoly. Frankly, we were unprepared for their hysterical outbursts."

But the most dramatic speaker was undoubtedly Boggs. The House Democratic whip said that he spoke as a stockholder in Occidental, and said he had decided to come after being pressured not to by Hooker Chemical Co. officials. Hooker is a subsidiary of Occidental.

Asked about the pressure, he replied, "If you people here can't understand what I mean, you're not very bright. He quoted the Bible (Luke 14:1-11) to Curtis, interpreting the passage as "When you have a problem, do something about it." He suggested that Curtis should concentrate on oceanography to improve Maine's economy.

Boggs also sparred with actor Gary Merrill, who said he attended the hearing as a private citizen and objected to Boggs' reading from Thursdays Portland Press Herald.

Boggs also charged that oil imports granted to Occidental would upset the present system and ruin the domestic oil industry. The figures were later disputed by Nizer, who submitted new figures into the record and announced that Boggs had made an error of 700 per cent. Nizer's figures were in turn disputed by Judge Langdon, chairman of the Texas Railroad Commission, in a sharp oral exchange.

[From the Portland (Maine) Press Herald, Oct. 10, 1968]

SECOND TRADE ZONE HEARING "SHOCKS" CURTIS

A dispute between Gov. Kenneth M. Curtis and U.S. Department of Commerce officials erupted Wednesday on the eve of the open-

ing of foreign trade zone hearings in Portland.

The governor expressed "shock" at the department's announcement that it had scheduled an additional hearing on the state's application for a foreign trade zone Tuesday in Washington, D.C.

In a Wednesday night message to C. R. Smith, secretary of Commerce, Curtis protested what he called the "unprecedented additional hearing."

Curtis said the hearing was "contrary to the regulations relating to foreign trade zones in the United States."

He added the announcement of the hearing was contrary to "express understanding in writing" that the hearings would be begun and held in Portland.

"Any contention made to you that the additional hearing is necessary for the convenience of congressmen or senators is specious," Curtis declared.

He added of the meeting being held to receive the testimony of members of Congress. "It's too bad they can't come up here and face us on our own ground."

At least four governors and other legislative leaders are scheduled to testify today for or against the plan, which calls for a free trade zone in Portland with a subzone and refinery at Machiasport.

The hearings, which could run into Sunday, are scheduled to open at 10 a.m. at the Federal Building.

If Maine's bid for the zone and industrial complex is successful it could bring New England its first oil refinery.

The proposal has drawn opposition from oil companies and has been injected into the national political campaign.

Gov. Curtis charged Wednesday that oil interests are trying to hold up the hearings "in hopes their man, Richard M. Nixon, will be elected president."

Earlier a Republican congressman from Texas called the project a Johnson administration "fix" supported by pressure from Sen. Edmund S. Muskie, the Democratic vice presidential candidate.

Rep. Robert Price predicted approval of the project which he termed a "smelly deal," and said it would give Occidental Petroleum Corp. of California an unfair competitive edge over domestic oil producers.

Curtis Wednesday denied that the plan would be a "give-away" and said, "Price ought to get the facts before he draws his Texas sixgun and starts shooting at us."

The governor said opponents want to turn the hearing into one dealing mainly with the matter of an oil import quota.

That question, said Curtis, will come before the Interior Department, which does not hold public hearings on such matters, if the free trade zone designation is granted.

Advocates of the proposal contend that the \$150 million refinery, which Occidental has promised to build if the foreign trade zone designations and oil import quota are granted, will lower heating oil costs and bring jobs to industry-starved Washington County.

Gov. Curtis will lead off the testimony today at the hearings in Portland. Other prominent proponents scheduled to appear as witnesses include Gov. Philip Hoff of Vermont and Maine's Reps. William D. Hathaway and Peter N. Kyros.

Gov. Richard Hughes of New Jersey and Gov. John A. Love, Colorado, will be among those testifying in opposition to the foreign trade zone proposals. Louisiana's Rep. Hale Boggs is also scheduled to appear as an opponent to the plan, but may postpone his appearance to the Oct. 15 Washington hearing.

Gov. Love, however, will be heard Friday at his own request.

An official of the Department of Commerce, N. Norman Engleberg, arrived in Portland Wednesday to conduct today's hearings.

Engleberg said the hearings, originally set for Thursday and Friday, could even extend to Sunday afternoon to accommodate all who wish to testify.

Speaking of the department's additional hearing set for Oct. 15 in Washington, Engleberg said although the session will be open, only congressmen will be allowed to testify. He added that some other congressmen scheduled to appear in Portland might choose to attend the supplementary session.

Engleberg said that testimony given at the hearings will be used by the three-man board to prepare a report on which the complete Foreign Trade Zones Board will base its decisions.

The other two members of the board are Daniel J. Sullivan Jr. of Boston, deputy assistant regional commissioner of the Bureau of Customs for inspection and control, and Col. Franklin R. Day, New England division engineer of the Corps of Engineers in Waltham, Mass.

Opponents will probably argue against breaking down the established import quotas. Others may contend that oil industries in Machias Bay could create conservation and pollution problems.

Proponents will insist that a refinery in Maine would lower the cost of oil to New England and will provide needed jobs in Washington County.

TWENTY-SEVEN TO TESTIFY ON TRADE ZONE HERE

These witnesses are scheduled to testify at the foreign trade zones hearing here, according to a preliminary list released by the Foreign Trade Zones Board:

Proponents Gov. Kenneth M. Curtis of Maine, Gov. Philip Hoff of Vermont, Rep. Peter N. Kyros of Maine, Rep. William D. Hathaway of Maine, Thomas Watchell, vice president of Occidental Petroleum Corp., Los Angeles, Charles H. Burkhardt, executive vice president of New England Fuel Institute, Boston, A. Thomas Easley, executive vice president of the New England Council, Boston.

J. Hostelter, New England Conference of Public Health Officials and New England coordinator, Air Use Management, Walter E. Corey III, special oil coordinator to Gov. Curtis, Mr. Klinge, Savannah, Ga., Port Authority, Frank Sahlman, vice president of Northeastern Public Power Association, Boston.

OPPONENTS

Gov. Richard J. Hughes of New Jersey, Gov. John A. Love of Colorado, Rep. Hale Boggs of Louisiana, Rep. Ben Barnes, speaker of the Texas House of Representatives, George F. Getty II, executive vice president of Getty Oil Co., Los Angeles, J. M. Menefee, Louisiana commissioner of conservation, William J. Wynne, Murphy Oil Corp., El Dorado, Ark., Thomas D. Cabot, Cabot Corp., Boston.

Warren A. Morton, representing Gov. Stanley Hathaway of Wyoming, Jack Graves, general counsel of the Kansas Corporation Commission, C. G. Drescher, vice president of Sinclair Oil Corp., New York City, Henry Rosenberg Jr., president of Crown Central Petroleum Corp., Baltimore, Oliver L. Stone, general attorney for Shell Oil Co., New York City, Gardiner C. Means, Bucks Harbor, Redington Fiske, New Canaan, Conn., Roy T. Durst, Fort Worth, Tex.

[From the Wall Street Journal, Jan. 31, 1968]
OCcidental TO JOIN WITH SIGNAL OIL IN SWAP OF STOCK—UNDERSTANDING OF MERGER OUTLINES COMPLEX EXCHANGE OF COMMON AND PREFERRED—BOTH FIRMS' HOLDERS TO VOTE
 LOS ANGELES.—Occidental Petroleum Corp. and Signal Oil & Gas Co. said they reached "an understanding" in principle for a proposed merger of the two companies through an exchange of stock.

The proposed terms call for Occidental to issue 0.325 share of a new \$3 preferred stock

in exchange for each Signal common share outstanding.

In addition, each Signal shareholder would receive for each share of Signal common, or its equivalent of Signal preferred, a partial share of Occidental common. The portion could vary from 0.2709 to 0.3095 share of Occidental common, based on Occidental shares outstanding before its 3-for-1 stock split, of this past Monday.

Occidental, traded on the New York exchange, closed yesterday at \$32.875, up 12½ cents, after the 3-for-1 split, on a 22,800-share turnover. Signal's Class A, an American exchange issue, closed at \$37, up 37½ cents, on 3,200 shares.

The joint statement issued late last night said the proposed merger was considered by both companies at board meetings yesterday.

"The two companies propose to enter into a definitive agreement shortly," the joint announcement said.

A merger of the two concerns would produce a giant company with combined annual sales of more than \$2 billion on the basis of their 1966 volume, the latest figures available, after restatement for recent major acquisitions.

Signal's 1966 sales were about \$1,400,000,000 after restatement for the August 1967 acquisition of Mack Trucks Inc. and Arizona Bancorporation. Occidental's 1966 volume would have been almost \$800,000,000 after restatement to include the operations of recently acquired Island Creed Coal.

Occidental, a diversified natural resources company, closed at \$97.75 a share, up 75 cents, on volume of 27,800 shares on the New York Stock Exchange yesterday. Signal Oil's Class A stock closed at \$37, up 37½ cents, on volume of 32,000 shares on the American Stock Exchange.

The joint announcement said Occidental, which would be the surviving company, would be renamed Signal Occidental Petroleum Corp., and would have total assets of about \$1,750,000,000.

The value of the transaction couldn't immediately be determined because of the complex formula for the exchange of both common and preferred of both companies.

The conversion value for the Occidental preferred to be issued to Signal shareholders would be fixed at an amount that is 12½% above the average closing price of Occidental common during the 30-day period ending 14 days before the shareholder meetings.

But the joint statement said that in no event will the conversion price of the Occidental preferred be less than \$118.125 or more than \$135.

The joint announcement, which was expressed in terms of Occidental common stock outstanding before Monday's 3-for-1 split, indicated that a total of 12.5 million Occidental common shares would be issued in the transaction.

This calculation assumed that the average price of presplit Occidental stock would rise no higher than \$105 during the 30-day period ending 14 days before the shareholder meetings. The calculation also assumes full conversion of all Occidental preferred stock issued in the merger.

This would indicate that in terms of Occidental's split shares, which are currently being traded, the proposed merger would involve an exchange of about 37.5 million Occidental common shares.

The statement indicated that about the equivalent of 6.6 million presplit Occidental common shares would be issued to Signal shareholders at the time of the proposed merger. The total number of shares of Occidental's new \$3 preferred that would be issued to Signal shareholders would eventually be convertible into the equivalent of about 5.9 million presplit shares of Occidental common.

Each share of Signal's \$2.40 and \$2.20 convertible preferred shares, now each converti-

ble into two shares of Signal common, would receive twice the quantity of stock issued for the Signal common. The \$1 Signal convertible preferred outstanding would receive 0.85 of the quantity of Occidental stock issued for Signal common, the announcement said.

One broker familiar with both companies said he was "frankly surprised and a little dismayed" with the merger proposal. He noted that Signal, as a company which has recently diversified widely with its own acquisitions, "hardly fits Occidental's announced intentions of becoming a natural resources company."

Samuel Mosher, current Signal chairman, would become chairman of the surviving company, Occidental said. Dr. Armand Hammer, Occidental president, would remain president and chief executive officer of the new company and Forrest Shumway, Signal president, would become chairman of the executive committee.

Signal, which has aggressively pursued major acquisitions for the past year, earlier this month called off a proposed merger with Allis-Chalmers Manufacturing Co., Milwaukee. That transaction would have been valued at over \$475 million. The proposal fell through after Kleiner, Bell & Co., a Beverly Hills brokerage firm said to hold about 14% of Allis-Chalmers common stock, expressed displeasure with its terms and other stockholders of both companies appeared apathetic about the transaction.

Signal has also reached a tentative agreement to merge with Dunham-Bush Inc., a West Hartford, Conn., maker of cooling and heating systems in an exchange of stock valued at over \$18.5 million.

Signal reported 1967 nine-month net of \$34,856,000, or 75 cents a share, on sales of \$330,948,000, including the results of Mack Trucks and Arizona Bancorporation.

Occidental's Dr. Hammer said at a special meeting of its shareholders last week that the company's 1967 earnings were \$3 a share on the average 13,140,000 shares outstanding during the year. The \$3 includes about \$1 of nonrecurring gains, he said. Occidental's 1966 earnings were \$1.99 a share, including 50 cents in nonrecurring items.

[From the Wall Street Journal, Jan. 31, 1968]
OCCIDENTAL PETROLEUM'S PRESIDENT, 25 OTHERS ARE CHARGED IN LAWSUIT—HOLDER SAYS DEFENDANTS SIPHONED OFF STOCK FOR OWN GAIN—FIRM CALLS CHARGES WITHOUT MERIT

LOS ANGELES.—An Occidental Petroleum Corp. shareholder has filed a \$50 million lawsuit in Federal court here charging that Dr. Armand Hammer, Occidental president, and 25 other defendants have "systematically and progressively siphoned off for their own gain hundreds of thousands of shares of Occidental stock . . . in violation of the Federal securities laws" since 1956.

A spokesman for Occidental said, "the allegations are vicious and utterly without merit."

The lawsuit charges that Dr. Hammer was the "chief architect" of the alleged conspiracy to defraud the company and that the conspiracy is of "a continuing and secretive nature." The specific violations of the Federal securities laws charged in the lawsuit, however, apparently were said to have occurred prior to 1961.

Milton Jaffee, identified as a holder of 238 Occidental common shares, filed the lawsuit on behalf of Occidental and all other shareholders, according to the court papers. The lawsuit said Mr. Jaffee had filed the suit "at the first opportunity" after learning about the alleged violations late last year. Neither Mr. Jaffee nor his attorneys could be reached for elaboration on the lawsuit.

The Occidental spokesman said: "Milton Jaffee and a close associate, Carl Silver, . . . have made similar charges in the past against many of the same defendants. These similar

charges were litigated in Federal court several years ago, resulting in the complete vindication of the defendants." He said the defendants in the earlier litigation had included Dr. Hammer.

The Occidental spokesman declined to elaborate on the identity of Messrs. Jaffee or Silver.

"In addition to the fact that the claims are without merit," the statute of limitations has long since run out, the Occidental spokesman said. "The case will be defended vigorously," he added.

In addition to Dr. Hammer and a number of former Occidental officers and directors, the defendants in the lawsuit include Marvin Hayutin, who was sentenced to jail last May in a Federal stock fraud case involving Allied Entertainment Corp. of America, and Alexander Guterman, who served a Federal prison sentence after being convicted in 1960 of failing to file certain reports with the Securities and Exchange Commission about F. L. Jacobs Co., a company he then headed.

One of the corporate defendants in Mr. Jaffee's lawsuit is the New York brokerage firm of Gilligan, Will & Co. Three members of the firm were disciplined by the American Stock Exchange in 1962 and the firm—American exchange specialist in Occidental's stock from July 1959 until December 1967—was criticized in a 1962 SEC report on the exchange. Occidental moved to the Big Board in March 1964.

ALLEGATION OF "UNLAWFUL CONSPIRACY"

The lawsuit alleges that Dr. Hammer, Dave A. Harris, H. Roy Roberts, Frank B. Barton, Samuel Shapiro, Charles K. Schwartz, the late Louis M. Halper and John M. Sullivan acquired control of Occidental in early 1956 and "entered into an unlawful conspiracy among themselves and other persons herein named as defendants . . . for the express purpose of obtaining large amounts of the corporate stock and other securities of Occidental in contravention of the antifraud provisions of the securities laws of the U.S."

The defendants, according to the lawsuit, "fraudulently induced" the commissioner of corporations of the state of California to issue permits authorizing Occidental to issue about 2 million shares of its common stock to the defendants between 1956 and 1961 in connection with certain business transactions of the company. The lawsuit charges that "statements in many of the applications (to the commissioner) as to the proposed use of the proceeds were untrue in material respects, in that . . . significant portions of such proceeds were illegally diverted to other uses for the benefit of Armand Hammer and some of his associates."

As to the truth of applications filed with the California Commissioner of Corporations, the Occidental spokesman said yesterday: "All applications before the California Corporations Commissioner were handled by the firm of Pillsbury, Madison & Sutro of San Francisco, a leading U.S. law firm, of which Albert J. Brown, one of the defendants in the complaint, is a senior partner."

The lawsuit notes that in obtaining the permits from the state to issue Occidental stock, Dr. Hammer and other company officials said that the purchasers of the securities were acquiring the shares for investment and not with a view toward distribution. Thus, under Section 4(1) of the Securities Act of 1933 such shares would be exempt from Federal registration, according to the lawsuit.

But the lawsuit contends that "the defendants at no time intended to subject their stock to any investment restrictions." The suit adds: "The defendants thus maintained a vast traffic in Occidental stock without regard to the restriction implicit in the several securities permits issued by the California corporations commissioner that the stock was to be held for investment purposes."

The lawsuit charges that: "The means em-

ployed by the defendants to funnel the Occidental stock they were supposed to be holding for investment into the public market was through the agency of defendants James Gilligan and Gilligan, Will & Co., the Occidental floor specialist on the American Stock Exchange on which Occidental was then traded."

CHARGE OF "RIGGING" MARKET

"The defendants," according to the lawsuit, "particularly Hayutin (refers to partnership of Marvin and Harvey Hayutin), Alexander Guterman and Armand Hammer, artificially 'rigged' the market by trading Occidental stock back and forth between themselves and their agents at successively higher prices through the agency of various stockbrokers, thereby creating an appearance of greater activity in Occidental's stock than was in fact the case."

The lawsuit continues: "As the price rose and the public became interested and demand for Occidental stock increased, the orders for Occidental stock were filled by the defendants James Gilligan and Gilligan, Will & Co. by delivering the aforesaid Occidental 'investment stock' previously issued to the other defendants."

It couldn't be immediately determined whether the James Gilligan referred to in the lawsuit is James Patrick Gilligan, a partner in the firm of Gilligan, Will & Co., or his father, of the same name, who retired from the firm in 1962.

James Patrick Gilligan, the son, was suspended as an American specialist for five years and as an exchange member for three years in a 1962 action by the exchange. He was also fined \$5,000. The details of the matter were never disclosed, but the exchange charged that Mr. Gilligan was "guilty of engaging in conduct inconsistent with just and equitable principles of trade" in certain transactions executed by him in a stock in which he was registered as a specialist. James Patrick Gilligan now is a regular member of the exchange. The other two members of the firm disciplined in 1962 were Albert and James Will.

In a 1957 incident, the lawsuit charges that the defendants illegally diverted about \$150,000 from the proceeds of the sale of some Occidental stock "to the acquisition of a 20% interest by Occidental and an 80% interest by some of the other defendants in Mutual Broadcasting System Inc., a then financially distressed company." According to the lawsuit, the application for the state permit for the sale of the stock had stated that the use of the proceeds would be confined to Occidental's oil and gas operations.

The lawsuit alleges that "no disclosure was ever made that the defendants Armand Hammer Hayutin (the partnership), H. Roy Roberts, Paul Roberts, Alexander Guterman and Arthur K. Brown, among others, had secretly fabricated that transaction (acquisition of Mutual) beforehand, for the express purpose of selling Mutual Broadcasting System Inc. to Occidental at an inordinate profit to said defendants."

An attorney for Mr. Guterman, who was paroled after serving about three years of the jail sentence imposed on him after his Federal securities conviction in 1960, said in New York yesterday: "We haven't any knowledge of any suit naming Mr. Guterman with relation to Occidental Petroleum. To the best of my knowledge, Mr. Guterman never had anything to do with Occidental Petroleum." Mr. Guterman was named as a defendant.

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

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

Mr. ARENDS. Mr. Speaker, I join with the gentleman from Louisiana in paying tribute to the Speaker and to the majority leader for the manner in which

they discharged their responsibilities during the 90th Congress. I also wish to express how much those of us in the minority appreciate the fairness with which they dealt with us of the minority at all times.

It is not easy to perform the duties of Speaker and majority leader, as I well recognize. Decisions are made which often are not satisfactory to each and every Member. You cannot please everyone, and particularly when hard decisions must be made. But, in all fairness, I must say that our Speaker and majority leader have attempted to exercise their very best judgment and to treat each and every Member of Congress with fairness.

Mr. Speaker, we look forward to seeing our esteemed Speaker and majority leader again in January of next year when we convene the first session of the 91st Congress, but I hope I will not be misunderstood if I suggest that it might prove to be under somewhat different circumstances than at present as we conclude the deliberations of this 90th Congress and look forward to the next.

THE GREAT 90TH CONGRESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. ALBERT. Mr. Speaker, today the work of the 90th Congress will be finished and we will return to our respective districts and constituencies and give an accounting to those who have entrusted us with the responsibility of representing them in this House.

The 90th Congress has done the unexpected—and has done it remarkably well.

I say "unexpected" because following the congressional elections of 1966, there was a widespread belief that the 90th Congress would be a "holdfast, standpat," retrenching type of Congress. It was predicted that President Johnson would have to be content with consolidating the gains of the 89th Congress, and that he would have to give up any idea of breaking new ground in the 90th Congress.

Fortunately for the American people, these predictions did not come true. They did not come true because President Johnson and the Democratic Congress knew that a lot of things still had to be done for America.

It is my firm belief that the 90th Congress has been one of the great Congresses in modern American history—overshadowed perhaps only by the 89th Congress.

"Overshadowed" is about the most appropriate word I could use. Under any other circumstances, the legislation we have passed during these 2 years would have been hailed as truly historic by the press and public alike.

In accordance with the traditions which have been established I will not undertake at this time to list in detail the accomplishments of this session of Congress but will extend my remarks in

the Record at an early date at which time I will present a detailed and comprehensive report on the activities of the past 20 months.

It is not my purpose, Mr. Speaker, to use this time to recite a list of bills which have been passed but rather to congratulate Members who have helped write this impressive record. Particularly, I extend my deep and heartfelt thanks to our distinguished Speaker, the Honorable JOHN W. MCCORMACK, for the guidance and leadership he so ably gives this House. The record compiled by any Congress, and this is particularly true of the 90th Congress, is far more than many realize the product of the energy and endeavor, the passion and patience, the wisdom and will, the knowledge and judgment, and above all the humanity of our great and beloved Speaker. To every Member of this House he is friend and counselor, comrade and teacher, leader and adviser. He is a legend in his own time. He is the very embodiment of that which is great about the House of Representatives.

To me, he has been an invaluable source of strength in the performance of my duties. I have never known a finer man nor has this House ever had a greater Speaker. We are all thankful that he gives himself to us and to the American people so unselfishly.

Every Member of the House shares my conviction that JOHN MCCORMACK ranks as one of the great Speakers of all times. For energy, for determination, for matchless judgment and for fairness to all at crucial moments the Speaker's performance during the consideration of the equal time bill showed the hand of a master at the helm. One could feel the pride, respect, and admiration which all Members of the House shared in the Speaker as this bill was considered during that historic night here in the House Chamber. The standing ovation which the Members gave the Speaker when this great job was referred to by the gentleman from Illinois [Mr. PUCINSKI] was eloquent testimony of the regard in which our beloved Speaker is held in this Chamber.

I want also to thank my good friend and distinguished colleague from Louisiana, the Democratic whip, HALE BOGGS, and his valuable assistant whips without whose untiring efforts the work of this House could not go on and without whom the Democratic Party in the House of Representatives could not function. We are all deeply appreciative of the fine and dedicated service the whips have given us, the House of Representatives, and this country.

Also, I take this time to salute my good friends across the aisle. While the distinguished minority leader, JERRY FORD, and I stand on opposite sides of many issues we stand together in the belief that the House of Representatives is the fundamental forum of American democracy. We believe together that it is here that the voice of the people is most clearly heard. Together we have zealously tried to guard the prerogatives of the House of Representatives and the rights and privileges of each Member of the House.

JERRY FORD and his able and distin-

guished assistant, Republican whip, LES ARENDS, and other leaders on the minority side, have constantly worked with the Democratic leadership to carry forward the legislative program. Not only the members of the Republican Party but indeed all Members of the House are appreciative of the service they have rendered and the leadership they have given. Without their advice and counsel and yes, their cooperation, the program so vital to the future of this country could not have been considered by the Congress.

I want also to express my appreciation personally and the appreciation of all Members to our great Parliamentarian, Lew Deschler, without whom we would constantly find ourselves in a parliamentary morass. Lew's advice and counsel has contributed immeasurably to the good works of this body. Without him we would be lost. He has always acted fairly, impartially, and judiciously and I know my friends on both sides join me in expressing to him our deepest thanks. We appreciate too the work of Bill Cochrane and the other members of the Parliamentarian's staff for their untiring efforts.

Mr. Speaker, I extend the thanks of all of us to the other officers of the House of Representatives. To our distinguished Clerk, W. Pat Jennings, to William M. "Fishbait" Miller, our distinguished Doorkeeper, to Zeake Johnson, the able Sergeant at Arms, to H. H. Morris, our fine Postmaster, and to Dr. Edward Latch, our beloved Chaplain, goes my deepest appreciation.

Mr. Speaker, a special word of thanks to the other employees of the House of Representatives who labor long and hard without much recognition in order that we may be able to accomplish our tasks. To them—to the employees in the cloakroom, the clerks at the desk, the fine Official Reporters, the doormen, the pages, the custodians, and the others—we owe a great deal. I am confident that no other agency of government, legislative, executive or judicial, has a more competent staff of loyal employees than does the House of Representatives. Again, to all Members on both sides, I extend my deepest and most sincere thanks for your friendship and for all that you have done to assist me in my duties.

Mr. GERALD R. FORD. Mr. Speaker, I wish to associate myself with the remarks of my friend, the distinguished majority leader [Mr. ALBERT] in almost every respect. I, too, believe that this 90th Congress will rank as one of the better Congresses of our times, although I may be pardoned if I express the hope that it will be overshadowed in accomplishment, not by the 89th, but by the 91st Congress. In all else that the gentleman from Oklahoma has said in tribute to our beloved Speaker, and in appreciation to the Members on both sides of the aisle, I heartily concur.

Certainly there is one thing we can all agree on, as we come to the closing minutes of this Congress, and that is the respect and affection we cherish for this House and its place in the scheme of things in this great Republic. We are truly "the people's House," as I said at

the outset of this 90th Congress, and we bear a special responsibility to reflect and represent the wishes and the best interests of the American people who sent us here to speak in their behalf. I am sure each one of us has diligently sought to do that, and we go forth from this session to seek the verdict of the voters as to how well we have succeeded. We shall all accept that verdict, because it is here in this House that the people rule.

Since the people themselves are seldom unanimous in their opinion, we have here a voice for the majority and for the minority alike. Speaking as the minority leader in this Congress, I want to say that should the people in their wisdom reverse our present situation, I hope that we as a majority will have a vigorous and independent minority, and that we will be as courteous and considerate of their rights and privileges as the Speaker and the majority leader have been to me and my colleagues on the Republican side on most occasions. We do not want either a one-party system or a multiparty system in this Government, and I think we can all agree to that as well.

When the history of these troubled times is finally written, I am sure it will record the fairness and firm devotion of the distinguished gentleman from Massachusetts as one of the outstanding Speakers who have defended the prerogatives of the House of Representatives from the beginning of our constitutional federal system. He is a great partisan, but above that he is a great patriot. Furthermore, he has been a great friend to all of us, and particularly to me, and I am deeply grateful to you, Mr. Speaker.

I would like to say a special word about the very large class of new Members who began their service in this 90th Congress. The majority of these new Members were of my party, I am proud to say, but I include them all. They have contributed greatly to the work of this Congress. They have worked hard and served their constituents well. I am not speaking in a partisan spirit when I express my gratification that the high responsibility of serving as a Member of Congress seems to be attracting a high caliber of concerned and conscientious citizens, despite some isolated scandals and cynical columnists' observations, and I hope this healthy trend continues in this body. I love this House and for myself, I know of no finer group of men and women that I could choose to be closely associated with. Personally—if not politically—I wish all of my colleagues the very best.

Finally, I would like to second the fine tribute which the distinguished majority leader has paid to the officers and employees of the House, with an added emphasis of gratitude to the minority employees. Working without regard for hours, long and diligently, these are the unsung heroes and heroines of every Congress who make it possible for all of us to do a better job in the interests of the American people. To them, as to the Speaker, the continuing independence and integrity of the House as an institution is a primary passion, and we highly value their expertness and their ever-ready help.

In closing, Mr. Speaker, and on behalf of my able colleagues in the Republican leadership and all the Members of what we hope and trust is only the temporary minority, may I say how much we appreciate the gentlemanly and gracious way you have presided over our deliberations in this 90th Congress. We all sincerely wish you continued health and happiness and service to our beloved country.

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

Mr. ALBERT. I yield to my distinguished friend from Hawaii.

Mr. MATSUNAGA. I thank the gentleman for yielding.

Mr. Speaker, I, too, wish to join the majority leader in commending the Speaker for leading the 90th Congress to the great success that it will go down in history as being. I recall the Speaker telling me once in his office in confidence, "Rather than being known as a great man, I would prefer to be known as a good man, if I had a choice."

No one can disagree that in JOHN W. McCORMACK this country is blessed with a great good man.

Mr. Speaker, I think the fact that we have had a good and great man leading this body in the 90th Congress speaks for its accomplishments.

I wish to commend, too, the gentleman in the well [Mr. ALBERT] for the helping hand that he has cheerfully and willingly given to us junior Members. Had it not been for leadership such as that of the gentleman in the well [Mr. ALBERT] and the Speaker, and I might add the majority whip [Mr. Boggs], I do not believe that the 90th Congress would go down in history, as it will, as a Congress of great accomplishments. I think more than anything else the 90th Congress will go down as the consumer's Congress, for in this area we have done much, and we can well be proud of having served in the 90th Congress. It has frequently been said that the Congress bends its will to high-powered lobbyists only. It is well known that the American consumer, as such, is without any lobbyist, and yet this 90th Congress has done more for the consumer than all previous Congresses. In fact, so much has been legislated for the benefit of the consumer, that the age-old adage of "Let the buyer beware" may well be said to have been changed by the 90th Congress to "Let the seller beware."

Mr. Speaker, I thank the gentleman in the well for yielding. It has been a great privilege and indeed a pleasure to serve under him and our great good Speaker.

Mr. ALBERT. Mr. Speaker, I thank the distinguished gentleman. I agree with him that our Speaker is both a great and a good man.

Mr. PICKLE. Mr. Speaker, oftentimes the closing of a session is the real test of the comradeship that exists in the House of Representatives. We forget the little differences that have separated us and all realize that we are working for the common good of the United States.

As Speaker of the House of Representatives, the gentleman from Massachusetts, the Honorable JOHN W. McCORMACK, has the honor of presiding over this great body. Sometimes we

are impatient, sometimes we are noisy and rambunctious, and sometimes we are emotionally involved in the intensity of debate. Always, however, the Speaker presides over this body as a kindly knight, whose fairness, kindness, and deep love of America pervades throughout this Chamber. Never once has the Speaker lost his sense of balance or deprived any Member of his right of expression. I am proud to serve in this body and I am proud of the many tributes paid to our good and great Speaker.

This administration, under the leadership of President Lyndon B. Johnson, Speaker JOHN W. McCORMACK, Majority Leader CARL ALBERT, and Majority Whip HALE BOGGS, has given America the highest standard of living we have ever enjoyed. Although we have problems of differences of opinion, they are problems of great growth and good development and they are problems that we will solve as Americans, with commonsense and fairness.

I salute Speaker McCORMACK and his life of devotion and dedication to the American people.

Mr. HECHLER of West Virginia. Mr. Speaker, I wish to add a few words of tribute to what has been said about a great and good man, the Honorable JOHN W. McCORMACK, who serves as Speaker of the House. Many years have passed since the first time when I met this estimable gentleman. At the time Franklin D. Roosevelt was President of the United States, and just after the late Sam Rayburn had become Speaker of the House, I brought some Columbia College students to Washington, D.C., and we called at the office of the then majority leader who is now the Speaker. I shall never forget the occasion when this tall, kindly gentleman dropped his many pressing duties in order to answer scores of questions from students eager to learn.

I have often thought since that occasion, when the Speaker leaves the rostrum to participate in debate on some great issue which is very close to his heart, that perhaps he misses the rough and tumble of debate on the floor of the House which he could always enjoy on every issue as majority leader. Nevertheless, he has donned the toga of the Speakership with dignity, with fairness, and in the tradition of great progressive Speakers of the past.

There are dozens of visitors I have brought to see the Speaker, to be photographed with him, to see his office, to visit his second office beyond the Rayburn Room, or to autograph menus in the dining room. If 400-plus other Members bothered him as much as I have, there would certainly be little time left. Yet the Speaker has been unfailingly patient in this and so many other respects when I have brought personal problems to him. The most recent problem occurred last Saturday when the House met and I was anxious to meet two highly important speaking engagements in my district. With unfailing courtesy and consideration, the Speaker was able to work out the agreement that in the event a quorum were called, the House would adjourn over until Monday.

For his human qualities, for his fair-

ness, for his keen awareness of the traditions and responsibilities of his office, I feel great pride in joining with my other colleagues in saluting Speaker JOHN W. McCORMACK at the close of this session of the 90th Congress.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may extend and revise their remarks on this subject at this point in the RECORD.

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

There was no objection.

DISTRICT OF COLUMBIA PARKING FACILITY ACT

Mr. DOWDY. Mr. Speaker, I call up the conference report on the bill (S. 944) relating to the establishment of parking facilities in the District of Columbia 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 Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 12, 1968, pp. 31120-31127.)

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

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

There was no objection.

The SPEAKER. The question is on the conference report.

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

Mr. DOWDY. Mr. Speaker, will the gentleman hold in suspension his point of order in order that the bill might be discussed briefly?

The SPEAKER. Does the gentleman from Ohio withhold his point of order?

Mr. ASHBROOK. In the event the Chair does not place the question, I will withhold it, but the question was placed.

Mr. DOWDY. I will say that I will see that it is not done.

Mr. ASHBROOK. Mr. Speaker, I withhold my point of order.

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, I would hope that the distinguished gentleman from Ohio [Mr. ASHBROOK] would not insist upon his point of order. Of course, it is my understanding that the gentleman from Texas will ask unanimous consent to withdraw the consideration of the conference report or ask for it not to be

considered, if the gentleman from Ohio does insist upon his point of order.

However, Mr. Speaker, I should like to point out that this conference report represents the result of a great deal of work on the part of Members on both sides of the aisle.

When an objection was made to a unanimous-consent request to send the bill to conference last week, a meeting of the House Committee on the District of Columbia was called to instruct the chairman to make a motion to send it to conference which would only require a majority vote. At that time only 13 members of the committee, a bare majority, were in town. Miraculously, however, all 13 members came to the committee meeting and unanimously instructed the chairman to make the motion to send the bill to conference. This is highly unusual, with all the conflicting duties of our colleagues, to have a unanimous attendance of the members of the committee as well as the unanimous support of our efforts. It is not only a tribute to the members of the committee but also indicative of their strong support for passing legislation which would help to solve the parking problem in the District of Columbia before the Congress adjourns. It would, therefore, seem ironic, with all the efforts and cooperation on the part of so many people, that one Member would thwart the will of the overwhelming majority in attempting to pass this legislation.

Mr. Speaker, this conference report is a result of a compromise between two vastly different bills dealing with the problem of parking. The fact that there was so much difference between the two bills made a compromise appear highly unlikely. However, due to the cooperation and the spirit of give and take on the part of many people concerned with this problem as well as many people who were affected by the problem, we were able to work out what everyone feels is a reasonable compromise and a good solution to the problem. The conference report contains all the primary provisions of H.R. 17854 which passed the House on September 23 of this year and many modifications of S. 944 which passed the Senate last year.

Mr. Speaker, there are of course some features contained in the conference report which are unsatisfactory to me but this is always the case when a matter goes to conference with two vastly different approaches to a problem. But this is what we mean by compromise. There must be give and take on both sides in order to arrive at an agreement. An important point, however, Mr. Speaker, is the fact that all the supporters of both approaches to the problem were in complete agreement that the conference report does contain a good solution and that there is overwhelming support for the proposal as contained in the conference report.

I, therefore, wish to state again, Mr. Speaker, that I would hope the gentleman from Ohio would withdraw his point of order so that we can pass this legislation before the Congress adjourns. I wish to point out to the gentleman from Ohio that if this matter goes over until

next year, it will definitely come up again and could possibly contain many more features objectionable to the gentleman from Ohio than it presently does. Therefore delaying approval of this legislation on the technical ground of a quorum not being present will not stop the passage of this legislation but merely delay it, causing continued inconvenience to the people in the metropolitan area of Washington and particularly those who must do business and work in the Nation's Capital.

Mr. Speaker, I will promise the House that if the gentleman from Ohio does insist on his point of order, I will introduce legislation on the opening day of the next Congress identical to the conference report and insist on its swift and early passage. At that time, a single objection from the gentleman from Ohio or any other Member will not preclude its passage when the overwhelming majority wants the legislation considered.

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. GUDE. Mr. Speaker, I would like to certainly support the remarks of the distinguished gentleman from Virginia [Mr. BROYHILL]. This is a desperately needed part of the transportation system for our metropolitan area on which we have been working very hard during this 90th Congress. Adequate parking facilities are a very necessary adjunct to a good well-planned transportation network. We recognized this when we provided for fringe parking as well as other innovations in the Federal Aid Highway Act of 1968.

Mr. Speaker, I do hope that the distinguished gentleman from Ohio [Mr. ASHBROOK] will withhold his point of order and not ask for a vote thereon.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. SCOTT. Mr. Speaker, I would like to add my words in support of this bill. It is certainly something that is very much needed by our Government employees. These are the people who work for us, the people with whom we deal day by day, and I would hope that the membership of this House will see fit to let this bill pass in these closing moments of this Congress.

Mr. DOWDY. Mr. Speaker, I do not have any further requests for time on this.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, as a

matter of fact I detailed about eight major objections which I would have to this bill but in the interest of brevity I shall only refer to two of them.

Mr. Speaker, I noticed that my colleague, the gentleman from Maryland [Mr. MATHIAS], on September 23, at page 27808 made the following statement when he was proposing an amendment:

In the first place, my amendment which is now pending eliminates the question of any limited group of people being able to handle this, this produces nationwide bidding.

I would stop at that point of Mr. MATHIAS' quote and ask the gentleman from Texas whether or not the bill as amended or the bill as compromised would still include this provision?

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. The gentleman from Ohio is talking about a provision of local parking operations?

Mr. ASHBROOK. Yes.

Mr. BROYHILL of Virginia. The conference report requires that the leasing and contracting be submitted to the highest bidder regardless of where he comes from and does not permit a monopoly or a priority to local parking operators.

Mr. ASHBROOK. I would ask the gentleman from Virginia: Is the Mathias amendment in or is it out of the bill, S. 944?

Mr. BROYHILL of Virginia. I beg the gentleman's pardon. Would he repeat his question?

Mr. ASHBROOK. Is the Mathias amendment in or out of the bill S. 944?

Mr. BROYHILL of Virginia. It is in the conference report in that it requires the Parking Board to submit the contract at least to the highest bidder, and there is no provision for the priority to be given to a local parking lot operator.

Mr. ASHBROOK. I notice the gentleman went on to say further, and I would ask the gentleman to answer this, he said:

Second, it would not be my concept that there would be any broad acquisition of land by the Government, but the land presently owned by the Government would be improved for this purpose.

Mr. BROYHILL of Virginia. In the bill that passed the House it permitted the General Services Administrator to lease for construction and operation of parking facilities on Federal Government and District-owned property. The conference report does permit the Parking Board provided for in the conference report to condemn other land for parking in downtown Washington.

Mr. ASHBROOK. I believe the gentleman will agree that that is a rather extensive broadening of the concept of the bill as it passed the House.

Mr. BROYHILL of Virginia. Will the gentleman yield?

Mr. ASHBROOK. Yes, I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. There was a compromise on this aspect in that if they did seek to condemn land for this purpose it precludes condemnation in the case of land that is now being used

for parking purposes, parking lots, or garages. It would also require a report to the House and Senate committees some 60 days prior to this procedure.

Mr. ASHBROOK. I would say to the gentleman from Virginia that it has been my experience where there is a question of eminent domain being in a bill, or out of a bill, that it is not much of a compromise to put eminent domain in. Particularly in this case in saying that it protects any building or building owners where a parking lot is attached, but makes it possible to condemn somebody else's land on down the street, so in this case the compromise may not work out very well for the interest of people in between, and the property interests of people in particular. And I would only say to the gentleman most politely that where you have a compromise of putting eminent domain in or out, that wherever you put it in it is not much of a compromise.

I understand that the gentleman from Virginia has worked hard and long on this, and maybe this would not have been in this bill if he had had his choice. But I, for one, would not now be in the position of holding up the House had the conferees been able to sustain the 2-year study which we implemented in the House-passed bill, which was not included by the other body.

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

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

Mr. CRAMER. I thank the gentleman for yielding.

This District of Columbia parking bill that was suggested by the Senator from the other body from Maryland was incorporated in committee in the highway bill of 1968. The gentleman knows that I had many reservations, as other Members on both sides of the aisle did in the House, to the Senate bill on parking, and did not believe that was the place for it, No. 1, and, No. 2, it was too broad and it was agreed to take it out of the highway bill.

Since that time the gentleman from Virginia in particular has consistently kept the Committee on Public Works staff and myself advised as to the problems involved in working out the House bill versus the Senate bill in that I supported the House bill, I thought it was the best approach. However, I went over with the gentleman from Virginia point by point the objections that we raised in the conference to the bill from the other body on the same subject matter which was stricken from the Public Works Highway Construction Act of 1968.

I will say to the gentleman that I support this bill now before the House, although proceduralwise there can be some question raised about the procedure in which we have to take it up at this time.

However, I support the bill in that I think it is reasonably in accord with the objections raised, and consistent with the points raised, many of which the gentleman has suggested. Frankly, I believe it is the best compromise we are probably going to get. Next session I am afraid we will end up with a worse bill, and I would hope the gentleman would withdraw his reservation of objection.

Mr. ASHBROOK. I would say that a bill which includes eminent domain and includes divergence of funds from the highway fund, with the admitted obligation on the part of the Congress to provide funds to make up for that divergence of funds, and includes no specific limitations, smacks to me an awful lot of the type of situation we got into with the Rayburn Building and the Columbia Stadium as a result of accepting something under an urgency, and then more or less being saddled with it, and then having to come back in here and appropriate and appropriate.

Mr. CRAMER. I hope the gentleman realizes that under the Highway Act of 1968 there is an entire section dealing with the subject of fringe parking.

Mr. ASHBROOK. This is downtown parking.

Mr. CRAMER. I understand that, but fringe parking is also involved in the metropolitan area. That is in the basic act for highways in 1968 so there is nothing new about highway funds being used for fringe parking purposes on a pilot plant basis within the discretion of the local government, the city governing authority, and it is up to them to decide whether you do it or you do not do it.

As I understand, the same is true in this bill that we now have before us, it is up to the District, meaning the Congress too, in the District of Columbia whether you do it and then it is up to the States themselves in the fringe parking areas.

Mr. ASHBROOK. I thank the gentleman for adding that information.

Mr. DOWDY. Mr. Speaker, does the gentleman from Ohio insist on his point of order?

Mr. ASHBROOK. Yes, I do, Mr. Speaker.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent to withdraw the conference report and we will attempt to take the matter up in the next session of the Congress.

The SPEAKER pro tempore (Mr. ALBERT). Without objection, it is so ordered. There was no objection.

The SPEAKER pro tempore. Does the gentleman from Ohio [Mr. ASHBROOK] now withdraw his point of order?

Mr. ASHBROOK. Yes, Mr. Speaker.

The SPEAKER pro tempore. The point of order is withdrawn.

THE 90TH CONGRESS

The SPEAKER pro tempore (Mr. ALBERT). The Chair recognizes the distinguished gentleman from Massachusetts, the Speaker of the House.

Mr. MCCORMACK. Mr. Speaker, and distinguished colleagues, I appreciate very much the very generous remarks made about me today. I value them very much and shall always treasure them.

At the same time I would like to express my great pleasure not only personally but as Speaker of the House, in working with my colleagues—and not only the pleasure of working with them but also in the personal friendships that have developed between us, not only during the 90th Congress, with new Members, but with Members who have served in previous Congresses.

The spirit of this House, since this session of the Congress began in January 1967, has been one of outstanding cooperation and harmony, and of reasonable understanding give and take.

Growth and progress in the legislative field is invariably the result of reasonable compromise of conflicting views. I think this Congress has made an outstanding record for itself. It has been by reason of reasonable and understanding give and take on the part of the Members of either party and of Members of both parties.

In particular I pay my respects to my dear and distinguished friend, the exceptionally distinguished majority leader, CARL ALBERT. He has been a bulwark of strength to me. His kindness and his acceptance of my weaknesses, if any, and we are all human, and his loyalty has made a permanent impression on me and upon all of the Members of the House.

I also want to pay my respects and my appreciation to the outstanding majority whip HALE BOGGS whose loyalty I greatly value.

Both of these gentlemen have served with remarkable ability throughout this session of the Congress and their closeness and their loyalty to me is something that has been a bulwark of strength in the performance of my duties as Speaker of the House.

I wish also to thank the chairmen of the various committees and subcommittees and also the members of the democratic whip group for their splendid cooperation and for their loyalty and devotion to me.

I am particularly appreciative also to our very able minority leader, GERALD R. FORD, and the able minority whip, LES ARENDS, whose services to their party and to the House of Representatives has been outstanding. Their courtesy to me personally as Speaker of the House has been particularly impressed upon my mind. Our cooperation and understanding has been very close. They have their responsibilities as leaders of their party as have Mr. ALBERT and Mr. BOGGS as leaders of our party. But there has always existed between us understanding minds. I appreciate in particular not only the friendship but the friendly cooperation that has existed between us during the 90th Congress.

As in the past, as Speaker I have endeavored to play the role in an impartial way to the fullest extent possible. When I take the Speaker's chair every day, I take it as Speaker, not as JOHN McCORMACK, the Democrat and the leader of my party in the House. This task has been made considerably easier by the many courtesies extended to me by Members on both sides of the aisle. My objective has always been to apply the rules as fairly and equally as possible to every Member of both parties as is humanly possible.

Looking back on the past 2 years, I am fully aware of the important roles played by the many employees of the House, who have performed their duties with diligence, and certainly deserve the thanks of every Member. I wish time permitted me to mention each by name. I do, however, want to pay my respects

to the Clerk of the House of Representatives, Pat Jennings; the Doorkeeper, Bill Miller; the Sergeant at Arms, Zeake Johnson; the Postmaster, Hap Morris, and our beloved Chaplain, Dr. Latch; but over and above all I want to extend my very special gratitude to that great human being, that man equally brilliant and practical, that fountain of wisdom, our great Parliamentarian, Lewis Deschler.

I also want to express my thanks to Bill Cochrane and all the other members of the Parliamentarian's office and my own staff in the Speaker's office, and in my district office.

Lest I forget, I want to express my thanks to the pages who serve us in such a very able and loyal and diligent manner.

The performance of the House of Representatives during the 90th Congress is something of which all of us, without regard to partisanship, can be justly proud. In the field of conservation this Congress is the most historic in our entire history. The gentleman from Hawaii, Mr. MATSUNAGA, has referred to how historic this Congress has been in another very important field, and I agree with him. This Congress has passed many progressive measures in the best interests of our people.

I might say that I am so proud of the House—and I emphasize this—I am so proud of the House of Representatives in this trying period of the world's history. The House has been a bulwark of strength in the national interest of our country, in supporting both a strong national defense and a firm foreign policy. When the historians of tomorrow write the history of this period, I believe that the House of Representatives will occupy outstanding and prominent pages in the history of this time. It has certainly been a bulwark of strength.

In closing, may I state that I deeply appreciate the manifestations of friendship and respect, not only upon this occasion, but throughout the years during which I have served in this great body as a Member and as majority leader and now as Speaker of the House of Representatives.

As we are about to adjourn sine die, I wish for all of my colleagues a good rest, and, with the election coming on, that the complexion of the House of Representatives will be the same as it is today but with additional membership on my side of the aisle. I recognize the hope and ambition of my friends on the Republican side—and, of course, hope is eternal.

So, in conclusion, may I again express my deep and profound thanks to all of my colleagues, not only as colleagues, but as friends.

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

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

Mr. PUCINSKI. Mr. Speaker, I associate myself with the remarks of the distinguished Speaker now in the well. I merely would like to add this footnote. The record of this Congress would not have and could not have been achieved without the tremendous leadership of the Speaker. He is the mainspring of

this people's assembly. This legislative body finds its strength in the leadership of the Speaker. That is as it should be.

Time and again, the Speaker has carefully preserved the dignity and the majesty of representative government. He has carefully protected the rights of every Member, be he on this side of the aisle or the other side of the aisle, or whether the Speaker agrees or disagrees with the Member. No man could ever say that Speaker McCORMACK has failed to protect the rights of every Member of the House of Representatives to represent his constituency as he sees fit.

There have been many of those who sought expediency. We saw during a marathon session that some approached the podium, trying to get the Speaker to do this and to do that and that. Yet the Speaker, over a period of more than 32 hours, preserved the dignity of this House, within the rules of this House. So I say, Mr. Speaker, there are those who do not understand the complex nature of this House of Representatives. There are those who do not understand the complexities of representative government. The Speaker has given meaning to this democracy through his fair, deliberative leadership in presiding over this House. There is no question in my mind that, without his great leadership, we could not have achieved this record.

It is properly said the President proposes and the Congress disposes. The Speaker has been an excellent leader, working closely with the President of the United States.

At this moment I would add this word. Those who have said that a lame duck President could not achieve a great record, did not know Lyndon Johnson. I think the President, even after he announced his decision not to seek reelection, provided leadership for this country, leadership for his party, and leadership for the people. It was the Speaker, as Speaker of the House of Representatives and leader of his party in the House of Representatives, who so excellently carried out the wishes of the President.

I am proud to have been a Member of the 90th Congress, I am even more proud that I have had the great privilege of working with and serving with JOHN McCORMACK.

Mr. McCORMACK. Mr. Speaker, I appreciate very much the remarks of my friend. Of course, I know my colleagues realize I have been speaking under restraint, because I do not like to make remarks about myself. I would rather have the give-and-take of debate. I feel very happy on this occasion to express my thanks.

I have been talking extemporaneously and depending upon my memory, but may I, before I forget, express my thanks to Frank Battaglia and the other Official Reporters of Debates. They have done a remarkable job for us. I sit in the Speaker's chair and I am amazed at their ability and their perfection, particularly when two or more Members get into a running debate. They keep the proceedings of this House correctly. I particularly want to thank them and express my admiration for their extraordinary ability.

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

Mr. McCORMACK. I am glad to yield to my friend from Ohio.

Mr. ASHBROOK. I say to the Speaker—and I know I speak for many on our side—we might debate about many things, and there might be some rancor, and perhaps once in a while some bitterness in debate; that is the way things are; but one thing we would never question is our feeling of appreciation and respect for the Speaker. Whether he be the Speaker or the minority leader at the next session, we will still count the gentleman from Massachusetts one of the finest Congressmen who ever came down the pike.

Mr. McCORMACK. I thank the gentleman very, very much.

GENERAL LEAVE

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks immediately following the remarks of the distinguished Speaker.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AERONAUTICAL RESEARCH

The SPEAKER. Under a previous order of the House, the gentleman from West Virginia [Mr. HECHLER] is recognized for 10 minutes.

Mr. HECHLER of West Virginia. Mr. Speaker, for the past 6 years I have had the honor to serve as chairman of a subcommittee of the House Committee on Science and Astronautics. The name of the subcommittee which I chair is the Subcommittee on Advanced Research and Technology.

The House Committee on Science and Astronautics is responsible for the annual authorizing legislation for the National Aeronautics and Space Administration. Aeronautics is the first A in NASA. Approximately \$75 million is annually authorized for aeronautical research within NASA. When all related work in avionics and electronics which has a bearing directly on aeronautics is counted, the fiscal year 1969 level of effort within NASA amounts to approximately \$166 million.

On September 17, 1968, I announced to my colleagues in the House—page 27256 of the RECORD—the following:

Mr. Speaker, I invite the attention of my colleagues to public hearings which the Subcommittee on Advanced Research and Technology of the Committee on Science and Astronautics will hold for 10 days, commencing September 24, on the future aeronautical research and development needs of the Nation. These hearings will be held commencing at 10 A.M. in room 2325 Rayburn Building.

We must focus attention on urgent priorities in the field of aeronautics. We have been losing sight of the importance of today's aeronautical research in determining the strength of the Nation and its economy in the 1960's and beyond. The great partnership of scientists, engineers, and industrialists once concentrated a major effort in the field of aviation, which has brought the United States to a position of world leadership in this area. Yet the past decade has seen aero-

nautical research efforts overshadowed by concentration on space and missile development, with the recent budgetary limitations threatening to force aeronautics even further into the background. We must make a fresh assessment of what needs to be done to maintain our leadership in the years ahead.

Mr. Speaker, these highly productive hearings were concluded on October 3, 1968. The hearings will be published, and a report will also be published. I believe that it is in the public interest to submit a preliminary summary of these hearings, in view of an unprecedented personal attack which was made upon me in two public news releases on October 8 and October 9. Had these news releases been issued in the delightful spirit of partisanship which characterizes a political campaign, I would find no cause for calling attention to them. Had these news releases been issued by a private citizen, or simply contained in the usual form of editorial attack by a newspaper, they would not merit the dignity of a reply. However, I feel since these attacks were launched by a Member of the House of Representatives, they deserve some comment by me.

On October 8, 1968, the Representative in question, without the courtesy of a telephone call or personal inquiry of any kind, and without having attended any of the hearings, suddenly issued a news release to the press which stated:

It's an old trick to hold hearings near the end of a Congressional Session, with no legislation before a committee, just to hunt headlines and try to assume a posture of authority, and this was the intent of the Subcommittee Chairman.

Mr. Speaker, with all good humor, I submit that my friend and colleague who divined my intent without consulting me was making a statement which might properly be labeled half "ex parte" and half "ex cathedra." I believe that my intent was fairly stated in the September 17 remarks which I made to the House, and the content and nature of the hearings would appear to be 180° at variance with the intent alleged by my friend and colleague quoted above.

Inasmuch as my subcommittee is responsible for recommending to the full House Committee on Science and Astronautics annual authorizations in this area, it would seem that a specific piece of legislation is not necessary in order to justify hearings on a subject for which authorizations must be voted.

My colleague and friendly critic continued in his press release of October 8 by characterizing the hearings of my subcommittee as "disconnected and pointless hearings at the public expense." Again, I would prefer to allow the record to speak for itself on whether these adjectives are accurately descriptive.

To underline the point he had made in his October 8 release, my colleague followed up with still another press release on October 9 which once again referred to my subcommittee's hearings as "pointless hearings." He further charged that I had exhibited "contempt for the people and the high office he holds." Now a new reason for the hearings suddenly cropped up, perhaps superseding prior characterization of the real intent of the

subcommittee chairman. The October 9 release stated:

Apparently these House Space subcommittee hearings, dragged out for the past two weeks, had no purpose at all except to generate personal publicity for a Congressman running for reelection.

Mr. Speaker, in my opening statement concerning these hearings, I noted on September 24:

In the past two decades, the emerging problems in aeronautics have been solved as much by empirical expediency as by sound planning. These problems are catching up with and overtaking us. They will get worse in the years ahead. There are enough people working on immediate crash problems, and in these hearings we are not as much concerned with present crises as we are with planning for the future.

The United States has always ranked at or near the top in nearly every phase of aeronautics because of the foresight which has enabled so much effort to be concentrated on advanced research. I deplore the efforts to squeeze, pare down, eliminate or cripple advanced research in the name of either economy or the stress demands of very immediate practical application. If these hearings accomplish nothing else, I hope they will focus national attention on the urgency of greater emphasis on aeronautical research. We cannot afford to slow down an effort which is so vital to all the people and to the strength of the nation itself.

Mr. Speaker, just prior to the opening of our hearings, I received a letter from the Honorable CLINTON P. ANDERSON, chairman of the Senate Committee on Aeronautical and Space Sciences, which stated:

I am glad to see that you are holding these special hearings.

The Senate committee held hearings in January and February of 1967, and in January, 1968 published a report entitled "Aeronautical Research and Development Policy."

At the opening of our hearings, the ranking Republican member of the subcommittee, the Honorable THOMAS PELLY, of Washington, commented:

I think it is appropriate to associate myself with remarks that you have just made and to point up the importance of aeronautical research. With the Russians successfully circling the moon and returning their spacecraft to earth and with impending further feats and achievements in space, by both the Soviets and ourselves, it is hard to retain perspective in less spectacular areas such as aeronautical research. I certainly hope these hearings will point up the importance of aeronautical research and our effort in that respect.

The witnesses for these hearings were selected in such a way as to orient the hearings toward research and development rather than operations. Where witnesses from operational and regulatory agencies appeared, they were accompanied by representatives of research and development activities. The following is the schedule of witnesses appearing before the subcommittee:

September 24: Dr. Thomas O. Paine, Deputy, Administrator, NASA; Mr. Charles W. Harper, Deputy Associate Administrator, NASA.

September 25: Mr. James M. Beggs, Associate Administrator for Advanced Research and Technology, NASA; Mr. James C. Elms, Director, Electronics Research Center, NASA; Mr. Charles W. Harper, Deputy Associate Ad-

ministrator for Aeronautics, NASA; Mr. Edgar M. Cortright, Director, Langley Research Center, NASA; Dr. H. Guyford Stever, Chairman, Aeronautics and Space Engineering Board, National Academy of Engineering.

September 26: Mr. David D. Thomas, Acting Administrator, Federal Aviation Administration, Department of Transportation; Maj. Gen. Jewell C. Maxwell, Director, Supersonic Transport Development, Department of Transportation; Mr. Ben Alexander, Chairman, Advisory Committee on Air Traffic Control (Chairman of Board, General Research Corporation); Dr. Lawrence Goldmuntz, Executive Secretary to Advisory Committee on Air Traffic Control (Technical Advisor to Assistant Secretary of Transportation for Research and Technology).

September 30: Honorable Alan S. Boyd, Secretary of Transportation; Dr. Frank W. Lehan, Assistant Secretary of Transportation for Research and Technology.

October 1: Dr. Flinn Larsen, Deputy Director for Defense Research and Engineering, Department of Defense; General William F. McKee, Schriever-McKee Associates.

October 2: General Clifton F. von Kann, Vice President for Operations and Engineering, Air Transport Association; Mr. F. W. Kolk, Vice President, Development Engineering, American Airlines; Mr. Scott Crossfield, Division Vice President, Flight Research and Development, Eastern Airlines; Mr. Robert W. Rummel, Vice President, Equipment, Planning and Research, Trans World Airlines; Mr. W. E. Rhoades, Vice President, Engineering, United Airlines; Mr. Edward Driscoll, President, National Air Carriers Association, accompanied by Mr. Robert F. Creson, Vice President, Research and Analysis, Flight Safety Foundation.

October 3: Mr. Herman C. Meyer, Executive Director, Professional Air Traffic Controllers Organization, accompanied by Mr. John Meehan, Vice Chairman of the Board, Professional Air Traffic Controllers Organization; Mr. Charles H. Ruby, President, Air Line Pilots Association, accompanied by Capt. Joseph Bartling (TWA), Chairman, Air Traffic Control Committee, Air Line Pilots Association; Capt. Joseph Meek (Delta Airlines), Vice Chairman, Air Line Pilots Association; Mr. Theodore Linneert, Director, Engineering and Air Safety, Air Line Pilots Association; Lt. Gen. Elwood R. Quesada (Ret.), Former Administrator, FAA.

At this point it is considered appropriate to refer to several letters to the chairman of the subcommittee from several Government officials regarding the importance and timing of the subcommittee hearings.

In his letter of September 24, Dr. E. C. Welch, Executive Director, Aeronautics and Space Council, stated in part:

I respectfully express commendation to you and your colleagues for focusing thoughtful attention on the essentiality of research and development in the field of aeronautics. . . . The truth is that the nation needs to accelerate its investment in research and development and where should this acceleration be greater than in aeronautics.

In a letter dated September 28, Secretary of Defense Clark Clifford stated in part:

I would like to take this opportunity to comment on the importance of your Subcommittee's work in looking into the adequacy of civil aeronautical research and development. By clarifying current national programs, goals, and technological gaps and identifying future requirements, these hearings will serve a most important public service. In addition, they will underscore the issues, challenges and opportunities facing the country in civil aviation.

In a 12-page statement filed for the record on October 4, Dr. D. F. Hornig, Director, Office of Science and Technology, stated, in part:

These hearings are both timely and useful in focusing on an area that perhaps has languished in the shadows in the last ten years while the spotlight was on space. . . . It is clear from testimony you have received as well as from many other sources that there are some problems for which studies are unnecessary. These problems are widely recognized as required federal research and development attention. Foremost among these are: (1) problems of greater congestion approaching immobilization at times in our major terminal areas, both in the air and at the interface between the air and ground links; (2) the airport and all of its functions from cargo handling to passengers and aircraft maintenance; (3) aircraft noise near airports; (4) sonic boom; and (5) aviation safety. . . . In summary, as I look into the future, I can anticipate a series of important and challenging problems which will require intensive research and development in the field of aeronautics.

A brief summary of the testimony given by the various witnesses before the subcommittee follows:

GOVERNMENT WITNESSES

National Aeronautics and Space Administration

Dr. Paine, Deputy Administrator, NASA, testified on September 24 in great detail on current NASA research efforts in aeronautics. Among other points, he stated that, "These hearings are especially timely because we have made progress not only in better identifying the nature and scope of these problems (research problems), but also in further clarifying avenues of approach to their solution." Dr. Paine pointed out the problems facing civil aeronautical research today and emphasized that research benefits from military programs would not be as meaningful as in past years, that civil aeronautical research needs were becoming critical in view of the unforeseen growth in civil aviation, and that the ground segment of air transportation was also in need of considerable research effort. Dr. Paine suggested that while the maximum initiative should be left in the hands of private industry, the Government should consider supporting aeronautical research from the stage where new technologies are uncovered through the fabrication and testing of experimental hardware. Dr. Paine also expressed the hope that NASA would be able to get increased fund authorization for aeronautical research and development in the FY 1970 budget.

Dr. Paine concluded by stating that the country was in a position today where its vital aeronautical research leadership in the world is being threatened, and that inadequate numbers of aeronautical research oriented students are being trained today to handle the complex research problems of the future. Mr. Harper, Deputy Associate Administrator for Aeronautics, NASA, pointed up the need for increased research efforts in three main areas, namely the interface between the pilot and the aircraft, the interface between an aircraft and other aircraft, and the interface between the aircraft and the surface modes.

On September 25 the Subcommittee heard testimony from Mr. Beggs, Associate Administrator for Advanced Research and Technology; Mr. Elms, Director of the NASA Electronics Research Center; and Mr. Cortwright, Director of the Langley Research Center. These three expert witnesses reiterated the need for increased funding for aeronautical research, the need to expand current NASA facilities to better cope with the research problems to meet the needs of the next dec-

ade, and the need to reemphasize the importance of aeronautical research educational support to provide the needed researchers in aeronautics for the future.

Federal Aviation Administration

The main FAA witness was Mr. David D. Thomas, Acting Administrator of FAA, accompanied by Dr. J. Weber, Director of Research and Development, FAA. Mr. Thomas identified for the Subcommittee certain areas where new technologies are needed, particularly in the areas of flight control and traffic control, and summarized by saying, "We need an expanded aeronautical research and development program that places emphasis on our evolving National Airspace System and that anticipates the technology that aviation growth and prosperity requires."

The next witness from FAA was General Maxwell, who presented to the Subcommittee a status report on the development program for the supersonic transport and outlined the extent of governmental support for the research and development effort related to this program.

Department of Transportation

Department of Transportation witnesses consisted of Secretary Boyd, who opened the hearing, with the remainder of the time devoted to testimony by Frank Lehan, Assistant Secretary for Research and Development. Secretary Boyd called for greatly expanded research in numerous fields of aeronautics, such as noise, sonic boom, VTOL and STOL aircraft, helicopters, and others. Assistant Secretary Lehan warned of the dangers of "falling behind on the technological curve in the international competition" in aeronautics and called for increased research and efforts in noise, VTOL and STOL aircraft, sonic boom, landing aids and techniques, air traffic control systems, hypersonic aircraft, and others, all within the framework of an optimum overall national transportation system. He also called for greater involvement by DOT, FAA and NASA in expanding "proof-of-concept" demonstrations to bridge the gap between research results and actual application by the aerospace industry of such results.

Department of Defense

The Subcommittee heard testimony from Dr. Flinn Larsen, Deputy Director of Defense Research and Engineering, DOD. Dr. Larsen pointed out that as military aircraft weapons systems become more and more specialized they will tend to incorporate less and less technology that will be applicable to civil aircraft than has been the case in the past. Dr. Larsen admitted to the current shortages in engineers, particularly aeronautical engineers. He recommended that the DOT be provided with expanded funds to better utilize the aeronautical research capabilities of NASA.

CONSULTING ENTITIES OR SENIOR EXPERTS

National Academy of Engineering

The witness, Dr. H. Guyford Stever, Chairman of the Aeronautics and Space Engineering Board, National Academy of Engineering, reiterated the many important recommendations contained in the August, 1968 report of the Board on "Civil Aviation Research and Development." In addition to discussing the many technical areas where additional research and development effort is required, Dr. Stever emphasized that the most important recommendation of the Board was that the civil aviation research and development activities of NASA, DOT, and FAA should be knitted more tightly and that responsibilities in this area should be divided according to capability. His testimony was devoted primarily to the need for identifying research needs of the future and for creating a coordinated governmental effort to develop the new technologies to meet the research needs. He emphasized the need

to expand the role of NASA as the research arm of the Government in the field of aeronautics.

Advisory committee on air traffic control

The Subcommittee heard testimony from Mr. Ben Alexander, Chairman of the Advisory Committee on Air Traffic Control for the DOT. Mr. Alexander outlined the charter of the Committee, which was to present to the Secretary of Transportation by July 1, 1969, a design for the air traffic control system to be put into use in the 1980 time period. The portions of the Committee's work germane to the Subcommittee hearings dealt with the requirement for the Committee to identify research and development programs which should be undertaken to insure the timely introduction of new technology needed to meet the air traffic control system of the 1980's.

General William F. McKee (former FAA Administrator and currently consultant with Schriever-McKee Associates)

General McKee commended the Chairman of the Subcommittee for holding the hearings which he stated to be "very important." He stated that "it becomes eminently clear that aggressive action over the entire spectrum of aeronautical research and development on a continuing basis is essential if we are to prevent a much more serious crisis in the years ahead." He stated that "had we gone through this exercise ten or fifteen years ago, we might not be beset by as many problems as we are today." General McKee cited the need for expanded research in certain specific areas such as traffic control systems, communications and navigation systems, weather forecasting and reporting systems, noise and sonic boom problems, improved radars, and others. He recommended that the DOT spell out what was needed in the area of new technologies for the 1980 period and utilize NASA to conduct the necessary research to obtain such technologies.

Flight safety foundation

The witness for the Foundation was Mr. R. F. Creson, Vice President for Research and Analysis. Mr. Creson called for expanded Government research in the fields of radar, clear air turbulence, collision avoidance systems, instrument landing systems, terminal control automation, airport design, fog alleviation and removal, runway traction, high speed turn-offs, arresting mechanisms, runway ice control, emergency landing, VTOL, and others.

General Elwood R. Quesada (former FAA Administrator)

General Quesada made one primary point in his testimony. He called for a greatly expanded research effort to solve the problem, both current and future, of point to point transportation between population centers not widely separated from each other. He stated, "I don't think there is any endeavor that could be more productive on the part of NASA than in the short takeoff and landing area . . . I can't think of anything that would contribute as much to the solution of the basic problem that confronts us for the next decade as research and development that would eventually result in an acceptable, usable and economic air transportation system connecting city pairs of short length."

AIRLINE OPERATORS AND RELATED ENTITIES

Air Transport Association

The Subcommittee heard testimony from General Von Kann, Vice President for Engineering and Operations of the Air Transport Association, which represents virtually all of the scheduled airliners in the country. He pointed out that military aeronautical research and development was becoming less and less applicable to civil aviation and that the industry would have to look more and

more to NASA and FAA. He recommended that the airline operators, who are the ultimate users of any technology to be developed, should better organize and define their needs and make them known clearly and emphatically to the Government research agencies. He also stated that industry should itself undertake some of the research tasks based on its capability.

American Airlines

The witness for American Airlines was Mr. F. W. Kolk, Vice President for Development Engineering. Mr. Kolk endorsed the recommendations in the August, 1968, report by the National Academy of Engineering (referred to earlier) and called for greater research efforts by the Government in the areas of airports and air traffic systems, noise, and short-haul inter-metropolitan systems.

Eastern Airlines

The Subcommittee heard testimony from Mr. Scott Crossfield, Division Vice President for Flight Research Development, on current research efforts by Eastern Airlines in the fields of STOL, automatic ground data links, clear air turbulence and noise abatement. He called on the Subcommittee to assist in the implementation of research efforts to meet long range needs for aeronautics.

Trans World Airlines

The witness for TWA was Mr. R. W. Rummel, Vice President for Equipment Planning and Research. Mr. Rummel called for expanded governmental research in aeronautics, an expanded role for NASA in carrying out such research, and greater coordination within the Government over all research activities. Mr. Rummel summarized the research efforts of his company and specifically urged greater Government research in noise, human factors, air traffic surveillance by satellites, auxiliary decelerators, environmental sciences, fuels, advanced propulsion systems, low cost collision avoidance systems, emergency aircraft power, communications and V/STOL aircraft.

United Airlines

The witness for United Airlines was Mr. W. E. Rhoades, Vice President for Engineering. He emphasized the need for greater research efforts in the areas of airport design, air traffic control and landing systems.

National Air Carrier Association

The Subcommittee took testimony from E. J. Driscoll, President, NACA, which represents 13 airlines certificated for domestic and international charter activities. Mr. Driscoll's statement may be summarized in the following quotes: "What actions are necessary today to insure that five years from now we will have the capacity for technological developments in aviation that will have occurred during that span of time? The answer lies wholly in research and development."

AIR TRAFFIC CONTROLLERS

Professional Air Traffic Controllers Association

Testimony was heard from Mr. H. Meyer, Executive Director, PATCO, who criticized the Government research agencies for their "inability to produce practical system advancements in sufficient time," thereby forcing "the air transportation system to resort to, and rely upon, outdated and unreliable equipment." He further criticized the Government research agencies for not consulting with the aircraft industry and the air traffic controllers before engaging in research projects.

AIRLINES PILOTS

Air Line Pilots Association

Witnesses included Mr. C. H. Ruby, President; Captain J. Meek, Vice Chairman, Air Worthiness and Performance Committee; Mr. T. Linnert, Director, Engineering and Air Safety; Mr. H. Kelly; and Mr. Bill Jay. The

witnesses called for expanded governmental research and development efforts in numerous areas of aeronautics containing problems affecting current operations, as well as those which would affect operations in the next ten years and beyond. Among the problem areas cited for increased research effort were: airframe integrity; stability and control means; turbine engine disintegration effects; in-flight and post crash fire prevention; clear air turbulence; noise; air traffic control; collision avoidance systems; radar and weather forecasting and reporting; runway surfaces; fog dispersal; air worthiness flight recording; and accident cause flight recorders.

Mr. Speaker, the above represents only a brief summary of the nature of testimony brought out during these recent hearings. We have additional written testimony which is still coming in, and answers to some questions we have posed to various agencies, individuals, and organizations, in an effort to pinpoint some of the priorities in aeronautical research. I am proud of the work which the staff of the Committee on Science and Astronautics has done in connection with these hearings, and I would like to cite particularly the assistance of Peter Gerardi and Richard Hines, as well as Dr. Russell Sherburne of the Legislative Reference Service of the Library of Congress. A more comprehensive overview of these productive hearings will be available with the publication of the committee report.

Mr. Speaker, I would like to include at this point a summary of the aeronautics activities of the National Aeronautics and Space Administration, entitled "Aeronautics First 'A' in NASA":

When the National Aeronautics and Space Administration was formed 10 years ago a great amount of time and effort was devoted to recruiting trained scientists and engineers to manage the huge space program which was soon to come.

But the newly formed agency had no problem in building an aeronautical research organization—an experienced group already existed in NASA's predecessor, the National Advisory Committee for Aeronautics.

When NASA was created, aeronautical research had been going on steadily for more than 40 years under NACA guidance at the Langley Research Center near Hampton, Va., and today the center plays a leading role in solving complex aeronautical problems and lending assistance to other government agencies involved in aviation.

Although Langley has long been recognized as a leader in aeronautical research, much of the work of other NASA centers goes into vital research and development in support of aeronautical progress.

OTHER CENTERS

At the Lewis Research Center, near Cleveland, basic and applied research is pursued on problems of aircraft propulsion. It is at Lewis that NASA initiated its "Quiet Engine" program which is an attempt to combine all known noise control techniques into an engine which would be considerably quieter than present subsonic jets.

The Flight Research Centers at Edwards, Calif., is the home of the X-15 which has established a set of well known records—4,534 miles-per-hour and 67 miles peak altitude since the first flight nine years ago. However, equally important but lesser known flights take place every day in research to cope with the many problems of flight, from take-off to landing. It is here that the wingless research craft that may be forerunners of recoverable spacecraft are undergoing

flight tests after high altitude drops from B-52 carrier aircraft.

Aeronautical research receives considerable attention from a staff of engineers at the Ames Research Center south of San Francisco with emphasis on Vertical/Short Take-off and Landing (V/STOL), supersonic aircraft and hypersonic research.

The program includes the focal point for studies of piloting problems with numerous fixed-base, moving base, and flight simulators. Flight research on V/STOL aircraft is an important part of the center's research.

Shortly after the Electronics Research Center was established at Cambridge, Mass., it initiated several programs designed to advance knowledge in avionics which will be required for the advanced airplanes of the future, from V/STOL to supersonic.

As it was with NACA, a major share of NASA's research effort at these Centers is devoted to support of other government agencies involved in aircraft development and operation, and in 1967 the agency estimated that about 45 per cent of the testing time was for these purposes.

GENERAL AVIATION

Recognizing the continuing increase in the number of "general" aviation type aircraft using the nation's airways, NASA has placed greater emphasis on research to cope with the problems facing the non-commercial, non-military pilot.

As the performance of these executive and pleasure-type airplanes increases they are being used more and more for basic transportation. With the increased performance he can get from the airplane, the pilot is inclined to venture further into unfamiliar environments where there is greater risk.

NASA is concentrating on research to prevent these circumstances from creating a hazardous situation for the non-professional pilot.

The emphasis NASA is placing on general aviation research is a reflection of the growing recognition of the need for advanced technology to solve the many problems which will be facing the users of a predicted 180,000 private planes by 1977.

In cooperation with the FAA, NASA is working on warning indicators to prevent air collisions. One possible method for clear weather conditions is the use of xenon flashing lights and electronic detectors. The lights not only give a brilliant visual flash but also send off a large amount of infrared energy which can be picked up by an infrared detector and used to alert the pilot who can then visually sight the other aircraft and avoid a collision.

A great percentage of the work going on within NASA to improve the performance of commercial aircraft is not immediately recognizable to the man on the street—or to the passenger in the seat.

Many of the beneficial changes and safety improvements involve complex engineering and aerodynamic designs. A good example of this is the NASA-developed "supercritical wing" which is a method for designing an airplane wing so that the shock on the upper surface does not cause separation of air flow and thus impede the airplane's speed.

Fog is a serious threat to air safety, and NASA has been working with the Cornell Aeronautical Laboratory on methods for solving the problem. The most promising technique involves seeding the fog with very fine crystals of ordinary table salt (sodium chloride) which readily absorbs moisture. NASA is confident that the successful laboratory tests can be translated to actual field operations and tests are planned at airports in upper New York state in cooperation with the Federal Aviation Administration.

A NASA research project at the Wallops Station, Va., has attracted considerable attention and the interest of airlines, the U.S. Air Force and several state highway departments. It involves the grooving of runways to assist in increasing braking at the landing

speed of aircraft, when the surface is covered with water or slush. The Air Force and the FAA are experimenting with this concept at several locations.

SAFETY RESEARCH

The NASA program of aviation safety research reaches beyond the threats of adverse weather conditions and extends to research involving the physical stress on the pilot and the dangers from equipment failures.

The program includes research to insure the safety and survival of passengers and crew in the event of an accident by minimizing the effects of impact and fire. Beginning in 1964, NASA, working with the military, undertook a research program to design an aircraft seat for greater protection and safety of the traveling public.

Just as NASA has gained considerable experience in the physiological and psychological limits of the astronauts, the human factors experts in the NASA aeronautical program are accumulating data on the ability of pilots to perform under varied conditions. Results from this research are providing vital information on how quickly a pilot receives information and what displays provide it best; how the pilot can make decisions based on available information; how rapidly he can initiate proper control action and what conditions limit his ability to control his aircraft.

As airplanes grow bigger and fly faster, NASA continues to search for light-weight and high-temperature materials. This research has led to new alloys for use on turbine blades for supersonic aircraft engines which operate with gas temperatures over 2,000 degrees Fahrenheit.

The high speed aircraft pose a demand for a material to line the fuel tanks and prevent the loss of fuel.

At the Marshall Space Flight Center, Huntsville, Ala., researchers are favoring a new class of inorganic, high temperature polymer containing silicon and heterocyclic atomic structures.

AVIONICS STUDY

Avionics—electronics for aviation—is being relied upon more and more for aids to navigation, guidance, turbulence detection, collision avoidance, all-weather operation and automatic landing systems. Whereas in present day aircraft, different functions are provided by separate "black boxes," NASA's experience in spacecraft design has shown that all functions can be integrated into a single electronic system.

An advanced class of supersonic commercial transports has been selected as a model for the development of integrated electronic systems technology. A target date of 1972 has been set to have available the technology, as developed in this program, for the design by industry of an advanced avionics systems for future supersonic transports. The Electronics Research Center is the lead center for this effort.

Avionic devices are available which provide greater operating safety for the non-professional pilot, but the equipment is often too expensive for the general aviation public. NASA has been working on an economical flight control package which would reduce the pilot's workload in the cockpit. The plan is to give the pilot better cockpit displays and improve the aircraft's handling qualities.

Aircraft that can take off and land vertically or with a very short runway can play a major role in the nation's future short haul transportation system. By 1980, it is estimated that more than 40 million people will be concentrated in a metropolis along the Atlantic coast, over 35 million in the area of the Great Lakes, and over 20 million along the California coast. The projected number of major urbanized areas is 194. These are prime markets for rapid transportation such as can be supplied by V/STOL aircraft.

The basic objectives of short-haul air

transportation are to improve service to the customer by decreasing trip time, cost, and annoyance, and at the same time, to improve safety to the greatest degree possible.

Unfortunately, despite the obvious civil and military needs, many technical obstacles still remain to be solved. One major problem involves the inability of any craft built to date to hover for any length of time while maneuvering around the airport and also to cruise at high speed. NASA is putting emphasis into research to find the answer to this and other problems of V/STOL flights, including a satisfactory device for converting power from forward thrust to lift with the transition being accomplished smoothly and under well-controlled conditions.

STOL FIRST

Because of its relative lack of design complexity and less stringent operational requirements, the short take-off and landing (STOL) aircraft is expected to precede that of the V/STOL in civil use. Operation of such transport aircraft will enable use of small airstrips closer to the city center, with a reduction in travel time.

Results of previous NASA research have indicated several promising and efficient means of using power to augment the aerodynamic lift. One of these is the rotating cylinder flap, considered especially for propeller-driven transports. Large-scale wind tunnel model tests have shown that a cylinder mounted at the flap leading edge and rotating at high speed in the direction of the air stream, can delay flow separation and enable attainment of very high lift. NASA plans to carry this concept to flight research to determine if it can be integrated successfully into a complete operational aircraft system.

Starting shortly after its organization, the NACA (and subsequently the NASA) has been concerned about the aircraft noise problem and has actively supported research relating to it. In this regard, several hundred technical reports and documents have been produced and made generally available to industry regarding concepts of noise generation and reduction, and the application of basic principles of noise reduction in the design and operation of aircraft.

This work has paralleled the technological advancements in the aircraft industry and, as such, has involved such research areas as propeller noise, reciprocating engine exhaust noise and mufflers, and jet engine exhaust noise and suppressors.

To assist in the national aircraft noise abatement effort, the National Aeronautics and Space Administration has embarked on a three-pronged attack to the problem.

As a partial and near-time solution to the noise problem, NASA has called upon two of the nation's leading aerospace firms—McDonnell Douglas and Boeing. Under contract to NASA, they are working on methods of lining engine housings with acoustical material to suppress noise. The aim of the project is to bring the noise down to an acceptable level until a longer range solution of basically quieter engines can be achieved. Although these programs are not scheduled to be completed until 1970, the results are being disseminated throughout the industry as soon as they become available.

The objective of the second approach to the noise problem is to accumulate the technology required to develop a subsonic aircraft engine which would generate a minimum amount of noise. This would be done by suppressing the noise sources within the engine by basic engine design changes.

This is known as the "Quiet Engine" program. Aeronautical experience shows that noise reductions of about 15 decibels could be possible with the use of a new design engine. (This is equivalent to moving the noise source about five times away.) The use of acoustical material to line the engine housing will make possible further noise reductions so that the installed engine noise

output will be 20 to 25 decibels less than current engines. This experimental quiet engine program will be used to prove the design concepts for such an engine and the results will establish a firm technological base for quiet engines for subsonic transport aircraft.

The third approach to the noise problem would have the airplane land at a steeper angle, keeping the source of the noise further away from the ground during the landing approach. By increasing the approach angle from three to six degrees, it is possible to lessen the noise heard on the ground.

The aircraft operational problems associated with steeper approach angles are being carefully researched by NASA. A long series of test flights by NASA clearly show that a conventional aircraft will need new control aids to fly the steeper angle.

Further study is required to improve the performance of cockpit displays, throttle controls and aircraft aerodynamic controls which a pilot uses in bringing jet airliners into the final phases of approach and landing. NASA is tackling the problem through a research project called "Direct Lift Control."

While research on control of noise is emphasized in the NASA Aeronautical Research Program, other research of importance to both military and civil aircraft is also underway. Greater cruise performance, improved high speed maneuverability, solution to clear air turbulence, reducing speed and its relation to all-weather landing and safer runway operation, are examples of research where NASA is applying its talents in advanced technology.

OUR NATION'S CAPITOL

The SPEAKER. Under a previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, on a perfect autumn morning recently, I walked out into the spacious area which forms the setting for our Nation's Capitol. I was almost alone. The crowds of visitors who come in summer to view our "seat of empire" had returned to homes, to jobs, to schools, or whatever. It was an island of peace and serenity.

The greensward stretched away in pleasing undulations in every direction. The summer has been kind in rain and sunshine in Washington, and vegetation has responded happily and profusely. Wide-spreading and towering trees dot the hillsides. Many of them are, like us humans, foster children from other races and societies, brought here by anxious hands to grow and flourish in a friendly atmosphere. Clusters of shrubbery here and there are laden with heavy beads of fruit which will soon glow with the brilliant red of the coats of the British grenadiers from whom this fair land was wrested. Autumn flowers deck the wide plazas which form the base of the structure of the Capitol itself, especially roses of surpassing beauty of form and color.

I examine the massive blocks from which the beautiful Capitol rises. They seem rooted to the living rock of the hill. Many of them are covered with the lowest form of plant life from which the more useful trees and flowers develop with time and favorable conditions. The words of an old song occur to me: "They shall not be moved."

Superimposed on this firm foundation are broad terraces, and from these rises

the majestic dome of the Capitol. The morning sun is reflected from its marble facades and the stately columns in dazzling brilliance. From its summit, and reaching up into the blue vault of the heavens, is the statue of "Liberty Enlightening the World." It faces the East and the Rising Sun, whose daily return over our fortunate domain assures us of the ever-recurring miracle of life and promise.

What an inspiring sight it is. And how fitting a symbol of a society dedicated to the service of mankind. As one looks on the Capitol, he can hardly fail to be convinced that nothing can destroy us except our own idiocy. So long as we hold fast to a faith in the wisdom and efficacy of the institutions which have been built up by the toil and sacrifice of generations of builders, so long as we live by the moral codes which are the concentrated essence of all wisdom, so long as we spend our energies and our skills in deeds worthy of men, nothing can stop us. If and when we abandon those faiths, and turn to folly and greed and dissension, we might just as well surrender our bodies to the sepulcher of lost dreams, for that is where our spirits will be when we no longer love and serve America.

OUR CIVILIZATION AND EDUCATION

British Premier Stanley Baldwin, quoted in *Together*, October 1968:

Civilization itself is but the ice formed in the process of ages on the turbulent stream of human passions; and, while this ice seemed to our fathers secure and permanent, it has cracked and in places the submerged torrent has broken through.

Human passions heated up in the fiery furnace of unprecedented economic and social and political change during the last few decades have indeed broken through the crust of civilization and poured down in a flood of violence and discord over all our institutions. To those who have lost hope in the future, it must be suggested that even the hot lavas of a Vesuvius could not smother a vital civilization. Life returns and brings back its achievements and ideals. Hot passions cool, and a firm layer is laid over the charred embers again.

This civilization of ours is too beneficent and too idealistic to go down in ruins. A restorative agency is the belief in a common purpose and a common destiny. Every great society known to history has traced its origin to a fabulous ancestor and to a set of heroic deeds. In America, the common ancestor has been the life of struggle in an undeveloped wilderness, and our heroic deeds have been our epic achievements in science and the arts, and especially in government.

Much of our life in recent years has become as nomadic as was that of the ancient pastoral peoples. We wander about in search of jobs and pleasure and convenience almost as freely as they did in search of pasture for their cattle. The country moved into the city, and now the city is making efforts to move back into the country.

There is evidence, however, that the great migration is coming to an end. People are settling down, as we say. They are finding desirable places in which to

live, and their jobs and various social institutions are being transferred to that locality. Again they will take roots, and take pride in what their own efforts have built.

Perhaps the public school has done more than any one institution in fostering local appreciation. The zeal with which children support their athletic teams, their school class achievements, their own peculiar sets of social behavior, is quite amazing. Nothing is more upsetting to a youngster than to be compelled to move from one school to another, where he will be an unknown, and where he will have to start all over again.

In a few years these children will reach the age of accountability and responsibility. The virtues of a civilization which their fathers fabricated and cherished will appeal to them with fresh intuition. Morals and customs will freeze into a new surface, more enduring than the last. That is the way it has always been. That is the way it will go in this age.

Bury me on my face—

Said Diogenes; and when he was asked why, he replied—

Because in a little while everything will be turned upside down.

CHUCK YEAGER AND THE SOUND BARRIER

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, on October 14, 1947, a young West Virginian named Chuck Yeager became the first human being to fly faster than the speed of sound. Chuck Yeager was an Air Force captain the day he made his historic flight over the dry lake bed in California. Today, it is Air Force Col. Charles E. Yeager. We honor him on this 21st anniversary of the flight which opened so many vistas to the future.

Chuck Yeager was born and brought up in rural Lincoln County, W. Va. It is perhaps symbolic that he broke the sound barrier 2 days after Columbus Day, and also that on this very day three brave astronauts have already logged more than a million miles since the launching of Apollo 7 last Friday morning.

We have come far in our conquest of space because men like Chuck Yeager had the courage and skill to speed into the unknown, as he did exactly 21 years ago. While others may have been content to rest on their laurels, it is characteristic for Chuck Yeager to devote so much of his energy and effort to help the country he loves. A fighter pilot ace in World War II, a pioneer in cracking the sound barrier, Chuck Yeager has modestly given his best effort in South Korea and in flying 127 missions in Vietnam.

Ed Rice of the Associated Press has recorded the courageous exploits of this outstanding West Virginian, and I would like to place into the Record the following article which appeared in the October

13 issue of the Huntington, W. Va., Herald-Advertiser.

The article follows:

LINCOLN COUNTY'S FAVORITE SON STILL FLYING
EM HIGH AND FAST
(By Ed Rice)

The sky was clear 25,000 feet over California. Air Force Capt. Charles E. Yeager, a stocky West Virginian, sat cramped in the cockpit of an experimental rocket plane.

Signals were given and Yeager's Bell X-1 needle-nose was dropped from the belly of the B-29 parent craft.

First there was the short, fast drop as gravity sucked the tiny plane toward the ground below. Then Capt. Yeager fired the first of his four rockets.

Three rockets and only 2½ minutes later the X-1 was decelerating—but not before the 24-year-old war ace had become the first man to fly faster than the speed of sound.

That was 21 years ago, Oct. 14, 1947. Almost another year passed before Air Secretary Stuart Symington announced the feat to the world.

Today Col. Charles E. Yeager commands the combat-ready 4th Tactical Fighter Wing at Seymour Johnson Air Force Base, Goldsboro, N.C. The 4th recently returned from a six-month tour of duty in South Korea during the height of the Pueblo crisis.

Yeager had hardly touched down at Goldsboro before the Pueblo incident. Before that he flew 127 ground support missions in Vietnam.

At Seymour Johnson Yeager keeps himself combat-ready by piloting the Phantom II F-4D fighter at least 40 hours a month. He said the F-4, which is used extensively in Vietnam, has a maximum speed of about 1,600 miles per hour.

Along with authoress Pearl Buck, Yeager is one of the most famous natives of West Virginia.

One newspaper biography said: "Charley Yeager was born February 13, 1923, in a big white farmhouse 'up a holler midway between Hamlin and Myra, W. Va., near Upper Mud River.'"

Yeager enlisted in the Air Force immediately after graduating from Hamlin High School in 1941. He was sent to England in 1943 to fly the P-51 Mustang fighter.

Yeager was shot down in a mission over occupied France March 5, 1944. With the aid of the French underground he escaped through the Pyrenees Mountains into Spain. He was flown back to England by the Royal Air Force 45 days later.

In 64 World War II combat missions Yeager destroyed 12 German planes. He was one of the first Americans credited with downing a German jet.

For his combat heroics, Yeager was awarded the Silver Star, the Distinguished Flying Cross, the Bronze Star, the Air Medal and the Purple Heart.

After the war Yeager became a test pilot at Wright-Patterson Air Force Base, Dayton, Ohio. The historic flight occurred over the Muroc, Calif., test center five months after he received his regular commission.

"We'd been working about four months with the plane," Yeager recalled. "It wasn't a matter of not having airplanes that would fly at speeds like this. It was a matter of keeping them from falling apart."

He pointed out that the Air Force tests weren't primarily to break the sound barrier.

"We were just doing research in the region of the speed of sound. We were very much interested in what would happen at that speed."

Yeager said the supersonic flight took place during his eighth or ninth time up in the X-1. The flying speed had been increased gradually with each preceding flight.

Prior to the X-1 tests the Air Force had

experimented at only about 80 per cent of the speed of sound, Yeager explained.

"Sure I was apprehensive," he admitted. "When you're fooling around with something you don't know much about there has to be apprehension. But you don't let that affect your job."

Yeager remembered the brief vibrations as the X-1 sped into the unknown during the record flight. "Then it smoothed out and I looked at my indicators and saw I had passed the speed of sound. It was all downhill from there."

Yeager spoke modestly about his breakthrough. "A lot of people don't realize that when you're involved as a test pilot that's your business and that's your job. There's a lot of faith involved, faith in your airplane and knowing it as well as you possibly can."

"And press on. That's all there is to it."

About the secrecy of the flight Yeager said: "It costs a hell of a lot of money to do that sort of work. And, when you do it, you don't want to give it away." He explained military security also was involved in the decision on when to make the announcement.

Yeager was awarded the Mackay Trophy for his X-1 flight. The trophy is given annually to the Air Force pilot who makes the meritorious flight of the year.

Yeager continued his exploits as a test pilot and received more honors. He made national headlines on several occasions, including the time he was called upon to test a Russian Mig-15 jet turned over to the United States by a North Korean pilot, and again when he piloted an advanced version of the rocket plane, the X-1A, to a new speed record of 1,650 miles per hour.

Yeager said he couldn't describe the X-1 flight as the most thrilling of his career.

"It was the most outstanding as far as accomplishments are concerned," he said, but noted he's had several close brushes with death that were more thrilling. "I probably had more apprehension flying the X-1 because of the unknown element," Yeager said.

The tiny plane was retired to history at the Smithsonian Institution in April, 1950—three years after it first bore the stress of cracking the sound shield and only days after Yeager last squeezed himself into its cockpit.

Yeager said he hasn't considered retirement. "I plan to stay active and remain in the Air Force," he said.

Mr. FULTON of Pennsylvania. As the ranking Republican member of the House Committee on Science and Astronautics, I would like to join in paying tribute to Colonel Yeager on the 21st anniversary of his almost unbelievable exploit in breaking the sound barrier. The Bell X-1 plane in which Colonel Yeager flew is now on exhibit in the Smithsonian Institution, and it is amazing that one human being had the courage necessary to make that flight into the unknown in that flimsy plane. Our astronauts today truly owe a great deal, as does the entire world, to the courage of this outstanding American, Col. Charles E. Yeager.

DEDICATION OF MOSS REHABILITATION HOSPITAL

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, I am glad to see present, my old friend and col-

league, Congressman JOSHUA EILBERG. I have known the Congressman for many years and he came to the Halls of Congress well orientated in legislative matters for, as you know. He was formally a member of the general assembly, a majority leader there and I can assure you one of the best liked and effective Members of the House.

REHABILITATION: THE UNMET CHALLENGE OF HEART DISEASE, CANCER AND STROKE

In the years I have served as member and now chairman of the House Appropriations Subcommittee for HEW and Labor, I have come to believe that rehabilitation is probably one of the least understood and appreciated medical fields, by the public.

I think this is unfortunate because I am certain most Americans would be amazed—this is no exaggeration—if they could see what is being done in rehabilitation today. I wish they could see how the blind and deaf are being assisted, by new and imaginative techniques—how more fully the potential of the mentally retarded is being developed—how thousands of the physically and mentally ill have left bed and hospital behind—how, through marvelous modern prosthetics, we are moving ever closer to achieving restoration of full function to amputees and to the crippled.

Rehabilitation has indeed made great strides since the Moss Hospital was founded 70 years ago. Moss is now one of the largest voluntary rehabilitation hospitals in the country, and ranks as a leading teaching center in this field. Today, with the opening of the Harry and Isadore Sley Research Wing, Moss Hospital takes a bold advance into the future.

This new facility will be a proper home for the excellent program in biomedical engineering begun under the superlative leadership of Dr. Frank H. Krusen. In fitting tribute, the Frank H. Krusen Center for Research and Engineering will be housed in this new wing, to continue and expand upon the work begun by this brilliant pioneer in the application of engineering to problems of rehabilitation.

The Krusen Center is the culmination of a highly successful joint effort by the Philco-Ford Corp., Temple University, and the Moss staff to explore the potential of engineering, in the field of rehabilitation generally, and, specifically, to work toward the development of more flexible, controllable limb prostheses. Studies in the development of an externally powered artificial arm for the Social and Rehabilitation Service, and studies of gait patterns of elderly women for the Public Health Service, indicated the potential for a permanent research and development center.

I understand that a major concern of the Krusen Center will be the application of engineering skills to rehabilitating victims of heart disease, cancer, and stroke. Often it is forgotten that rehabilitation is an integral part of the necessary care for such patients. I am particularly gratified by this effort, which meshes well with the national program to conquer and alleviate these major disease problems.

As you no doubt know, extensive basic

and applied research on heart disease, cancer, and stroke is now underway at hundreds of institutions across the Nation—much of it supported by public funds through the National Institutes of Health. The nationwide regional medical programs—also an NIH coordinated project—are assisting in bringing the latest advances in treating and diagnosing heart disease, cancer, and stroke to all Americans. And the Social and Rehabilitation Service has launched a major effort to step up the rehabilitation services of the States, and to encourage and support specific research in these areas.

These programs are already having an impact in the long-term effort to bring under control these dread diseases, which take an enormous annual toll in premature death and disability. But, there are an estimated 20 million Americans handicapped to some degree by heart disease. There are 1 million persons disabled with cancer and another 2 million victims of stroke. While rehabilitation efforts have been successful in helping a limited number of cases, we are by no means anywhere near to approaching the total effort needed to meet national needs. While our advances in early diagnosis and treatment are enabling longer times of survival, our rehabilitative endeavors have not significantly answered the challenge of converting mere survival into living, in the fullest sense of that word.

Answering this challenge was an important area of concern in the 1964 Report of the President's Commission on Heart Disease, Cancer, and Stroke. The Commission's Subcommittee on Rehabilitation called attention to the complex problems of patients with heart disease, cancer, and stroke—problems which require the teamwork and skills of many professional disciplines for effective and lasting rehabilitation. The subcommittee underscored the need to integrate concerns for rehabilitation early in the diagnostic and therapeutic processes.

At the time of the Commission report, the needs of heart disease, cancer, and stroke victims were hardly being met at all. Cancer, in particular, was the forgotten area in rehabilitation. However, a little over a year later, a pilot regional center was established at the New York University School of Medicine to study the rehabilitation of facially disfigured cancer patients, aided by funds from the Vocational Rehabilitation Administration.

By 1966 State rehabilitation agencies had expanded services, under VRA encouragement, to rehabilitate over 6,300 heart disease cases, 690 cancer and 900 stroke cases. The VRA helped establish vocational evaluation units for heart and stroke cases. Various training programs were begun, for key State rehabilitation agency personnel, and a series of conferences were held which were aimed at stimulating top medical specialists to engage in vocational rehabilitation research. These conferences resulted in a large number of project applications to the VRA. Several new cancer rehabilitation centers were funded, and much needed research training grants were provided to universities to assist per-

sons, working in rehabilitation of cancer and cardiovascular disease patients.

Last year, 2,300 more rehabilitations were made by State agencies in the heart, cancer, and stroke field, primarily in the cardiac category. The VRA's successor, the Social and Rehabilitation Service, has pointed out, that its intensive training programs, for State agency personnel, has had a lot to do with this hopeful trend. Such training is now underway in the State agencies themselves, and it is expected that even more dramatic gains will be seen in the years immediately ahead.

Aside from the services provided by the States, prospects are brightened by the increased flow of high-quality research proposals made in applications for grants under the SRS research-demonstration program in rehabilitation. A number of such projects are already underway.

At Northwestern University Medical School for example, a study of cardiac patients, who have undergone corrective surgery, is being conducted, to identify predictive indicators for recovery and long-term vocational, social and emotional adjustment.

The Memorial Hospital for Cancer and Allied Diseases in New York is engaged in demonstrations of rehabilitation, with patients suffering a full range of disabilities resulting from cancer.

A project at Rancho Los Amigos Hospital in California is concerned with types of cardiovascular problems in hemiplegic patients, in order to obtain objective data which will assist in determining the rehabilitative potential of such cases.

In the South Carolina State rehabilitation agency, a peripheral vascular rehabilitation facility and a cardiovascular surgery rehabilitation unit, has been established. In Delaware, a system is being developed for the referral of heart disease and cancer cases from hospitals and other community health resources to the State rehabilitation agency.

I think we can be grateful for this significant progress in an area of rehabilitation which was virtually ignored just a few short years ago. Yet many more people remain to be reached; only 5 percent of the cases handled by the State agencies are in the heart, cancer, and stroke area. In an effort to augment the efforts of other programs, the regional medical programs headquarters has recently turned, more directly, to interest in rehabilitation, and is encouraging the integration of rehabilitative services into the plans and objectives of the 53 regional programs now, either in the planning or operational phases.

Through the regional programs it is hoped to reach those not now being reached through the State agencies, as well as those who are receiving only limited or poor quality rehabilitative care. Specifically, the regional programs could provide planning funds for rehabilitation facilities and assist in the renovation of existing units for patient care demonstrations.

Potentially, these programs could be a major influence in the integration of rehabilitative services into general hospitals or community home projects. The regional medical program mechanism of

cooperative arrangements, among all health resources in a region, is extremely relevant to the establishment of coordinated rehabilitation programs. Studies in manpower utilization which would aim at meeting the great manpower needs with available personnel would be feasible. Refresher courses for rehabilitation personnel and continuing education for community physicians in this field is another possible regional medical program activity.

Unfortunately, I am told that only a few projects concerned with rehabilitation have actually been initiated as yet in regional medical programs. However, more than half of the regional groups include representatives from the rehabilitation field on the regional advisory group and a large number have rehabilitation personnel in some way involved in their activities. Hopefully, this involvement at the regional level, in addition to the creation of an ad hoc advisory group of rehabilitation experts on the program's national level, will soon increase activity in this area. It is encouraging to learn that Moss Hospital will play a role in the rehabilitation efforts of the Greater Delaware Valley regional medical program.

I have purposely left for last a most important and exciting area of progress and hope: in rehabilitation of the heart, cancer, and stroke patient. This is biomedical engineering—the approach that will occupy the Krusen Center in the development of new and refined prosthetics to meet the specialized needs of victims of these diseases. Moss Hospital's undertaking of such a mission points up the tremendous opportunities for prosthetic devices in this field.

With an estimated 25,000 laryngectomized individuals in this country, improved electronic voice aids could assist in making possible more normal speech. Patients who have undergone disfiguring face and jaw surgery for cancer need improved prostheses which meet both functional and cosmetic requirements.

Cancer is responsible for 5 percent of all amputations and a third of cancer amputees are children. Continued progress in the development of limb and other prostheses will be of great benefit to these cancer victims.

For the rehabilitation of the stroke patient, there is need for the further development of assistive devices for those with hemiplegia. Such devices, now in use, provide synthetic muscles consisting of gas or hydraulically operated braces and other types of assistors to overcome weakness, paralysis, or absence of extremities. Prosthetics reduce the energy expenditure of hemiplegics in performing physical tasks, and they considerably increase the range of physical activity and thus the employability of the hemiplegic person.

The potential for prosthetics in heart disease rehabilitation is well known. More than 13,000 persons are now alive in the United States as the result of 8 years of implanting cardiac pacemakers which deal with the problem of heart-block.

The National Heart Institute's artificial heart-myocardial infarction program has over the past 4 years let 73 con-

tracts, totaling approximately \$12 million, for the development of temporary and permanent heart-assist devices, as well as long-range studies on the total-replacement artificial heart.

The development of other cardiovascular prostheses—artificial blood vessels, heart valves, patches, and plugs made from synthetic materials—has made possible the repair of many acquired and inborn defects of the circulatory system. The replacement or bypass of diseased and damaged arteries with synthetic textile tubes has saved thousands of lives and limbs. Severely damaged heart valves have been replaced by prosthetic ones.

The development of such devices as well as other hardware used in diagnosis, treatment, and rehabilitation has been made possible, through the evolution of the hybrid discipline called biomedical engineering. Here the skills of the research scientist, the engineer, the clinician, and technicians of various persuasions are interwoven, to perfect complex systems and tools. Biomedical engineering has been applied to the handling of vast amounts of medical data for research, treatment, diagnosis, and other uses. Through automation, routine laboratory procedures are now being handled on an experimental basis in a fraction of the usual time. At Moss Hospital and elsewhere biomedical engineering is being put in the service of prosthetics development to achieve maximal simulation of natural function.

The provision of artificial replacement parts for the human body, is an old and important meeting ground for medicine and engineering. But in the past such parts have usually been passive or cosmetic only. More recently, the application of servomechanism and control theory, to the problem of artificial limbs, together with the development of small and powerful motors, promises that a fully useful controllable artificial limb may not be too far in the future. The muscle signal control package, developed here, represents a significant step in that direction.

At a conference held last September in Washington, D.C., aimed at illuminating the "Future Goals of Engineering in Biology and Science," several remarkable facts were brought to light, concerning the further development of orthotic-prosthetic systems. I thought it striking that, considering only, the broad area of disability of human limbs or extremities caused by disease, birth defects, or accidents, it is estimated that as many as 2½ million persons could conceivably benefit from the use of orthotic devices. Ironically, though, one major obstacle to accomplishing such assistance is that the need has not been precisely defined. What must be done first, it was pointed out, is to codify the types and number of disabilities in order to begin realistic orthotics development.

Two conferees noted that prosthetics are sufficiently complex to make separated development, evaluation, and manufacture impractical. They urged an overall systems management function, for all orthotic-prosthetics activities in the United States.

Whether such a rigid system, comparable to NASA's space management, is in

the best interest of prosthetic development is debatable. However, most agree that some sort of standards and regulations are needed in this area.

During the first session of Congress last year the Medical Device Safety Act was introduced into the House. This bill, H.R. 10726, states its purpose "to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, reliability, and effectiveness of medical devices."

Under its provisions the bill would enable the Secretary of Health, Education, and Welfare to establish mandatory standards for the manufacturing of such specialized medical devices, as bone pins, catheters, X-ray equipment, and diathermy machines. Artificial organs and prosthetics, as well as other devices, would need to go through a clearance procedure prior to being marketed.

The bill spells out in detail the types of devices which would require conformity to standards and premarket clearance, as well as those which would not. Provision is made for hearings and judicial review, for those adversely affected by stipulations, made under authority of the act, and referral of such questions would be made to an independent advisory committee of experts, nominated by the National Academy of Sciences for a report and recommendation.

There is broad exemption from regulation under the bill's provisions for devices under clinical investigation. Nor would custom-made devices come under the regulations of the proposed act. The various provisions would be administered by the Food and Drug Administration.

As yet no hearings have been held on this measure. I would hope that discussion could be held in the near future, for I am aware that the bill is a highly controversial one. However, I think few would not agree that some kind of regulation and standardization is needed. What I hope would come out of hearings on this bill will be a practical solution that would strike a balance between self-regulation and government regulation that everyone could live with and which would serve the public interest.

The Medical Device Safety Act is only one proposal to deal with one area of concern in the application of engineering to biological problems. A broad spectrum evaluation of the subject is being conducted by the National Academy of Engineering under a contract awarded last July by the National Institutes of Health. A committee on the interplay of engineering with biology and medicine has been established by the Academy to delineate the characteristics and limitations of modern engineering in order to determine how this capability can be effectively directed toward medical and biological problems.

Other Federal involvement in biomedical engineering is concerned with direct research on applying technology for medical purposes and in support of training and research in this field in non-Federal institutions.

Biomedical engineering as applied specifically to rehabilitation is the concern of the Social and Rehabilitation Service. I am told that Moss Hospital has a grant from the Service for biomedical

engineering amounting to \$200,000 this year. In addition, another grant, taking effect just last week, will help fund a study of neuromuscular bladder dysfunction.

The association of biomedical engineering with rehabilitation is a relatively new concept and it will be most interesting to see what develops here at Moss Hospital, with these excellent new facilities to challenge the ingenuity of your research teams.

With the application of engineering and other skills to the victims of heart disease, cancer, and stroke, rehabilitation will no longer be forgotten, as a vital part of the care needed by such patients. Philadelphia, the State and the Nation are indeed fortunate to have such forward-looking programs underway. Your past successes assure that those yet to come will help return normal lives to suffering thousands.

NEW HOPE—NEW HORIZONS

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CLEVELAND. Mr. Speaker, yesterday in Keene, N.H., I attended the official opening ceremonies of the New Hope Center. This is a remarkably successful project sponsored by the Cheshire County Association for Retarded Children. This event was a heartwarming one for me. Friends in the area had interested me in this matter and my office was helpful in a small way concerning Federal and State programs of assistance.

The reason why I enjoyed the occasion so much was the manner in which it exemplified the way our system of government works best. The real work, drive, and inspiration for the project came from the local level. The Federal and State Governments can and should help, and, indeed, must help, but unless the spirit, willingness, and sacrifice by local people are in abundance, projects such as these are too often failures.

Mrs. Rita S. Saltz, who did so much to get the New Hope Center started, prepared a guide for visitors and volunteers of the New Hope Center, entitled "New Hope—New Horizons." Reading this over strikes a note of joy and hope, and I want to share this interesting document with my colleagues. This document is not only a guide for the New Hope Center in Keene, N.H., but it could well be a blueprint for similar projects that may be started elsewhere—indeed, a case study on how to get meaningful action and tackle serious problems at the local level. The document, which I will make a part of the RECORD at this point, will be followed by the program of the opening ceremonies to which I have referred.

NEW HOPE—NEW HORIZONS, HOW YOU CAN HELP

(A guide for visitors and volunteers of the New Hope Center)

INTRODUCTION TO THIS GUIDE

"New Hope . . . New Horizons: How You Can Help" is a guide developed by the Direc-

tor for visitors and volunteers of The New Hope Center; it is meant to give you some idea of our history and purpose, our goals, and the nature of our program. It is also intended to provide more practical information concerning our pupils and policies. And, most important, it is designed to give you some idea of how you can help, both in furthering the goals of our own program, and in helping retarded children and adults in other parts of our state and our nation.

We are continually reminded of the National Advertising Council advertisement which reads, in part: "Six million mentally retarded have enough problems without you adding to them. Now you're probably saying to yourself, 'Why blame me? I didn't do anything.' That's the problem."

We hope that, through your experience at The New Hope Center, through meeting and working with our children, you will become concerned, as we are, with the fortune of our forgotten children, our neglected citizens, our wasted human resources, and add your concern and your voice to those which now speak for the retarded who may not, at present, themselves uphold their rights.

INTRODUCTION TO THE CENTER

The New Hope Center is a special project of the Cheshire County Association for Retarded Children, a non-profit organization which also sponsors the summer Camp Holiday program for the retarded.

The Center was established to provide classes for children who were considered ineligible for public school special education classes within Cheshire County.

The Center is staffed by an Executive Director and two full-time Instructional Counselors in addition to part-time staff. These personnel, as well as the several consultants employed by the Center, are trained in the areas of education, special education, psychology, nursing, or medicine. To provide more individual attention for the pupils enrolled, volunteer workers are also used in the program.

The Center is the recipient of a "partnership grant" through the U.S. Office of Public Health. This means that a portion of the necessary funding comes from the Office of Public Health, part from the local community. Local funds, as in the past, come from donations by private and industrial funds, civic and community groups, and private individuals. Many private individuals have also donated materials for use in our program.

The Center operates five days weekly, from 9:00 to 2:30; the calendar roughly parallel to the public school calendar. The Center leases the Cleveland School Building, Wood Street in Keene, from the local school district.

THE CENTER PUPILS

Twenty-four pupils are, at this writing, enrolled at The New Hope Center. As the present pupils adjust to the program, additional pupils will be added until the Center is operating at maximum capacity—35 pupils.

Our children range in age from five years to eighteen years. Their ability also covers a very wide range: some are very severely retarded, others appear only mildly so. While some have been excluded from public school classes because they are in the "trainable" category (special education classes locally provide for the "educable" retardate alone), others have emotional or physical handicaps which complicate their retardation. Some of the younger pupils are, presumably, simply too young mentally to benefit as yet from a public school program.

The children come from throughout Cheshire County. Representative towns include Keene, Winchester, Walpole, Troy, Harrisville, Gilsium and Westmoreland. The children are transported to and from the Center by parents or by volunteer drivers.

Although the children at The New Hope Center represent a variety of problems, they are in no way "depressing". Quite to the

contrary, they are a joyous and loving group of children. They are deeply appreciative of attention and interest, apply themselves assiduously to any task demanded of them, and reward their teachers and other adults who meet them as equals and treat them as befits the dignity of a human being with a great deal of love and affection. Indeed, the love, the joy, the innocence which they bring to everyday living is a constant reminder to us of the Center staff of the truly wonderful qualities that exist in every human being. We frequently wish that we, in our dealings with others, could be as lavish with these gifts as our pupils are.

No summary could possibly give you as much insight into the children of The New Hope Center as actually meeting, talking, working with them. We hope that you will have the time to do so; those who have reported the sensation of being in some way changed by their contact with our pupils.

THE CENTER PROGRAM

The program and curriculum of the Center are as varied as the pupils. Every effort is made to provide individual programming to meet the individual needs. Various areas covered: self-help skills (grooming, dressing, etc.); communications skills (ranging from simply learning to speak to reading and writing in some cases); health; creative arts; practical arts (housekeeping skills, etc.); community knowledge and social studies; nature study; science work; physical education and music. Pre-academic areas for some children include number readiness and reading readiness. Craft instruction for some is quite advanced; for others, this may be simply learning to use paste. Again, participation in the program gives a much better idea of the range and areas covered.

POLICIES AFFECTING VISITORS AND VOLUNTEERS

Visitors and volunteers of any age, of any training, are welcome at The New Hope Center. Certain policies adopted by the Center's Board of Trustees (composed of professional and lay people with a common interest in the field of mental retardation) prevent us from allowing parents of Center pupils to work in a volunteer capacity directly with the pupils. Parents may co-operate and volunteer services in areas of the program which do not put them in contact with the pupils during the instructional day.

It is helpful if visits are arranged beforehand, although we certainly allow people to "drop in" unannounced. A telephone call to the Center is enough, however, to warn us of your visit, and to allow us to tell you if we are scheduled for some special activity that will be taking us away from the building at the time of your planned visit. The telephone at the Center is 352-7005; the staff is usually available at that number after 8:00 a.m. (The Director may be reached evenings at 563-7323 (Dublin, N.H.))

On an initial visit, you may be asked to meet and talk with the children, and to observe what they are doing. If you are able to stay longer, you may be asked to help an individual youngster with some task, or to participate in a game or an activity.

On subsequent visits, volunteers may be asked to work under the supervision of the director or counselors with individuals or small groups. An experience and training permit, or as imagination and initiative demonstrate themselves, volunteers are allowed to initiate activities on their own, rather than simply follow staff cues.

Dress: Because we serve as models, in a sense, for our children, we prefer that workers and visitors are neatly and properly dressed at all times. Because some of our activities are messy, and our daily constitutions (on which we welcome additional walkers) take us out into sometimes biting weather, we do not expect elegant attire, but rather functional, practical attire. It is understandable that women and girls may prefer to wear slacks in rough weather; we

will remind you that neat slacks provide a more acceptable female model of dress for our girls than, say, blue jeans. And, naturally, skirts and dresses are even more desirable from an instructional point of view. We are confident that our visitors will use their discretion, and dress in an appropriate manner.

Attitude and discipline: Our children, like all children, respond best when they are treated more or less as equals. While they enjoy attention, they do not particularly relish "being made much of". They recognize and accept respect and affection.

In return, we at the Center expect—and demand—a certain amount of respect from the children. We have rules of behavior—the everyday rules you would expect in a situation that brings many children together in close quarters—and expect them to be adhered to by our pupils. Even the most severely retarded child in our classes recognizes the meaning of the word "no", and should respond to it as well as to more positive suggestions and commands. We advise you to react to and treat these children as you would normal children; indeed, as you would your own. We are very careful not to make impossible demands; for this you must rely on your own discretion once again. One would not ask a child with a broken leg to run an obstacle course; one must similarly recognize the nature of each child's handicap, and not demand that which he cannot possibly fulfill. Exposure to and experience with these children will allow you to recognize the limitations which currently exist for each. And common sense and the sensitivity which is the portion of each of us will help a great deal until you are more familiar with a child.

One other caution: if a child can, in some way, help himself, we must be careful not to "do for him." For example, even if a child cannot button his own coat, he may, independently, be able to put one sleeve on. It is often hard to resist the impulse to feed a child who is spilling two-thirds of his Jell-o or who is constantly trying to put the wrong puzzle piece into the wrong place. But resist we must—although a verbal suggestion at times is desirable and may help the child correct his own behavior.

Specific suggestions for helping individual children will be made available within the classrooms—and the counselors and director are always available for suggestions, questions, or assistance. If you don't know, ask. If you need help, again, ask.

Also available within classrooms or from the Center staff: location of materials; specific rules of deportment; directions relating to the daily schedule.

WHAT CAN YOU DO?

The preceding has given you some idea of the functions of a volunteer worker at The New Hope Center. We certainly need people to work with children in the instructional aspect of the program on an individual basis. Training is not a necessary prerequisite, since work may be done under the direct supervision of a staff member. Other activities—reading aloud to a child, watching a child play, simply getting a child to speak about what he is doing—need no supervision.

In addition to working directly with the children in this way, there are other functions volunteers at The New Hope Center may serve:

1. We need more volunteer drivers and substitute volunteer drivers to assist in transporting the children to and from the Center.

2. We might use people to help with the preparation of the Center lunch. At present, one staff member and several pupils are preparing and serving lunch for the entire Center. Additional hands are appreciated.

3. Volunteers are essential for "special services"—if you are a gifted knitter, if you have spectacular slides on New Hampshire wildlife, if you have four frisky hamsters—

we need you. We enjoy the participation of "guest lecturers" in special fields, or of new experiences.

4. We always welcome volunteers on our Center walks. Such walks usually take place daily after lunch; they may take us into different parts of the community. Again, many hands make the walks less difficult for the staff.

5. We need volunteers who might be contacted to drive on Center field trips. For any trip over a few blocks distant, cars are necessary. Such trips have never been any great distance, and many are within the city limits.

These are the areas in which we need your help. But there is one even more important area, not only for us, but for the retarded everywhere. And for this we would like to enlist the aid of every visitor, every volunteer, every friend of The New Hope Center.

The retarded cannot, politically speaking, speak for themselves. In different parts of our country, different legislation exists to provide for the retarded, to protect the retarded. Find out what provision, what protection, we have in the state of New Hampshire. And if you think it insufficient, speak. Speak to your family, your neighbors, your friends, your representatives. Too long, the cause of retardation has been supported by a small number of parents and interested persons. It is time for all of us, the general public, to take an active interest in what is happening.

I will, at this point, provide the following facts for your consideration: In many states, each school-age child who is toilet-trained and can communicate his needs is assured of a place in a public school classroom suited to his needs. In New Hampshire, legislation governing the education of the retarded is "permissive"—that is, it states that school boards "may" provide classes for the mentally handicapped. Not "must". "May." With this in mind and with the understanding that our state is notoriously tax-poor—i.e., we just don't have the state income to provide appropriations for all the programs we would like to see—it is little wonder that so many children are "left out."

Bear in mind that retardates can be helped; that the great majority of retardates can be trained to perform some useful function within the community. That many can work in "sheltered workshops." That many retardates can live at home or in "halfway houses"; they can avoid institutionalization.

Be aware of the funds that must be spent each year to maintain retardates in an institution. Well over \$2,000 yearly is the current cost of maintaining one individual at Laconia State School. This much yearly—for life. If we can save someone from institutionalization, we are saving our tax money as well as the individual. If we can make a retardate into a community asset, we are eliminating a public liability.

What can you do to help? You have begun by taking an interest in The New Hope Center. We hope you will continue your interest. Discover what other resources exist within our community for the retarded. Find out about our public-school classes for the retarded. Write your out-of-state friends, or visit out of state to see what resources exist in other states. Give us publicity; give the cause of retardation publicity. We are all taxpayers; we are all concerned. Let us get some focus on our concern. The voices of many carry more weight politically than the voices of a few.

Bring your family and friends to visit at The New Hope Center. Help your children to accept handicapped individuals as human beings, to accept them with the dignity due a fellow human being. Help to eliminate the prejudice and fear felt by those who do not know about retardation. Write the President's Committee on Mental Retardation to get free materials on retardation and services for retardates.

If you are interested in discussing the pertinent issues and facts, speak to the Cen-

ter staff. Better yet, join the Cheshire County Association for Retarded Children. Dues are minimal, and joining will put you in contact with news of the latest work in the field of retardation.

Mental retardation is a community concern. We at the Center are fortunate in having had so much community support: through donations, through volunteer participation; through participation of local service agencies; through the co-operation of Keene State College faculty and students; the co-operation of the Dublin School; the co-operation of the Elliot Community Hospital School of Nursing faculty and students. We have enjoyed the interest and efforts of junior-high schoolchildren and of "senior citizens". Volunteers have come from East Sullivan, Marlborough, Nelson, Fitzwilliam, from many towns outside Keene as well as from Keene itself. We are, indeed, a community concern. And we ask you to help make The New Hope Center and the cause of mental retardation a more vital community concern, and of concern to more of the community.

For the retarded, there can be new hope—and new horizons. Will you help?

OFFICIAL OPENING CEREMONIES FOR THE NEW HOPE CENTER, OCTOBER 13, 1968

Program

Mr. Russell F. Batchelor, Jr., Chairman, Board of Trustees: Welcome from Trustee.
Reverend Harold K. Shelley, Unitarian Universalist Church: Invocation.

The New Hope Center: Flag-raising and Salute.

Mr. James C. Haddock, Director, The New Hope Center: Address.

Introduction of the New Hope center staff

Major Richard E. Bean: Address.

Mr. John W. Day, Superintendent of Schools: Address.

Introduction of the New Hope Center Board of Trustees

Mr. Harold C. Ladam, Chairman, Bd. of Trustees, Retired: Address.

Mrs. Rita S. Saltz, Director, New Hope Center, Retired: Address.

Mr. Carl Delaney, president, Cheshire County Assoc. for Retarded Children: Address.

Congressman JAMES C. CLEVELAND's Address.
Rev. Gerard J. Vallee, The Newman Center, KOS: Benediction.

LONG SESSIONS OF CONGRESS—GOOD OR BAD?

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CLEVELAND. Mr. Speaker, as we limp into final adjournment with a quorum quite likely not present, it seems to me an appropriate time to consider anew the question whether these increasingly long sessions of Congress that we have been having are good or bad. I am sure the question is not a one-sided one. For my part, I consider them to be inherently bad. Without the discipline of an adjournment deadline, poor legislation is sometimes enacted. Even worse, I feel that the Members get out of touch with their districts and the realities, and that many of us become residents of Washington first, and of our district, second.

In the next session of the Congress, I hope we have an opportunity to consider the reorganization of our procedures here on the floor of the House. It is

my hope that more attention will be given to this problem of long sessions. I discuss this matter at some length in my Washington Report No. 12, which I released last July 18. As I reread that report, I think that much of what I said then is relevant now and I wish to share my observations in the report with my colleagues at this point in the RECORD:

WASHINGTON REPORT NO. 12, THE IMPOSSIBLE DREAM

Adjournment is in the air. You can sense it by the hustle and bustle in the offices and halls of Congress as the leadership drives towards an avowed August 3 adjournment date. This will close the Congressional session just prior to the conventions of our two major political parties scheduled for August. However, it seems to many (myself included) an impossible dream. Long and protracted sessions of Congress have become a way of life in Washington.

The power structure that runs Congress likes Washington. Some call this Potomac Fever. It is here on the banks of the Potomac that the power structure of Capitol Hill enjoys their greatest prestige and their most cherished privileges and prerogatives. It is here that they can most conveniently huddle to plan their next issue and plot the new programs to solve them. It is here, too, that they can huddle with the media, to call the signals for the next plays and to set the stage for the next scrimmages in the unending battle between the good guys and the bad guys. Although I have long been an advocate of home rule for Washington, I cannot agree with those who say the District is not well represented in Congress. I think that the District is over-represented in Congress. It is here that many members have become most at home. With each passing year and with each protracted session of Congress, the gulf between the stately domes on the Potomac and the hinterlands widens.

The centralization of power accelerates. Its engines are fueled with an annual intake of new legislation, new programs and, yes—you guessed it, more problems. Just recently, after eight months of study, Congressman William Roth, of Delaware, compiled a list of 1,091 operating Federal assistance programs. He found that the Federal bureaucracy has become so large and so complex that people don't know where to go to find assistance. Even Congress itself is having trouble in effectively determining the desirability or need for new programs that may be proposed, let alone advising constituents what ones are already in existence.

ARE LONG LEGISLATIVE SESSIONS BAD?

Long legislative sessions are inherently bad. Without adjournment deadlines, poor legislation can be manipulated into law. The discipline of the grassroots can be avoided. Legislative schedules can be ignored, as happened the week that this is being written when the foreign aid and gun control bills were both inexplicably and hastily taken off the announced and published legislative agenda for the week. The liberal cant that legislation should be voted up or voted down has become a mockery. Legislation that is in trouble is being saved by detour, delay and deal. As sessions lengthen attendance falls off. On July 3 only 222 members (218 is a quorum) answered the roll on an important appropriation bill. In the waning days of the 89th Congress (1966) I recall vividly, important measures being voted on with long waits to get a bare quorum. Last year when we adjourned late in December, I observed in my last report that one reason why "so much power has become centralized in Washington may be that with Congress now meeting on an almost year-round basis, Washington is virtually 'home' for many Members."

PROBLEMS OF CENTRALIZATION

Lord Acton said that all power tends to corrupt—absolute power corrupts absolutely.

Surely total centralization of power leads ultimately to absolute power. It is equally true, of course, that a national government with a federal system would fall apart without some centralization of power. It is thus a question of degree. In my opinion the pendulum has now swung too far.

The problems of centralized power, however, are not confined just to government. In recent weeks, as answers to my questionnaire, many with accompanying letters, have poured in, I have been struck by the hardships and frustrations that centralization of power is causing the "forgotten man" in America. That man has made it increasingly clear that many national organizations have also fallen victim to centralization. Union members are beginning to tell me in increasing numbers, that their national organizations do not always speak for them on some issues. The same is true of church members and members of business organizations and others.

National organizations here in Washington, staffed by high salaried officials, purport to speak for the rank and file, when in fact they often speak only for themselves or small fragments of their membership. These so called spokesmen have interlocking power structures of their own. Yet they purport to speak on endless occasions for their membership, the rank and file—the forgotten man.

THE FORGOTTEN MAN

Who is the Forgotten Man? The Forgotten Man is the guy in the middle, the hard-working, tax-paying, law-abiding, God-fearing citizen. He is not rich enough to fight the ravages of inflation by investing in the stock market or real estate, nor to command the advice of lawyers and accountants to steer him through the tax loopholes. He is not poor enough to have a federal program smother him with affection, nor does he seem to be young enough or old enough. He is told that Betty Furness loves him as a consumer, but he feels that her Administration's taxes and inflationary policies are robbing him blind. He is told that we are fighting a war to protect freedom against aggression in Vietnam but he senses that we are losing that same fight at home in a wave of civil disorder, mounting crime and court decisions that he cannot understand.

WHO REPRESENTS THE REAL YOUTH OF AMERICA?

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BROTZMAN. Mr. Speaker, on Sunday, October 13, I was privileged to participate in a ceremony to award the Bronze Star posthumously to a young man who lost his life while serving his country in Vietnam.

It was a particularly moving experience for me. The young man who was being honored even in death was L/Cpl. Jimmie Prideaux of Brighton, Colo., in my district. I knew Jimmie Prideaux personally. In 1964 I had the privilege of nominating him to the Military Academy, but he had to decline the nomination because of a badly broken leg. Subsequently he joined the Marine Corps and was killed on February 5, 1968, by a fragmentation device while in combat at Phau Tiem near the DMZ.

Yesterday, as I presented the Bronze Star to Jimmie's mother, my thoughts went back to my first meeting with this

young man. He had approached me concerning an appointment to the Military Academy. After I had explained to him the rigors of academy life and the sacrifices which would be required of him, he looked me in the eye and said: "Congressman, I want to serve my country." I will never forget that experience.

Jimmie Prideaux represented everything good about American youth—its ideals and hopes.

I could not help but contrast this young man's vision and hope for his country with the sordid stories in this morning's press—stories of the meetings of the Students for a Democratic Society currently being held at the University of Colorado. Last Saturday, October 12, the SDS forcibly ejected reporters and photographers from their meeting hall. An Associated Press story which ran in the Washington, D.C., Sunday Star on October 13, 1968, quotes SDS members as shouting, "No pictures, you pigs." This story also tells of how the crowd forced one television cameraman and four policemen against a wall. A freelance photographer was knocked to the floor before SDS members shoved newsmen, policemen, and university officials from the room.

This morning, I read in the Washington Post that the SDS has now called for a nationwide student strike and big city demonstrations to coincide with the November 5 presidential elections.

I abhor the violence and the strong-arm tactics used by the SDS to prevent publication of their plans for disruption and destruction. It is even more provoking to see that their acts of violence are done under the guise of the right to dissent.

The right to dissent is not the right to destroy.

One of the most moving, yet simple tributes to Jimmie Prideaux came from one of his buddies—Pfc. Johnnie L. Evans, of Germantown, Ohio. The letter began, "Dear Family," and continued as follows:

I am very sorry about your great loss the family has to suffer. This is a letter to show how the company liked him. He was a brave man. When he got killed, him and a few more Marines were trying to recover a dead Marine's body on a bridge.

I would have been there, but I got wounded. I was in the hospital when I heard the news. So don't think he died for nothing. I am tired of war, but I must keep fighting.

Even though I am a Negro, I like him because the color of people's skins don't matter to me. He was a good man. I mean it, too. With grief.

The letter was signed, "Johnnie."

I say to the youth of America, "Cast your lot with the Jimmie Prideauxs and all he stood for. If you do, then America's future is secure."

BETTS REPORTS ON THE 90TH CONGRESS

Mr. BETTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BETTS. Mr. Speaker, as I review the work of the 90th Congress, its record

clearly falls far short of meeting the most pressing problems facing our Nation. The people of the Eighth District of Ohio whose views I try to reflect in the Congress share my judgment, I believe, as the role and responsibility of the Federal Government is contrasted with the major issues concerning our citizens. Let me summarize some of the attitudes of my constituents on important questions and compare them with action taken by the 90th Congress.

In two legislative questionnaires, the people of the Eighth District voiced displeasure with major domestic and foreign policies of the Johnson administration and the legislative program recommended to Congress. At home, the drifting, inconclusive conduct of the Vietnam war disturbs and frustrates most people. The capture of the *Pueblo* by the North Koreans almost 9 months ago and the enemy attempts to get the crew returned are unanimously deplored. Continued trading with the North Vietnamese by our allies, breakdown in NATO's effectiveness, blatant failure of foreign aid, and a nonexistent Cuban policy are high on the list of the unsatisfactory conduct of America's foreign affairs.

Turning to domestic matters, my constituents strongly voice dissatisfaction over the widespread lawlessness, fiscal irresponsibility, and a bloated Federal bureaucracy. Greater spending is opposed in large part because the dollars are not wisely spent or could be more effectively used by State and local governments. Billions are being poured into welfare and poverty efforts, to farm programs, for urban development and education, but despite this vast expenditure things get worse instead of improving. Law and order is a catchword for the overriding issue in the public's mind this year. I will discuss this subject and congressional response later in my report.

It is the permissiveness, lack of respect for authority, and low level of confidence in the Government, which prompts current criticism. Last year 78 percent of the people returning my questionnaire indicated a belief that they are receiving inadequate information on vital issues. Even Members of Congress find it difficult to get the hard facts they need to know about, the true picture of military action in Vietnam, or the economic conditions in the country on which to base tax policy. With duplicity and gross inconsistencies in statements by Federal officials rampant, it is no wonder that so many Americans are displeased.

With this as a background, here are some of the areas where Congress approved constructive legislation:

Raised social security benefits and made modest but important reforms in the welfare system.

Continued higher education construction and student loans and established a new vocational education program.

Three veterans' pension and compensation bills adopted.

Significant air and water pollution measures passed.

Several consumer protection bills enacted, some too deeply involving Federal control.

Omnibus Crime Control and Safe Streets Act, Commission on Noxious and Obscene Matters, Juvenile Delinquency

Prevention and Control Act, and Drug Abuse Amendments.

There is a wide array of subjects which this Congress failed to consider or did so inadequately. Here are some of the subjects most distressing to me:

Farm legislation was reviewed without any significant changes which would help raise farm prices or income.

Import restrictions on steel, farm products and a number of manufactured goods important in the Eighth District were not approved.

No reforms in foreign aid, nor any reconsideration of our overseas security treaties was undertaken.

Failure to stop or consolidate many of the more than 1,200 separate Federal aid programs, establish a new Hoover Commission, or require General Accounting Office approval of accounting system.

Private enterprise and State-local government programs were not strengthened in training the unemployed, slum improvement and urban housing needs.

Law enforcement legislation passed only partially deals with the complex needs to curb organized crime, riots, subversion, and strengthening local police capabilities. J. Edgar Hoover's views have not been heeded, most particularly by the Attorney General.

Government invasion of right to personal privacy not checked by census reforms, restrictions on proposed data bank and information collection policies.

Congress did initiate a good crime control program, often in spite of the Justice Department. The omnibus anticrime bill includes, first, creation of an institute to train law enforcement officers and encourage research into scientific advances for fighting crime; second, authority for wiretapping under court direction in cases of organized crime; third, clarification of police investigation procedures in an effort to avoid U.S. Supreme Court interferences; fourth, requirement for cooperation between Federal, State, and local authorities. Over the opposition of the U.S. Attorney General, the Congress passed an antiriot bill and a measure making it a Federal crime to burn or otherwise desecrate the American flag. While emotions over gun control ran high this year, I believe Congress went about as far as it could, or should, in the regulation of firearms. The mail-order sale of handguns is now prohibited. I supported these provisions and voted against amendments—which failed—to require registration of every gun or the licensing of every gun owner.

Vietnam, our country's undeclared war, has resulted in over 28,000 Americans killed and more than 175,000 wounded, yet we are unable to end the fighting. The President is responsible for the conduct of foreign affairs under the Constitution and has consulted with Congress very little on how the war should be pursued or strategies to bring an early peace. I share the growing frustration over the drift in the fighting and unproductive peace talks in Paris. My philosophy toward our involvement in Vietnam was contained in a newsletter prepared earlier this year but I believe is still most relevant today.

Over the years I have said we cannot and should not be the policeman, banker and Santa Claus for the world. I have opposed foreign economic and military aid and believe many of our defense treaties over-commit this country. I look at Vietnam first as a supposed extension of U.S. national interest through our SEATO treaty. While I believe it is desirable that this country help its friends and allies and engage in international organizations, I feel that the proliferation of defense agreements, stationing of our troops extensively in dozens of countries, and embarking on a U.S. dominated land war in Asia are most dubious undertakings.

Yet we are there, over our heads in the military, economic and political life of Vietnam. My inclination has been for many months and is now that we should exercise the force to win or open the way for a cease-fire and withdrawal. As a matter of fact, I think this is the core of the issue. For that reason, I have supported appropriations measures to supply our troops with all the equipment and supplies recommended by the Secretary of Defense. To do less would jeopardize the lives of 500,000 Americans on that Asian continent who are there through no fault of their own. I have spoken time and again over the years against the military and economic aid programs which I feel have directly involved us in Vietnam. I am disappointed that this view has not often prevailed and only now are people seeing the folly of such over-extension of our country in the world.

The deterioration of our economy has finally been recognized by this administration and many free wheeling economists who have the notion we can spend our way into prosperity and price stability. Well, rising inflation, a balance-of-payments crisis and unwieldy Federal deficits finally forced those in power to face a number of economic facts of life. As a member of the Ways and Means Committee, I worked hard to see that corrective policies were established but these were not supported by the administration. President Johnson has consistently failed to use the appropriate tools to remedy our financial plight.

A severe travel tax was called for but the real cause of the dollar drain, foreign aid, was left unchanged. The 10-percent surtax became necessary because the President would not cut domestic spending and even today continues to throw roadblocks in the way of implementing the \$6 billion cut required by Congress. Imports threaten a wide range of industries and the farmer, but instead of imposing restrictions, the President wants subsidies for those weakened by the flow of foreign products. Inflation eats away at all our incomes and savings, but the Federal payroll is loaded still further and public debt is raised semiannually. These are some of the contradictions I see as prompting the economic instability and weakening of the dollar.

While the legislation before the House requires a great deal of my time, I devote much energy to the work of two House committees and in handling problems and requests from residents of the Eighth District.

COMMITTEE RESPONSIBILITIES

Perhaps the most important phase of congressional activity is action on legislation taken by committees. There, the most intensive consideration is given proposals and citizens and representa-

tives or organizations are given the opportunity to be heard. It is a phase where a tremendous volume of hard work is done by the Congressmen, often unnoticed by the public. I have the privilege of serving on the Ways and Means Committee and the Committee on Standards of Official Conduct.

The Ways and Means Committee, composed of 25 members, was established in 1789 and is the oldest committee of the House. Its responsibilities include exclusive jurisdiction over revenue measures which cover the national debt, customs and duties, reciprocal trade agreements, all taxation, social security and medicare. During the 90th Congress, we have extensively studied these subjects and from our hearings and investigations sent 28 bills to the House for action, most of these were passed and signed into law. As there are no subcommittees in Ways and Means and we take up subjects rather than specific bills—over 2,000 were referred to the committee—hearings consume as much as 6 hours a day. Since the decisions of this committee affect every citizen, I feel a special responsibility to see that the views of Eighth District residents are presented to my colleagues.

The Committee on Standards of Official Conduct, or the ethics committee, was established in 1967 to formulate a code of conduct that Congressmen, employees of the House and its officers could understand and abide by. This committee was formed as a result of several cases of misconduct and the fact that the House did not have an official code of conduct nor a permanent committee to handle questions regarding Members actions. We met for nearly 11 months and held numerous hearings as well as reviewing ethics codes of several countries, the States and cities and prior legislation introduced on the subject. The House approved our resolution calling for the establishment of a permanent ethics committee with power to enforce the code of conduct, public disclosure of certain assets by Members, modernization of the Federal Corrupt Practices Act and clearer guidelines for use of funds and reporting procedures.

BETTS BILLS

As part of my legislative responsibilities I have introduced about 30 bills for House consideration. A number relate to my committee work and others are designed to stimulate action on subjects I do not feel are receiving adequate House attention. Let me briefly review some of these measures.

The problem of air and water pollution must be met more successfully if we are to live in a healthy environment. Federal action must be coupled with State and local responsibility and private industry must be encouraged to reduce their role in causing polluted conditions. I was pleased that the Water Quality Improvement Act of 1968 was passed to provide for construction of waste treatment works. To further this effort I proposed a bill to allow a tax deduction as an incentive to business to install such equipment which would reduce polluted material. Another aspect of this problem, especially along Lake

Erie, is to curb the dumping of polluted materials by the Army Corps of Engineers.

In 1968 Government dredging of harbors on Lake Erie by the corps will result in 7,015,000 cubic yards of spoil material, virtually all polluted, being produced for disposal in the lake. I joined with 112 of my colleagues in a bipartisan effort to prohibit the Department of the Army from dumping or approving the dumping of spoil material from dredging operations into any navigable water unless it can be determined that to do so will not result in the pollution of such water. It is no wonder industries and local governments continue to pollute Lake Erie when the Federal Government is setting such a poor example in failing to curb the disposal of waste material.

The price of education, both secondary and for college, increases continuously. In an effort to keep local control of education, assist parents and their children in college with education costs, I have introduced a comprehensive tax credit bill. My legislation would allow a tax credit for amounts paid for tuition or fees to colleges or for occupational training or retraining. This measure will also allow a credit for taxes paid for public education, and to exempt from income tax scholarships, fellowships, and student assistantships and some earnings by undergraduate college students.

One bill of particular importance to cattle growers and consumers is the one I have sponsored to forbid imports to this country of livestock or beef until the exporting nation satisfied the United States that no animals in this country are infected with hoof and mouth disease. Along similar lines, I am cosponsoring legislation to order the Department of Agriculture to stop destroying entire flocks of sheep when one is found to carry the disease of scrapie. There is no evidence at the present time to decide authoritatively that scrapie is contagious and therefore warrant the slaughter of an entire flock.

News accounts of the terrible riots last year and this spring described how firemen are often among the injured and those threatened by snipers. I feel these men should be better protected in their line of duty and have sponsored a bill to make it unlawful to injure, intimidate, or interfere with any fireman performing his duties during the course of a riot. These men are only trying to save our property and it is only right that we should give them better protection against those who would obstruct this job.

About a year ago the President asked the Senate to ratify a treaty whereby the United States would lose actual control over the Panama Canal Zone. I proposed a resolution that it is the sense of Congress that the Government of the United States should maintain and protect its sovereign rights and jurisdiction over the Panama Canal and that our Government in no way cede any of these rights to any other nation or international organization. We have invested \$4 billion in the canal and have paid a gratuity to the Republic of Panama amounting to nearly \$50 million. This canal is vital to the hemispheric defense and security of

this country. This treaty, if ratified, would impair if not eliminate all known and admitted sovereign rights of the United States in the Panama Canal. As long as the United States maintains its sovereign rights in this area, we need not fear that ever happening so close to home.

My efforts to bring about census reform are familiar to most residents of the Eighth District. Perhaps the best way to describe the support I have received for my bill to make voluntary all but seven essential questions would be to quote from several editorials which have appeared across the country on the subject. The Boston Sunday Globe, November 5, 1967:

Citizens in their personal capacities, wholly apart from their business activities are being harassed too much by a government whose demands oblige them to keep records beyond the ken of many and even more beyond the patience of all.

Long Beach, Calif., Independent, March 2, 1968:

The Census should not pry. It should demand only such information as will reflect how many of us there are and the basic conditions under which we live.

New York Daily News, May 27, 1968:

We hope he (Mr. Betts) can stir up enough of his colleagues to put a clamp on the Nosey Parkers in Government.

Tulsa World, May 26, 1968:

We agree with him (Mr. Betts). We don't believe personal histories and facts about personal matters should be promiscuously gathered by the Federal Government to satisfy the whims of statisticians. . . .

New Haven Register, May 23, 1968:

In a day when more and more grounds appear for fearing a centralized, computerized "Big Brother" type of informational bank on every soul in this country, the need for clear and specific definitions of bureaucratic roles and powers is imperative.

And finally, from the Fort Wayne News Sentinel, June 1, 1968:

Congressman Betts' measure should be passed.

Chances are good that restrictive census legislation can be passed early in the next Congress.

I have always been much concerned with the amount of waste and mismanagement in the Government. One of the causes of this inefficiency is the fact that only 61 of 173 agencies have accounting systems which measure up to standards prescribed by the General Accounting Office. My research and discussions with colleagues prompted me to sponsor three bills designed to correct many of the sources of wasted tax dollars. The first measure provides that the Comptroller General must identify individuals who fail to comply with proper spending procedures, require new agencies to consult with the GAO before they begin operation and provide for annual reporting by departments and agencies on their adoption of GAO recommendations. My second bill would force the early adoption of better accounting systems and program planning by cutting off funds to any agency not complying with such a law. Finally, I would set up a complaint desk for Federal employees and citizens who

know of inefficiency or mismanagement in any Government program.

I have called for a constitutional amendment to require a two-thirds vote by the Supreme Court to decide cases involving constitutional issues. The current low state of public confidence in the Supreme Court, as exhibited in the Fortas nomination and a recent Gallup poll, results from decisions on such subjects as Bible reading in the schools, pornography, criminal procedures, Communist subversion and legislative apportionment. Some of the most controversial and unpopular decisions were on a 5-to-4 vote of the Court. If such an amendment were adopted I believe the Court would be more restrained in cases where a basic interpretation of the Federal or a State constitution were involved.

ASSISTANCE AND SERVICE PROJECTS

Each year I receive more letters, calls and visits from constituents who have problems with Federal agencies or wish to provide me with their views on legislation before Congress. I welcome the opportunity to meet with as many citizens as possible because our form of representative government will be meaningful only if there is a closeness between elected officials and their constituents. As usual, I have continued my annual courthouse conferences allowing anyone who wants to meet with me an opportunity to do so. During several days I have had office hours at my Mansfield office, room 314, Richland Trust Building, and will reopen my Findlay office in the Niles Building after adjournment. Let me review some of the programs and services I try to provide as your Congressman.

The creation of many new Federal programs, such as medicare, expansion of veterans benefits and social security, and the Vietnam war have resulted in my having nearly 500 separate requests for assistance this year. My legislative mail runs into the thousands of letters, especially to respond to comments on the questionnaires. In addition to this volume of correspondence, students, teachers, local government officials and agriculture extension agents call on me for the various pamphlets available through my office. I try to give each letter my personal attention and provide a prompt, complete reply to all requests.

Again during this Congress my annual legislative questionnaire has proved to be a most valuable undertaking. I feel these questionnaires serve a useful function in that they acquaint me with the feelings and ideas of those I serve and also provide an opportunity for many citizens to review their personal thinking on important national issues. This is healthy participation by people in the legislative process which I am pleased has been so well received.

One of the most pleasant duties I have is to nominate young men to the U.S. Military Academy, the Naval Academy, the Air Force Academy and the Merchant Marine Academy for training to become officers in our Armed Forces. Although I cannot nominate men to the Coast Guard Academy, I am always pleased to provide catalogs to any young man interested in this Academy. Over the years quite a number of fine young

men from our district have completed their educations at one of the academies and go on to distinguished military careers. I urge parents, school officials, and interested persons to recommend young men who might compete for an Academy appointment.

A strictly competitive system is used in determining the best candidates and I am proud to say that I was able to nominate six outstanding young men for the academies during the 90th Congress. Anyone who desires further information or catalogs should write to me at 2310 Rayburn Office Building, Washington, D.C. 20515.

The rapid increase in lawlessness and violence in America has brought many calls for immediate corrective action. Local, State, and Federal programs to combat crime are improving, but much more remains to be done before preventive efforts will reduce the crime rate. Basic to any successful attack on crime and delinquency is citizen participation in prevention. Churches, schools, businesses, and the family have the primary responsibility for prevention of crime. In order to bring the local and home responsibilities for crime control into focus I sponsored the Eighth District Conference on Crime and Law Enforcement in Mansfield last December. Each of the 250 persons attending this successful event was asked to reassess local efforts against crime and delinquency. The speakers on the program provided concrete suggestions on how citizens could help their law enforcement officials.

On April 16, I was pleased to cosponsor the Eighth District Youth Leadership Workshop with Heidelberg College in Tiffin. About 300 students and faculty advisors from 50 high schools came to discuss these young people's role in America's future. Several workshop panels and a luncheon program reviewed these topics: "The Individual and Foreign-Military Policy"; "Career Opportunities in a Changing World"; "The Individual and Morality: Respect for Law and Order"; "Striving for the Equality of Man"; "You and Your Government"; and "Challenge and Responsibility of Business and Industry Today."

CIVIL RIGHTS

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, the pendulum of justice, unbalanced by the distorted legal interpretations of the Johnson-Humphrey administration, has now swung to a point where the U.S. Department of Justice ignores the constitutional and civil rights of a certain minority group in the District of Columbia. I refer to the white minority.

In the wake of last April's race riots, the local newspapers revealed pressures and conspiracies by so-called black power groups to drive white merchants out of business. There were and continue

to be actions and threats against businessmen solely because of their race, color, and creed. I add the word "creed," because some of the black power manifestation have been anti-Semitic, singling out certain merchants especially because they are of the Jewish faith.

My understanding of equal protection under the law is that all persons, white as well as black, are entitled to the same rights and privileges. If Negro merchants were harassed, looted, their enterprises burned by fire bombs, and open incitements and threats made against them solely on the basis of the color of their skin, the Department of Justice could and would find legal grounds, civil rights or otherwise, to protect them.

Let us imagine what would happen in the District of Columbia if "white power" organizations were formed and if such groups agitated and conspired to harass Negro merchants and drive them out of business with precisely the same tactics now being employed by black power against whites.

We would hear a tremendous outcry about racism, discrimination, fascism, Nazism, and so forth. We would see action.

But let me disclose to you today what happened when I tried to get the Attorney General to consider the minority rights of the non-Negro population of the District of Columbia, the whites who now number one-third or less of the total population.

On April 30, I wrote to Mr. Ramsey Clark. I expressed the view that the white minority in the District of Columbia was entitled to the same protection afforded nonwhites. I urged that he initiate steps to provide such protection on an equal basis to all citizens.

Last July 22, almost 3 months later, the Justice Department finally got around to replying. Mr. Stephen J. Pollak, Assistant Attorney General, in charge of the Civil Rights Division, wrote on behalf of Mr. Clark.

I had enclosed clippings from local newspapers and other evidence to establish that whites were being seriously harassed in the District merely because of their color. But Mr. Pollak reported to me that he could find "no statute administered by this Department covering the specific type of activity described in the clippings."

I would like to read for a moment, if I may, from one of those clippings entitled, "Negro Militants Force Immigrant to Close His Grocery Store." It appeared in the Washington Post on April 29, 1968.

When Henry Walczak says he's living on borrowed time, he's not talking about the black militants whose pickets have forced him to close his 14th Street market. He is thinking instead of Poland and Russia, of World War II and the Minsk ghetto.

"The Germans couldn't kill me", he says. "I was lucky."

But at 56, Henry Walczak faces the loss of the P&G Market without the faith that has kept him on top of his trouble in the past. Short, with powerful arms, a ruddy Slavic complexion and direct blue eyes, he says he was until two weeks ago, "the boss" at 3404 14th st., n.w.

When one casual customer, who later turned up as a picket for a group called "Build Black" told Walczak "we'll chase you

out—we don't need you." Walczak scoffed at him. Sundays, the storekeeper said, neighborhood men who were his friends during the week would drink and boast of how he was going to be forced to move.

But he was known to help people out and claims that in his five years near the corner of 14th and Monroe Streets the small store had never suffered a break-in or a holdup. "They respected him," says his wife. She is a one-woman Greek chorus to his narrative, emotional, her eyes worried. She has never felt secure in the store and it is her husband who the neighborhood knows better.

The P&G, one of the few white-owned businesses on the east side of that block, lost its front window, its more valuable stock and several machines to the looters earlier this month. Walczak feels the presence of tenants on the second floor helped save the place from being burned. He was able to reopen soon after.

He says after the riots subsided he assured several local residents that as long as he was there they were not going to starve.

But two weeks after the trouble broke out, his militant customer was back, this time with friends, carrying a hand lettered sign reading "No more mom and pop stores." Walczak says the man, whom police identify as a member of "Build Black" from a few doors away, stopped people as they tried to enter the store. Presently the store was devoid of customers.

The police came, but say the man was only picketing and not subject to arrest. Next day, the picketer was back, but Walczak had already begun to move out, despite an offer from the 10th Precinct for round-the-clock surveillance.

"I didn't have any other choice. I told the police 'your intentions are good, but there's nothing you can do.'"

He may try to open another store outside the District, but his lease has a year to run. He will probably just start looking for a job, he said, just as he did when he immigrated here after the war. He has two sons, both students.

The Walczaks feel their prices were no different than the other independents, all highly competitive but unable to match most chain store prices. But they say anti-Semitism is a traditional attitude along 14th Street.

"A little kid, three years old," Mrs. Walczak measures the distance off the floor, "she comes in and says her mother told her to go buy candy at the white Jew store."

"I'm not a racist," Walczak says. "I was raised to believe in people. But I'm not coming back. They told us it's not over yet."

Mr. Pollak informed me that the Justice Department felt that the laws of this United States were "inapplicable to interferences with an individual's conduct of his business relations even though that interference were premised on or motivated by racial considerations."

Mr. Pollak further stated that the Civil Rights Act of 1968 provided penalties in various instances but there was no penalty "for intimidation of a businessman" unless he were seeking to attend a public school, use public accommodations, or something like that, and such activity was the reason for his harassment.

Perhaps the white merchants of the District will have to register as students at the School for Afro-American Thought or some black power institute, get themselves harassed for being white, and then the Attorney General might step in and protect them on the basis of their being denied equal educational treatment.

Mr. Pollak went on to conclude that "the matter that you have brought to

our attention therefore does not appear to violate any laws administered by this Department."

It was only a few miles from here where George Washington wrote his historic letter to the Hebrew Congregation of Newport, R.I. Our first President assured that group the U.S. Government would give "to bigotry no sanction."

Today it seems that black racism and black bigotry are lawful in the eyes of the administration. I reject racism of any kind, white or black. I also reject the discriminatory administration of justice by Mr. Ramsey Clark. He does not accept the simple proposition that what is sauce for the goose is sauce for the gander.

Since receiving the Justice Department's ruling that merchants who happen to be white have no right to protection from racial persecution, I have studied the matter.

Section 241 of the United States Code provides:

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in the full exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States . . . they shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; and if death results, they shall be subject to imprisonment for any term of years or for life.

The Federal law defines the term "privilege" as "the exercise of any occupation or business which requires a license from some proper authority. The term embraces any and all occupations that the legislature may in its discretion declare to be privileged and tax as such."

Mr. Pollak held that white merchants could only be protected if they encountered troubles because of discrimination involving school attendance, hotel accommodation, and so forth.

If Mr. Pollak and Mr. Clark will read title 1 of the Civil Rights Act of 1968 they will find that whoever "by force or threat of force willfully injures, intimidates, or interferes with any person or in order to intimidate such person or any other person or any class of persons from participating in or enjoying any benefit, service, privilege, program, facility, or activity provided for or administered by the United States "shall be subject to fine or imprisonment or both."

It is obvious that the conduct of business is provided for by the Government. It is certainly taxed and regulated, licensed, and controlled, as any merchant can attest. But why is it exempt from protection under the Ramsey Clark-Humphrey-Johnson interpretation?

The due process which appears in both the fifth and 14th amendments provides that no person shall be deprived of "life, liberty or property". This has been interpreted as encompassing within its meaning "the entire domain of civil rights." The Supreme Court has held that corporations and businesses are entitled to protection. The lawyers cite a case involving the Union Pacific Railroad Co.

We are not here talking about huge corporations or railroad companies. We are talking about little "mom and pop" stores and similar businesses. The total livelihood and fruit of the labor of many

individuals went up in the smoke of last April and subsequent arson, intimidation, beatings, and killings that continue until this very day.

There is something very immoral about the present administration of justice by the Federal Government with reference to the failure to protect the civil rights of many hundreds of frightened white shopowners in the District. I have no objection to black people building their own enterprises. But I do caution against appeasement of bigotry and racism, black or white, when it involves the kind of coercion and terrorism we have witnessed in the Nation's Capital.

What is happening in the District transcends in importance the fate of the victims, tragic though the individual cases may be. Our white American concept of equal treatment under the law is involved.

If a white merchant is denied the same consideration the Government offers black merchants who might be similarly victimized, one can wonder whether white pedestrians or motorists who find themselves involved in interracial incidents or accidents in the District streets can expect fair treatment.

The Capital City of the United States should be a showcase of evenhanded justice and equality under the law. One city may have a black minority, another a white minority. What would be said if a black minority in a southern city, for instance, found the Federal Government indifferent to terrorism such as that now exercised, both subtly and flagrantly, against white businessmen of Washington, D.C.?

If the rights of one person are denied, we are all threatened. Our republican concept of government is undermined.

I do not think that the American people will permit the doubletalk and double standards of the U.S. Justice Department to continue after January. The basic American sense of decency and fair play will bring about a return to the generous vision of George Washington who gave "to bigotry no sanction, to persecution no assistance."

TAKE THE CHILD AND HIS MOTHER

Mr. MILLER of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. MILLER of Ohio. Mr. Speaker, on October 6, 1968, at St. Joseph's Priory in Somerset, Ohio, a sesqui-centennial celebration of the founding of the Priory was held and the following dignitaries were in attendance: Most Reverend Clarence E. Elwell, D.D., bishop of Columbus, Ohio; Most Reverend Kenneth C. Sullivan, O.P., provincial of St. Joseph's Province, New York, U.S.A.; Most Reverend Aniceto Ferendez, O.P., S.T.M., master-general of the Dominican Order; Very Reverend Francis Ward, O.P., provincial of Holy Name Province, California; Very Reverend Louis C. Coffey, O.P., provincial of the Province of Ireland; Very Reverend Jerome J. O'Rourke, O.P., provincial of the Australian and New

Zealand Province; Very Reverend Edward M. McDonald, O.P., native of Zanesville, Ohio, bursar-general of order in Rome; Very Reverend Adrian L. Dionne, O.P., Prior of St. Joseph Priory.

On that occasion a sermon was delivered by the Very Reverend James J. McLarney, O.P., S.T.M., former Prior of St. Joseph's and now residing at St. Gertrude's, Cincinnati, Ohio. I would like to share with my colleagues this sermon.

TAKE THE CHILD AND HIS MOTHER (Mt. 2: 13)

(Sermon delivered at the St. Joseph's Priory, on the occasion of the sequicentennial Mass of Thanksgiving, October 6, 1968)

We have a rendezvous with dreams today. They are the dreams of St. Joseph. The Angel came to him four times in dreams. In them the Angel said: "Take the Child and His Mother with you and go into the land of Egypt and stay there until I tell you, for Herod intends to search for the Child and do away with Him. So Joseph got up and, taking the Child and His Mother with him, and left that night for Egypt. . . . And after Herod's death, the Angel of the Lord appeared to Joseph in a dream in Egypt, and said: Get up, take the Child and His Mother with you and go back to the land of Israel. So Joseph got up and, taking the Child and His Mother went back . . . and was warned in a fourth dream not to go to Judea . . . but he took the road to Gallilee . . . to a town called Nazareth.

We rendezvous with those dreams today.

When Edward Dominic Fenwick dreamed in terms of black and white, in terms of bringing the wool of St. Dominic to the land of his birth, he had already taken the Child and His Mother from Maryland to Belgium, from Belgium to London. Then with a holy zeal he sailed with his small group to Baltimore. There he was told by his fellow-Marylander, Bishop John Carroll, to take the Child and His Mother to the distant Keystone State where Catholics needed priests. (They had enough on the Atlantic sea-board—they had 19!) So, with the Child in gallant hearts, His Mother's Rosary on their lips, six of our ancestors made their slow way to Kentucky.

Meanwhile, in the virgin forests of these acres, Jacob Dittoe was writing to Bishop Carroll about a priest to bring the Child and His Mother to the faithful. It took a few years of doing. In 1808 came Fenwick to our first Catholic families, bearing the burden of St. Joseph: that Child and that Mother.

It took ten years more to find a permanent Nazarene home for the Holy Family. In 1818, hearts were lifted high, hearts of Dittoe and Fink, Fenwick and Young, and others, high to the Cross that topped a home in honor of Joseph, who followed the dream and took the Child and His Mother. For a hundred and fifty years, here has been their home.

1818. The pope was Clement XI. The president was James Monroe. Napoleon was locked up in St. Helena to die. In Berlin that year, to a Jewish family named Marx, a boy was born. Karl, they called him. The 19th Century Europe was dreaming of a lasting Viennese peace. People there and here, blinded by the gloom of so-called enlightenment, had dreams of progress and prosperity. But there was something wrong with those dreams. No Child . . . no Mother. . . .

History has been made and written since then; some good, some bad. Never has been such development, such education, such high standard of human comfort. But never such great and many wars; such dissension; such cruelty; such unbelief in God Who makes Himself more evident every day. Why this contradiction in the affairs of men? Why? Because modern Herods have been trying to do away with the Child, and the Mother.

Yet here, in the face of that history, brothers have labored, priests have preached, parents prayed and children were taught by our

Sisters. The object of all that work of light and love has been the Child and His Mother. The burden of St. Joseph: the Child in His real Presence and the Mother in her Rosary.

So this Priory has given some twenty-five parishes to the dioceses of Ohio; the laity have reached an incomparable ratio of living vocations to the Church; such things have been known as policemen reciting the Rosary as they exchanged duties; local children have been called the most courteous and polite children in the country. And the fountain of this Culture, this heritage: the Child and His Mother.

Here was *not* taught the reverse: the mother and the child; but the Child and His Mother.

Now has something happened to the world and to us? Priests are no longer sturdy enough to shoulder the Child and the Mother. Their sermons have the ring of rights, rights, but no duties. Sisters are taken by progressive education, with little progress toward Jerusalem, the golden. Parents claim the Rosary is too long, can't be bothered with the things that Mary ponders in her heart with the result that young people merely shout contraries in their mouths. While so many people come to the Communion rail, so few seek the truly psychedelic blessing of a conscience made clear by the Sacrament of Penance. Faith is feeble. We can take Angels or leave them. A Pope is ridiculed and defied because he believes in Human Life and forbids his children to tinker with it. Sad scene: no respect for law, because there is little respect even for God, for the Son of God . . . and His mother.

Today, Rosary Sunday, if our rendezvous with the Josephine dream is to teach anything, it must be a high resolve to take up again the sweet yoke of Christ, the light burden which His earthly father bore.

Our priest brings nothing to man, if not the Child and His Mother. Our preachers preach only vanity, if not the Child and His Mother. Our people have nothing, if they gain the whole world, and know not the Child and His Mother. The Child in His Holy Name and His Real Presence. The Mother in our ponderings of the Rosary.

So I presume to state to my several superiors, to my conferrers of the priesthood, to my Sisters who taught me as a tot, to you, the people of God—I say to you, if we truly venerate our St. Joseph and his house: Get up, take the Child and His Mother with you and go.

In the Name of the Father and of the Son and of the Holy Spirit. Amen.

TRIBUTE TO CONGRESSMAN THOMAS B. CURTIS

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. MILLS. Mr. Speaker, the House of Representatives will be losing at the close of this session of Congress one of its most erudite and learned Members, the Honorable THOMAS B. CURTIS.

TOM CURTIS has been a most valuable member of the Committee on Ways and Means since 1953. It has also been my honor to have served with him for a number of years on the Joint Committee on Internal Revenue Taxation. TOM is also a member of the Joint Economic Committee.

Mr. Speaker, during the 16 years of his distinguished service on the Committee on Ways and Means, TOM CURTIS has

conscientiously and diligently devoted himself to a mastery of the many and complex subjects within the jurisdiction of the committee, relating as they do to Federal taxation, Federal trade and tariff laws, Federal social security legislation and numerous other important subjects. He has made many notable contributions to the development of legislation reported by the committee in all of these fields of activity.

Mr. Speaker, throughout his career of service in the House of Representatives, TOM CURTIS has manifested not only a real sincerity of purpose and a conscientious devotion to duty, but also has stood forthrightly for his views and has assiduously applied his many talents to the perfecting of legislation that has been enacted by this body.

I am honored and pleased to join with my colleagues and his many friends in the House of Representatives in expressing to TOM CURTIS our appreciation for his devoted service and our best wishes for his happiness and good health in the years that lie ahead.

TRIBUTE TO CONGRESSMAN FRANK M. KARSTEN

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. MILLS. Mr. Speaker, upon his retirement at the end of this Congress our colleague, the Honorable FRANK M. KARSTEN, will have served as a member of the Committee on Ways and Means for 14 years. During this time he has conscientiously and diligently devoted himself to a mastery of the many complex subjects within the jurisdiction of the committee, including Federal taxation, Federal trade and tariff laws, and Federal social security laws. He has assiduously worked to protect and promote the interests of his district and his State. His diligence and devoted service have resulted in many invaluable contributions to the public interest. It is only with the type of cooperative and helpful attitude of members such as FRANK KARSTEN that the many difficult and complex problems with which the Committee on Ways and Means is consistently confronted can be adequately and satisfactorily dealt with.

Mr. KARSTEN will indeed be missed by his colleagues on the committee. During his service with us he has personally endeared himself to all the Members by his graciousness, his thoughtfulness, and his never-failing courtesy. We hold him in the highest of esteem, and will well remember his many contributions to the work of the committee.

FRANK has been conscientious in his attendance at committee meetings and has participated actively and with high ability in the committee sessions on the many subjects within our jurisdiction. I could spend a great deal of time enumerating the major tax, tariff, and social security enactments over the past years to which FRANK KARSTEN has made notable contributions. As Members know,

the Revenue Reduction Acts of 1962 and 1964, the Excise Tax Repeal Act of 1965, the major social security amendments back over the years, including the most recent ones of 1965, which included medicare in which he was so interested, and of 1967, are all notable examples of legislation which include his contributions in the public interest.

Mr. Speaker, as the Committee on Ways and Means in the next Congress proceeds on its day-to-day activities the members of the committee will recall with regret his decision to retire from the Congress. He has been a good and outstanding committee member, Member of Congress, and a legislator of the highest order.

I wish to extend to FRANK and Mrs. Karsten my very best wishes for health and happiness in the years that lie ahead.

DWIGHT D. EISENHOWER

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I rise in tribute to Dwight D. Eisenhower, one of our country's greatest men, who is deeply loved by the American people for his outstanding leadership both in war and in peace.

General Eisenhower inspired our country in the war years of World War II and brought us through these dark days to a glorious victory. The spirit of victory which he radiated at all times should be a stimulant to our fighting forces across the seas today.

His bold, direct policies captured the spirit of the citizens of our country and this fostered the popularity that brought him the Presidency. His leadership of our country brought us peace with other countries and peace and progress within our own country.

We all cherish former President Eisenhower, because of his natural goodness, his strength of character and his ability to reach decisions and to carry them out positively and without fear.

As general of our Armed Forces and as President of our country he was a fighter. He is continuing this fight against his many heart attacks. Our prayers are with him.

May the spirit of this great American that so captured our Nation in its dark days, be permitted to shine forth and stimulate and electrify our people once again.

I am proud to count him as one of my close personal friends.

THE LEAN YEARS AND THE FAT YEARS

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. O'HARA of Michigan. Mr. Speak-

er, as you know, the Republican candidate, Richard M. Nixon, refuses to tell the American people what programs and policies he would pursue if elected to the highest office in our land. He refuses to participate in any forum where his proposals might be subject to objective questioning. He not only has gone to desperate lengths to avoid debate with Vice President HUMPHREY, he has also refused

to appear on any of the network news interview programs or to hold news conferences.

One of the areas on which Nixon has refused to speak is that of economic and fiscal policy. One can only assume, therefore, that a Nixon administration would pursue the same policies as were pursued during the last Republican administration. Therefore, I insert at this

point in the RECORD an analysis, compiled by the Democratic study group, of economic conditions nationally, and in selected States during the Republican years 1953-60 compared with the Democratic years 1960-68.

Where the term "real income" is used in this analysis, the figures are adjusted to reflect 1968 prices.

The material referred to follows:

THE LEAN YEARS AND THE FAT YEARS: NATIONAL AND STATE ECONOMIC COMPARISONS

THE NATION

The Republican years: 1953-60

Three damaging economic recessions in seven years.

Unemployment nearly 7%—more than double the 1952 rate—leaving 5 million people out of work and representing a 2 million rise in unemployment.

Jobs up by only 4.5 million.

Average real income of a family of four rose only \$800.

Consumer prices rose by 11%; wholesale prices rose by 17%.

Average real economic growth rate of 2.0%.

Since January 1961, our real gross national product has grown 45%—or \$264 billion in contrast to \$113 billion under the Republicans.

Since early 1961, purchasing power per person, after taxes, and after allowing for price increases, has risen by one-third—or the equivalent of an extra 17 paychecks every year. During the eight Republican years the increase was barely 1% a year.

The Democratic Administration has lowered taxes. American individuals and corporations will pay \$16 billion less in taxes in 1968 than if the tax rates of 1960 still prevailed. If it were not for the temporary surcharge, the cut would be \$27 billion.

In 1964 and 1965 federal tax rates were lowered by \$11 billion for individuals and \$3 billion for corporations. This year, even after the temporary increases, American families are paying hundreds of dollars less in income taxes than in 1960, the last Republican year: a family with \$5,000 income, \$130 less; a family with \$10,000 income, \$174 less; a family with \$15,000 income, \$269 less.

The gold drain started under the Republican Administration. In the last three years under the Republicans the annual liquidity deficit averaged \$3.7 billion. It has never been that high in any Democratic year. The country lost far more of its international reserves between 1952 and 1961 than between 1961 and 1968.

Unemployment is at the lowest level in 15 years. If the rate of unemployment was as high now as when the Republican Administration left office, nearly three million people who are now at work would be without jobs.

Savings accounts of American households, measured in constant prices, increased by 80 percent between 1960 and 1967.

The financial wealth—assets minus liabilities—of all American households is today up about \$500 billion, in 1968 prices, from the total in 1960.

CALIFORNIA

In 1967, the per capita income in California was \$950 higher than in 1960. The income per man, woman and child in California rose by more than one-third from \$2715 in 1960 to \$3665 in 1967. The average family of four persons in California today has \$3800 more to spend or save than it had in 1960. During the Eisenhower-Nixon eight years, per capita income in California increased by \$500. If price changes are corrected in both periods, real income per capita from 1953 to 1960 rose at only one-half the rate of the last seven years.

The total personal income for all people

in California went up \$16 billion between 1953 to 1960. It went up \$27 billion from 1960 to 1967.

From 1960 to 1967, 1.5 million new jobs in non-agricultural employment were created in California—an increase of almost 30%. During 1953 to 1960, employment rose only one million or about two-thirds the increase under the Democrats.

In January 1953, 4.7% of all individuals in California covered by unemployment compensation were idle. The rate increased to 8.3% in January of 1961, when the Republicans left the White House. By January 1968, the rate had dropped back to 4.7% and in August of this year it was only 3%.

COLORADO

Total personal real income has risen by \$1.7 billion—or 36% over the 1960 level.

Per capita real income has risen \$587—or 22%—over the 1960 level. During the Republican period it rose \$294—or 12%.

In 1967, an average Colorado family of four had nearly \$2400 more purchasing power than in 1960. Thus in 1967 it could live as well as it had lived in 1960 and still have almost \$2400 a year extra.

During the Republican years jobs increased by 90,000. During the Democratic years they grew by 134,000.

College enrollment rose about 22,000 between the fall of 1953 and the fall of 1960. Between the fall of 1960 and the fall of 1967 it rose by over 42,000.

Vocational education enrollment rose 11,500 in the Republican period and by almost 23,000 in the Democratic years.

FLORIDA

Real income per person has increased in Florida by \$675 since 1960—or the equivalent of 16 extra paychecks a year.

The unemployment rate in Florida has been cut nearly in half—from 5.2% to 2.8%.

Net annual real income per farm has increased by \$3417.

At the end of 1967, 568,000 retired workers living in Florida were receiving monthly Social Security payments which averaged nearly \$100 per worker, as compared with 279,000 retirees who received an average of \$76.22 a month in 1960. Total Social Security payments (excluding Medicare) to people of all ages added nearly \$84,000,000 to the income of Florida's citizens each month in 1967, as compared with less than \$32,000,000 a month in 1960.

Educational improvements include better salaries for public school teachers (up 42% in 1967 over 1960), greater enrollment in

The Democratic years: 1961-68

Ninety-one continuous months of economic growth and expansion, without a recession.

Unemployment down 2 million since 1961 to a rate of 3.5 in August, 1968.

Jobs up by 10.5 million.

Average real family income, rose by \$2811. The average American family can live as well in 1968 as it did in 1960 and still have enough left to buy a new car out of its 1968 income—or pay for a year in college—without dipping into savings or borrowing.

Consumer prices rose 16%; wholesale prices rose 16%.

Average real economic growth rate of 5.3%.

vocational education (up 135%), more students enrolled in college (up 146%), and 11 additional two-year institutions of higher learning.

During the Democratic Administration, the infant mortality rate dropped from 29.7 per 1000 live births to 23.7, the number of hospitals increased by 23, and the number of hospital beds climbed by 10,000.

ILLINOIS

Per capita real income in Illinois rose only \$272—or 10%—between 1953 and 1960. Between 1960 and 1967 it rose \$786—or 25%. This means that in 1967 a family of four could maintain its 1960 standard of living and still have \$3,144 a year in added purchasing power.

In the Republican years, net real farm income declined \$263 million—or 28%. In the Democratic years, it increased one-third.

Real net income per farm declined \$804 a year between 1953 and 1960 or 16%. From 1960 to 1967, it rose almost \$250—or 59%.

Non-agricultural employment rose only 78,000—or a mere 2%—during the entire period 1953 to 1960. From 1960 to 1967 employment rose almost 700,000—or 19%.

In Chicago jobs rose only 38,000 between 1953 and 1960—or only 1%. Between 1960 and 1967, they rose 435,000—or 18%.

Vocational education enrollment remained at 113,000 during all of the Eisenhower-Nixon years—showing no increase over an eight-year period. By 1967, enrollment had risen to 180,000—an increase of 67,000 students.

College enrollment rose from 128,000 in 1953 to 200,000 in 1960—an increase of only 72,000 students. Under the Democrats, enrollment had risen to 320,000 by 1967—an increase of 120,000 students over a comparable period.

IOWA

Real income per capita in Iowa rose from \$2,065 to \$2,320—only 12%—during the Republican years of 1953-1960. Under the Democrats, it rose to \$3,218—or 39%—by 1967. Thus, a family of four had \$3,600 more purchasing power per year in 1967 than at the end of the Republican period.

Real net farm income fell 32%—to \$713 million—between 1953 and 1960. Between 1960 to 1967 real net farm income in Iowa rose \$282 million—or 40%.

Teachers' salaries in Iowa averaged \$4600 in the school year 1960-61. They rose by 56% to \$7200 in school year 1967-68.

Enrollment in vocational education declined under the Republicans, but it increased from 62,500 to 80,400—or 29%—be-

tween school year 1960-61 and 1966-67. Total expenditures for vocational education rose only 46% in Iowa during the Republican period, but more than tripled from \$3.8 million to \$12.1 million between school years 1960-61 and 1966-67. Further, in 1960-61 federal expenditures on vocational education in Iowa were only \$1 million. By 1966-67 they were \$4.5 million.

MAINE

Real personal income grew \$421 million between 1953 and 1960. Between 1960 and 1967 it has grown \$578 million.

Real annual income per capita grew just over \$300 between 1953 and 1960. It increased almost \$600 per year between 1960 and 1967.

An average family of four in Maine had nearly \$2400 more purchasing power in 1967 than it had in 1960—an increase of 28%. Thus, in 1967 while living as well as in 1960, such a family could accumulate a \$4800 down payment on a house in only two years.

During the Republican years non-agricultural jobs in Maine increased only 2,000—or less than 1%. Since 1960 those jobs have increased almost 14%—a jump of 39,000.

In 1960, when the Republican period finally came to an end, there were 26,000 unemployed workers in Maine. In 1967 this number had declined to 15,000, a drop of 44%.

In 1969 the unemployment rate in Maine was 7.4%. In 1967 it was down to 4%. In the Portland labor market area alone, unemployment was at 6.3% in 1961. In the first 7 months of this year Portland's unemployment averaged only 2.8%.

College enrollment increased only 5,500 between 1953 and 1960. It rose by more than 11,000 from 1960-1967.

Enrollment in vocational education rose 3,000 in the Republican years and over 12,000 under the Democrats.

Between 1953 and 1960 the infant mortality rate declined less than one point—from 26.3 deaths per 1,000 live births in 1953 to 25.5 in 1960. Between 1960 and 1967 it declined by more than 4 points, to 21.4 per 1,000 live births.

MICHIGAN

Michigan was the only state in which real per capita income dropped between 1953 and 1960. Purchasing power per capita dropped 3% while it went up 9% nationwide. In contrast, from 1960 to 1967 the real income per person in Michigan rose an average of 4% or \$1201 a year—higher than the national increase of 3.6% a year.

In 1958, unemployment in the United States averaged 6.8%. Unemployment in Michigan in 1958 was 13.8%—more than double the national rate. By 1967, the unemployment rate in Michigan was down to 4.6%—only slightly above the 3.8% national rate.

Actual jobs in non-agricultural industries in Michigan dropped 105,000 or 4% between 1953 and 1960. Under the Democratic Administration, the number of persons on payrolls in Michigan increased by 491,000—or 21%.

MINNESOTA

The number of people at work in Minnesota factories actually declined between 1953 and 1960. In contrast, there were 74,000 more workers in factories in Minnesota in 1967 than in 1960.

Between 1953 and 1960 under the Republicans, total employment in Minnesota rose 85,000. In the last seven years it increased 241,000—or more than 25%. This is a faster growth rate than experienced by the country as a whole.

The rate of employment among those eligible for unemployment insurance benefits was 3.8% in January 1953. By January 1961, it had risen to 8.1%. In January 1968 it was down to 3.1%, and by August 1968 it had fallen to below 1%.

Total personal income in Minnesota rose from \$5.1 billion in 1953 to \$7.2 billion in 1960. That is an increase of two billion, one hundred million dollars under the Eisen-

hower-Nixon Republicans. But under the Democrats, personal income of all people in Minnesota rose to \$11.2 billion in 1967. That represents an increase of nearly \$4 billion in seven years—a gain of more than 50% and nearly four times the gain under the Republicans.

On a per capita basis, the average man, woman and child in Minnesota had an income of \$1665 in 1953 and \$2116 in 1960—an increase of about \$450 or roughly 25%. On the other hand, the average income in Minnesota rose from \$2116 in 1960 to \$3116 in 1967—an increase of \$1,000 of almost 50%.

After adjusting for the increase in prices, the average man, woman and child in Minnesota today is able to buy about one-third more with his income than in 1960. The growth in constant dollars in the Democratic years was twice that of the Republican years.

NEW JERSEY

During the Eisenhower-Nixon years, less than 170,000 new jobs were created in the entire state of New Jersey. During the Democratic years, from 1960 to 1967, nearly 400,000 new jobs have been generated in this state. In the second recession in the Republican years, jobs actually declined in New Jersey by over 50,000. Every year since 1960, jobs in New Jersey have increased.

Manufacturing jobs actually declined between 1953 and 1960. They have risen under the Democrats. The same is true of jobs in the manufacture of durable goods and of electrical equipment and non-durable goods.

During the Republican recession year of 1958, unemployment in the state of New Jersey was 9%—one out of eleven workers was unemployed. Thousands of others were working only part-time.

Unemployment in 1960 in New Jersey totaled 169,000. By 1967, it had been cut almost 25%, to 129,000. If, during the Democratic years, we had achieved only a Republican level of prosperity, there would have been over 70,000 additional workers without jobs in New Jersey in 1967.

Total real personal income in New Jersey increased just over \$4 billion—or 27%—during the years of 1953-1960. Between 1960 and 1967 it increased \$7.3 billion—or 38%.

Real per capita income increased in the Republican years \$261—or 9%. Between 1960 and 1967 it rose \$633—or 20%. Thus, an average New Jersey family had more than \$2500 more purchasing power in 1967 than in 1960, an increase such that it could live at the same level as in 1960 and still have nearly enough left over for educating a child in college.

Real annual income per farm in New Jersey actually declined by 1%—or \$72—between 1953 and 1960. Between 1960 and 1967, it rose \$977—or 14%.

At the end of the Republican period, five out of six labor market areas in the state had unemployment of more than 6%. In May 1968, five out of six had less than 5% unemployment. In the Atlantic City labor area unemployment dropped from 8.8% to 4.6%; in Jersey City, from 7.9% to 5.7%.

In February 1968, in New Jersey, 454,000 retired workers received social security payments averaging almost \$105 per month, as compared with 300,000 receiving \$81 a month at the end of the Republican years. Total social security payments (excluding Medicare) to New Jersey residents of all ages added almost \$800 million to the income of New Jersey citizens in 1967—in contrast to \$445 million in 1960.

Enrollment in vocational education was almost at a standstill during the Republican years. From 1953 to 1960 it increased by only 6,000, to a total of 30,000. Between 1960 and 1967, it increased by 145,000, to almost six times the level at the end of the Republican period.

College enrollment has risen 72% since 1960. College and professional degrees granted in New Jersey increased during the Demo-

cratic years by 5,000, or more than twice the increase in the Republican years.

During the Republican years, between 1953 and 1960, infant mortality in New Jersey actually increased—from 23.4 per 1,000 live births to 24.6. Since 1960 there has been a marked decrease—down to 20.7 per 1,000 live births.

NEW YORK

In New York during Republican years 1953-1960, real personal income increased \$11 billion. Between 1960 and 1967 real personal income in New York State rose \$17 billion.

Per capita real income rose only \$444 a year—or 16% in the Republican years. Between 1960 and 1967 it rose \$683—or 21%. This means that a typical family of four had \$2732 more purchasing power in 1967 than in 1960 and could have a \$5400 deposit on a house in only 2 years while living as well as they had lived in 1960.

Real net income per farm rose only \$15, or less than 1% under the Republicans. Between 1960 and 1967, however it rose more than \$1800, or 50%.

The number of non-agricultural jobs in New York rose less than 250,000 between 1953 and 1960, or only 4%. Between 1960 and 1967 non-agricultural jobs increased by 681,000, or 11%.

In 1960, the unemployment rate averaged 5.6%, with 430,000 people jobless. By 1967 the rate had dropped to 3.9% and it is even lower today. By 1967, the number of unemployed had dropped 115,000 to 315,000 or 27%. In New York City alone unemployment declined by 74,000 between 1960 and 1967.

In 1961, three of the labor market areas in New York State had an unemployment rate of more than 6%. Buffalo had more than 9% of its workforce unemployed. By May 1968, no metropolitan area had an unemployment rate of more than 6%. Buffalo had moved from 9.1% to 3.5% and Utica-Rome from 7.1% to 4.0%.

In New York in 1967 over 1.3 million retired workers received Social Security benefits averaging over \$102 per month. Two and one-quarter million New Yorkers received some form of Social Security benefits totaling more than \$2.3 billion.

The infant mortality rate in 1953 was 24.6 per thousand live births. In 1960 it was 24.1 per thousand. However, by 1967 the rate had fallen 7% to 22.3 per thousand.

College enrollment in New York increased between 1953 and 1960 by only 62,000—or 21%. Between 1960 and 1967, it rose over 300,000—or 86%.

Vocational education enrollment in the Republican period increased only 44,000—or 31%. Between 1960 and 1967 it rose 408,000 to more than triple the 1960 level.

NORTH CAROLINA

Real personal income in North Carolina increased by \$2 billion between 1953 and 1960. Since 1960, it has increased more than \$4.2 billion—or 52%.

Real per capita income increased \$244 during the Republican years. Since 1960, it has increased by \$700—or 38%. This means that a family of four has \$2800 more purchasing power.

By the end of the Republican Administration, North Carolina had an unemployment rate of 5.5%. By 1967 it had fallen to 3.4%. This reflected a 29% reduction in the number of people unemployed.

During the Republican era non-agricultural jobs in North Carolina increased 172,000—or 17%. From 1960 to 1967 they leaped ahead 377,000—more than double the earlier rise.

In the seven years from 1953 to 1960 there were only 2 years in which textile employment in the State of North Carolina rose at all. The Republican years resulted in a net reduction of 13,700 textile jobs. In every year since 1961, employment in textiles has increased. From 1960 to 1967, textile employment has risen by 42,000 jobs.

Teachers' salaries have risen over twice as much in the last seven years as in the previous seven. Vocational school enrollment has more than tripled the earlier gain and the increase in college enrollment has more than doubled.

OHIO

In 1960, after eight years of Republican Administration, 5.3% of the workers in this state were unemployed. In 1967, average unemployment throughout Ohio was down to 3.2%. And in the first seven months of 1968 it has averaged only 2.9%.

In 1961 there were at least four major labor market areas in Ohio where more than 8% of the workers were unemployed. Today, unemployment is less than 3% in each of these areas.

Between 1953 and 1960, per capita income, adjusted for price changes, grew less than 4% per year. In contrast, real per capita personal income in Ohio has grown almost \$600—or 22%—in the last seven years.

OKLAHOMA

In 1960 unemployment in Oklahoma averaged 4.9%; in July 1968 it was 3.8%. Twice during the Republican years non-agricultural jobs in Oklahoma actually declined while every year since 1960 they have increased. Over the years 1953 to 1960, total jobs in Oklahoma rose 46,000—or 9%—from 535,000 to 581,000. From 1960 to 1967 they rose 125,000—or 22%—to a total of 707,000.

Jobs rose by only 1,600 from 1953 to 1960, they increased by 29,600 from 1960 to 1967. Between 1960 and 1967 manufacturing employment in Tulsa rose 40%—from under 29,000 to over 40,000 employees.

Real personal income has risen one and a half times as fast in the Democratic as in the Republican years. It stood at \$4.1 billion in 1953 and rose only to \$5.1 billion in 1960, whereas from 1960 to 1966 it rose 34% to \$6.8 billion.

Per capita real income rose only 15% between 1953 and 1960. Between 1960 and 1967 it rose at nearly twice that rate—26%—from \$2,174 to \$2,736. A family of four in Oklahoma enjoyed an increase of \$2,250 more purchasing power in 1967 than in 1960, equivalent to 13 extra weekly paychecks.

PENNSYLVANIA

In the Republican years from 1953 to 1960, total real personal income in Pennsylvania rose \$3.9 billion—or 15%. Between 1960 and 1967 it rose \$8.7 billion—or about 30%.

Real annual income per capita crept up only \$203—or 8% in the Republican years, 1953 to 1960. Between 1960 and 1967 under the Democratic Administrations, real per capita income in Pennsylvania rose \$680, or nearly 26%—more than three times as much as in the Republican years.

A Pennsylvania family of four had \$2,620 more purchasing power in 1967 than it had in 1960. While living as well in 1967 as it had in 1960, it could afford to pay a child's way through college. In effect each family received the equivalent of 14 additional weekly paychecks in 1967, compared to 1960.

Net real farm income in Pennsylvania declined \$66 million in the Republican era. In the Democratic years net farm income rose by \$40.3 million.

Real income per farm rose only \$136 in the Republican period. Between 1960 and 1967, it rose over ten times as much, by \$1448.

Non-agricultural jobs actually declined by nearly 200,000 in Pennsylvania between 1953 and 1960. During the Democratic years they increased by 455,000.

In 1960, 365,000 people were unemployed. The unemployment rate stood at 8%. Under the Democrats, unemployment declined by more than 200,000. The unemployment rate fell to 3.5% of a larger labor force.

In 1960, in Philadelphia, there were 115,000 unemployed, in Pittsburgh, 84,000. By 1967, unemployed declined by nearly 50,000 in Philadelphia and 54,000 in Pittsburgh.

In 1961 ten metropolitan areas had un-

employment rates of 6% or more. Six of these areas had unemployment in excess of 9% and in three, Johnstown, Scranton, and Wilkes-Barre-Hazleton, unemployment exceeded 12%. Thus, in ten labor market areas of Pennsylvania at least one out of every 16 workers was on the street and in three of these areas one out of eight workers was idle. By May 1968, unemployment had dropped below 6% in each of the 12 areas. Nine of them had unemployment of 3% or less.

College enrollment increased by only 60,000 between the school year of 1953-1954 and that of 1959-1960. Between 1960 and the school year 1967-1968, it increased 129,000.

Enrollment in vocational education actually declined by nearly 1,000 pupils in the Republican years. It rose by 116,000 students between the fall of 1960 and the fall of 1967. The number of junior colleges increased from 12 to 15 in the Republican years. They jumped to 29—or nearly twice as many—between 1960 and 1967.

In 1967, 805,000 retired workers in the state of Pennsylvania received Social Security benefits. Their average monthly payment was over \$100. In 1967, one and one-half million people in Pennsylvania received Social Security benefits (excluding Medicare) of \$1.5 billion.

TENNESSEE

From 1953 to 1960 the total number of jobs in all non-agricultural industries in Tennessee increased 73,000—or only 8%. From 1960 to 1967, jobs increased 291,000—or 31%.

Measured in 1968 prices, the personal income of all the people of Tennessee went up from \$5.3 billion in 1953 to \$6.5 billion in 1960—one \$1.2 billion. But from 1960 to 1967 it increased to \$9.6 billion, a gain of \$3.2 billion—or almost 50%. The gain under the Democrats was almost three times as great as that under the Republicans.

Real income per capita increased from \$1,588 in 1953 to \$1,803 in 1960, a gain of only \$215—or 14%. Between 1960 and 1967 it increased to \$2,478—a rise of \$675—or 37%. A family of four had \$2,700 more buying power in 1967 than it had at the end of the Republican Administration. In the comparable Republican period the rise was only \$860 for a Tennessee family of four.

Under Republicans, net real income per farm in this state declined by 19%. In the Democratic years it rose by 19%.

While Nixon was Vice President the infant mortality rate per thousand live births in Tennessee was 30.3 in 1953 and 29.4 in 1960. But by 1967 it had declined to 25.6. The rate of improvement under the Democrats was almost four times that of the Republicans.

During the Republican years the number of two-year colleges in Tennessee declined from nine to six. In contrast, between the fall of 1960 to the fall of 1967 the number increased to 10.

Federal support for vocational education has almost tripled during the Democratic administrations. From school year 1953-54 to 1960-61 federal assistance increased only \$630,000. During the Democratic period, that is, from school year 1960-61 to 1966-67, federal assistance in Tennessee increased by \$5,280,000.

UTAH

During the eight Republican years non-agricultural employment in Utah rose by 46,300. During the seven Democratic years jobs increased by 63,000.

Between 1953-1960, net farm income declined by 48% from \$70 million to \$40 million a year. Between 1960 and 1967, net farm income rose almost 50%. Under the Republicans, net income per farm adjusted for price changes declined from \$2900 to \$2160 per year—or 22%. Under the Democrats it rose to \$361—or 91% in just 7 years.

Enrollment in vocational education actually declined by 9,000 people between school years 1953-54 and 1960-61 under the Repub-

licans. Under the Democrats enrollment increased 36,000 or more than double.

College enrollment rose 60% under the Republicans and 120% under the Democrats.

WASHINGTON

In the State of Washington, per capita real income rose \$850—or 30%—in the seven years since 1960. In contrast, during the eight Republican years, per capita real income increased less than \$200.

The average Washington family of four had \$3400 more buying power in 1967 than it had in 1960. This means that the average family could live as well in 1967 as in 1960 and have enough additional buying power left over to support a child in college for a full year.

Jobs in non-agricultural employment increased 244,000 from 1960 to 1967, whereas the gain was only 64,000 from 1953 to 1960. Average weekly earnings in manufacturing increased over 30% from 1960 to 1967. Unemployment in 1967 was down by one-third in the state and by one-half in Seattle from 1960.

Net farm income was \$42 million—or 18%—lower in 1960 than in 1953. In 1967 it was \$117 million, or 58% higher than in 1960.

Net income per farm in Washington reached a record high in 1967 of \$6,983, well above the national average and nearly double the last year when Nixon was Vice President.

Enrollment in vocational education in the state rose nearly 6 times as fast in the Democratic years as in the Republican years. The number of college degrees conferred in the State of Washington has increased from about 7,200 in school year 1960-61 to 10,400 in 1967-68.

The infant mortality rate dropped in the last seven years at almost three times the rate in the Republican years.

WISCONSIN

Real personal income per capita in Wisconsin rose \$232 or 10% from 1953 to 1960. From 1960 to 1967, it rose \$726—or 29%. An average Wisconsin family of four had \$2900 more purchasing power per year in 1967 than at the end of the Republican Administration. Thus, while living as well as in 1960, they could put a child through college, or in two years could save a \$5,800 deposit for a house.

From 1953 to 1960 net farm income, in 1968 prices, declined disastrously, by \$121 million—or 22%. By 1967, after seven Democratic years, it has risen 25%.

Non-agricultural jobs increased 95,000—or only 9%—from 1953 to 1960. In the Democratic years they rose 242,000—or 20%.

CONGRESSIONAL ACTIONS ON THE BUDGET

Mr. MAHON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MAHON. Mr. Speaker, I have prepared some rather extensive remarks in regard to the actions of the 90th Congress and especially the second session of the 90th Congress in regard to appropriations and spending.

HIGHLIGHTS RESUME

Before getting into details I would like first to provide in briefest outline some of the major highlights. Elaboration will be provided later in these remarks.

During the session we enacted 19 appropriation measures and we reduced the

budget estimates by \$14.6 billion. Note that 5 of these measures related to fiscal year 1968, not fiscal year 1969, the current fiscal year which began on July 1, 1968. Subtracting the measures relating to fiscal year 1968 only, we have 14 bills remaining. In the 14 bills we reduced the President's budget requests for the fiscal year 1969 by \$13.2 billion.

Now as to spending for fiscal year 1969, the current fiscal year, reductions in appropriations requested will result in an estimated reduction in spending for fiscal year 1969 in the sum of about \$3.9 billion. This is a net figure which will be further explained.

The Revenue and Expenditure Control Act of 1968 requires that appropriations be reduced by not less than \$10 billion. This goal we have more than achieved.

That same law also requires expenditure reductions this year of not less than \$6 billion. Congress has not fully achieved this goal, thus the executive branch will have to make a further reduction in expenditures, according to our best approximations, of roughly \$2.1 billion in order to achieve the \$6 billion reduction figure.

Congress has dealt at this session with very large figures. We have appropriated more money and for more programs and purposes than any session of Congress in history. This is not good news though it is of statistical interest. It is, I think, important to note that this Congress has reduced the budget requests of the executive branch by a greater amount than ever before in the Nation's history.

One of the outstanding achievements of this session of the Congress has been the strengthening of confidence in the dollar, a result which was achieved by reducing proposed appropriations and expenditures and by enacting the surtax.

The foregoing statement gives the basic information which Members will want to remember. Additional detail and refinement are necessary to a more complete analysis of the situation.

SUMMARY BY FISCAL YEARS

May I add, as Members, of course, know, that while Congress, in any given session, deals principally with the budget for a single fiscal year—that would be fiscal 1969 in this session—we also to some extent deal with the previous fiscal year, which would be fiscal 1968, and in a handful of items, we deal with advance appropriations for fiscal 1970. I will submit figures that encompass all three, but we need to keep in mind, in relating the actions and the figures, that it is only the fiscal 1969 that was dealt with in the overall reductions of \$10 billion and \$6 billion ordered by Congress in the Revenue and Expenditure Control Act.

In relation to fiscal 1968, the five appropriation measures carried a total of \$6.4 billion. We cut the supplemental budget requests by about \$443 million in the aggregate.

In relation to the main business, having to do with the current fiscal year 1969 that began on July 1, last, Congress considered budget requests of \$138.2 billion in the 14 appropriation bills. The enacted total is \$125.0 billion, representing a reduction of \$13.2 billion that would count against the "not less than" \$10 billion reduction mandated in the

Revenue and Expenditure Control Act of 1968. This reduction, I would add, includes some \$2.7 billion in so-called participation sales authorizations requested but disallowed.

There are some offsetting increases voted above the requests in certain legislative bills, dealing principally with veterans, housing, and highways, aggregating, according to our best estimation, some \$811 million, so that on this basis, Congress, in specific actions in the various bills, made net reductions in new budget authority requests of about \$12.4 billion, more or less—well in excess of the \$10 billion minimum reduction goal in the Revenue and Expenditure Control Act.

But we fell short of the \$6 billion reduction in budgeted 1969 expenditures that was mandated in the tax-expenditure reduction legislation. For several reasons it is virtually impossible to make a precise translation of the effects of our reduction actions on the budget estimates—not requests—of 1969 outlays—expenditures and net lending. There are several imponderables not within the scope of the bills that can and do affect expenditure—disbursement—rates and timing. Carryover balances are involved. Uncertainties of deliveries; unforeseeable administrative changes; construction schedule changes; lag of expenditures behind obligations for various research and other grants; and so on. All that can be done is to undertake reasonable approximations of the expenditure reductions.

Our best approximation is that in the specific bills affecting 1969 expenditures our reductions translate into expenditure reductions of about \$3.9 billion. This means that the President, under terms of the law, must take additional steps to secure the overall reduction of \$6 billion required by the law.

Mr. Speaker, enactment of the Revenue and Expenditure Control Act of 1968 in which we raised taxes and mandated budget reductions is perhaps the major fiscal accomplishment of the session, and more than anything else brought about restoration of confidence in the dollar in world money markets.

To round out the accounting for the totals, Mr. Speaker, may I add that in three of the appropriation bills we considered certain advance appropriations for fiscal 1970, dealing mainly with elementary education, urban renewal, mass transit aid, and aid to airport construction. The budget requests were \$2.9 billion. We cut about \$900 million, allowing about \$2 billion.

Mr. Speaker, in referring to budgetary totals, we must also keep in mind that very considerable sums become available automatically each year under so-called permanent appropriations that do not require annual session action. These would involve principally such major items as interest on the debt and various trust funds such as social security, highways, and so on. The most recent estimate is that for fiscal 1969, these various amounts may total about \$75.8 billion.

In total, then, for fiscal 1969, joining these permanent-type appropriations with the annual bills, something like \$187 billion of new spending authority would become available.

HOUSE ACTIONS

Mr. Speaker, if we confine ourselves to what the House did in the appropriation bills, the totals are also impressive. In the 19 appropriation measures of the session, the House considered budget requests of \$144 billion; it voted \$130.4 billion; the consequent reductions were some \$13.6 billion. About \$13 billion of the reduction relates to fiscal 1969 amounts that count against the "not less than" \$10 billion reduction mandated in the Revenue and Expenditure Control Act.

THE TWO SESSIONS OF THE 90TH CONGRESS

Mr. Speaker, taking the fiscal actions of the two sessions of the 90th Congress together, the figures as to reductions from the budget, and the size and range of the amounts appropriated, are without parallel.

In the two sessions of the 90th Congress, we have cut the budget requests by amounts greater than any of the previous 89 Congresses.

And in the two sessions of the 90th Congress, we have appropriated more money than any of the previous 89 Congresses.

Both sessions involved considerable controversy over spending questions. Last year, prolonged controversy over several months surrounded the economy reduction provisions of House Joint Resolution 888, which became Public Law 90-218, which reduced 1968 budgeted obligations by not less than \$9 billion and 1968 budgeted expenditures in controllable programs by not less than \$4 billion; both inclusive of reductions in obligations that would ensue from actions taken in the individual appropriation and other bills having budgetary impact. Reserves were required to be established to assure this result.

In round figures, the combined actions resulted in reductions in budgeted 1968 obligations of some \$11.2 billion, but about \$2,675 million of these were released by the Second Supplemental Act in this session to meet pay increases and other costs, leaving about \$8,525 million in obligation reductions from the fiscal 1968 budgeted level.

As I indicated above, the reductions in the present session against new budget authority requests as distinguished from budgeted obligations, amount to some \$13.2 billion in respect to fiscal 1969.

We have cut deeper than some would prefer. We have not cut as deeply as others would have done. I would have preferred even deeper cuts in some areas.

And by the same token, we have, in the opinion of some, appropriated too little; too much, in the opinion of others. I would have preferred a smaller appropriation total. But as all know, deciding how much to appropriate and what to appropriate for is always a matter of compromise, of making choices, because of one overriding reason: There never is enough money to cover all our collective national wants, and unfortunately not always enough to cover what a majority decides are our collective national needs. The money bills are the meeting ground for a great contest of competing claims on the national finances.

It is the same in making the budget. The President comes face to face with

the same hard realities, the same hard choices.

There is an old saying that we have a choice between two freedoms: The freedom to do what we would like, or the freedom to do what we ought to do. I believe Congress chose the right course in enacting the Revenue and Expenditure Control Act of 1968 last June.

We chose to try to restore confidence in the dollar, which was under heavy crisis in world money markets, in order to help bring stability to the economy of the country. And that has been done. Doing what clearly was our imperative duty in arresting the erosion of faith in the dollar abroad, and restoring confidence in it, is perhaps the major accomplishment of this session of Congress. And I think the Nation owes its thanks to the persistence of President Johnson, to Secretary Fowler, to Chair-

man Martin, and all those in the executive branch who insisted that Congress act in this matter. Likewise, to every Member of Congress who participated in the unpopular duty of raising taxes and cutting appropriations and spending in order to help achieve the necessary objective.

To have failed in this duty would put our whole economy and our national defense and security in grave crisis. We simply could not afford back-to-back budget deficits of \$25 billion or more.

Mr. Speaker, I include at this point two summaries of the totals involved in the various bills. Table 1 is confined to the appropriation bills. Table 2 undertakes to blend in the effect of budgetary actions in certain legislative bills as near as we have been able to identify and approximate them.

TABLE 1.—THE NEW BUDGET AUTHORITY TOTALS IN APPROPRIATIONS BILLS, 90TH CONG., 2D SESS.

	[In millions]			
	Session totals	Amounts relating to fiscal years		
		1969	1968	1970
Budget requests considered.....	\$147,908	\$138,195	\$6,818	\$2,895
Reductions enacted.....	-14,569	-13,197	-443	-929
Amounts enacted.....	133,339	124,998	6,375	1,966
Permanent-type authorizations (estimate) 1.....	75,800	75,800		
Gross totals enacted.....	209,139	200,798	6,375	1,966
Deduct for interfund and intergovernmental transactions and applicable budget receipts (estimate) 2.....	-13,700	-13,700		
Net totals enacted.....	195,439	187,098	6,375	1,966

1 Consists mainly of various trust funds, particularly social security, and interest, which became available automatically under earlier laws. Amount as shown in Summer Review of 1969 Budget, issued Sept. 9.

2 The only reason for showing this entry (taken from Summer Review, of Sept. 9) is to bring the totals down to a basis consistent with the budget summarization method that produced the overall total from which the \$10,000,000,000 cut in the Revenue and Expenditure Control Act was made.

3 Does not include the \$1,600,000,000 in the January budget for general pay raise legislation enacted but not yet appropriated for.

TABLE 2.—SUMMARY OF CONGRESSIONAL CHANGES ON THE OUTGO SIDE OF THE BUDGET

	[In millions]	
	New budget authority	Outlays (expenditures and net lending)
1. Fiscal 1968:		
5 supplemental appropriation bills and resolutions.....	-\$442.9	-\$425.1
Legislative bills.....	-70.0	+15.0
Total, 1968.....	-512.9	-410.1
2. Fiscal 1969:		
14 appropriation bills.....	-13,196.9	-3,923.2
"Spillover" expenditure effect of 2d Supplemental Act, 1968.....		-301.9
Subtotal, appropriation bills.....	-13,196.9	-4,225.1
Offsets in several legislative bills, or failures of enactment of legislative budget proposals (veterans, housing, highways, etc.).....	+811.4	+275.9
Total, 1969.....	-12,385.5	-3,949.2
3. Fiscal 1970: In 3 appropriation bills.....	-929.2	(1)
4. Session recapitulation (all 3 years):		
(a) In appropriation bills.....	-\$14,569.0	-\$4,650.2
(b) In legislative bills.....	+741.4	+290.9
Total, session.....	-13,827.6	-4,359.3

1 Not available.

Note: Figures on legislative bills are from staff report of the Joint Committee on Reduction of Federal Expenditures. All "outlays" amounts are necessarily approximations.

REVENUE AND EXPENDITURE CONTROL ACT OF 1968

Summarizing a bit more precisely in terms of the Revenue and Expenditure

lative committees are estimated at about \$275 million.

So, in relation to the reductions required by the Revenue and Expenditure Control Act, our best figures are:

First, \$12,385 million cut that is countable toward the "not less than" \$10 billion required in new budget authority for 1969.

Second, \$3,900 million, roughly, toward the "not less than" \$6 billion required in budget outlays—expenditures and net lending—budgeted for 1969. This is necessarily an approximation because Congress does not vote expenditures. It votes authority to obligate and spend.

I should recall here, Mr. Speaker, that the tax expenditure reduction bill was adopted in the face of prospective back-to-back, unacceptably high budget deficits in the range of \$25 billion, rising inflationary pressures, a challenge to the dollar both at home and abroad, and a persistent imbalance in our international payments account. It underscored and emphasized the duty of the Congress, consistent with the necessities of Government, to bend every effort to make reductions wherever reasonably possible. We have met the \$10 billion minimum cut specified in the law as to new budget authority, but we have not cut enough to translate into a reduction of \$6 billion in expenditures. To that extent, there is some basis for saying that we have not completely followed through. The law specifically provided that if the Congress, in action on the spending proposals in the various appropriation and other bills, did not make specific reductions equaling the \$10 billion and the \$6 billion, then the President must make such additional specific reductions in the new appropriations voted, and out of unexpended carryovers, as would achieve the twin cuts of \$10 billion and \$6 billion.

Of course, some of the \$6 billion can, and probably will, be taken out of expenditures budgeted against unexpended carryover balances of prior years. Some will probably be cut from the new budget authority voted by Congress in the bills this year. The matter, under the law, is in the discretion of the President.

The reductions will not be made without difficulty. President Johnson, from his position representing a constituency of 200 million people with a wide variety of competing and conflicting interests, submitted what he regarded as a restrained budget, one heavily restrained by the overriding necessities of war and a defense expenditure of about \$80 billion. But there is no question but that the executive branch has set about to take, and is taking the necessary steps to come up to the \$6 billion expenditure reduction in nonexempted areas and programs.

The additional reductions will come partly out of nonwar areas of defense spending as well as out of civilian spending areas. The tax-expenditure reduction bill exempted from the cutbacks large portions of the budget—those relating to Vietnam, and certain others that are fixed or are relatively uncontrollable without changing various basic laws, namely, interest on the debt, veterans benefits and services, and various social security trust funds. In the closing supplemental bill, Commodity Credit Corpo-

Control Act which dealt solely with fiscal 1969 budget amounts, in the 14 appropriation bills we have appropriated \$124,998.8 million in new budget authority for fiscal 1969. This represents a cut of \$13,196.9 million. That would count against the "not less than" \$10 billion mandated in the tax legislation. There are, however, some offsetting increases in several legislative bills, totaling, according to our best information, about \$811 million, so that, in total, the reduction is about \$12.4 billion—some \$2 billion, plus, more than the minimum required by the tax bill.

But since not all funds appropriated for a particular year are actually expended or paid out in that same year, and further, since the \$12.4 billion reduction includes about \$2.7 billion relating to so-called participation sales authorizations which does not translate into significant expenditure reductions during fiscal 1969, the resulting reduction in budgeted expenditures, for 1969, to which the \$6 billion mandated in the tax bill relates, is considerably less. According to our tentative approximations, actions in the 14 appropriation bills for 1969 translate into expenditure reductions of about \$3.9 billion. To this we would add the spillover expenditure reduction effect in 1969 of cuts made near the end of fiscal 1968 in the second supplemental bill, of about \$300 million, making the total expenditure reduction arising from appropriation bill actions about \$4.2 billion, more or less. Offsetting increases associated with actions in bills out of legis-

ration farm price supports and public assistance grants—similarly uncontrollable—were exempted. These exemptions involve about \$98.4 billion of the \$201.7 billion in new appropriations requested and some \$92.6 billion, or about half of the \$186.1 billion estimated expenditures in the original 1969 budget of last January. And recent information from the executive branch is that in these exempted areas, the revised 1969 expenditure outlook is between \$5 and \$6 billion higher than the original estimates.

But this does not change the fact that the law still holds as to the cutbacks. The \$6 billion must still be cut from non-exempted areas. Now that Congress has finished its work for the session, and its actions are known, the executive branch will be able to proceed with the business of pinpointing the cuts.

In this general connection, the President issued the following memorandum to the heads of departments and agencies on the day he signed the expenditure reduction provisions:

THE WHITE HOUSE,
Washington, June 28, 1968.

MEMORANDUM FOR THE HEADS OF DEPARTMENTS
AND AGENCIES

I have today signed Public Law 90-364. Its provisions will require significant readjustments, and I shall expect you to achieve these promptly and in a manner consistent with the Nation's interests.

We must reduce spending and lending by at least \$6 billion below my original estimates for fiscal 1969. It will also be necessary to restrict hiring until Federal civilian employment is reduced to the June 1966 level.

I regard this situation as a challenge to management ingenuity. Make every dollar available to you go a little further; make sure every person in your agency is being used in the most effective way possible. This must not be a mechanical, across-the-board exercise. That's the easy way.

I will expect each of you to concern yourself personally with management decisions that will best allocate your diminished resources in money and manpower. All decisions should be made in the light of agency-wide priorities.

The necessary procedures on hiring restrictions and budget reductions are being sent to you by the Budget Director. However, the precise dollar limitations for each agency must await completion by Congress of the 1969 appropriations. In the interim, I shall expect you to proceed with caution in obligating funds so that you can be sure that your agency will be able to make the necessary adjustments under the new law in an orderly manner.

LYNDON B. JOHNSON.

Additionally on this point, I include excerpts from the summer review of the 1969 budget, issued on September 9 by the Director of the Budget:

SUMMER REVIEW OF THE 1969 BUDGET

Charles J. Zwick, Director of the Bureau of the Budget, today announced the results of a Summer Review of the Fiscal Year 1969 Budget. Noting that congressional action is not yet completed on 5 of the 14 appropriations, Director Zwick said:

"The currently estimated amounts must be considered tentative. As soon as all the facts are in, we will move quickly to make the necessary adjustments to complete compliance with the Revenue and Expenditure Control Act of 1968. The current estimates represent strong efforts to make the reduction decisions in the light of needs and priorities but no cutback of this magnitude can be accomplished without difficulty."

The Review showed that:

Receipts are now estimated to be \$1.3 billion higher than foreseen in January, reaching \$179.4 billion;

Outlays will be reduced by nearly \$1.7 billion (to \$184.4 billion);

Deficit is expected to decline from \$8 billion to \$5 billion.

Special attention in the Review is focused on the reductions in outlays, which were required by the Revenue and Expenditure Control Act of 1968. Program costs exempted by the law have increased from January estimates by \$4.4 billion—with \$2.3 billion accounted for by increased support for Vietnam operations. The \$6 billion reduction required by the law will have even greater impact than had been anticipated as a result of higher than estimated expenditures in so-called uncontrollable programs. For example, over \$1 billion more will be needed to meet the outlays fixed by law for farm price supports and public assistance. Thus, approximately \$7 billion in spending reductions will have to be made.

The Bureau of the Budget now estimates that when Congress completes its actions on 1969 spending, it will have cut \$3.3 billion from the January budget proposals affected by the cutback law. In addition, to meet the roughly \$7 billion of required reductions, administrative actions will be undertaken to cut:

\$1 billion in Defense spending not required for support of Vietnam (or other critical defense needs);

\$1 billion in loan programs, placing greater reliance on the private money market for these activities;

\$200 million in the Federal-aid highway program;

\$100 million for the space program, (below the amount resulting from congressional action) outside of requirements for the manned lunar landing.

\$1.2 billion of reductions among all other civilian agencies. However, key social programs such as manpower, low-income housing, and safe streets are being protected.

Interim measures to achieve the required reductions have been instituted, and detailed agency plans are now being reviewed. When congressional action is completed, these plans will be modified where necessary and put into effect.

Mr. Speaker, in reference to the overall reductions mentioned in the above excerpt from the summer review, I should note that the action of Congress in the closing supplemental bill, exempting expenditures for farm price supports and public assistance grants from the cutbacks, will mean that offsetting reductions for the overruns in these two items will not now have to be made in order to realize the net cut of \$6 billion in budgeted spending.

I should note also that the tax bill requires the President to submit in the 1970 budget, next January, a set of recommendations for rescissions of at least \$8 billion of previously granted but uncommitted obligational authority. Disposition of those recommendations will, of course, be a matter for the next Congress.

RECENT BUDGET TRENDS

I think we should take good note of the fact that whereas, chiefly as a result of the war, the budget deficit last year—the year which ended June 30, 1968—the deficit was some \$25.4 billion, that as a result of the actions of the Congress this year in spending matters and in tax matters, the estimated deficit for the current fiscal year 1969 is down to somewhere between \$5 billion and \$7 billion. This has been a tremendous reversal of a trend. I think every Member of Con-

gress who has participated in this action has a reason to take pride in what has been done to maintain the economy and the stability of our country from the standpoint of protecting the dollar.

I would like to point out that the Johnson administration in fiscal 1964 experienced a budget deficit of \$8.2 billion according to the administrative budget, which was the system of budget accounting being used at that time. The deficit went down in the next fiscal year, 1965, to \$3.4 billion; in 1966 it went still further down, to \$2.2 billion. We were moving rapidly toward a balanced budget.

This was a very heartening and encouraging situation, but beginning in mid-calendar year 1965 the war situation became increasingly intense and expensive, and largely as a result of the war the deficits began to mount again in fiscal year 1967, and to the unacceptably high amount of \$25.4 billion in fiscal year 1968.

But even in spite of the war which is costing some \$28 billion, plus, as a result of the actions of this Congress, the estimated deficit for the current fiscal year 1969 now looks to be in the range of \$5 to \$7 billion.

What this Congress has done in helping to maintain the stability of the dollar has, I believe, been outstanding. It has been perhaps the greatest accomplishment of this session that the dollar has been strengthened, and that the assaults on it have been repulsed. Of course, this is a continuing fight. The integrity of the dollar and confidence in it cannot be secured all at one session. It is a continuing battle. And controlling inflation and maintaining confidence in the dollar is not alone a matter of Government action. It requires restraint and cooperation on the part of all concerned.

Of course, Mr. Speaker, the last budget was higher than the year before. The long truth of history is that growth of the population and growth of the country virtually ordain some growth in public services, that is, over the long stretch of time. This has been more or less the unvarying case from the beginning. Speaking of national appropriations in 1879, the distinguished Republican, James A. Garfield, then a Member of the House and chairman of the Committee on Appropriations, made exactly this point. And he added, "war overturns all ordinary calculations," as, Mr. Speaker, it has helped upset recent budgets, including the current one.

President Eisenhower acknowledged much the same budget phenomena in his budget message to Congress in 1960:

Moreover, inescapable demands resulting from new technology and the growth of our Nation, and new requirements resulting from the changing nature of our society, will generate Federal expenditures in future years. . . . We must not forget that a rapidly growing population creates virtually automatic increases in many Federal responsibilities.

All Members know that it costs a lot of money to operate a government for a big country such as ours. Making reductions is not a very pleasant task. People generally are more inclined to spending than they are in saving money.

It does not mean we have made all the

reductions that probably should have been made.

But I do not think it is necessary to take a negative approach to this matter. The House of Representatives and the Congress in this session, has provided new appropriations for 1969 of approximately \$187 billion or so, including the sums relating to such permanent appropriations as those for trust funds, such as social security, interest on the debt, and the like, which do not require annual appropriation action in bills coming before us. So the funds made available for all governmental purposes; for the poor, and for all other programs, including defense, all of these programs—and, of course, defense is taking the larger share of the tax dollar—when we take into consideration all these things we have done, it is monumental. What we have done toward financing programs which are thought by a majority of the people, or at least by a majority of the Congress to be important, is tremendous from the standpoint of supporting programs in education, in health, in agriculture, in antipoverty programs, in public works, in control of air and water pollution—the whole range of governmental endeavor.

It is too bad that we were not able to bring revenues and expenditures within balance, but certainly we are moving rapidly in that direction. With the growth of the economy of the country, and with the lessening of the war effort which we all hope and pray for before too many more months, certainly this country ought to be able to put its fiscal affairs in better shape.

I say that as to the overall situation.

DELAYS IN PROCESSING APPROPRIATION BILLS

Mr. Speaker, as in all recent years, our schedule for reporting the regular appropriation bills to the House suffered some disruption and delay, principally because of lack of more timely action on a number of the annual authorization bills. It is a situation that all concerned should undertake to correct insofar as possible.

Delaying final enactment of the regular bills far beyond the beginning of the fiscal year to which they relate leaves the departments in considerable uncertainty. It is difficult for them to plan

or proceed in an orderly way when they are left without their budgets being determined upon in timely fashion. We should seek to improve upon the situation. I trust we can. As Members know, it is not in order under the rules to report an appropriation not previously authorized by law.

THE APPROPRIATION BILL TOTALS

Mr. Speaker, I append two additional tables: One, a summary of the totals of the appropriation bills, the other a listing by individual appropriation bills:

SUMMARY OF APPROPRIATION BILL TOTALS OF NEW BUDGET (OBLIGATIONAL) AUTHORITY, 90TH CONG., 2D SESS., OCT. 12, 1968

[Does not, of course, include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent" law,¹ without further or annual action by the Congress]

	New budget (obligational) authority (all figures are slightly rounded)		
	Bills for fiscal 1968	Bills for fiscal 1969	Bills for the session
A. House actions:			
1. Budget requests considered.....	\$6,796,295,000	\$137,268,023,000	\$144,064,318,000
2. Amounts approved by House.....	6,425,665,000	123,995,851,000	130,421,516,000
3. Change from corresponding budget requests.....	-370,630,000	² -13,272,172,000	-13,642,802,000
B. Senate actions:			
1. Budget requests considered.....	6,818,092,000	141,090,711,000	147,908,803,000
2. Amounts approved by Senate.....	6,453,116,000	128,918,708,000	135,371,824,000
3. Change from corresponding budget requests.....	-364,976,000	-12,172,003,000	-12,536,979,000
4. Compared with House amounts in same bills.....	+27,451,000	+4,922,857,000	+4,950,308,000
C. Enacted:			
1. Budget requests considered.....	6,818,092,000	141,090,711,000	147,908,803,000
2. Amounts enacted.....	6,375,212,000	126,964,622,000	133,339,834,000
3. Comparison—with corresponding budget requests.....	-442,880,000	³ -14,126,089,000	-14,568,969,000

¹ For fiscal 1969, in the January budget, total new budget (obligational) authority was tentatively estimated at \$214,600,000,000 (\$201,700,000,000, net of certain budget presentation adjustments), of which \$141,500,000,000 was for action by Congress and \$73,100,000,000 would become available under permanent law. The Summer Review issued by the executive branch on Sept. 9, indicates that the permanent authorizations may approximate \$75,800,000,000 rather than \$73,100,000,000.
² \$13,037,986,000 of this figure would count against the "not less than" \$10,000,000,000 cut in the tax bill; the \$13,037,986,000 figure includes \$2,685,000,000 of participation sales authorization reduction.
³ \$13,196,904,000 of this figure would count against the "not less than" \$10,000,000,000 cut in the tax bill and it is tentatively estimated that this reduction from new budget authority requests will translate into expenditure reductions of roughly \$3,923,000,000 below budgeted 1969 expenditures.

ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY IN APPROPRIATION BILLS, 90TH CONG., 2D SESS., OCT 12, 1968

[Does not, of course, include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent" law,¹ without further or annual action by the Congress]

Bill and fiscal year	House actions		Senate actions		Enacted	(+ or -), latest action compared with budget requests
	Budget requests considered	Approved	Budget requests considered	Approved		
Bills for fiscal 1969:						
1. Treasury-Post Office (net of estimated postal revenues appropriated).....	\$1,959,535,000	\$1,777,800,000	\$1,959,885,000	\$1,781,053,000	\$1,780,653,000	-\$179,232,000
(Memoranda: Total, including authorizations out of postal funds) ²	(8,337,359,000)	(8,155,624,000)	(8,337,709,000)	(8,158,877,000)	(8,158,477,000)	(-179,232,000)
2. Agriculture.....	6,923,979,800	5,523,635,500	6,923,979,800	5,540,550,300	5,531,296,650	-1,392,683,150
3. Independent offices-HUD (including 1970 advance).....	16,570,580,300	13,670,636,000	18,353,717,300	15,505,214,000	14,570,395,000	-3,783,322,300
(Fiscal year 1969 amounts only).....	(16,570,580,300)	(13,670,636,000)	(16,953,717,300)	(14,255,214,000)	(13,820,395,000)	(-3,133,322,300)
4. Interior.....	1,410,342,300	1,280,880,300	1,432,342,300	1,284,372,800	1,284,989,300	-147,353,000
5. State, Justice, Commerce, and judiciary.....	2,203,820,900	1,794,981,500	2,291,993,900	2,000,944,000	1,986,721,500	-305,272,400
6. Public works (and AEC).....	4,908,657,000	4,449,223,000	4,908,657,000	4,727,622,500	4,608,421,000	-300,236,000
7. Labor-HEW (including 1970 advance).....	18,205,261,000	17,232,871,300	19,301,525,000	19,033,346,000	18,566,568,800	-734,956,200
(Fiscal year 1969 amounts only).....	(17,005,261,000)	(16,267,057,000)	(18,101,525,000)	³ (17,953,346,000)	³ (17,555,754,500)	(-545,770,500)
8. Legislative.....	257,162,531	247,497,349	308,897,533	298,151,396	298,151,396	-10,746,137
9. Transportation (including 1970 advances).....	1,620,832,000	1,353,391,000	1,932,032,000	1,788,411,000	1,634,266,000	-297,766,000
(Fiscal year 1969 amounts only).....	(1,620,832,000)	(1,353,391,000)	(1,637,032,000)	(1,523,411,000)	(1,429,266,000)	(-207,766,000)
10. District of Columbia (Federal funds).....	171,961,000	145,672,000	176,961,000	153,755,000	148,755,000	-28,206,000
(District of Columbia funds).....	(594,662,000)	(528,886,000)	(606,191,000)	(548,193,810)	(540,178,988)	(-66,012,012)
11. Defense.....	77,074,000,000	72,239,700,000	77,074,000,000	71,886,893,000	71,869,828,000	-5,204,172,000
12. Military construction.....	2,031,500,000	1,765,019,000	2,031,500,000	1,744,936,000	1,758,376,000	-273,124,000
13. Foreign assistance.....	3,654,711,000	2,341,011,000	3,654,711,000	2,658,261,000	2,479,511,000	-1,175,200,000
14. Supplemental.....	270,679,907	123,532,907	740,508,907	515,197,727	446,688,727	-293,820,180
Total, these bills—						
As to fiscal 1969.....	136,068,022,738	123,030,036,556	138,195,710,740	⁴ 126,323,707,723	⁴ 124,998,807,073	⁴ -13,196,903,667
As to fiscal 1970.....	1,200,000,000	965,814,300	2,895,000,000	2,595,000,000	1,965,814,300	-929,185,700
Total, 1969 bills.....	137,268,022,738	123,995,850,856	141,090,710,740	128,918,707,723	126,964,621,373	⁴ -14,126,089,367
Bills for fiscal 1968:						
1. Urgent supplemental.....	⁵ (1,216,020,863)	⁵ (1,214,780,863)	⁵ (1,216,020,863)	⁵ (1,405,445,863)	(⁶)	(⁶)
2. Unemployment compensation (H.J. Res. 1229).....	28,800,000	28,000,000	28,800,000	28,000,000	28,000,000	-800,000
3. Claims and judgments (H.J. Res. 1268, which also carried \$400,000,000 highway "liquidation cash").....	50,980,863	50,980,863	50,980,863	50,980,863	50,980,863	
4. Secret Service (H.J. Res. 1292).....	6,716,514,679	6,346,283,924	6,738,311,393	6,373,735,498	6,295,831,498	-447,479,895
5. 2d supplemental.....	(2,976,051,100)	(2,674,902,800)	(2,976,051,100)	(2,687,902,800)	(2,674,902,800)	(-301,148,300)
Release of reserves (under Public Law 90-218).....						
Total, 1968 bills.....	6,796,295,542	6,425,664,787	6,818,092,256	6,453,116,361	6,375,212,361	-442,879,895

See footnotes at end of table.

ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY IN APPROPRIATION BILLS, 90TH CONG., 2D SESS., OCT 12, 1968.—Continued

[Does not, of course, include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent" law,¹ without further or annual action by the Congress]

Bill and fiscal year	House actions		Senate actions		Enacted	(+ or (-), latest action compared with budget requests
	Budget requests considered	Approved	Budget requests considered	Approved		
Cumulative totals for the session:						
House.....	144,064,318,280	130,421,515,643	147,908,802,996	135,371,824,084		+ -13,642,802,637
Senate.....			147,908,802,996		133,339,833,734	+ -12,536,978,912
Enacted.....						+ -14,568,969,262

¹ In round amounts, the January budget—for fiscal 1969—tentatively estimated total new budget (obligational) authority for 1969 at \$214,581,000,000 (\$201,723,000,000 net of certain offsets made for budget summary purposes only), of which \$73,085,000,000 would be made available, through so-called permanent authorizations, without further action by Congress, and \$141,496,000,000 would require "current" action by Congress. The Summer Review issued by the executive branch on Sept. 9, indicates that the permanent authorizations may approximate \$75,800,000,000 rather than \$73,100,000,000.

² These figures assume the January budget estimate of 1969 postal revenues will hold.
³ Includes \$90,965,000 new budget authority technically designated as a fiscal 1968 item, but which actually involves fiscal 1969 rather than 1968 outlays.
⁴ Includes \$2,685,000,000 related to participation sales authorizations (Agriculture, \$425,000,000; VA and HUD, \$2,110,000,000; State-Justice bill, \$150,000,000).
⁵ Not added in totals, because every budget request and every item otherwise involved has been dealt with in other supplementals for 1968 listed herein.

McGEORGE BUNDY URGES A START ON VIETNAM TROOP WITHDRAWALS

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MOORHEAD. Mr. Speaker, on September 25, I introduced in this body House Concurrent Resolution 825, which declares it the sense of Congress that the United States should begin to liquidate its military involvement in Vietnam.

In remarks accompanying the introduction of this resolution, I said:

I feel that the time has come for America to tell its South Vietnamese allies that they must begin to shoulder more of the burden of the war against the Viet Cong guerrillas and the North Vietnamese regulars.

Thus, I was gratified to read in yesterday's edition of the New York Times excerpts from an eloquent address on the future direction of American policy in Vietnam by the Honorable McGeorge Bundy, former Adviser on National Security Affairs to Presidents Kennedy and Johnson.

In his remarks at a symposium on law, liberty, and progress at DePauw University in Greencastle, Ind., Mr. Bundy said that whether or not a negotiated settlement of the Vietnam conflict is achieved—

we should plan and execute a gradual but substantial reduction in the level of our own military effort there.

For what they can do, there are more than enough Americans in South Vietnam today. And what they cannot do could not be done by twice as many men.

Mr. Bundy said that "the fundamental first necessity for the next administration" is to—

decide that it will steadily, systematically, and substantially reduce the number of American casualties, the number of Americans in Vietnam, and the dollar cost of the war. It must make this decision without bargaining or negotiation and establish it as a fact of American policy which must be understood, observed, and recognized by friend and foe alike, and shared in, as they decide, by the other allies of Saigon.

If a decision of this sort is taken, Mr. Bundy said, "We can come to the end of 1969 with as many as 100,000 or 150,000 fewer allied troops on the scene" and a

reduction in expenditure on the war of from \$5 billion to \$8 billion.

Mr. Bundy said a similar reduction should be made in 1970, with later reductions to be keyed to the progress in negotiating a settlement. If American troops must be kept in Vietnam for many years after this, Mr. Bundy said, we should encourage a volunteer army by liberalizing benefits for combat troops and reducing our reliance on the selective service laws.

Mr. Speaker, on May 25, 1967, when this body was debating the Selective Service Act of that year, I urged in remarks entitled "Toward Volunteer Armed Services," that the Congress seek ways of putting our Armed Forces on a footing that would obviate the problems that the Vietnam war has created. I said:

By a judicious combination of increases in base pay and combat pay I believe that we can reduce, and maybe someday eliminate, our reliance on the draft. This is to be highly preferred over a system, however fair, which exposes a minority of our young people, on an involuntary basis, to a danger which the majority of his peers escape.

Mr. Bundy's address was an eloquent and cogent appeal for a sensible reduction in our military involvement in Vietnam. Under leave to extend my remarks, I insert the New York Times' excerpts from his speech at this point in the RECORD and commend them to the attention of my colleagues.

EXCERPTS FROM TEXT OF BUNDY'S ADDRESS ON THE DIRECTION OF U.S. POLICY IN VIETNAM

(NOTE.—Following are excerpts from the text of an address yesterday by McGeorge Bundy at DePauw University, Greencastle, Ind., in a symposium on law, liberty and progress.)

John McNaughton and I lived next door in Cambridge for many years and we worked together for five years more in Washington. In a short life he did many good things, and since we have lost him and Sally and their son Ted we must take the comfort we can in what they were. No reminder could be more fitting than this memorial convocation.

The topic assigned to me today is a big one—"How to Build a Greater America."

Until the present burden of Vietnam is at least partly lifted from our society, it will not be easy—it may not even be possible—to move forward effectively with other great national tasks. This has not always been my view, but I think it was John McNaughton's before he died, and it seems to me wholly clear now that at its current level of effort and cost the war cannot be allowed to continue for long. Its penalties upon us all are much too great.

Decisive change in the war can come in

only three ways—by impassing a military solution, by reaching agreement with our adversaries, or by a self-imposed decision to change our own level of effort.

My own view is first, that we cannot expect a military solution, second, that we should seek agreement but be prepared for the strong chance that we may not get it, and third, that with or without such agreement we should plan and execute a gradual but substantial reduction in the level of our own military effort there.

It is now plainly unacceptable that we should continue with annual costs of \$30 billion and an annual rate of sacrifice of more than 10,000 American lives. It is equally wrong to accept the increasing bitterness and polarization of our people. There is a special pain in the growing alienation of a generation which is the best we have had. So we must not go on as we are going.

A WORD ABOUT THE PAST

I am addressing myself to the future and not to the past. But it may be proper here to insert one word about that past. To say that the burden of this war must now be lifted is not at all to say that it should never have been fought. It is not even to say that it has been fought the wrong way, although that is a somewhat different question.

My own view has been and remains that the avoidance of defeat in Southeast Asia was an object of such importance to us and to the people of the area that the basic decision of 1965, to stand and fight in South Vietnam, was right. I also believe that in this fundamental sense the decisions of 1965 have already been validated by events in the area.

Furthermore, I do not believe that we are required now, by our new necessities to lose what has been gained in this strategic sense. But I do believe we have to change our course. Whatever the rights and wrongs of past decisions, the imperative of the future is to begin to lift this burden from our national life.

There is no solution to the war in Vietnam through United States military escalation. There is no prospect of military victory against North Vietnam by any level of United States military force which is acceptable or desirable, either in our own interest or in the interest of world peace.

I take it as self-evident that it would be the worst kind of folly to use nuclear weapons of any sort at any time in this contest. What is somewhat less evident is that it would be equally fruitless to seek military victory by an escalation of conventional force—by renewed and intensified bombing of the North, or by air and naval blockade, or by enlargement of the American commitment in the South.

The last three years have demonstrated plainly that American forces can prevent defeat, and it was for his purpose that they were initially introduced in large numbers. But they have also shown us that they cannot produce victory.

In the last 12 months President Johnson has wisely resisted military pressure for continued escalation. The advocates of bomb-

ing not only opposed his major cutback of March 31, but both before and after they have wanted a wider and deeper air campaign against the North. They have been wrong.

Similarly, the predictable military reaction to the events of Tet last spring was to urge a major United States military reinforcement in the South—the requests appear to have totaled more than 200,000 men. These requests, too, were wisely rejected, with marginal exceptions, and the record of the last six months—a time in which the course of the battle has been better for us than for the opposition—demonstrates the wisdom of this decision. For what they can do, there are more than enough Americans in South Vietnam today. And what they cannot do could not be done by twice as many men.

Neither the framework of the primitive but tightly controlled North Vietnamese society nor the level of the Communist military effort has been broken by the levels of force we have so far employed.

Short of nuclear weapons, no higher use of force can be expected to produce such a change, and since the American people would rightly reject by an overwhelming majority any actual use of nuclear weapons, no nuclear threat would be remotely credible. So there is no solution in escalation. Its only consequence would be a higher level of sacrifice and cost without an early ending of the war.

Most Americans—and notably all political candidates—favor negotiations for peace in Vietnam. I strongly agree. It is a real step forward that we now have a diplomatic process going in Paris, and I believe that in 1969 we can do more than we have done so far to test the possibilities of peace by agreement.

At the same time I do not think we can be sure that this path is really open. It is not clear at all that Hanoi will accept any settlement that will be remotely acceptable to the people of this country.

VIETNAM PLANK CITED

For convenience in argument let me take the recommendations of the Vietnam plank which was proposed by opponents of Administration policy in the Democratic convention in Chicago. This remains the most "dovish" document with demonstrated support from a major political group.

The first recommendation of this plank was an unconditional halt in the bombing. I agree with this recommendation. The bombing was begun at a time when it appeared that a prompt and resolute demonstration of American will and purpose was essential to the prevention of Communist military victory in South Vietnam. That purpose is now far out of date, and the particular values which the bombing of the North still has, for the limitation of infiltration and resupply, are far outweighed by its political costs.

If it has not stopped before, it would seem to me both prudent and practical to stop it early in 1969. The risk to our own troops can be minimized by alternative means of defense and if necessary by alternative deployments.

The diplomatic advantages of stopping the bombing are obvious: It would shift the burden of response from Washington to Hanoi. It would test the estimates and offers which have come from the United Nations and from Moscow. It would underline the reality of our purpose of peace.

But stopping the bombing in itself will not bring peace. It will simply remove one obstacle to further negotiations. So let us continue with the agenda of the minority plank.

"Second," it says, "we will then negotiate a mutual withdrawal of all United States forces and all North Vietnamese troops from South Vietnam. This should be a phased withdrawal over a relatively short period of time."

HANOI ACTION NEEDED

This point—which incidentally is parallel to a similar point in the majority plank—is

quite different from the first in that it calls for action by Hanoi. It therefore depends not upon our will alone but also upon theirs. And can any American assume with assurance today that this point is in fact negotiable? I think not. I do not say that it cannot be done, but I do say that we do not know it can be done.

For myself, I believe that it would be a good bargain for us and for South Vietnam, but I do not know that it is a bargain we can get. The United States Government, as I understand its policy, has been ready for this bargain for years. Surely the Government of 1969 must be ready for it.

But what of Hanoi? What is the likelihood that given the current state of affairs in the South the men in the North would in fact agree to remove all of their forces in return for the departure of ours? There have been hints, at least, in recent months of a developing insistence by Hanoi that no such trade is justified or possible.

Whereas for years the Government of North Vietnam refused to admit the presence of its forces in the South, now there is a shift in the line and we begin to hear that it is right and proper for the forces for the DRV to go wherever they are needed throughout Vietnam, without regard for the armistice lines of 1954.

If we can negotiate mutual withdrawal we should, but what if we cannot? The minority plank opposes unilateral withdrawal, so its assumption must be that without such agreement we would fight on. I submit that a proposal which depends on the agreement of the enemy is a proposal which may not of itself produce the changes we must have.

The third point in the minority plank is more complex—and it reflects an evident effort to reconcile significantly different views among those concerned. It says, "Third, we will encourage our South Vietnamese allies to negotiate a political reconciliation with the National Liberation Front looking toward a government which is broadly representative of these and all elements in South Vietnamese society. The specific shape of this reconciliation will be a matter for decision by the South Vietnamese spurred to action by the certain knowledge that the prop of American military support will soon be gone."

Here again we have a requirement which it is not within our power to enforce. As the document itself proclaims, the decisive choices in this matter must be made by South Vietnamese and not by Americans. To me it has always seemed far from likely that there is in fact a possibility of a government broadly representative of the National Liberation Front and "all elements in South Vietnamese society."

The two main parties to the conflict have always defined their concept of representative government in ways that exclude their main enemy. I know of no close observer of the Communists who supposes that they intend to accept any settlement in which they do not have de facto control of the future of South Vietnam, and I know of no prospect that the present Government of South Vietnam would accept the concept of "political reconciliation" with Communists in the sense that we use these words at home.

I do not quarrel with the objective of reconciliation, but I do wonder whether it is possible. I do not believe any policy for reducing the cost of the war can be solidly based on the assumption that such a reconciliation will come soon.

You will see that in my judgment the minority plank goes through some murky waters in its second and its third points.

Now I turn from the minority plank to another frequently heard proposal—that we should negotiate a prompt cease-fire. This too is nice work if we can get it. But can we? A genuine cease-fire, in any war so largely civil as this one, is bound to work strongly in favor of the official government—since the

end of violence, almost by definition, would give that government new authority and strength.

Let me sum up my own view of negotiation. It is that we should be ready for a compromise well short of victory in which the eventual outcome would remain to be settled by the people of South Vietnam. But I do not think that we can be sure of any such readiness for compromise on the other side, and my personal bet is against it, at least for 1969.

I would test the hypothesis by relentless diplomatic process, and I would begin by stopping the bombing. But I do not think I could be sure that these steps alone would begin to lift our burden. I believe that they would not, and that more will be needed.

If there is no solution in escalation, and if the promise of diplomacy is uncertain, then let us return to our initial premise—that we must begin to lift this burden from our lives. The one course that remains is to lift it by our own choice and decision—and this is the course it seems to me is the fundamental first necessity for the next administration.

It must decide that it will steadily, systematically and substantially reduce the number of Americans in Vietnam and the dollar cost of the war. It must make this decision without bargaining or negotiation and establish it as a fact of American policy which must be understood, observed and recognized by friend and foe alike, and shared in, as they decide, by the other allies of Saigon.

If the decision is firmly made and effectively executed, we can come to the end of 1969 with as many as 100,000 or 150,000 fewer allied troops on the scene and with an overall cost to the United States that is cheaper by \$5-billion to \$8-billion a year.

A reduction of similar magnitude should be planned for 1970. After that the course of our withdrawal would have to depend on the progress of the search for peace—but at the levels of 1971 we could and should have a volunteer war, if we have a war at all. And even before 1971 we can do some other things to help hold ourselves together—though most of them, unlike steps that I have so far recommended, would require help from Congress.

We can and should make drastic increases in our rewards for extended service in Vietnam—a force which rotates every 12 months is no force for this kind of war. We can and should increase substantially our after-service benefits for veterans of truly combat service. We can and should reform both the legislation and management of our Selective Service System. We cannot end danger or dissent, but we can do a lot about uncertainty, about unfairness and about administrative unsensitivity.

This reduced level of effort is more than enough still to sustain and execute the basic purpose of our forces in Vietnam—the purpose of preventing defeat.

It would also be wholly consistent with the important decision to strengthen limitations upon the use of force in civilian areas which has been put in effect under the leadership of Secretary Clifford. It would underline our own limited purpose and strengthen our hand in the process of diplomacy. But most of all, it would begin to lift the burden of the war upon our life at home.

But what of Saigon? What happens there as we cut down?

In particular we can and should continue the emphasis which we have placed since Tet upon the modernization and reinforcement of South Vietnamese forces. We can sustain and even intensify our efforts at political and economic cooperation. We can emphasize that no one who means to keep at least a hundred thousand troops in place for years (always assuming there is no decent settlement) can be accused of precipitate or faithless withdrawal.

In a policy of cutback there is still ample room for steadfast support of our friends, and ample guarantee against defeat imposed by the external aggressor. There is also ample demonstration for all who live in the area not only that we keep our commitments but also that we know how to change our course with care and clarity.

PENNSYLVANIA'S DISTINGUISHED JURIST, MICHAEL A. MUSMANNO, HAS PASSED AWAY

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. MOORHEAD. Mr. Speaker, it is with great personal sadness that I report to the House the death last Saturday night of one of Pennsylvania's most distinguished citizens, the Honorable Michael A. Musmanno, Justice of the State Supreme Court.

Throughout his colorful and often controversial career as an attorney, State legislator, jurist, and author, Justice Musmanno was a consistent champion of the underprivileged and the oppressed. His death at 71 is a grievous blow not only to those of us from the City of Pittsburgh where he lived, but to the whole Commonwealth of Pennsylvania.

Ironically, Justice Musmanno died on Columbus Day, the holiday honoring the Italian explorer whose achievements he spent a lifetime studying and verifying.

Born in Stowe Township, Allegheny County, on April 7, 1897, Justice Musmanno began his legal career as a practicing attorney in Philadelphia after his graduation from the Georgetown University School of Law here in Washington.

He soon returned to Pittsburgh and after a brief but brilliant career as an attorney there, was elected to the State House of Representatives in 1928.

COAL AND IRON POLICE FOE

His strong espousal of liberal causes won him reelection by a large majority in 1930. Throughout his two terms he concentrated on one of the major aims of his life—the abolition of the so-called coal and iron police which was widely criticized because of its hard-fisted policies toward individuals.

Defeated twice in attempts to have the general assembly abolish the coal and iron police, Justice Musmanno attacked with a different weapon—a book, "Jan Volkanik," from which a movie, "Black Fury," starring Paul Muni, was made.

Public reaction to the brutal tactics of the industrial police system as portrayed in the book and movie brought quick reform by the State legislature.

That victory started Musmanno on a career which was to bring him international fame as the presiding judge in Military Tribunal II, the second of the famed trials of war criminals in Germany after World War II.

His judicial career began with his election to the county court of Allegheny County in 1931. Two years later he was elected to common pleas court, polling

320,000 of 340,000 votes cast, for the highest majority in history.

Before beginning his new duties, which would involve presiding at criminal court trials, Musmanno, a man deeply devoted to humanitarian principles, spent a week behind the bars of Western Penitentiary talking to and studying prisoners and their problems.

Speaking of that experience, he later said:

Unless a judge knows to what place he is sending a defendant, how can he tell the term of months or years the defendant should spend in that place?

Musmanno's criminal court career was marked by the most stringent and successful drive against drunken driving ever made in this county.

Impressed by the increasing toll of death on American highways, he laid down a rule that every drunken driver convicted should serve a jail term. And of 413 guilty drivers who came before him, 413 went to jail. The action was reflected in a 65-percent decrease in drunken driving in Pittsburgh.

Musmanno's first political defeat came in 1935 when he was defeated in his first bid for election to the State supreme court. In that election, running without organization support, he sought and lost nominations of both Republican and Democratic tickets.

However, in 1943 he was reelected to Allegheny County common pleas court. In 1950 he again lost an election as a nominee for Lieutenant Governor, but in the following year he won election to the State supreme court, a post he held until his death.

A BITTER DEFEAT

Probably the most bitter political defeat suffered by Musmanno came in 1964 when he lost the Democratic nomination for U.S. Senator to Genevieve Blatt of Pittsburgh by a margin of 513 votes.

First returns indicated that Justice Musmanno was the winner, but when approximately 6,000 votes in Philadelphia were thrown out because they were cast by pulling the wrong lines on voting machines, the nomination went to Miss Blatt. Musmanno carried appeals to both the State supreme and U.S. Supreme Courts, but failed to have the ruling overturned.

A veteran of World War I, Justice Musmanno left the bench and volunteered for active service with the U.S. Navy when America entered World War II.

Serving first as a convoy officer in the North Atlantic, he later became the naval liaison officer with the 5th American Army which landed at Salerno. While he was taking a ship out of Bari the vessel was sunk by a German air raid. Justice Musmanno managed to get to shore on an improvised raft after spending several hours in the water.

The jurist, who later became naval aide to Gen. Mark W. Clark, commanding the Allied Armies in Italy, also served for a time as military governor of Italy.

He was wounded twice and received the Purple Heart Medal, the Bronze Star for Valor, the Legion of Merit, the Army

Commendation Ribbon, and from Italy the Silver Medal for Gallantry.

Musmanno entered the service as a lieutenant commander and rose to the rank of captain. Following the armistice he became president of the United States Forcible Repatriation Board in Austria.

He served as Navy observer at the first war crimes trial at Nuremberg and later as judge. In the Tribunal II trial he was presiding judge in the Einsatzgruppen case involving 24 defendants accused of murder of a million citizens.

As an attorney, Musmanno joined the defense in the latter stages of the famed Sacco-Vanzetti trial in Boston and argued the case of the accused before the Supreme Court. Although he lost the case, his argument in their behalf was highly regarded by observers.

STRONGLY ANTI-RED

Strongly anti-Communist, Musmanno supported a bill outlawing the Communist Party in Pennsylvania and requiring loyalty oaths from public employees which eventually became law.

In 1950, he personally swore out informations against Steve Nelson, top Communist leader, and two associates charging them with violation of the State Sedition Act.

Nelson and four associates were convicted after a 35-week trial. Nelson and one other defendant were sentenced to 20 years in prison. However, the convictions were set aside by the U.S. Supreme Court, which ruled the State Sedition Act was superseded by the Federal Smith Act.

In his first year as a supreme court justice, Musmanno filed 32 dissenting opinions—a record number as dissents usually averaged only five or six per justice per year.

While they drew criticism from Chief Justice Horace Stern, who termed them "fiction," Justice Musmanno later was to point out that 65 percent of his dissents had become represented by the law of Pennsylvania.

His opinions were written in the colorful and oftentimes rhetorical language which characterized both his writings and his speeches—but they were so clear as to be easily understood by laymen as well as lawyers.

He battled communism, obscene books and movies, defamation of the American flag and any unpatriotic movement, but nothing aroused his volatile Italian temper so much as any claim that Christopher Columbus did not discover America.

After months of verbally countering claims that the Vikings and even Buddhist priests from the Far East were here before Columbus, Justice Musmanno brought out a book on the issue: "Columbus Was First."

PRAISED AS AN AUTHOR

Justice Musmanno distinguished himself as an author, turning out almost a dozen books on a wide range of subjects. Included was his "Proposed Amendments to the Constitution," which was acclaimed by both Congress and attorneys as a "magnificent treatise" on this subject.

Other works included "The Man and the Soldier," a biography of Gen. Mark W. Clark, "World War II in Italy," "Ten Days To Die," "Across the Street from the

Courthouse," and "Justice Musmanno Dissents."

In an editorial eulogy to Justice Musmanno, the Pittsburgh Post-Gazette today described him as "an indefatigable man of many talents." All those who were privileged to know Justice Musmanno would agree with this assessment and mourn his loss accordingly.

The Post-Gazette pointed to the "flamboyance and eccentricity" that characterized his active career, but concluded that these were not the qualities that make his loss a tragedy. The editorial said, rightly and truly:

As a public official, soldier and patriot, and an author of vivid imagination and arabesque prose, Mike Musmanno brought to his work a sunny optimism, a great zest for life and a gift for friendship. The warmth of his nature should be remembered after his foibles have been forgotten.

SPEAKER PRO TEMPORE

The SPEAKER. The Chair requests the gentleman from Illinois [Mr. ARENDS] to assume the chair.

Mr. LESLIE C. ARENDS assumed the chair.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona.

COMMENDATION OF SPEAKER

Mr. RHODES of Arizona. Mr. Speaker, I offer a resolution (H. Res. 1324).

The Clerk read the resolution, as follows:

H. Res. 1324

Resolved, That the thanks of the House are presented to the Honorable John W. McCormack, Speaker of the House of Representatives, for the able, impartial, and dignified manner in which he has presided over the deliberations and performed the arduous duties of the Chair during the present term of Congress.

The SPEAKER pro tempore. The gentleman from Arizona is recognized.

Mr. RHODES of Arizona. Mr. Speaker, I deem it a personal honor and a privilege to offer this resolution on behalf of all my colleagues in the House, and particularly on behalf of my colleagues in the minority.

The Speaker of the House, the Honorable JOHN McCORMACK, is a man whose hallmark is eminent fairness. He has treated every Member of the House of Representatives not only as a man who deserves respect because he has been elected by his constituents, but also as a warm and personal friend.

He has leaned over backwards to give to every individual every right which he can possibly possess or expect under the rules of the House of Representatives. We revere him not only for these qualities but also for the fact that he has been a staunch defender of the institutions of the House of Representatives, which we all hold so dear.

Certainly, the House is a better institution, a more revered institution, because JOHN McCORMACK has been the Speaker of this body.

In putting forth the legislative program of the majority, and in securing the consideration of legislation on the floor of the House, the Speaker has been

eminently fair to the members of the minority. It has been said that the minority is the anvil upon which the majority hammers out a legislative program.

Mr. Speaker, some of us have the scars to prove that this is true. However, let me say to my good friend the Speaker that it has been a distinct pleasure to act as an anvil to such a beneficent hammer as the Speaker has wielded. Moreover I think that the work of the minority has been constructive in this particular session and in the whole Congress. And, because of the interplay between the majority and the minority, we have had a better legislative program than we otherwise would have had.

On a number of occasions, Members of the minority have offered constructive amendments to legislation and have helped to rewrite certain bills so that they could be broadly supported and enacted into law. These actions, I believe, have been in the best interests of the country and deserve the respect and admiration of the Members on the other side of the aisle.

It is with a great deal of pleasure that I say to the distinguished Speaker of the House that I wish him the best of everything in the months to come. I look forward to the very definite possibility, and I might say even probability, that his constituents in Massachusetts will return him as a Member of the 91st Congress. I hope that the people of the First District of Arizona will be equally kind to me and that we will be able to resume our friendship and associations in the 91st Congress. I think that the Speaker of this 90th Congress will make an admirable minority leader, and I look forward to greeting him in that particular position next year.

The SPEAKER pro tempore (Mr. ARENDS). The question is on the resolution.

The resolution was unanimously agreed to.

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. ARENDS. Mr. Speaker, might I say this brief word in closing. I have just had the opportunity as minority whip to sit in the Speaker's chair representing the Republican Party. It not only felt comfortable, but I enjoyed it. I think, Mr. Speaker, in recalling the 8 years of the Eisenhower administration when we did on numerous occasions have the opportunity of presiding over this House, it provides us, as Republicans, a feel for the job. If future events bestow upon us the opportunity to sit in your chair more frequently, I think we will be prepared.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MORRIS of New Mexico (at the request of Mr. ALBERT), for today, and the

remainder of the week on account of illness in family.

Mr. RYAN (at the request of Mr. ALBERT), for today, on account of 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. HECHLER of West Virginia, for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. STAGGERS, for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. GONZALEZ (at the request of Mr. MATSUNAGA), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MADDEN and to include extraneous matter in two instances.

Mr. STRATTON and to include extraneous matter.

Mr. GERALD R. FORD (at the request of Mr. ARENDS) to extend his remarks following those of Mr. ALBERT today.

Mr. RYAN (at the request of Mr. MATSUNAGA) to extend his remarks in the permanent RECORD for October 3 on the Whitten amendment, No. 63, on the conference report on H.R. 18037, Labor-HEW appropriation bill.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 159. An act to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes;

H.R. 859. An act for the relief of Public Utility District No. 1 of Klickitat County, Wash.;

H.R. 1596. An act for the relief of Demetrios Konstantinos Georganas (also known as James K. Georganas);

H.R. 2283. An act for the relief of Dr. Ray F. McMillan;

H.R. 2288. An act for the relief of Charles B. Franklin;

H.R. 2760. An act for the relief of Sondra D. Shaw;

H.R. 2792. An act to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes;

H.R. 3593. An act to amend title 38 of the United States Code to provide nursing home care and contract hospitalization for certain veterans living in Alaska and Hawaii, and for other purposes;

H.R. 4939. An act for the relief of Joseph H. Bonduki;

H.R. 5785. An act to authorize the disposal of magnesium from the national stockpile;

H.R. 5818. An act for the relief of Clifton R. Kindt;

H.R. 7567. An act to amend the Internal Revenue Code of 1954 with respect to the definition of compensation for purposes of tax under the Railroad Retirement Tax Act, and for other purposes;

H.R. 8364. An act to amend the joint resolution of March 24, 1937, to provide for the termination of the interest of the United States in certain real property in Allen Park, Mich.;

H.R. 10256. An act to render the assertion of land claims by the United States based upon accretion or avulsion subject to legal and equitable defense to which private persons asserting such claims would be subject;

H.R. 10725. An act to amend the act of August 4, 1950 (64 Stat. 411), entitled "An act relating to the policing of the buildings and grounds of the Library of Congress" to provide salary increases for members of the police force of the Library of Congress, and for other purposes;

H.R. 10790. An act to amend the Public Health Services Act to provide for the protection of the public health from radiation emissions from electronic products;

H.R. 11394. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes;

H.R. 13058. An act to repeal certain acts relating to containers for fruits and vegetables, and for other purposes;

H.R. 14095. An act to amend the Internal Revenue Code of 1954 so as to make certain changes to facilitate the production of wine, and for other purposes;

H.R. 15114. An act to extend to savings notes the provisions of the Second Liberty Bond Act relating to the redemption of savings bonds and the payment of losses incurred in connection with such redemption;

H.R. 15147. An act to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in active-duty service in the Armed Services of the United States during the Vietnam hostilities, or in other periods of military hostilities, and for other purposes;

H.R. 15681. An act to consolidate and revise foreign assistance legislation relating to reimbursable military exports;

H.R. 15971. An act to increase the participation of military judges and counsel on courts-martial, and for other purposes;

H.R. 16025. An act to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes;

H.R. 17361. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis;

H.R. 17864. An act to amend titles 5, 10, and 37, United States Code, to codify recent law, and to improve the code;

H.R. 18253. An act relating to the effective date of the 1966 change in the definition of earned income for purposes of pension plans of self-employed individuals;

H.R. 18373. An act for implementing Conventions for Free Admission of Professional Equipment and Containers, and for ATA, ECS, and TIR Carnets;

H.R. 18486. An act to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system;

H.R. 18612. An act to enact title 44, United States Code, "Public Printing and Documents," codifying the general and permanent laws relating to public printing and documents;

H.R. 18942. An act relating to the income tax treatment of certain statutory mergers of corporations;

H.R. 19908. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes;

H.R. 20300. An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; and

H.J. Res. 691. Joint resolution extending greetings and felicitations to St. Louis University in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 857. An act for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.;

S. 2012. An act to amend the District of Columbia Public School Board Services Act to provide for the payment of salaries of food service employees from appropriated funds, to provide for adjustments in those salaries, and for other purposes;

S. 3174. An act to establish a National Memorial to Woodrow Wilson;

S. 3416. An act to amend the Federal Property and Administrative Act of 1949, as amended, to authorize the rendering of direct assistance to and performance of special services for the inaugural committee;

S. 3736. An act to authorize the Secretary of Agriculture to sell to the Village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.; and

S. 4120. An act to amend title 5, United States Code, to authorize the waiver, in certain cases, of claims of the United States arising out of erroneous payments of pay to employees of the executive agencies, and for other purposes.

BILLS AND A 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, bills of the House of the following titles:

H.R. 859. An act for the relief of Public Utility District No. 1 of Klickitat County, Wash.;

H.R. 1596. An act for the relief of Demetrios Konostontinos Georgaras (also known as James K. Georgaras);

H.R. 2283. An act for the relief of Dr. Ray F. McMillan;

H.R. 2288. An act for the relief of Charles B. Franklin;

H.R. 2760. An act for the relief of Sondra D. Shaw;

H.R. 2792. An act to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes;

H.R. 3593. An act to amend title 38 of the United States Code to provide nursing home care and contract hospitalization for certain veterans living in Alaska and Hawaii, and for other purposes;

H.R. 4939. An act for the relief of Joseph H. Bonduki;

H.R. 5785. An act to authorize the disposal of magnesium from the national stockpile;

H.R. 5818. An act for the relief of Clifton R. Kindt;

H.R. 7567. An act to amend the Internal Revenue Code of 1954 with respect to the definition of compensation for purposes of tax under the Railroad Retirement Tax Act, and for other purposes;

H.R. 8364. An act to amend the joint resolution of March 24, 1937, to provide for the termination of the interest of the United States in certain real property in Allen Park, Mich.;

H.R. 10256. An act to render the assertion of land claims by the United States based

upon accretion or avulsion subject to legal and equitable defense to which private persons asserting such claims would be subject;

H.R. 10725. An act to amend the act of August 4, 1950 (64 Stat. 411), entitled "An act relating to the policing of the buildings and grounds of the Library of Congress" to provide salary increases for members of the police force of the Library of Congress, and for other purposes;

H.R. 10790. An act to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products;

H.R. 13058. An act to repeal certain acts relating to containers for fruits and vegetables, and for other purposes;

H.R. 14095. An act to amend the Internal Revenue Code of 1954 so as to make certain changes to facilitate the production of wine, and for other purposes;

H.R. 15114. An act to extend to savings notes the provisions of the Second Liberty Bond Act relating to the redemption of savings bonds and the payment of losses incurred in connection with such redemption;

H.R. 15147. An act to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in active-duty service in the Armed Services of the United States during the Vietnam hostilities, or in other periods of military hostilities, and for other purposes;

H.R. 15681. An act to consolidate and revise foreign assistance legislation relating to reimbursable military exports;

H.R. 15971. An act to increase the participation of military judges and counsel on courts-martial, and for other purposes;

H.R. 16025. An act to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes;

H.R. 17361. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis;

H.R. 18253. An act relating to the effective date of the 1966 change in the definition of earned income for purposes of pension plans of self-employed individuals;

H.R. 18373. An act for implementing Conventions for Free Admission of Professional Equipment and Containers, and for ATA, ECS, and TIR Carnets;

H.R. 18486. An act to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system;

H.R. 18612. An act to enact title 44, United States Code, "Public Printing and Documents," codifying the general and permanent laws relating to public printing and documents;

H.R. 18707. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes;

H.R. 18942. An act relating to the income tax treatment of certain statutory mergers of corporations;

H.R. 20300. An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; and

H.J. Res. 691. Joint resolution extending greetings and felicitations to St. Louis University in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with the provisions of Senate Concurrent Resolution 83, the Chair declares the second

session of the 90th Congress adjourned sine die.

Thereupon (at 2 o'clock p.m.), pursuant to Senate Concurrent Resolution 83, the House adjourned sine die.

BILLS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

Mr. FRIEDEL, from the Committee on House Administration, reported that the committee did on October 15, 1968, present to the President for his approval bills of the House of the following titles:

H.R. 11394. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes; and

H.R. 17864. An act to amend titles 5, 10, and 37, United States Code, to codify recent law, and to improve the code.

On October 18, 1968:

H.R. 159. An act to amend title II of the Merchant Marine Act, 1936, to create an Independent Federal Maritime Administration, and for other purposes.

BILLS AND JOINT RESOLUTION APPROVED AFTER SINE DIE ADJOURNMENT

The President, subsequent to the sine die adjournment of the Congress, notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the House of the following titles:

On October 8, 1968:

H.R. 15263. An act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; and

H.R. 16175. An act to authorize the transfer, conveyance, lease, and improvement of, and construction on, certain property in the District of Columbia, for use as a headquarters site for the Organization of American States, as sites for governments of foreign countries, and for other purposes.

On October 9, 1968:

H.R. 1340. An act to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain an extension of the Blue Ridge Parkway in the States of North Carolina and Georgia, and for other purposes.

On October 10, 1968:

H.R. 19136. An act to amend title 5, United States Code, to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation.

On October 11, 1968:

H.R. 17126. An act to amend the Food and Agriculture Act of 1965;

H.R. 18037. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes; and

H.J. Res. 1459. Joint resolution recognizing the significant part which Harry S. Truman played in the creation of the United Nations.

On October 12, 1968:

H.R. 2155. An act to amend the tariff schedules of the United States with respect to the classification of Chinese gooseberries;

H.R. 5117. An act to authorize the Secretary of the Interior to construct, operate, and maintain stage 1 and to acquire lands for stage 2 of the Palmetto Bend reclamation project, Texas, and for other purposes;

H.R. 6862. An act for the relief of Slatcor C. Blackiston, Jr.;

H.R. 8140. An act to provide for the settlement of claims against the District of Columbia by officers and employees of the District of Columbia for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 9089. An act for the relief of E. Christian Des Marets, Sr.;

H.R. 13160. An act for the relief of William W. Hiebert;

H.R. 14079. An act for the relief of Lt. (j.g.) Herbert F. Swanson, and others;

H.R. 14098. An act to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended;

H.R. 14935. An act to amend title 39, United States Code, to regulate the mailing of master keys for motor vehicle ignition switches, and for other purposes;

H.R. 17104. An act to extend until July 15, 1969, the suspension of duty on electrodes for use in producing aluminum;

H.R. 17524. An act to amend section 502 of the Merchant Marine Act, 1936, relating to construction-differential subsidies;

H.R. 17684. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Pueblos of Cochiti, Pojoaque, Tesuque, and Zuni, in New Mexico; and

H.R. 19831. An act to provide funds on behalf of a grateful Nation in honor of Dwight David Eisenhower, 34th President of the United States, to be used in support of construction of educational facilities at Eisenhower College, Seneca Falls, N.Y., as a distinguished and permanent living memorial to his life and deeds.

On October 15, 1968:

H.R. 15758. An act to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes.

On October 16, 1968:

H.R. 18366. An act to amend the Vocational Education Act of 1963, and for other purposes.

On October 17, 1968:

H.R. 1411. An act to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes;

H.R. 2282. An act for the relief of certain employees of the Naval Weapons Center, Concord, Calif.;

H.R. 8781. An act to authorize the Secretary of the Interior to exchange certain lands in Shasta County, Calif., and for other purposes;

H.R. 13099. An act to authorize the establishment of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes;

H.R. 13480. An act to make the proof of financial responsibility requirements of section 39(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia inapplicable in the case of minor traffic violations involving drivers' licenses and motor vehicle registration;

H.R. 13844. An act to provide additional leave of absence for Federal employees in connection with the funerals of their immediate relatives who died as a result of wounds, disease, or injury incurred while serving as a member of the Armed Forces in a combat zone; and to provide additional leave for Federal employees called to duty as members of the National Guard or Armed Forces Reserves;

H.R. 15114. An act to extend to savings notes the provisions of the Second Liberty Bond Act relating to the redemption of sav-

ings bonds and the payment of losses incurred in connection with such redemption;

H.R. 17273. An act to amend the act of September 21, 1959 (Public Law 86-339) relating to the reservation of the Agua Caliente Band of Mission Indians;

H.R. 17361. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis;

H.R. 17787. An act to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes;

H.R. 18707. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes;

H.R. 18885. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Seminole Tribe of Oklahoma in dockets Nos. 150 and 248 of the Indian Claims Commission, and for other purposes; and

H.R. 19908. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

On October 18, 1968:

H.R. 551. An act to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes;

H.R. 2263. An act for the relief of Henry E. Bullock;

H.R. 2283. An act for the relief of Dr. Ray F. McMillan;

H.R. 5785. An act to authorize the disposal of magnesium from the national stockpile;

H.R. 5818. An act for the relief of Clifton R. Kindt;

H.R. 10790. An act to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products; and

H.R. 18248. An act to amend the act of August 9, 1955, relating to certain common carrier operations in the District of Columbia.

On October 21, 1968:

H.R. 1596. An act for the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras);

H.R. 2288. An act for the relief of Charles B. Franklin;

H.R. 2792. An act to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes;

H.R. 3593. An act to amend title 38 of the United States Code to provide nursing home care and contract hospitalization for certain veterans living in Alaska and Hawaii, and for other purposes;

H.R. 3865. An act for the relief of Mauritz A. Sterner;

H.R. 7417. An act to prescribe administrative procedures for the District of Columbia government;

H.R. 7735. An act to continue for 3 years the existing suspension of duties on certain alumina and bauxite, and for other purposes;

H.R. 8364. An act to amend the joint resolution of March 24, 1937, to provide for the termination of the interest of the United States in certain real property in Allen Park, Mich.;

H.R. 10725. An act to amend the act of August 4, 1950 (64 Stat. 411), entitled "An act relating to the policing of the buildings and grounds of the Library of Congress" to provide salary increases for members of the police force of the Library of Congress, and for other purposes;

H.R. 18253. An act relating to the effective date of the 1966 change in the definition of earned income for purposes of pension plans or self-employed individuals;

H.R. 20300. An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; and

H.J. Res. 691. Joint resolution extending greetings and felicitations to Saint Louis University in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding.

On October 22, 1968:

H.R. 859. An act for the relief of Public Utility District No. 1 of Klickitat County, Wash.;

H.R. 7567. An act to amend the Internal Revenue Code of 1954 with respect to the definition of compensation for purposes of tax under the Railroad Retirement Tax Act, and for other purposes;

H.R. 11394. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes;

H.R. 13058. An act to repeal certain acts relating to containers for fruits and vegetables, and for other purposes;

H.R. 14095. An act to amend the Internal Revenue Code of 1954 so as to make certain changes to facilitate the production of wine, and for other purposes;

H.R. 15681. An act to consolidate and revise foreign assistance legislation relating to reimbursable military exports;

H.R. 17735. An act to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms;

H.R. 17864. An act to amend titles 5, 10, and 37, United States Code, to codify recent law, and to improve the code;

H.R. 18486. An act to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system;

H.R. 18612. An act to enact title 44, United States Code, "Public Printing and Documents," codifying the general and permanent laws relating to public printing and documents; and

H.R. 18942. An act relating to the income tax treatment of certain statutory mergers of corporations.

On October 23, 1968:

H.R. 16025. An act to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes.

On October 24, 1968:

H.R. 653. An act to amend the tariff schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings, and for other purposes;

H.R. 2760. An act for the relief of Sondra D. Shaw;

H.R. 14096. An act to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes.

H.R. 15147. An act to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in active-duty service in the Armed Forces of the United States during the Vietnam hostilities, or in other periods of military hostilities, and for other purposes.

H.R. 15971. An act to increase the participation of military judges and counsel on courts-martial, and for other purposes;

H.R. 17324. An act to extend and amend the Renegotiation Act of 1951, and for other purposes; and

H.R. 18373. An act for implementing Conventions for Free Admission of Professional Equipment and Containers, and for ATA, ECS, and TIR Carnets.

HOUSE BILL DISAPPROVED AFTER SINE DIE ADJOURNMENT—ASSERTION OF LAND CLAIMS

I have withheld my approval from H.R. 10256, "A bill to render the assertion of land claims by the United States

based upon accretion or avulsion subject to legal and equitable defense to which private persons asserting such claims would be subject."

On November 14, 1966, I had the unpleasant duty of withholding my approval from a similar bill, H.R. 13955, 89th Congress, relating to title to the same 2,100 acres of land in California covered by the present bill.

In my Memorandum of Disapproval on the earlier bill, I urged that the Congress permit the legal issue of title to be adjudicated in the traditional manner in the courts, then, "If the case is resolved against the claimants and the Congress believes that the equities were so compelling that relief should have been granted, the Congress can act after the factual issues have been fully litigated and a complete record has been assembled." H.R. 10256 does recognize that the court is the appropriate forum for deciding the legal issue of title, but it goes further. It grants the 19 individuals and corporations claiming under the bill special and unprecedented defenses against the United States such as laches, equitable estoppel, and adverse possession.

Since the parties are already in court, the only purpose the bill serves is to grant these special defenses to the claimants. Any one of these defenses could preclude a decision on the merits of the title issue. The bill has the effect of changing, after the United States has filed suit, the rules which would otherwise be applicable to a case of this kind. If this bill were to become law, it would establish a most undesirable precedent with far-reaching consequences. It would deprive the United States of its sovereign immunity to loss of the public lands by adverse possession, an immunity that is essential if we are to provide adequate protection of the people's interest in the more than 450 million acres of public lands. Moreover, the Federal Government must necessarily act through its officers and employees, and these agents cannot always act in a timely fashion to protect the public interest in lands because of other priorities, lack of funds or personnel, or other reasons.

California, where the land in question is located, and the adjoining State of Arizona both protect their own lands from alienation through adverse possession, and I believe the United States should do no less.

In recent years, many hundreds of trespassers on public lands along the Colorado River have, as a result of Government action, left the land or have arranged leases from the Government. Others have been removed by court action, and others are still engaged in title litigation. It would be manifestly unfair to all of these persons whose cases were or are fully governed by the customary legal rules to recognize special rules on behalf of the group of claimants covered by H.R. 10256.

For the foregoing reasons, and since there has been no relevant change in the facts and circumstances of this case since my disapproval of the earlier bill, I feel compelled to withhold my approval from the present bill. I urge the Congress

to allow the pending case to go forward to decision in accordance with the rules of law governing all cases in which there is a dispute over land claimed by the United States.

LYNDON B. JOHNSON.

THE WHITE HOUSE, October 25, 1968.

HOUSE BILL DISAPPROVED AFTER SINE DIE ADJOURNMENT—ROBERT L. MILLER AND MILDRED M. MILLER

I have withheld my approval from H.R. 5677, entitled "An act for the relief of Robert L. Miller and Mildred M. Miller."

H.R. 5677 would waive the requirements of the applicable statute of limitations to permit the Millers to file untimely claims for tax refund. For the reasons outlined below, approval of H.R. 5677 would constitute a very undesirable step.

It is vital to the fairness and effectiveness of our tax system that taxpayers who are in similar circumstances be treated alike. This bill discriminates in favor of the Millers and against all other taxpayers who are barred by the statute of limitations from recovering mistaken overpayments of tax. There is no justification for discrimination of this sort.

The statutory periods of limitation which Congress has included in the revenue laws are essential in order to assure finality in tax administration. They serve to bar, after the lapse of a reasonable amount of time, both the filing of a claim for refund by the taxpayer and the assessment of additional taxes by the Government. To override these statutory limitations in this case would open the door to the filing of untimely claims for refund in any instance in which a taxpayer made a mistake in filing his return or in selecting an attorney or tax advisor. Such a development would seriously weaken the statute of limitations in tax matters, and would jeopardize the effective administration of the tax laws.

Special circumstances do not justify granting relief in this case. The most basic of a citizen's obligations under our self-assessment system of taxation is the obligation to file a completed, signed tax return. In discharging this obligation, taxpayers are free to choose whomever they wish to assist them. However, the obligation to file a correct return remains the taxpayer's, even though he may ask others to assist him in preparing his return.

In this case, it is clear that the Millers are responsible and skillful business persons who were not unaware of their personal tax obligations. By 1952, they had been signing their personal income tax returns for 20 years, and had in fact signed returns prepared by their attorney in each of the four years immediately preceding 1952. Nevertheless the Millers failed to file their tax returns for 1952 and 1953 until February 15, 1960. No declarations of estimated tax were ever filed by them. Under these circumstances, it is clear that the problems which H.R. 5677 seeks to remedy are a direct result of the Millers own failure to discharge the most basic of the obligations imposed on all

citizens by our tax system—the obligation to file timely and correct tax returns. A failure to discharge this basic obligation in a timely way, either by personal effort or by selecting a reliable tax advisor, does not constitute a proper ground for special legislative relief from the rules contained in the applicable statute of limitations.

For these reasons, I have withheld my approval of H.R. 5677.

LYNDON B. JOHNSON.

THE WHITE HOUSE, October 21, 1968.

HOUSE BILL DISAPPROVED AFTER SINE DIE ADJOURNMENT—JOSEPH H. BONDUKI

I am withholding my approval of H.R. 4939, "A bill for the relief of Joseph H. Bonduki."

The bill would confer jurisdiction on the Court of Claims to hear, determine, and render judgment on the claim of Joseph H. Bonduki, based upon his allegedly wrongful separation in 1953 from employment with the then International Information Administration of the Department of State.

Mr. Bonduki appealed twice to the Civil Service Commission which ruled that the agency's action, based upon medical suitability, was warranted and in accordance with established procedures. Eight years later, in 1961, Mr. Bonduki filed suit in the United States District Court for the District of Columbia. The same reasons advanced before the Congress for this protracted delay were presented to the Court. The action was dismissed because of Mr. Bonduki's failure to seek timely relief.

In 1966, Mr. Bonduki again instituted suit this time in the United States Dis-

trict Court for the Southern District of New York. This litigation was dismissed because Mr. Bonduki had presented his claim to a Federal court in 1961 and that court had dismissed it even then as being untimely. This second dismissal was upheld upon appeal to the United States Court of Appeals for the Second Circuit.

Thus, the legislation runs counter to three court decisions and offends the strong public policy in favor of finality of judgments. It would force the United States to defend a suit on a 1953 claim upon which there was a ruling in 1961 of prejudice to the Government because of the delay in filing suit. Finally, the legislation is preferential in that it would permit Mr. Bonduki's unreasonably delayed and judicially barred claim to be litigated, whereas other employees similarly situated have not been given that opportunity.

LYNDON B. JOHNSON.

THE WHITE HOUSE, October 25, 1968.

PUBLIC BILLS AND RESOLUTIONS

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

By Mrs. DWYER:

H.R. 20578. A bill for the establishment, in a continuing basis, of the Commission on the Organization and Operation of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. FULTON of Pennsylvania:

H.R. 20579. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.J. Res. 1478. Joint resolution directing the Secretary of the Interior to erect a statue of Mahatma Gandhi in the District of Columbia; to the Committee on House Administration.

H. Res. 1325. Resolution authorizing the

appointment of a select committee; 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. ADDABBO:

H.R. 20580. A bill for the relief of Tereas Giacoboni Volpe; to the Committee on the Judiciary.

By Mr. BIESTER:

H.R. 20581. A bill for the relief of Dr. Seung Chul Kari; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 20582. A bill for the relief of Ki-Boon Yang; to the Committee on the Judiciary.

H.R. 20583. A bill for the relief of Seung Ick Yang; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 20584. A bill for the relief of Mr. Cristoforo Costa; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 20585. A bill for the relief of Vincenzo Covello; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 20586. A bill for the relief of Helen Andreaskos; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 20587. A bill for the relief of Daniel Srique; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, the following petition and papers were laid on the Clerk's desk:

408. The SPEAKER presented a petition of Henry Stoner, of Portland, Ore., relative to establishing a committee to investigate reserved powers alluded to in the 10th amendment to the Constitution of the United States, which was referred to the Committee on Rules.

EXTENSIONS OF REMARKS

SOVIET MOVES IN EUROPE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. THURMOND. Mr. President, yesterday I addressed the Senate on the increased tensions which the Soviets have brought into central Europe with their massive deployment of troops in Czechoslovakia. I spoke of the necessity for positive action to back up the usual rhetoric.

I have just received a copy of an editorial published yesterday in *The State*, one of South Carolina's distinguished newspapers. The State points to exactly the same problem in similar terms. I would especially like to call to the attention of the Senate this important question: "Is it too much to hope that some day, somewhere, somehow, the leaders of the free world will assert themselves, capitalize on Communist blunders, and demand, rather than grant, concessions?"

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SAME OLD STORY

The British have a rather effective way of impressing motorists with the need for caution on dangerous stretches of highway. After a few notices of sharp curves, bad hills, or the like, there will suddenly appear a final sign which states simply:

"You Have Been Warned."

Discerning citizens of the world, regardless of nationality, should now be able to visualize just such a sign rising above the occupied country of Czechoslovakia.

The world has indeed been warned that the Soviet Union has lost none of its determination to impose its brand of Communism upon as much of Europe—and of the world—as it is able to do. The expansion of Communism in the Western world has been without force of arms as a general rule in recent years, but the Soviet-led invasion of Czechoslovakia proved that the Kremlin's leaders are prepared—in mind as well as resources—to employ military force when necessary.

In the long run, Russia's roughshod treatment of one of its own Communist satellites may prove to be the salvation of free Europe. The members of the North Atlantic Treaty Organization have been shaken out of their growing lethargy, the American builders of "bridges to the East" have been sobered, and

a reassessment and revitalization of NATO's military establishment seems in the making.

But even as the West wakes up to the continued existence of a Soviet threat, the Communists again hold the initiative. It long has been a trick of dictators, of whatever label, to accuse their adversaries of precisely the evil actions (or intentions) which they themselves are promoting. And so it is again: The Soviets have sought to justify their invasion of Czechoslovakia by saying it was necessary preventive of West Germany aggression against the Czechs.

This bald-faced allegation has been accompanied by strong hints that Russia might find it necessary (and legal under the peculiar cast of the Communist mind) to intervene in West German affairs. The Western response, while firm enough, is still a response—not an initiative.

And what is quite likely to result is another in the long and often humiliating series of setbacks to Western diplomacy. We foresee the possibility, indeed the probability, that the current Soviet threats—actual in the case of Czechoslovakia and implied in the case of West Germany—will be used as a lever to extract some sort of concession from the Western powers.

The men in the Kremlin are past masters at this game. When they find themselves at an impasse or at a point of international embarrassment, they simply whip up a crisis,