[From the Washington (D.C.) Post, July 8, 1969]

U.S. To Keep Consulate in Rhodesia

(By A. D. Horne)

President Nixon has rejected a State Department recommendation to sever the last thread of official U.S. contact with white-ruled Rhodesia.

State, which two weeks ago denounced Rhodesia's June 20 constitutional referendum as a "travesty," sought to follow these words with action by closing the American consulate general in Salisbury.

The move was to have come within a day of Britain's announcement that its governor in Salisbury was being withdrawn, thereby emphasizing that the American consulate's presence depended on Rhodesia's colonial status and did not imply any recognition of the white minority government of Prime Minister Ian Smith.

The British governor, Sir Humphrey Gibbs, left Government House for retirement Sunday. But the U.S. consulate remained open, and the State Department said yesterday that no decision had been made on the consulate's future.

State and White House officials would not comment beyond that statement. But it was learned that the closing had been blocked at least for now by the President, apparently at the urging of political conservatives and business interests.

The Rhodesian issue is sensitive ideologically and economically. Southern conservatives and the Republican right wing have denounced U.S. policy since Smith's unilateral declaration of independence in 1965, arguing that 230,000 white Rhodesians should be free to rule their voteless black majority of 4.5 million without foreign interference.

American observance of the United Nations boycott on Rhodesian trade has had special impact on U.S. metals producers. Before the boycott, Rhodesia supplied roughly half the U.S. market for chrome ore. Now the chief supplier is Russia, at prices 50 per cent above pre-boycott levels. Two U.S. firms are barred from importing chorme from their own Rhodesian mines.

The Salisbury consulate has been operating at less than half of regulation staff since 1965. The post of consul general has been left vacant since the Smith government declared its independence, and the consulate staff has been cut from 21 to 8. All trade promotion activities stopped after the Smith decree, and the U.S. Information Service closed.

A LANDMARK DECISION FOR GREECE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. FRAZER. Mr. Speaker, evidence of political torture in Greece continues to mount up. James Becket in the July 7 issue of the Nation magazine writes:

The question for the commission—the European Human Rights Commission—is no longer whether torture exists or not—nor, one would suppose, whether there are to be hangings in Constitution Square—but whether torture appears in "isolated cases" or is an "administrative practice."

A commission decision, Becket writes, is expected in November. He claims that the "essentially juridical decision has taken on increasing political significance," noting that an unfavorable commission report probably would lead to Greece's expulsion from the Council of Europe. The commission's decision, he writes, will be "a landmark for international law."

The full article follows:

Greece: The Rack and the Bomb

Geneva.—Two weeks ago Prime Minister Papadopoulos of Greece announced that he would himself hang in Constitution Square any official who had tortured a Greek citizen. This declaration was provoked by an article in *Look* magazine, "Greece: Government by Torture." Though reports of torture have been in the European press for two years, an article in a mass circulation American magazine hit the junta where it hurts. The usual categorical denial was given, and the "falsehoods" were attributed to "Communists" and "mentally deranged persons." Perhaps the colonels were justified in their annoyance, since it is undeniable that in many parts of the world colonels get on with the business of "national regeneration" with hardly a murmur of protest from abroad. But Greece is a special case, and one of the reasons it is a special case is that Greece is a signatory to the European Convention of Human Rights.

In mid-June in Strasbourg the European Human Rights Commission heard seven more witnesses on Article Three ("No one shall be subjected to torture or to inhuman or degrading treatment or punishment"). After the sessions of last November and December, which were dramatized by James Bandopoulos scenes of escaping junta witnesses (see *The Nation*, January 6), the commission held hearings in Greece in February. Exercising its power under the convention to carry out an investigation on the spot, it examined fifty-one witnesses. But the commission was refused access to certain witnesses, notably the would-be assassin of Papadopoulos, Alecos Panagoulis, who only recently escaped and was recaptured. (The Human Rights Commission is hardly pleased with Papadopoulos' offer to *Look* to come and make a free and "serious investigation" in Greece, when this was denied the commission which enjoys the right under an international convention.)

The seven new witnesses, heard on June 15 and 16, had escaped from Greece with the help of resistance organizations. Two witnesses called from Greece were not permitted to leave the country. One of them, the rightwing lawyer George Mangakis, who has defended many political cases before the courts-martial, had his passport confiscated at the airport. (Thus, for good measure, violating the convention article on freedom to travel.)

The June session, unlike previous ones, was calm. The witnesses had the same story of torture to tell: bastinado, mock execution, electro-shock, sexual abuse, etc. (One new interpreter collapsed after an hour and was replaced by a veteran.) One reason for the calm was the absence of both principals, the Scandinavians and the junta Greeks, at the in camera sessions, and this time no junta thugs were patrolling the premises. This meant also that the junta's chief man on the case, and its most ardent defender on the diplomatic scene, Basil Vitsaksis, was absent. Mr. Vitsaksis has been rewarded with appointment as ambassador to Washington, though he is waiting for the United States to send its ambassador to Greece. There is now the chance that he might be appointed to replace Foreign Minister Pipinellis, who is not well.

The question for the commission is no longer whether torture exists or not (nor, one would suppose, whether there are to be hangings in Constitution Square) but whether torture appears in "isolated cases" or is an "administrative practice." A decision is expected from the commission at the end of November. It will be a landmark for international law. The case is rare in international jurisprudence in that the Scandinavian countries did not bring the action for commercial reasons but for reasons of principle. As the chief agent, Norway's Jens Evensen says: "We fought a war so these things would not happen again. We are bringing this case not just for the Greeks but for the Italians, for all Europeans."

This essentially juridical decision has taken on increasing political significance. The Committee of Ministers of the Council of Europe managed to avoid expelling Greece from the Council with the excuse that it would be more proper to wait for the decision of the Human Rights Commission. This means that if the commission were to find that there had been torture, the expulsion would be almost automatic. The junta's policy, as devised by Mr. Vitsaksis, has been to obstruct, but he is running out of delaying tactics. Expulsion would have serious consequences for the colonels, who fear the operation of a "domino theory" on other, more vital European organizations.

Meanwhile, mass arrests and torture continue. A recent wave of bombings has been aimed at American targets: The PX, Litton Industries, American Express, the Hilton, USIA, etc., as well as around recent NATO exercises in the north of Greece. This expresses the belief of every Greek that the United States is responsible for the current situation, and that only a change of American policy will change the situation. Some observers believe that the United States, the major supporter of the junta, is becoming more and more disenchanted. Greece's Minister of Economics was officially invited to France recently by the Minister of Defense and declared he wanted to give France important contracts. France, South Africa's leading arms supplier, represents the only area for maneuver for Fascist Greece in the event of American pressures. The junta's anti-communism and strategic importance to the West exclude an Eastern or Nasser-like path.

In the face of a probably unfavorable report by the commission on torture, of increased bombings and resistance, and of European dissatisfaction, the Nixon Administration will have to make some decisions it has so far avoided.

HOUSE OF REPRESENTATIVES—*Wednesday, July 9, 1969*

The House met at 12 o'clock noon.

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

God is our refuge and strength, a very present help in trouble.—Psalm 46: 1.

Almighty God and Father of all mankind, whose love is the light of life and whose law is the litany of liberty, grant us wisdom to use in right ways the freedom which is our heritage by keeping ourselves dedicated to Thee and devoted to our country.

Give us the faith to go out into this day with courage not always knowing where we are going but with the assurance that Thou art with us, Thy hand is sustaining us and Thy spirit supporting us all the way.

Strengthen Thou the men and women in our Armed Forces throughout the world who are risking their lives on our

behalf and seeking to keep freedom alive on this planet. By Thy grace may they be temperate in all things and may their homes be kept steadfast in loyalty during these days of separation.

Bless those of our number into whose homes sorrow has come. Comfort them with Thy presence and give them strength as they live through these days.

In life and death, may they and we realize that Thou art our refuge and strength and underneath are Thine everlasting arms.

In the Master's name we pray. Amen.

THE JOURNAL

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

THE LATE HONORABLE WILLIAM H. MILLIKEN

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

Mr. WILLIAMS. Mr. Speaker, last Friday, July 4, 1969, Mr. William H. Milliken, Jr., a former Member of this House, passed away at the age of 71. His funeral is today. Mr. Milliken, who is known to his thousands of friends as Bill, served in this House for 6 years during the 86th, 87th, and 88th Congresses.

It was my very real pleasure to have been a very close friend of Bill Milliken's for the last 23 years of his life. As his friend, I had an opportunity to observe his outstanding work in private business and in public service.

Bill was born in Philadelphia, Pa., and moved to Sharon Hill, Delaware County, Pa., in 1906 and Sharon Hill was his home for the rest of his life.

Bill Milliken attended the Sharon Hill public schools and the Drexel Institute of Technology in Philadelphia. In private business he worked as a construction foreman and as a sales executive for the Whitehall Cement Manufacturing Co.

His record of public service is most distinguished. He served as burgess of Sharon Hill Borough for 10 years and he served as the Delaware County clerk of courts for 8 years. He also served in the Pennsylvania State House of Representatives and many enlightened, progressive pieces of legislation bear his name.

During his service in the U.S. Congress, he served on the Banking and Currency Committee and on the Appropriations Committee. Bill Milliken did not seek reelection to the 89th Congress due to reasons of health.

Bill Milliken was a 32d-degree Mason, a life member of the Sharon Hill Volunteer Fire Company, and a devout Presbyterian. He is survived by his widow, the former Nan Hitchler, a brother, Harold, and a sister, Mrs. Kathryn T. M. Kilpatrick.

To the thousands of people who knew him, Bill Milliken was a man of deep understanding who was always ready to be helpful. His advice and counsel were sought by many. During his adult years Bill Milliken was always an outstanding leader of his party.

Bill Milliken will be sorely missed by countless people.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I am happy to yield to the gentleman from Michigan (Mr. GERALD R. FORD), our distinguished minority leader.

Mr. GERALD R. FORD. All of us were saddened by the passing of Bill Milliken. It was my privilege to have served with him in the House, and particularly to have served with him as a member of the Committee on Appropriations. He was a fine legislator. He had an outstanding overall record of public service. He was a real gentleman at all times and a great asset in the House of Representatives.

I extend to his family my deepest condolences.

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

Mr. WILLIAMS. I yield to the gentleman from Oklahoma (Mr. ALBERT), our distinguished majority leader.

Mr. ALBERT. I join the gentleman from Pennsylvania in paying tribute to our late friend, the Honorable Bill Milliken. Mr. Milliken was a very constructive and able Member of this body. He was a fine American and an outstanding public servant. His loss will be felt not only by his family and loved ones, but by his country and his fellow men as well.

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

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

Mr. MAHON. Mr. Speaker, I join in honoring the memory of our late distinguished colleague with whom many of us had the honor to be associated on the Committee on Appropriations. He served on several important subcommittees of the Committee on Appropriations, and he made his contributions.

He was a very congenial man. He was understanding. He was cooperative in the processing of the important work of the committee.

May the Lord bless his memory. On behalf of the committee, and myself, I extend deepest sympathy to his family and loved ones.

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

Mr. WILLIAMS. I yield to the gentleman from Massachusetts.

Mr. CONTE. I, too, wish to join with my colleagues in tribute to Bill Milliken. I served on the Appropriations Committee with him. He was on my subcommittee. I had the pleasure of visiting many Coast Guard bases all over the country with Bill. I got to know him, and I respected him. He was a true and loyal friend of mine. He was certainly a dedicated public servant.

I know on those trips we took throughout the country looking at Coast Guard stations he would always tell me about his district. He had a deep love and affection for the people from his congressional district. He was truly a dedicated public servant, a great American. He certainly will be truly missed by all his friends.

I would like to extend my deepest sympathy to his family and to his many friends in Pennsylvania.

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

Mr. WILLIAMS. I yield to the distinguished gentleman from Arizona.

Mr. RHODES. Mr. Speaker, I thank my good friend from Pennsylvania for yielding. I would like to associate myself with the remarks made by the gentleman from Pennsylvania and the gentleman from Massachusetts. I knew Bill Milliken as a member of the Public Works Subcommittee of the Appropriations Committee. We worked very closely together. Bill was always a conscientious and able public servant, and one who was dedicated to the development of the resources of this country.

I can also say, as did the gentleman from Massachusetts, that he frequently mentioned the people of his district and his deep love for them and for the part of Pennsylvania which he represented. He will be missed.

I join my colleagues in sending my own expressions of sympathy to his family upon this great loss.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE REPORT ON DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1970, UNTIL MIDNIGHT THURSDAY

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Thursday, July 10, to file a privileged report on the Department of the Interior and related agencies appropriation bill for fiscal year 1970.

Mr. REIFEL reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON ROADS, COMMITTEE ON PUBLIC WORKS, TO SIT TODAY DURING GENERAL DEBATE

Mr. CLARK. Mr. Speaker, I ask unanimous consent that the Subcommittee on Roads of the Committee on Public Works be permitted to sit this afternoon while the House is in session. I might say that this has been cleared by all Members.

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

There was no objection.

THE CHALLENGE

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

Mr. JOELSON. Mr. Speaker, I am about to read something which I have written concerning our warped schedule of priorities at a time of despair in our cities. I do want to stress, however, that I have great admiration for the courage and dedication of our astronauts and that

I deeply hope and pray for the success of their moon voyage and for their safe return:

THE CHALLENGE

There is more challenge in each square block of city slum
Than all the galaxy.
Between brother and brother, more awful distance
Than the long boulevard of lonely space.

It will be written that in 1969, primative man canned himself and catapulted through the void,
While hunger, hate and sickness stalked his earth.
Choosing not to try for heaven, just the moon.

The old gnarled black man, sitting in the steamy summer of Seventh Street amidst the broken glass,
Is wiser than the scientists at Houston.
He knows what vistas cry to be explored.

FISHERIES MEETING WITH ECUADOR AND PERU IS WELCOME NEWS

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

Mr. PELLY. Mr. Speaker, a meeting of representatives of Peru, Chile, and Ecuador with U.S. officials, according to the Peruvian Foreign Ministry, is scheduled to be held in Buenos Aires starting July 30 to try and settle longstanding differences which have resulted in the seizures of American tuna vessels off the west coast of South America.

This is welcome news to those of us on the House Fisheries Subcommittee. I think it is obvious that President Nixon has been distressed at the deterioration in the relationship of the United States with Latin American neighbors. But, as I have said before, if the fishery dispute can be resolved, then other causes of friction can be settled.

The resumption of U.S. arms credit sales, announced by the State Department, indicates that the United States is willing to abandon sanctions, and in this same spirit, the hearings on my bill, H.R. 10607, to ban fish imports from nations seizing our fishing vessels, at my request, are being called off during the four-nation talks.

If an agreement is reached, and I know of no reason why it should not be, obviously there will be no action on this legislation.

URGING EXTENSION OF VOTING RIGHTS ACT

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

Mr. COUGHLIN. Mr. Speaker, I believe that a 5-year extension of the Voting Rights Act of 1965 will serve as our legal and moral commitment—necessary and unimpeachable—to the cause of equal rights.

This is simply too important to delay. The right to vote is, perhaps, the most basic civil right of all.

Even sadder than the fact that many citizens do not choose to use the power of the ballot box is the fact that some citizens are prevented effectively from doing so.

The Voting Rights Act of 1965, particularly section 4, went a long way toward correcting these injustices and must not be allowed to expire.

In testimony last May 15 presented to the Committee on the Judiciary, I cited reasons for my cosponsoring of this bill. I said:

> We cannot in good conscience discontinue so vital a program which we have only half completed.

Now, I submit we cannot equivocate on the need for a 5-year extension.

My distinguished colleague from Ohio, the Honorable WILLIAM MCCULLOCH, has stated—eloquently and logically—the case for passing the extension. His leadership in voting rights legislation has been monumental.

I personally feel that we should proceed with the extension of the act of 1965 provisions while studying the administration proposals. I am sure the administration proposals contain many excellent points and I agree with the idea of uniform, nationwide application. At the same time, I would not want to weaken or delay any act that has seen the registration of 800,000 new voters.

HUMAN RIGHTS IN COLONIAL COUNTRIES

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

Mr. EDWARDS of Alabama. Mr. Speaker, in today's world there is only one block of nations living under the political and economic domination of a colonialist power.

The colonialist power is the Soviet Union. The nations under partial domination of the U.S.S.R. are those such as Czechoslovakia, East Germany, Bulgaria, and Rumania which are independent in name only.

Nations under the complete domination of Moscow are those such as Armenia, Latvia, Lithuania, Estonia, the Ukraine, and Turkistan, which at various times from 1920 to 1940 were forcefully made a part of the U.S.S.R.

Next week the non-Communist world will observe Captive Nations Week as a recognition of the status of these people under Moscow's rule.

None of us need be reminded of the Soviet Army's invasion of Czechoslovakia in 1968 or that of Hungary in 1956, instigated by Moscrow's fears that some extent of deviation from the Kremlin's influence was coming to the surface in those countries.

But more of us do need to be reminded that the Tartars, the Ukrainians, the Latvians, and others within what is known as the U.S.S.R., present an even more tragic scene of subjugation.

I urge President Nixon to issue a declaration of support for these captive peoples on the occasion of the 10th annual Captive Nations Week, July 13 to 19.

I believe it will be fitting for all Americans, who feel a sense of tragedy whenever human rights are violated, to join in this recognition of people who have been subjugated by the Soviet Union Government.

BIG BANKS REPORT RECORD PROFITS

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

Mr. MIKVA. Mr. Speaker, the impact of an 8½ percent prime lending rate has only begun to press on the home buyer and the consumer-borrower. Even before last month's bite has been fully digested, the banks are already talking about grabbing some more.

This would be bad enough if the banks were hurting profitwise and turned to higher interest rates to solve their problems. Instead, the banks are laughing all the way to the bank with record profits dollarwise, percentagewise, and everywise. That small outfit known as the J. P. Morgan & Co., Inc., showed an 11-percent increase in profits for the second quarter of this year alone. Secretary of the Treasury Kennedy's former bank, Continental Illinois, had a first half net profit of $29 million, up almost $3 million from last year for a 10.7-percent increase. Manufacturers Hanover Corp. had a whopping 21-percent increase in profits the first half of this year over the first half of last year.

The New York Times of yesterday reported that the bankers are generally pleased with the profit showings but a bit apprehensive that the reports could provide fuel for controversy in Congress. I can only hope that there are grounds for the apprehensiveness. At this point, the banks seem to have little to worry about—aside from the fact that they might wreck the whole economy in their avarice.

ADDITIONAL LEGISLATIVE PROGRAM

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

Mr. ALBERT. Mr. Speaker, I take this time only to advise the House that we will add to the program for tomorrow House Resolution 472, creating a select committee to be known as the Committee on the House Restaurant.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 101]

Anderson, Ill.	Bow	Cunningham
Andrews, N. Dak.	Button	Davis, Ga.
Aspinall	Cahill	Derwinski
Bell, Calif.	Carey	Diggs
Berry	Celler	Edwards, Calif.
Boggs	Clark	Fraser
Bolling	Collier	Frelinghuysen
	Corman	Gallagher

Garmatz	May	Rosenthal
Gray	Michel	Roybal
Green, Oreg.	Morton	St Germain
Green, Pa.	Mosher	Scheuer
Hanna	O'Neal, Ga.	Sisk
Horton	O'Neill, Mass.	Wilson,
Kirwan	Ottinger	Charles H.
Landgrebe	Passman	Wolff
Mailliard	Powell	
Mann	Quillen	

The SPEAKER. On this rollcall 381 Members have answered to their names, a quorum.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1647. An act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

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

S. 545. An act to amend the District of Columbia Bail Agency Act (80 Stat. 327).

S. 1072 An act to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended, and titles I, III, IV, and V of the Public Works and Economic Development Act of 1965, as amended.

S. 1458. An act to prohibit the business of debt adjusting in the District of Columbia except as an incident to the lawful practice of law or as an activity engaged in by a nonprofit corporation or association.

S. 1583. An act to provide that appointments and promotions in the Post Office Department, including the postal field service, be made on the basis of merit and fitness.

S. 1685. An act to provide additional assistance for areas suffering a major disaster.

S. 2185. An act to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89-774 (80 Stat. 1324).

S. 2276. An act to extend for 1 year the authorization for research relating to fuels and vehicles under the provisions of the Clean Air Act.

CONFERENCE REPORT ON H.R. 11400, SECOND SUPPLEMENTAL APPROPRIATION, 1969

Mr. MAHON. Mr. Speaker, I call up the conference report on the bill (H.R. 11400) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, may I assume that the gentleman and other members of the committee propose to take ample time to explain what happened in this conference?

Mr. MAHON. Yes. If the gentleman will yield, what I thought we would do is briefly summarize the conference report itself, and then after the report is adopted, take some time to discuss the overall Government expenditure limitation, which is one of the amendments in technical disagreement and thus not in the report itself.

The other matters in the conference agreement I believe are not very controversial.

Mr. GROSS. I hope not.

Mr. MAHON. The gentleman may be assured we will undertake to explain the conference bill.

Mr. GROSS. I hope the gentleman will not neglect the money figures in the bill; that he will give us an adequate explanation as to how these figures differ from the bill as originally approved by the House.

Mr. MAHON. We will do that.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 8, 1969.)

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

SUMMARY OF THE CONFERENCE BILL

Mr. MAHON. Mr. Speaker, the items in this conference report are not especially controversial. We had no difficulty in resolving the differences between the two bodies with the exception of amendment No. 90 which relates to an overall limitation on Government spending. It required much discussion in conference before we finally agreed on a compromise. We met on several different days. That matter will come up under a special motion dealing with that amendment.

I should mention that while the bill is a supplemental bill for the fiscal year 1969, which has already expired, it will be recalled that in late June we enacted a special resolution, House Joint Resolution 782, which authorized the various agencies of the Government to proceed to make payments to the employees of the Government and to retired people in anticipation of enactment of the pending bill making the appropriations for increased pay costs. So that to that extent, the pay cost appropriations have in effect already been made for fiscal 1969.

In a number of other instances, language in the bill extends the availability of the funds to meet the necessities of the given situations.

Mr. Speaker, the conference bill is $461 million plus below the budget estimates considered by the House and the Senate. There is a reduction in the budget requests of almost one-half billion dollars.

The conference bill is about $569 million above the bill as passed by the House. Much of that is due to the fact that additional budget estimates—totaling $450 million to be exact—were sent to the other body and not originally considered by the House because they were not ready for presentation to us by the President when we acted on the bill in the House.

The conference bill is below the Senate total by $107 million.

In the conference bill, there is about $1.4 billion for pay increases. There is approximately $1.272 billion included for Southeast Asia—for the war effort. And then there are various items distributed over many agencies and departments of the Government.

Under leave to extend, I include a comparative tabulation summarizing the figures by titles of the bill. The conference report, of course, explains each item of difference in the 92 Senate amendments.

SUMMARY STATEMENT OF CONFERENCE ACTION

Second supplemental appropriation bill, 1969 (H.R. 11400)

Chapter No.	Department or activity	Budget estimate	House bill	Senate bill	Conference action	Conference action compared with— Budget estimate	House bill	Senate bill
	TITLE I							
	Military operations in Southeast Asia:							
	New budget (obligational) authority	$1,496,900,000	$1,234,000,000	$1,272,000,000	$1,272,000,000	−$224,900,000	+$38,000,000	
	By transfer			*(8,910,000)*				*(−$8,910,000)*
	TITLE II							
I	Agriculture: New budget (obligational) authority	13,118,000	9,118,000	13,118,000	13,118,000		+4,000,000	
II	Defense:							
	New budget (obligational) authority	249,682,000	226,050,000	227,950,000	227,000,000	−22,682,000	+950,000	−950,000
	By transfer			*(9,577,000)*	*(4,000,000)*	*(+4,000,000)*	*(+4,000,000)*	*(−5,577,000)*

SUMMARY STATEMENT OF CONFERENCE ACTION—Continued

Second supplemental appropriation bill, 1969 (H.R. 11400)—Continued

Chapter No.	Department or activity	Budget estimate	House bill	Senate bill	Conference action	Conference action compared with— Budget estimate	House bill	Senate bill
	Title II—Continued							
III	District of Columbia:							
	Federal funds: New budget (obligational) authority	$29,736,000	$10,365,000	$29,101,000	$10,365,000	−$19,371,000		−$18,736,000
	District of Columbia funds: New budget (obligational) authority	*(44,607,000)*	*(25,353,000)*	*(44,089,000)*	*(25,353,000)*	*(−19,254,000)*		*(−18,736,000)*
IV	Foreign operations:							
	New budget (obligational) authority	162,853,000	2,700,000	160,000,000	160,000,000	−2,853,000	+157,300,000	
	By transfer	*(38,000)*	*(35,000)*	*(2,735,000)*	*(2,735,000)*	*(+2,697,000)*	*(+2,700,000)*	
V	Independent offices—Housing and Urban Development:							
	New budget (obligational) authority:							
	1968	7,168,000	7,168,000	7,168,000	7,158,000			
	1969	494,502,000	306,062,000	498,116,000	486,550,000	−7,952,000	+180,488,000	−1,566,000
	Total	501,670,000	313,230,000	495,284,000	493,718,000	−7,952,000	+180,488,000	−1,566,000
	New annual contract authorizations, increase in limitations	*(104,500,000)*	*(82,500,000)*	*(102,500,000)*	*(92,500,000)*	*(−12,000,000)*	*(+10,000,000)*	*(−10,000,000)*
	Release of Public Law 90-364 reserves	*(15,248,000)*	*(15,248,000)*	*(15,248,000)*	*(15,248,000)*			
VI	Interior:							
	New budget (obligational) authority	65,136,000	54,227,000	64,225,000	64,225,000	−911,000	+9,998,000	
	Release of Public Law 90-364 reserves	*(2,886,000)*	*(2,886,000)*	*(2,886,000)*	*(2,886,000)*			
	By transfer	*(1,628,000)*	*(1,628,000)*	*(1,628,000)*	*(1,628,000)*			
	Liquidation cash	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*			
VII	Labor—Health, Education, and Welfare:							
	New budget (obligational) authority	713,707,000	713,707,000	717,826,000	713,966,000	+259,000	+259,000	−3,960,000
	Release of Public Law 90-364 reserves	*(292,000)*	*(292,000)*	*(292,000)*	*(292,000)*			
	(Limitation on salaries and expenses—trust funds)	*(16,500,000)*		*(21,200,000)*	*(21,200,000)*	*(+4,700,000)*	*(+21,200,000)*	
	By transfer	*(9,346,000)*	*(9,346,000)*	*(9,346,000)*	*(9,346,000)*			
VIII	Legislative branch:							
	New budget (obligational) authority:							
	1968	126,900		126,900	126,900		+126,900	
	1969		30,000	60,000	60,000	+60,000	+30,000	
IX	Public works	70,000,000		70,000,000	70,000,000		+70,000,000	
X	State, Justice, Commerce, and Judiciary:							
	New budget (obligational) authority:							
	1968	860,000	10,000	860,000	860,000		+850,000	
	1969	17,606,350	15,013,500	15,799,500	15,799,500	+1,806,850	+786,000	
	Total	18,466,350	15,023,500	16,659,500	16,659,500	−1,806,850	+1,636,000	
	Release of Public Law 90-364 reserves	*(1,701,000)*	*(1,701,000)*	*(1,701,000)*	*(1,701,000)*			
	Limitation increase	*(147,000)*		*(147,000)*	*(147,000)*		*(+147,000)*	
	By transfer	*(220,000)*	*(220,000)*	*(220,000)*	*(220,000)*			
XI	Transportation:							
	New budget (obligational) authority	7,232,000	2,298,000	4,298,000	2,298,000	−4,934,000		−2,000,000
	Release of Public Law 90-364 reserves	*(28,000)*	*(28,000)*	*(28,000)*	*(28,000)*			
XII	Treasury-Post Office:							
	New budget (obligational) authority	2,755,000	2,285,000	2,695,000	2,695,000	−60,000	+410,000	
	Release of Public Law 90-364 reserves	*(334,000)*	*(334,000)*	*(334,000)*	*(334,000)*			
XIII	Claims and judgments	18,188,688	16,880,812	18,188,688	18,188,688		+1,307,876	
	Total, title II:							
	New budget (obligational) authority:							
	1968	8,154,900	7,178,000	8,154,900	8,154,900		+976,900	
	1969	1,844,516,038	1,358,736,312	1,811,377,188	1,784,265,188	−$60,250,850	+425,528,876	−$27,112,000
	Total	1,852,670,938	1,365,914,312	1,819,532,088	1,792,420,088	−60,250,850	+426,505,776	−27,112,000
	New annual contract authorizations, increase in limitations	*(104,500,000)*	*(82,500,000)*	*(102,500,000)*	*(92,500,000)*	*(−12,000,000)*	*(+10,000,000)*	*(−10,000,000)*
	Release of Public Law 90-364 reserves	*(20,489,000)*	*(20,489,000)*	*(20,489,000)*	*(20,489,000)*			
	Limitation increases	*(16,647,000)*		*(21,347,000)*	*(21,347,000)*	*(+4,700,000)*	*(+21,347,000)*	
	By transfer	*(11,232,000)*	*(11,229,000)*	*(23,306,000)*	*(17,929,000)*	*(+6,697,000)*	*(+6,700,000)*	*(−5,377,000)*
	Liquidation cash	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*			
	Increased pay costs (included above):							
	Budget authority	*(135,378,400)*	*(116,455,400)*	*(124,846,400)*	*(124,446,400)*	*(−10,932,000)*	*(+8,011,000)*	*(−400,000)*
	Release of reserves	*(18,589,000)*	*(18,589,000)*	*(18,589,000)*	*(18,589,000)*			
	By transfer	*(1,386,000)*	*(1,383,000)*	*(3,983,000)*	*(2,683,000)*	*(+1,297,000)*	*(+1,300,000)*	*(−1,300,000)*
	Total	*(155,353,400)*	*(136,407,400)*	*(147,418,400)*	*(145,718,400)*	*(−9,635,000)*	*(+9,311,000)*	*(1,700,000)*
	TITLE III							
	INCREASED PAY COSTS							
	New budget (obligational) authority	1,464,734,396	1,183,298,454	1,368,137,556	1,287,937,556	−176,796,840	+104,639,102	−80,200,000
	Release of Public Law 90-364 reserves	*(59,510,000)*	*(62,277,000)*	*(59,741,000)*	*(59,741,000)*	*(+231,000)*	*(−2,536,000)*	
	By transfer	*(85,873,000)*	*(81,676,000)*	*(87,916,000)*	*(84,316,000)*	*(−1,557,000)*	*(+2,640,000)*	*(−3,600,000)*
	Limitations on administrative and nonadministrative expenses	*(24,223,000)*	*(22,223,000)*	*(22,223,000)*	*(22,223,000)*	*(−2,000,000)*		
	TITLE V							
	GENERAL PROVISIONS							
	Increases in limitations and transfers from trust funds for personal services pursuant to sec. 502 of bill (H. Doc. 91-50)	*(630,000)*	*(630,000)*	*(630,000)*	*(630,000)*			

SUMMARY STATEMENT OF CONFERENCE ACTION—Continued

Second supplemental appropriation bill, 1969 (H.R. 11400)—Continued

Chapter No.	Department or activity	Budget estimate	House bill	Senate bill	Conference action	Conference action compared with— Budget estimate	House bill	Senate bill
	RECAPITULATION							
	Grand total, titles I, II, III, and V:							
	New budget (obligational) authority:							
	1968	$8,154,900	$7,178,000	$8,154,900	$8,154,900		+$976,900	
	1969	4,806,150,434	3,776,034,766	4,451,514,744	4,344,202,744	−461,947,690	+568,167,978	−107,312,000
	Total	4,814,305,334	3,783,212,766	4,459,669,644	4,352,357,644	−461,947,690	+569,144,878	−107,312,000
	New annual contract authorizations, increase in limitations	(104,500,000)	(82,500,000)	(102,500,000)	(92,500,000)	(−12,000,000)	(+10,000,000)	(−10,000,000)
	Release of Public Law 90-364 reserves	(79,999,000)	(82,766,000)	(80,230,000)	(80,230,000)	(+231,000)	(−2,536,000)	
	By transfer	(97,105,000)	(92,905,000)	(120,132,000)	(102,245,000)	(+5,140,000)	(+9,340,000)	(−17,887,000)
	Liquidation cash	(19,000,000)	(19,000,000)	(19,000,000)	(19,000,000)			
	Limitations on administrative and nonadministrative expenses	(40,870,000)	(22,223,000)	(43,570,000)	(43,570,000)	(+2,700,000)	(+22,347,000)	
	Increases in limitations and transfers from trust funds or personal services pursuant to sec. 502 of bill	(630,000)	(630,000)	(630,000)	(630,000)			
	Increased pay costs (included above):							
	Budget authority	(1,600,112,796)	(1,299,733,854)	(1,492,983,956)	(1,412,383,956)	(−187,728,840)	(+112,650,102)	(−80,600,000)
	Release of reserves	(78,999,000)	(80,866,000)	(78,330,000)	(78,330,000)	(+231,000)	(−2,536,000)	
	By transfer	(87,259,000)	(88,059,000)	(91,899,000)	(86,999,000)	(−260,000)	(+3,940,000)	(−4,900,000)
	Limitations on administrative and nonadministrative expenses	(24,223,000)	(22,223,000)	(22,223,000)	(22,223,000)	(−2,000,000)		
	Increases in limitations and transfers from trust funds for personal services pursuant to sec. 502 of bill	(630,000)	(630,000)	(630,000)	(630,000)			
	Total	(1,790,323,796)	(1,486,511,854)	(1,686,065,956)	(1,600,565,956)	(−189,757,840)	(+114,054,102)	(−85,600,000)

OVERALL EXPENDITURE LIMITATION

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

Mr. MAHON. I yield to the gentleman from Texas (Mr. TEAGUE).

Mr. TEAGUE of Texas. Mr. Speaker, I am very frank to admit that I do not know exactly what this bill does or what the report does insofar as our veterans' programs are concerned. For that reason, I would like to ask the chairman a couple of questions.

I would like to point out that when the second supplemental was considered on the floor I queried the chairman as to the status of veterans' programs under the proposed ceiling which the House adopted. At that time the gentleman from Texas (Mr. MAHON) and the gentleman from Tennessee (Mr. EVINS) told me that any action taken by the Congress to increase veterans' benefits or to increase appropriations for the operation of the agency would automatically increase the ceiling and that there was no need for a special exemption for veterans' benefits and programs and services. When this legislation reached the Senate it was handled differently and Senator TALMADGE offered an amendment which specifically exempted all veterans' benefits and services from the expenditure ceiling. My question is, What disposition did the conferees make of the Senate amendment, and specifically, is there anything included in the conference report which exempts veterans' benefits and services from the ceiling?

I would like to remind the gentleman that last week when the independent offices appropriation bill of fiscal 1970 was considered in the House, the Appropriations Committee recommended and the House adopted a budget for the Veterans' Administration of about $50 million in excess of the recommendation of the revised budget. This was mostly for hospital construction and additional personnel for the medical program and some general operating expenses. The committee added these additional funds because it recognized that the Veterans' Administration is experiencing a rising workload as a result of the Vietnam conflict. Here we have the Appropriations Committee recognizing on one hand that VA is in a special category because of the Vietnam conflict, and at the same time a general ceiling is being imposed, as I understand it, $1 billion less than the revised budget. What assurances do we have that the Veterans' Administration will not be required to take a portion of that $1 billion cut while at the same time the Congress is attempting to give the agency more money to meet its rising caseload?

Mr. MAHON. With regard to the colloquy which we had when the bill was originally before us, the answer is still the same as it was at that time, the same answer given by the gentleman from Tennessee (Mr. EVINS) and by myself.

The other body exempted veterans benefits and services. The other body exempted more than half of the spending budget, in fact.

However, in the conference version of the bill now before us, reference is made to the Veteran's Administration, in a limited way in connetction with the so-called cushion which I shall explain later, but the Veterans' Administration is not otherwise specifically exempted. Under the conference agreement, a cut could be applied to any agency, including the Veterans' Administration.

Mr. JONAS. Mr. Speaker, will the gentleman yield for a comment?

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. It is true, as I am sure the gentleman from Texas (Mr. TEAGUE) will agree, that about $5 billion of the Veterans' Administration budget is for compensation and pensions that are fixed by law.

I could not conceive of any President of the United States wanting to make cuts in compensation and pensions in the first place. But furthermore, because of the mandatory nature of them, I do not believe he would be able to make any cuts in those items, and they take care of most of the items in the VA.

Mr. MAHON. It is further true that if Congress appropriates funds above and beyond the budget requests for the Veterans' Administration that would tend to adjust the ceiling upward to make allowance for the related expenditures.

Mr. TEAGUE of Texas. Of course, everyone knows that the workload of the VA is increasing every day, and the gentleman says it tends to adjust, but I would ask the gentleman if we pass legislation which increases the cost of the VA, does it not automatically increase the ceiling?

Mr. MAHON. Yes, the gentleman is right. It would automatically increase the ceiling. The language in that respect in the conference agreement is on all fours with what was in the original House bill.

And in the independent offices and Department of Housing appropriation bill for 1970, the gentleman will recall that for medical care in the Veterans' Administration there was an increase of $17.6 million above the budget; for construction of hospitals and domiciliary facilities, an increase above the budget of $13.9 million; and $3 million was provided above the budget for grants for construction of State nursing homes—a total of $34 million above the budget.

Mr. TEAGUE of Texas. In that independent office appropriation bill that is about $50 million above the budget, this was mostly for kidney machines and for intensive care wards, for renovation and for construction. Now, as I understand this bill today it is $1 billion less than the revised budget. Is there any assurance that the VA will not be required to take a portion of the $1 billion cut while at the same time the Con-

gress attempts to give it some more money because of its rising workload?

Mr. MAHON. It is inconceivable to me that this Congress, which is very friendly toward veterans and veterans causes, would take any action which would be adverse to the welfare of the returning servicemen and veterans. So I do not believe there is any reason whatever for concern in this regard.

Now, with regard to the $1 billion cut, I would hopefully assume that the Congress this year will cut more than $1 billion in expenditures, in which event this feature of the pending conference agreement will be relatively meaningless, especially so with respect to the Veterans' Administration.

So I do not believe there is any reason for apprehension, and I can assure the gentleman from Texas, the able and distinguished chairman of the Committee on Veterans' Affairs, that we will work with the gentleman in a determined and, in my opinion, successful effort to take care of the needs of the veterans, and to see to it that any necessary requirements are taken care of.

Mr. TEAGUE of Texas. Mr. Speaker, I thank the gentleman for his statement.

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

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

Mr. BROYHILL of Virginia. Mr. Speaker, I thank the gentleman for yielding.

My purpose in taking the floor at this time is to express my concern and the concern of the suburban communities about deletion of $18.7 million from the conference report of the District of Columbia's portion of the funds necessary to start construction of a mass transit system for the Washington metropolitan area.

This delay in starting the system is naturally of concern to everyone. The Congress has acknowledged, then confirmed and reconfirmed time and time again, the need for a rapid transit system in the Washington area if we are ever going to solve our transportation problems. The surrounding communities have also recognized this need and have likewise recognized that they must pay a large portion of the cost of its construction. All of the surrounding communities combined have agreed to pay $573 million of the total cost. Most of the communities approved bond referendums last fall to pay their proportionate share. Further delay in construction of this system will cost more money, and since the need for the system is so great, all of us are most anxious to get started with its construction.

But, Mr. Speaker, mass transit is only a part of our problem. Everyone who knows anything about transportation, as the Congress has repeatedly agreed, knows that a balanced transportation system is essential. This means we must have the necessary number of highways, freeways, bridges and other automobile facilities as well as a mass transit system if the problem is to be solved. The delay in construction of these other transportation facilities has been absolutely ridiculous, and has cost us tens of millions of dollars in additional costs as well as many times that amount in public inconvenience.

An example of how ridiculous this delay has been is the case of the Dulles Airport. We spent $100 million for a new additional airport to serve the area, including an access road which dead ends at the Capital Beltway, Interstate Route 495. It was intended at the time that Interstate Route 66 and adequate Potomac River crossings would provide easy and ready access to this new airport. The airport has now been open for approximately 7 years and is still only being used to a fraction of its capacity while Washington National Airport increases in its use each year even after it has passed the point of being dangerously overcrowded.

One of the main reasons why Dulles is not used more than it is, is the fact that the connecting highway links which were planned over 10 years ago have not been started. This is because of pure stubbornness on the part of the District of Columbia government in steadfastly refusing to approve its portion of the construction projects so that connecting links can be made.

This particular example of the confusion this delay has caused was, along with many others, called to the attention of the House Committee on Public Works when that committee was considering the 1968 Highway Act. The members of that committee were most reluctant to get involved in the specific location and administrative details of the construction of highway projects. But, since they recognized that the delay had been so long that further delay could not be tolerated, particularly in view of the fact that this is the Nation's Capital, and they were considering Federal highway projects, they found it necessary to instruct the District government to proceed forthwith with these projects in the 1968 Highway Act. Amazingly, the District of Columbia City Council has placed itself above the Congress of the United States and the American people, and has completely ignored this mandate of Congress. The Congress, therefore, has no choice but to insist that its will be carried out.

Mr. Speaker, unfortunately it now appears that if the Congress does appropriate these transit funds at this time, we would appear to be acquiescing, and that we would accept the fact that the District is ignoring our mandate and can do so. To do so would encourage the District government to continue to defy the will of Congress and to continue to delay construction of these vitally needed highway projects.

Mr. Speaker, we cannot afford to permit further delay in these vitally needed projects. I feel that we should again insist that the District government must proceed immediately with construction of the projects so that we can release these transit funds and permit construction on the transit system as well. I have consulted with the gentleman from Kentucky (Mr. NATCHER), on many occasions about this problem, urging that the necessary funds be appropriated to begin construction of the transit system immediately. He has given me assurance on many occasions that he does intend to release these funds—and I am hopeful that the gentleman from Texas (Mr. MAHON), will yield to the gentleman from Kentucky (Mr. NATCHER), so that he can advise us as to his position and the position of the Appropriations Committee regarding these funds.

Mr. MAHON. I will say to the gentleman that the other body added to the bill the following language:

> For an additional amount for "Capital outlay", $18,736,000, of which $1,514,000 shall not be available for expenditure until July 1, 1969.

I now yield to the gentleman from Kentucky (Mr. NATCHER), a member of the conference committee, for comment in regard to what the conferees did about this question and why the conferees did what they did.

Mr. NATCHER. I thank the Speaker.

Mr. Speaker, I would like first to say to my friend, the gentleman from Virginia (Mr. BROYHILL) and my friend, the gentleman from Maryland (Mr. GUDE) and all of those other Representatives from the adjoining metropolitan area that all down through the years we have appreciated their attitude and the stand they have taken in regard to the freeway-rapid transit impasse that we are now confronted with.

I know the gentleman from Virginia and the gentleman from Maryland believe that there is a place in our Capital City for both a freeway system and a rapid transit system.

Mr. Speaker, that is the position of our committee. We believe that there is a place for both a freeway system and a rapid rail transit system in our Capital City. In order to meet the tremendous day-by-day growth of traffic, the highway program must be carried out along with the presently authorized rapid rail transit system.

In 1958, after a 5-year study, the freeway program was set up for the District of Columbia. Since that time millions of dollars have been appropriated for this system and today we have in Federal and District funds over $200,000,000 on hand that cannot be used.

Just to give you some idea, Mr. Speaker, of the cost of some of these projects and how the cost has increased—back in 1961 when we had the east leg of the freeway system before our committee, it was explained that the cost would amount to $26,100,000. Today, in 1969, the cost is estimated at $78,000,000. That gives you an example of what this impasse has done in regard to the freeway system here in the District of Columbia.

Mr. Speaker, in order that there may be no misunderstanding about this matter, our committee still is of the opinion that there is a place for both systems here in the District of Columbia.

Beginning back in 1962 we started having trouble over the freeway system.

In 1966—as the gentleman from Virginia (Mr. BROYHILL) knows, as well as the gentleman from Maryland (Mr. GUDE) and my good friend, the ranking minority member of the District of Columbia Budget Subcommittee, the distinguished gentleman from Wisconsin (Mr. DAVIS) also know—we appeared before the House and recommended that

the rapid transit money be deleted because the freeway system had been stopped. We said to the Members of the House at that time, Mr. Speaker, that when the freeway system started and when they in good faith started repairing the streets in the District of Columbia, we would come before the House and recommend the rapid transit money.

After the bill passed the House and while it was before the other body, the National Capital Planning Commission was called back into session and on a vote of 6 to 5, they started the freeway system.

We came back with the conference report on that bill and, as my friend from Virginia (Mr. BROYHILL) knows, I said to the House, "The freeway system is now underway," and we receded and recommended the rapid transit money. My friend, the gentleman from Wisconsin (Mr. DAVIS), will tell you that within a few weeks after that time the National Capital Planning Commission was called back into session and changed their vote, and at that time they stopped the freeway system.

In order that there may not be any misunderstanding, we want the House to know that as soon as the freeway program gets under way beyond recall, then we will come back to the House and recommend that construction funds for rapid transit be approved.

The Federal Highway Act of 1968 passed the House and the Senate, and was signed by the President of the United States in August of 1968. As my friend, the gentleman from Virginia (Mr. BROYHILL), knows, the Highway Act of 1968 is the law that we must operate under at this time.

I want to read just a portion of that law which pertains to the freeways of the District of Columbia. The portion of the bill providing for the District of Columbia reads as follows:

DISTRICT OF COLUMBIA

SEC. 23. (a) Notwithstanding any other provision of law, or any court decision or administrative action to the contrary, the Secretary of Transportation and the government of the District of Columbia shall, in addition to those routes already under construction, construct all routes on the Interstate System within the District of Columbia as set forth in the document entitled "1968 Estimate of the Cost of Completion of the National System of Interstate and Defense Highways in the District of Columbia" submitted to Congress by the Secretary of Transportation with, and as a part of "The 1968 Interstate System Cost Estimate" printed as House Document Numbered 199, Ninetieth Congress. Such construction shall be undertaken as soon as possible after the date of enactment of this Act, except as otherwise provided in this section, and shall be carried out in accordance with all applicable provisions of title 23 of the United States Code.

(b) Not later than 30 days after the date of enactment of this section the government of the District of Columbia shall commence work on the following projects:

(1) Three Sisters Bridge, I–266 (Section B1 to B2).

(2) Potomac River Freeway I–266 (Section B2 to B4).

(3) Center Leg of the Inner Loop, I–95 (Section A6 to C4), terminating at New York Avenue.

(4) East Leg of the Inner Loop, I–295 (Section C1 to C4), terminating at Bladensburg Road.

The gentleman from Virginia (Mr. BROYHILL) knows this act was passed by the House and the Senate and it is the law today—Public Law 90–495.

Notwithstanding the fact that the Public Works Committee brought this bill before the House, explained it in detail, and the bill was then passed by both Houses and signed into law, we find that the District Building ignores it. I say to you, Mr. Speaker, that every day since that law was signed on August 23, 1968, the District Building has completely ignored it.

Our new President, in his message of April 28, 1969, to the Congress, on the District of Columbia, made this statement. Before reading it, I want you to know that this is the first time in 10 long years that any President has had the nerve and the courage to state the facts. Let me read to you what our new President said. This is a portion of his message:

Mass transit must be part of a balanced transportation network. A subway will not relieve local governments of the duty to modernize and improve their highway systems and other forms of transportation, so that all citizens have an adequate choice as to how they travel. Clearly, the impasse that has arisen between proponents of road and rail transportation in the Washington Metropolitan area has contributed little to the progress of either. There are, however, hopeful signs that a fair and effective settlement of these issues will be reached in the near future. It is in the interest of all those involved—central city dwellers, suburbanites, shoppers, employees, and visitors alike—that this be done.

Mr. Speaker, I agree with every word of this statement that I have just read.

Mr. Speaker, in the supplemental estimates submitted to the House, we had a request for $18,737,000 to start construction of a rapid transit system. We decided not to take action at that time. The supplemental went to the other body and they added this amount to the bill. In conference the other side receded, and it is not in the bill. In connection with the regular bill for fiscal year 1970, we have the sum of $21,586,000 requested as the District's share for construction of the authorized rapid rail transit system.

I will say to the gentleman from Virginia (Mr. BROYHILL) that in addition to that, we also have the sum of $1,299,200 requested for the District's share for operating expenses.

I want the gentleman from Virginia and the gentleman from Maryland to note that as soon as the freeway system is started and underway according to the Highway Act of 1968, we will come to the House and recommend funds for the authorized rapid rail transit system.

In closing, a bill is before the House Committee on the District of Columbia, chaired by the gentleman from South Carolina (Mr. MCMILLAN) which provides for Federal grants of $1,047,000,000 for a regional rapid transit system. The bill that authorized the basic rapid rail transit system in 1965 provided for a 25-mile system to cost $431 million. The bill now pending before the District of Columbia legislative committee calls for $1,047,000,000 in Federal grants. The rapid rail transit system proposed under that bill is 97 miles, not 25 miles—that the distinguished gentleman from Iowa (Mr. GROSS) asked about a number of years ago. They said at that time it would cost $431 million. Now they say it will cost $2.5 billion and the Federal Government will have to put up $1,047,000,000 in Federal grants in addition to the amount authorized in 1965 of $100 million.

As the gentleman from Virginia (Mr. BROYHILL) knows, the impasse with which we are confronted is certainly not helping that bill any. I want the gentleman from Virginia, and the gentleman from Maryland, and my distinguished friend, the gentleman from Washington (Mr. ADAMS)—who has been fair and sound about this matter all through the years—to know how our committee feels about it.

This is the position of our committee.

Mr. MAHON. Mr. Speaker, I yield 1½ minutes to the member of the conference, the gentleman from Wisconsin (Mr. DAVIS).

Mr. DAVIS of Wisconsin. Mr. Speaker, I simply want to say that the gentleman from Kentucky has stated this matter completely and fairly, as I know it from my work on the subcommittee with the gentleman.

Both this Congress and the President have expressed themselves in support of a balanced transportation system. As soon as there is some assurance that we are to have a balanced transportation system, the gentleman from Kentucky and I are committed to providing the initial funds that were included in this supplemental request, and the followup funds that are provided in the 1970 budget.

I think that is a fair position to take, and I think it is the only position we could reasonably take in the light of the mandate of this House in the 1968 Highway Act.

Mr. MAHON. Mr. Speaker, I yield now such time as he may consume to the gentleman from Washington (Mr. ADAMS).

Mr. ADAMS. Mr. Speaker, I appreciate the statement of the gentleman from Kentucky.

I am going to take the position of supporting the gentleman both in the District Committee and publicly. I think the impasse has reached desperate proportions. We are about to put 70,000 people between the Agriculture Building and the Capitol on Independence Avenue, and there is no way in the world we can get those people in and out without a subway system.

I may have reservations about the highway system, but I think it has been clearly stated that the impasse cannot go on any longer.

I publicly urge both the District Building and all others involved, to meet the conditions so we can create a subway system. As I understand the gentleman from Kentucky (Mr. NATCHER), if they indicate the conditions which have been set forth are being met and being started, the subway system will start, and then we will have both things operating in Washington, D.C., and we need them.

Mr. MAHON. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. GUDE).

Mr. GUDE. Mr. Speaker, I should like to associate myself with the remarks of the gentleman from Virginia (Mr. BROYHILL).

The gentleman from Kentucky is completely correct that the District government has refused to obey the law. We have a deep concern over the fact that every day we fail to start construction of this transit system it is costing approximately $250,000.

Last week I stated here on the floor my support of reinstatement of the $18.7 million for construction of the District of Columbia portion of the regional rapid rail transit system. I do not believe it is in the best interest to hold one part of our transportation system hostage to the other.

I should merely like to express our deep concern and regret over this situation.

Mr. MAHON. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. BROYHILL).

Mr. BROYHILL of Virginia. Mr. Speaker, I want to thank the gentleman from Kentucky (Mr. NATCHER) for his further assurance regarding his support of the funds to start construction of our transit system. I also want to commend the gentleman from Kentucky for his untiring efforts in helping us to solve the transportation crisis in the Nation's Capital. The gentleman is absolutely correct in pointing out that we must have a balanced transportation system and that delay on any portion of it is not acceptable and will not be tolerated.

There has already been delay in excess of 10 years on a major portion of the highway and freeway system. It is now quite apparent that the appropriation of these funds at this time would encourage further delay to the extent that we may be several more years in commencing the construction on the other needed parts of the transportation system. I therefore join with the gentleman from Washington (Mr. ADAMS) in expressing my support of the position taken by the gentleman from Kentucky (Mr. NATCHER) and by the Appropriations Committee, in holding up these funds until the District of Columbia government complies with the mandate of the Congress. If they continue to ignore the Congress then I suggest the withholding of other appropriations until they recognize that this is the Nation's Capital and the will of the Congress and the American people must prevail.

Mr. MAHON. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. JONAS).

Mr. JONAS. Mr. Speaker, I expect every Member in the Chamber would agree with me that when we have a bill involving 92 separate amendments one could not find a conference committee which would agree on every dollar figure agreed on in the conference.

Conferences are just exactly what the word indicates they are, conferences between two differing groups trying to reconcile differences between two bills.

I believe, as a member of the conference committee, that we did very well in it. We gave in on some items to the Senate. The Senate conceded on some items. And we compromised some.

As the gentleman from Texas, the distinguished chairman of the House Committee on Appropriations and the chairman of the conference, has already indicated, the conference report is $461,947,690 below the budget. It is a half billion dollars above the House-passed bill. But, as the gentleman from Texas explained, $450 million of that increase was not even considered in the House, because the items were first submitted in the Senate.

If we eliminate the items the House did not have an opportunity to consider, which were added in the Senate, the bill would be only about $100 million above the House figure. It is $107,312,000 below the Senate figure.

The conference report represents the best judgment of the conferees. It was signed by all the managers on the part of the House.

I join the gentleman from Texas, the chairman of the committee, in urging adoption of the conference report.

Mr. MAHON. Mr. Speaker, I yield one-half minute to the gentleman from Minnesota (Mr. NELSEN).

Mr. NELSEN. I thank the gentleman for yielding.

I merely wish to point out I believe the position our good friend the gentleman from Kentucky (Mr. NATCHER), has taken—and his offer of support under the conditions he outlined—is completely fair and should have the unanimous support of the House of Representatives.

I speak because of the fact that I did have a hand in the Subway System Act of the District of Columbia and do feel a responsibility with reference thereto. However, I also want to say that the gentleman's recommendation is very fair and in my opinion it is one that we can follow.

OVERALL EXPENDITURE LIMITATION

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

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

Mr. GROSS. Now, can we have some discussion of the proposed expenditure ceiling and some discussion of the reasons why the personnel ceilings were cast aside? What were the circumstances surrounding those actions?

Mr. MAHON. Those are amendments which will be presented after the report itself is acted upon. I thought it might be more appropriate to discuss those matters as they occur as they are not a part of the conference report.

Mr. GROSS. They are not a part of the conference report?

Mr. MAHON. No. They are reported back in technical disagreement.

Mr. GROSS. Yes, but we will be voting on the conference report very shortly, will we not?

Mr. MAHON. Yes, and we will be voting later on the amendments in disagreement at which time I shall be glad to yield to the gentleman from Iowa.

Mr. GROSS. I shall thank the gentleman for yielding.

Let me say that I find no economy in this bill, none at all, for it contains approximately a half billion dollars more than it did when approved by the House. I understand that a substantial amount of the increase is due to salary increases, but regardless of the nature of the expenditure it is nevertheless increased spending at a time the country faces a financial crisis and taxes are being increased.

And the action of the House-Senate conference on this legislation, wiping out all vestige of the personnel ceiling that was imposed last year, as well as juggling with the expenditure ceiling, plus the increase of $160 million in the funding of soft loan window of the International Development Association, makes this conference report unacceptable and I shall vote against it.

FAIR HOUSING, NEIGHBORHOOD YOUTH CORPS, AND EDUCATIONAL OPPORTUNITY GRANTS

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

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

Mr. HAWKINS. In amendment No. 24 as I read it, you have deleted $1 million for the enforcement of the fair housing program and in amendment No. 40 you have eliminated or reduced to the extent of $2.5 million the amount for the Neighborhood Youth Corps program. No. 42 appears to reduce educational opportunity grants by $16 million.

Am I correct in this being the effect of the conference report and, if so, could you enlighten us as to the justification for those reductions?

Mr. MAHON. With respect to the additional funds for fair housing enforcement, funds had already been provided for that purpose in the regular bill for 1969 and they are also provided in the regular bill for fiscal 1970. In fact, the House increased the 1970 figure above what the committee recommended. When we conferred on this item we were approaching the end of the fiscal year and we thought these funds should be deleted and that ample funds had been made available already in the regular 1970 bill.

Mr. HAWKINS. Mr. Speaker, if the gentleman will yield further, when the gentleman refers to "we," is the gentleman talking about the House conferees or the Senate conferees?

Mr. MAHON. The Senate receded to the House position.

Mr. HAWKINS. Was it the Senate position to appropriate the $1 million or was it the position of the House conferees not to appropriate it?

Mr. MAHON. Not to appropriate it.

Mr. HAWKINS. With respect to the Neighborhood Youth Corps program, amendment No. 40, there appears to be a reduction of $2.5 million. In light of the fact that this program is being reduced—the NYC program—by at least 25 percent, we are receiving a tremendous number of questions with reference to it. How does the chairman justify this reduction?

Mr. MAHON. In amendment No. 40 the Senate provided for an amount to carry out section 102 of the Manpower Development and Training Act of 1962 as amended—$10 million, to remain available until September 30, 1969.

There was no budget request for the $10 million. The Congress had already provided a very large sum for this purpose for fiscal year 1969. Of course, fiscal year 1969 has expired.

The Senate Committee on Appropriations went above the budget and inserted $7.5 million.

There was an addition of $2.5 million on the Senate floor, as the gentleman knows. The House took the position that the $7.5 million in the committee version of the Senate bill was as far as we should go at this time, and the Senate receded from its floor amendment.

Mr. HAWKINS. Mr. Speaker, I would ask the gentleman if he is aware of the fact that this program is being reduced throughout the country, and that there are a tremendous number of applicants for this program who are being told that other programs are available, but these applicants are unable to find these other programs. So that we are cutting back on these youth programs when there is unrest building up in the cities, especially in view of the fact that just a few days ago, or a week ago, almost, we did pass a new tax bill, putting a new tax on the American people on the theory that the money would be used for these programs, and yet the position apparently of the conferees of this House was that this money could be cut back at this time for economy reasons, apparently.

Mr. MAHON. The real decisions with respect to these programs will be made in the regular bills. They were made last year generally through that procedure, and they will be made this year generally through that procedure. This is an additional sum of $7.5 million above the budget for a fiscal year which has already ended, but the conference agreement would make the funds available until September 30, 1969.

Mr. JONAS. Mr. Speaker, if the gentleman will yield, I do not believe the record should stand without it being made perfectly clear that this is not the only money available for this purpose. There was in a supplemental bill a substantial amount of money for this very purpose when it passed for 1969. This item was not considered by the House committee, because it was unbudgeted. It was put in the bill on the Senate side. We thought we were being generous, if I may use that word, in adding $7.5 million to the substantial sums of money that were made available in the regular bill.

Mr. HAWKINS. Mr. Speaker, if the gentleman will yield further, it seems to me that you cannot square that against the fact that this program is being reduced. The gentleman says that money is available but in this amendment and in the next amendment, the educational opportunity grants—and I am sure other Members of the House are receiving letters from the higher institutions of learning in which they say that they do not have money to take care of the people who come to their doors——

Mr. JONAS. I am sure that the gentleman understands that this is not a regular bill; this is a supplemental bill for a fiscal year that has already expired. We are marking up the regular HEW bill for 1970 today, which will contain funds for the program for fiscal year 1970 just as the regular bill for 1969 made funds available for fiscal 1969.

Mr. MAHON. Mr. Speaker, may I say to the gentleman from California that Congress has already provided about $139 million for this purpose, and in this bill we provide an additional $7.5 million above the budget for these programs, which seemed to be the best that could be agreed upon at this time. And now, as we are beginning the new fiscal year 1970, there will be additional appropriation requests in which the House will have the opportunity, as well as in the other body, to work our will with respect to these manpower programs.

Mr. HAWKINS. What the distinguished chairman of the Committee on Appropriations is saying is that in this current fiscal year they are going to provide fully the funding for these educational and manpower programs in accordance with the authorizations, and I am very glad to get that commitment. I hope the gentleman will live up to that commitment. I think it is very obvious that across this country these programs are not being funded fully, as they have been authorized, and that we are building up an explosive situation in the inner cities, because this House has failed to appropriate the money even after the authorization, which is itself inadequate, and has been authorized by this House.

I think it is time for us to stop talking about this so-called economy when we are not meeting the budgeted needs of the people of this country. I get the budgetary explanation, but it certainly does not satisfy me.

I hope that this commitment which apparently seems to be made that you are going to fund fully these programs in the current fiscal year that you did not do in the last fiscal year. I hope that commitment is met.

Mr. MAHON. I wish to repudiate emphatically that the gentleman from Texas now speaking has committed himself with reference to any future legislation involving these programs.

I simply meant to say, and I believe I did say, that for the fiscal year 1970 we will have further opportunity to weigh and consider sums which may be provided for the purpose and that the House of Representatives and the other body would have adequate opportunity to work its will approving the budget requests, or raising the figures or lowering them as might be determined.

But to intimate that anyone in the House has committed himself to appropriation of the full authorizations is completely beside the point and is not correct.

Mr. HAWKINS. I misunderstood the gentleman then.

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

Mr. MAHON. I yield to the gentleman.

Mr. GROSS. Is there by any chance any money in this bill for certain Members of the House of Representatives—the gentleman will recall an authorizing bill providing a pay increase for certain Members of the House was passed by the House and sent to the other body and then recommitted to the committee? Is there any money in this bill to provide for those pay increases if and when that authorization bill is passed?

Mr. MAHON. The other body made no changes in items in the House bill that relate solely to housekeeping items of the House, with respect to additional pay or otherwise. That is the time-honored procedure. And I should add that the amounts in the House bill for the additional pay to which the gentleman refers—which were discussed when we had the bill on the floor in May—will shortly lapse if the authorization bill is not soon enacted.

The question in respect to fiscal 1970 will arise when the regular bill for 1970 comes along.

Mr. GROSS. I thank the gentleman.

Mrs. CHISHOLM. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentlewoman from New York.

Mrs. CHISHOLM. Mr. Speaker, I would like to raise a question in the light of what has been discussed here during the past few minutes.

I notice in the Department of Health, Education, and Welfare appropriations on page 17 in amendments 41, 42, and 43 there has been a cutting and a minimization of the amount of moneys in this supplemental budget.

Then, if you turn to page 4 under title I, for the Department of Defense, we have increased that amount which the other body has asked for in this supplemental budget.

I would like to get some kind of explanation, in the light of what is happening, as to why the House in its conference report recommended this increase in the amendments to which I have referred, amendments numbered 41, 42, and 43.

Mr. MAHON. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. FLOOD), a member of the conference committee, for his comments with regard to amendments numbered 41 and 42 involving the $16 million for educational opportunity grants.

Mr. FLOOD. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I would say to the gentlewoman from New York that in the first place the amount appropriated for educational opportunity grants in the regular Labor-HEW appropriations for 1969 was a reduction of $16 million from the budget request. This is the history of this item. It was originally put in last year's bill by the other body. It was not considered by the House, because it was not authorized at the time the House acted on the appropriations bill. The conferees agreed upon an appropriation of $124,600,000 for educational opportunity grants, which was $16 million below the budget estimate and the Senate allowance.

There was no supplemental request by either the Johnson or the Nixon administrations for additional funds for this program, and none were included in the supplemental bill as it passed the House. Since it was not budgeted, and was not included in the House bill, and would have restored a deliberate reduction made by the Congress in the regular bill, it was dropped in the conference report.

This is no reflection on the program.

Personally, as a matter of fact, I am just as much for it as you are. That is not true of all of the committee—but that is the history. I find no fault with it.

Mrs. CHISHOLM. I thank the gentleman very much.

Mr. EILBERG. Mr. Speaker, I must confess that I was disappointed when the conferees eliminated from the bill we are now considering an amendment which would have restored the $16 million which was cut last year from the educational opportunity grants program.

Adoption of this amendment would have meant that this program would have been fully funded. Not only this program but all the others the Federal Government has a part in which provide assistance to deserving youngsters so that they can obtain a higher education must be fully funded or the cost in terms of missed opportunities will be vast.

In its education budget requests to fund these various student assistance programs for the 1970 fiscal year, the administration has adopted the position that all these programs, the educational opportunity grants program, the college work-study program, the national defense education loan program, and the medical professions loan program need not be fully funded because the slack will be picked up by the guaranteed student loan program. Such a position is untenable and demonstrates once more the administration's tendency to overlook the facts in presenting their budget requests.

If the administration's budget requests for the educational opportunity grants program are adopted, the result will be that 45,000 fewer students will receive the assistance the program provides. If their requests for the national defense student loan program are adopted, less than half the approved requests from students and their families for assistance under the program will be able to be honored. If the administration's budget requests for the college work-study program are approved, the result will be that 20,000 fewer students will participate. In the medical professions loan program, the administration's budget requests would provide half the funds which were available last year. These are the facts.

In view of this situation, can the guaranteed student loan program pick up the slack? The facts say it cannot. This program was designed to provide assistance to middle-income families with incomes of under $15,000 so their sons and daughters can get the benefit of a higher education. The facts say that 85 percent of the loans made under this program were made to families with incomes of under $12,000. The facts also say that 57 percent of these loans were made to families with incomes of under $6,000. Thus, the program has not reached the income level it was intended to. I have no objection whatever to loans being made to these families. What I do object to is the administration's view that programs which are designed specifically to assist youngsters from low-income homes be cut and the slack taken up by a middle-income program. Middle-income taxpayers support these programs with their taxes. They have every right to participate. However under the administration plan they will not be able to since all loans under the program will go to very low-income families. I believe all these student loan programs should be fully funded. The result of such action on our part will provide that both low- and middle-income youngsters can obtain the help of the Federal Government in continuing their educations. If we had adopted the amendment of the Senate committee restoring cuts in the educational opportunity grants programs we would have made our position on this matter clear. However, I am hopeful that, when the Labor, Health, Education, and Welfare appropriations bill is considered, we will act and make our thoughts on the matter quite clear.

Mr. RYAN. Mr. Speaker, unfortunately, the conference report on the second supplemental appropriation for the fiscal year 1969, like the bill already passed by the House on May 20—H.R. 11400—lumps together funds which are necessary for important domestic programs with some $1.2 billion for military operations in Southeast Asia.

This means a choice of either approving the entire package recommended by the conferees, and thereby allocating still more funds to the prosecution of the war in Vietnam, or voting against the entire supplemental appropriations bill. I regret that the House Appropriations Committee has put us in this situation again. As the Members are well aware, there is strong and conscientious opposition to the continuation of the war in Vietnam. There should be an opportunity for Members to vote separately on the $1.2 billion contained in this package for additional funds for military operations in Southeast Asia. As long as these funds for the Vietnam war remain in the conference report, I cannot support it. As I pointed out during the debate on H.R. 11400 on May 20, one-third of the total amount of money allocated in this package is for prosecuting the war in Vietnam. This is in addition to the some $27 or $28 billion which Congress has already appropriated for the war for fiscal year 1969.

As a matter of fact, the conference report increases by $38 million the amount of money which was provided in the bill as it passed the House on May 20.

The increases approved in conference include an additional $7 million for naval military personnel and $31 million in additional funds for Air Force military personnel. That funds for Southeast Asian military operations could have been actually increased in the face of our mounting domestic crisis is an indication of the overall failure of Congress to reallocate funds in the Federal budget on the basis of the multitude of problems confronting the cities and the unmet social needs of our society.

As in past years, the costs of the war have been underestimated. Each year for the past 5 years Congress has been asked to appropriate supplementary funds for the Vietnam war. On each of those occasions—in 1965, 1966, 1967, 1968, and now 1969—I have pointed out that the only means Congress has to affect Vietnam policy is through the power of the purse. Today Congress has another opportunity to assert control over the conduct of the war. The funds allocated by Congress for the war do more than support our troops. They support the war policy of the administration. What has the policy of the Johnson and now the Nixon administration been since the last occasion on which Congress voted funds in support of the war?

Since May 1968, when the Paris peace talks began, over 14,000 American servicemen have been killed. The destruction and suffering which have been the lot of the Vietnamese people for over 20 years continue unabated.

On June 8 at his conference with South Vietnamese President Thieu on Midway Island, President Nixon announced that he would withdraw 25,000 American troops over the next 3 months. Does this mean that the end of the war is finally in sight? Regrettably, I do not think that it does. In the first place, both President Nixon and President Thieu went to great lengths to point out that this was not really a withdrawal of troops but the replacement of our troops with the South Vietnamese forces. Second, as our former chief negotiator in Paris under President Johnson, Governor Averell Harriman, has pointed out, 25,000 troops is not a significant number and will not affect the negotiations in Paris, which have now been stalled for over a year. During the course of a recent radio interview with me, Governor Harriman emphasized a reduction in the violence by both sides as an essential prerequisite to a negotiated settlement in Paris, and urged that, since the United States had issued orders to General Abrams for all-out fighting, the United States should take the lead in reducing the level of fighting.

Contrary to the optimistic statements of the Nixon administration, the end is still not in sight. The only way that the Congress can exercise any influence on the direction of our foreign policy in Southeast Asia is to vote "No" on appropriations for the war.

For 5 years now the critics of the war in Vietnam have been urging alternative policies in Southeast Asia. In 1964, I urged a specific strategy for neutralization of Southeast Asia to avoid broadening the conflict. But the conflict was broadened. In 1965, I argued against the Americanization of the war and against escalating our military commitment. But the war was Americanized and our commitment escalated. In 1966, I again pointed to the policy alternatives available to us. But instead the choice of continued escalation was made. In 1967, I called for renewed diplomatic efforts and an end to the bombing in the north. But diplomacy took a back seat to the continued emphasis on imposing a military solution.

In March of 1968, candidate Richard M. Nixon said "the next President of the United States must end the war in Vietnam," and indicated he had specific diplomatic strategies in mind as a way of hastening a settlement of the conflict.

Today, despite the fact that the Paris negotiations continue to produce no progress, that the killing of hundreds of American servicemen each week goes on, that South Vietnam continues to be

destroyed so that it may be "saved"—President Nixon hails the withdrawal of 25,000 American troops as "the opening of the door" to peace.

In South Vietnam, President Thieu has shut down the 37th newspaper since the Saigon government announced an end to press censorship over a year ago, warned the South Vietnamese population that advocates of a coalition government will be punished, and summoned South Vietnamese citizens to police headquarters for "questioning" because they called for a "government of reconciliation" and a negotiated settlement to the war.

This is the state of the war in Vietnam today, for which the conference report before us appropriates an additional $1.2 billion.

As I pointed out earlier in my remarks, the request for supplemental funds for Southeast Asian military operations has been tied to other appropriations for some vital domestic programs which I support and, in several cases, have even proposed.

On January 30, I introduced an omnibus supplemental appropriations bill, H.R. 5562, to fully fund several important housing programs established under the Housing and Urban Development Act of 1968. This legislation would provide supplemental appropriations to bring the section 235 homeownership program, the section 236 rental and cooperative housing program, the rent supplement program, the urban renewal program, and the urban renewal component of the model cities program to the full amounts authorized by Congress.

The conference report includes supplemental appropriations for three programs—section 235, section 236, and low-rent public housing. Both sections 235 and 236 would receive an additional $45 million for fiscal year 1969—which, although it is $5 million more than was approved by the House, still leaves each program $5 million below the amount authorized by Congress. The low-rent public housing program—which remains the only effective way to reach low-income people in our large urban areas—would receive an additional $7,168,000 for fiscal year 1968 and $16 million for fiscal year 1969 in contract authorization.

While I am pleased that the conference report has recommended supplemental appropriations for these three programs, I am disappointed that it does not provide additional funds for the rent supplement program. Each year the rent supplement program has been starved for funds; the current fiscal year is no exception. While the administration recommended $65 million for rent supplements for fiscal year 1969, Congress appropriated only $30 million. Urban renewal, which also would receive no additional funds, was appropriated only $312 million although it was authorized to receive $500 million.

These programs must be funded to the full amount authorized by Congress if there is to be an effective attack of the housing crisis which besets our cities. As has been the case so often before, the supplementary amount recommended for the war in this conference report alone is greater than the amount which would be needed to fully fund urgently needed housing programs.

I am also disturbed that the $1 million appropriation to the Department of Housing and Urban Development for enforcement of fair housing—under title VIII of the Civil Rights Act of 1968—which was approved by the Senate, has been deleted in the conference report. In its budget request HUD requested $2 million to carry on fair housing activities.

As Housing and Urban Development Secretary Romney stated in his testimony in support of this appropriation request for enforcing fair housing:

> It is simply impossible to attain this goal (providing a decent home in a suitable living environment for every American family) without a major and continuing effort in pursuit of fair housing for every person in this country. (Parentheses added.) (Hearings on Second Supplemental Appropriation Bill, 1969, p. 570.)

At present, the fair housing program has received only $2 million to carry on its efforts from Congress. If the fair housing provisions of the 1968 Civil Rights Act are to have meaning, Congress must allocate sufficient resources to fulfill that goal.

During debate on past omnibus appropriation bills, the argument has been made that, since appropriations for important domestic programs are included, the bills should be supported despite the fact that they include appropriations for the war.

I cannot accept that argument because it ignores two basic factors.

First, it is simply not true that the defeat of this bill because of the inclusion of appropriations for the Vietnam war would result in the cutting off of funds for domestic programs. If the House refused to approve the conference report because it contained appropriations earmarked for Southeast Asian military operations, the war funds would be removed, and the other parts of the bill would come back to the floor.

Second, and perhaps more fundamentally, it must be recognized that the vital domestic programs, which are presently receiving leftover scale support, will never be fully funded until the costly Vietnam war is terminated. As long as appropriation bills continue to allocate one-third of available resources to Southeast Asian military operations—as does this bill—our cities will continue to rot; our economy will continue to deteriorate; and our unmet social needs will remain unmet. The solution of our domestic crisis must be preceded by the termination of the Vietnam war.

For 5 long years Congress, through the appropriations process, has acquiesced in a disastrous policy. Some 36,600 American servicemen have been killed and many thousands more maimed and wounded.

For 5 long years the war has consumed national resources desperately needed to combat urban problems. Each year the end of the war, at least according to the administration, was just around the corner—especially at appropriations time. And each year the administration has returned demanding still more resources.

It is time that Congress recognize that it must call a halt to our military involvement in Vietnam. It has the power to do so; namely, through the power of the purse.

Once again the request for funds for the prosecution of the Vietnam war presents us with an opportunity to redirect national policy and to end the death and destruction in Vietnam. I urge that that opportunity be utilized and that this request for supplemental appropriations be rejected until the funds for Southeast Asian military operations are eliminated.

Mr. COHELAN. Mr. Speaker, I rise to express my opposition to the conference report on the second supplemental appropriations bill which is before us today.

While there is a good deal that is worthwhile in this bill—particularly the funds for further acquisition of the Redwood National Park and the additional $90 million for the housing assistance interest subsidy programs. But there is a good deal to be concerned about, too.

I am especially concerned about the expenditure ceiling written into this bill. As you will recall, I introduced amendments on the House floor during the original consideration of this bill to exempt from the ceiling those uncontrollable expenditures which the Congress does not consider annually and which are based only on estimates in the budget. I moved to exempt these items from the ceiling in order to assure that other programs for which Congress had expressed its support in specific annual appropriations would not be cut back inadvertently. I was particularly fearful that if the budget underestimates ran as high as the $6 billion low estimate in last year's budget, the social programs like health, education, job training, and the other antipoverty efforts would be reduced by a substantial amount, perhaps on the order of $6 billion.

I am pleased to note that the Senate adopted my position with regard to the exemption of these uncontrollable items. I am less pleased to note that the conferees agreed to allow only very limited flexibility in connection with these uncontrollable expenses. The conference has provided that $2 billion in underestimates on uncontrollable items can be absorbed without requiring reductions in the other expenditures of the Federal Government.

My worry is that this $2 billion is not enough flexibility. If the underestimates of last year were repeated this year, the $2 billion leeway would certainly not be enough. It is for this reason, to protect our social programs from overruns in the uncontrollable programs, that I will again today vote against this expenditure ceiling.

Mr. SCHEUER. Mr. Speaker, today I cast my vote against the second supplemental appropriation, 1969, out of conviction that this bill once again reflects the lack of concern for the real needs of this Nation.

We are appropriating an additional $176 million for a Southeast Asia military operation, another $265 million for Army personnel, $267.6 million more for Air Force personnel.

As in the past, Mr. Speaker, my prob-

lem is not with any one part of this supplemental appropriations hodgepodge. My problem is that we have once again failed to assess our priorities. I am gravely concerned that the ceiling we have imposed will result in dollars being taken from the hide of our cities. Past experience demonstrates that, if expenditures are cut along the way, money will come from the social and economic programs so desperately needed to relieve our dying cities.

Any one or all of these appropriations may indeed be worthy. Certainly those appropriations which reflect the latest Federal pay raises are well-justified in the interest of maintaining the high caliber of Federal employees and making Government service attractive on a competitive basis with the private sector. I support the lifting of the foolish restrictions relating to the personnel levels of civilian Government employment.

Nonetheless, I find substantial sums of money appropriated which have not been carefully examined as to need, and which have not been assessed against programs which I regard as more urgent, very much more urgent for our Nation. I become more convinced every day that we need a fundamental and searching scrutiny of our existing programs in order to reallocate our resources where they are most needed. Our military expenditures could easily be pared by billions of dollars. We spend additional billions in support of agricultural programs designed to curb food production, while millions of Americans suffering from malnutrition pay too much for food stamps. Every day reports reach my office of budget cuts affecting our education system, our health programs, our employment programs. We still spend more on our space program than we do to improve the lot of our poor. Middle-class urban taxpayers find their tax load increasing rapidly and are being slowly starved for basic services—schools, garbage collection, recreation facilities, police protection.

I reject the concept that the quiet American must continue to be the victim of our failure to take stock, restate national goals and commitments, and recast priorities. More and more people are speaking out most eloquently against the inequities and unjustifiable burdens being imposed on all Americans, heedlessly and without analysis.

Mr. Speaker, the responsibility of the Congress is to listen thoughtfully and react in a responsive, responsible way. We have not really begun to hear the many voices of protest in today's America, from poor and middle class alike.

Mr. LOWENSTEIN. Mr. Speaker, on May 21, 1969, I joined in a motion to strike title I from the second supplemental appropriation. I made it clear then that appropriating additional funds to carry out the present military policy in Vietnam simply means, in my view, sending more Americans—to say nothing of Vietnamese and others—to pointless deaths.

That effort to strike title I when we sat as the Committee of the Whole House was not successful, and we are now confronted with a conference report in a form that makes it impossible again to put this critical question to a vote of the House.

Congressman RYAN has stated brilliantly the dilemma that this produces, and I want to call the attention of the House to his remarks on this point. It is absurd, and indefensible, that we are not allowed to vote separately on matters that are separate. I cannot believe that it is healthy parliamentary practice—let alone in the best interests of representative government—to follow procedures that often make it impossible to get clear record votes on matters of great moment to the people.

In any event, I must join in Congressman RYAN'S protest and reiterate that unless President Nixon begins to withdraw American troops in massive numbers, I—and, I believe an increasing number of my colleagues—will henceforth be forced to vote against any request for appropriations that includes additional money to carry out the present policy in Vietnam, no matter how desirable other items included in the request may be.

Mr. MAHON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

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

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

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

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

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

The question was taken; and there were—yeas 348, nays 49, not voting 35, as follows:

[Roll No. 102]

YEAS—348

Abbitt	Brown, Ohio	Daddario
Abernethy	Broyhill, N.C.	Daniel, Va.
Adair	Broyhill, Va.	Daniels, N.J.
Adams	Buchanan	Davis, Wis.
Addabbo	Burke, Fla.	de la Garza
Albert	Burke, Mass.	Delaney
Alexander	Burleson, Tex.	Dellenback
Anderson, Tenn.	Burlison, Mo.	Denney
Andrews, Ala.	Burton, Utah	Dennis
Annunzio	Bush	Dent
Arends	Button	Dickinson
Ayres	Byrne, Pa.	Dingell
Baring	Byrnes, Wis.	Donohue
Barrett	Cabell	Dorn
Beall, Md.	Caffery	Dowdy
Belcher	Carter	Downing
Bell, Calif.	Casey	Dulski
Bennett	Cederberg	Duncan
Betts	Celler	Dwyer
Bevill	Chamberlain	Eckhardt
Biaggi	Chappell	Edmondson
Biester	Clark	Edwards, Ala.
Blanton	Clausen, Don H.	Edwards, La.
Blatnik	Clawson, Del	Ellberg
Boland	Cleveland	Erlenborn
Bolling	Collins	Esch
Brademas	Colmer	Eshleman
Brasco	Conable	Evans, Colo.
Bray	Conte	Fallon
Brinkley	Corbett	Fascell
Brock	Corman	Feighan
Brooks	Coughlin	Findley
Broomfield	Cowger	Fish
Brotzman	Culver	Fisher
Brown, Mich.	Cunningham	Flood
Flynt	McCarthy	Robison
Foley	McClory	Rodino
Ford, Gerald R.	McCloskey	Rogers, Colo.
Ford, William D.	McClure	Rogers, Fla.
Foreman	McCulloch	Ronan
Fountain	McDade	Rooney, N.Y.
Friedel	McDonald, Mich.	Rooney, Pa.
Fulton, Pa.	McEwen	Rostenkowski
Fulton, Tenn.	McFall	Roudebush
Fuqua	McKneally	Ruth
Galifianakis	Macdonald, Mass.	St Germain
Gallagher	MacGregor	St. Onge
Gaydos	Madden	Sandman
Gettys	Mahon	Satterfield
Giaimo	Marsh	Schneebeli
Gibbons	Martin	Schwengel
Goldwater	Mathias	Scott
Gonzalez	Matsunaga	Sebelius
Goodling	Mayne	Shipley
Gray	Meeds	Shriver
Griffin	Melcher	Sikes
Griffiths	Meskill	Skubitz
Grover	Michel	Slack
Gubser	Miller, Calif.	Smith, Calif.
Gude	Mills	Smith, Iowa
Hagan	Minish	Smith, N.Y.
Haley	Mink	Snyder
Halpern	Minshall	Springer
Hamilton	Mize	Stafford
Hammer-schmidt	Mizell	Staggers
Hanley	Mollohan	Stanton
Hanna	Monagan	Steed
Hansen, Idaho	Montgomery	Steiger, Ariz.
Hansen, Wash.	Moorhead	Steiger, Wis.
Harvey	Morgan	Stephens
Hastings	Morse	Stubblefield
Hathaway	Moss	Stuckey
Hays	Murphy, Ill.	Sullivan
Hébert	Myers	Symington
Hechler, W. Va.	Natcher	Taft
Heckler, Mass.	Nedzi	Talcott
Henderson	Nelsen	Taylor
Hicks	Nichols	Teague, Calif.
Hogan	Nix	Teague, Tex.
Holifield	Obey	Thompson, Ga.
Horton	O'Hara	Thompson, N.J.
Hosmer	Olsen	Tiernan
Howard	O'Neill, Mass.	Tunney
Hull	Passman	Udall
Hungate	Patman	Ullman
Hunt	Patten	Utt
Hutchinson	Pelly	Van Deerlin
Ichord	Pepper	Vander Jagt
Jarman	Perkins	Vanik
Johnson, Calif.	Pettis	Vigorito
Johnson, Pa.	Philbin	Waggonner
Jonas	Pickle	Waldie
Jones, Ala.	Pike	Wampler
Jones, N.C.	Pirnie	Watkins
Jones, Tenn.	Poage	Watson
Kazen	Poff	Watts
Kee	Pollock	Weicker
Keith	Preyer, N.C.	Whalen
King	Price, Ill.	Whalley
Kleppe	Price, Tex.	White
Kluczynski	Pryor, Ark.	Whitehurst
Kuykendall	Pucinski	Whitten
Kyros	Purcell	Widnall
Landgrebe	Quie	Wiggins
Landrum	Railsback	Williams
Langen	Randall	Winn
Leggett	Rarick	Wold
Lennon	Reid, Ill.	Wright
Lipscomb	Reid, N.Y.	Wyatt
Lloyd	Reifel	Wydler
Long, La.	Reuss	Wyman
Long, Md.	Rhodes	Yates
Lowenstein	Riegle	Yatron
Lujan	Rivers	Young
Lukens	Roberts	Zablocki
		Zion
		Zwach

NAYS—49

Anderson, Calif.	Edwards, Calif.	O'Konski
Ashbrook	Farbstein	Ottinger
Bingham	Frey	Podell
Blackburn	Gilbert	Rees
Brown, Calif.	Gross	Rosenthal
Burton, Calif.	Hall	Roth
Camp	Harsha	Ruppe
Chisholm	Hawkins	Ryan
Clancy	Helstoski	Saylor
Clay	Jacobs	Schadeberg
Cohelan	Joelson	Scherle
Conyers	Kastenmeier	Scheuer
Cramer	Koch	Stokes
Dawson	Kyl	Thomson, Wis
Devine	Latta	Wilson, Charles H.
Diggs	Mikva	Wylie
	Miller, Ohio	

NOT VOTING—35

Anderson, Ill.	Ashley	Boggs
Andrews, N. Dak.	Aspinall	Bow
	Berry	Cahill

Carey	Green, Pa.	Murphy, N.Y.
Collier	Karth	O'Neal, Ga.
Davis, Ga.	Kirwan	Powell
Derwinski	McMillan	Quillen
Evins, Tenn.	Mailliard	Roybal
Fraser	Mann	Sisk
Frelinghuysen	May	Stratton
Garmatz	Morton	Wilson, Bob
Green, Oreg.	Mosher	Wolff

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Bow.
Mr. Evins of Tennessee with Mr. Mailliard.
Mr. Murphy of New York with Mr. Frelinghuysen.
Mr. Sisk with Mr. Berry.
Mr. Wolff with Mr. Collier.
Mr. Carey with Mr. Cahill.
Mr. Kirwan with Mr. Derwinski.
Mr. Aspinall with Mrs. May.
Mr. Roybal with Mr. Bob Wilson.
Mr. Garmatz with Mr. Morton.
Mr. Green of Pennsylvania with Mr. Anderson of Illinois.
Mr. Ashley with Mr. Mosher.
Mr. Karth with Mr. Andrews of North Dakota.
Mr. O'Neal of Georgia with Mr. Quillen.
Mr. Davis of Georgia with Mr. Stratton.
Mrs. Green of Oregon with Mr. Mann.
Mr. Fraser with Mr. McMillan.

Messrs. DEVINE, HARSHA, ROTH, THOMSON of Wisconsin, O'KONSKI, SCHADEBERG, AND DAWSON changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

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

Mr. MAHON. Mr. Speaker, I ask unanimous consent to consider en bloc, amendments which are in technical disagreement and on which the managers on the part of the House will offer a motion to recede and concur as follows: Nos. 4, 11, 13, 16, 27, 29, 31, 33, 38, 39, 43, 46, 51, 53, 54, 55, 56, 58, 60, 62, 87, 91, and 92.

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

There was no objection.

The Clerk read as follows:

Senate amendment No. 4: Page 3, line 18, insert:

"SOIL CONSERVATION SERVICE

"FLOOD PREVENTION

"For an additional amount for 'Flood prevention', $4,000,000 to remain available until expended for emergency measures for runoff retardation and soil erosion prevention, as povided by section 216 of the Flood Control Act of 1950 (33 U.S.C. 701 b–1)."

Senate amendment No. 11: Page 6, line 23, inesrt: "of which $95,000 for the Department of Corrections shall remain available until September 30, 1969, and".

Senate amendment No. 13: Page 8, line 8, insert: "to be derived by transfer from appropriations for 'Economic Assistance', fiscal year 1969, of the Agency for International Development,".

Senate amendment No. 16: Page 9, line 16, insert: "of which $100,000 shall remain available until September 30, 1969;".

Senate amendment No. 27: Page 12, line 23, insert: "of which $150,000 shall remain available until September 30, 1969;".

Senate amendment No. 29: Page 13, line 17, insert:

"OFFICE OF THE TERRITORIES

"ADMINISTRATION OF TERRITORIES

"For an additional amount for 'Administration of territories', $950,000, to remain available until expended."

Senate amendment No. 31: Page 14, line 2, insert:

"HEALTH AND SAFETY

"For an additional amount for 'Health and safety', $750,000 to remain available until September 30, 1969."

Senate amendment No. 33: Page 14, line 21, insert: ", of which $250,000 shall remain available until September 30, 1969;".

Senate amendment No. 38: Page 15, line 18, insert: ", of which $460,000 shall remain available until September 30, 1969;".

Senate amendment No. 39: Page 16, line 6, insert: "prior to September 1, 1969".

Senate amendment No. 43: Page 19, line 5, insert: "to remain available until September 30, 1969,".

Senate amendment No. 46: Page 20, line 15, insert:

"SENATE

"For payment to Vide G. Bartlett, widow of E. L. Bartlett, late a Senator from the State of Alaska, $30,000.

"The clerk hire allowance of each Senator from the States of Illinois and Texas shall be increased to that allowed Senators from States having a population of eleven million, the population of said States having exceeded eleven million inhabitants.

"For an additional amount for 'Inquiries and Investigations', fiscal year 1968, $126,-900."

Senate amendment No. 51: Page 22, line 12, insert: ", of which $40,000 shall remain available until September 30, 1969,".

Senate amendment No. 53: Page 22, after line 23, insert: "of which $101,000 shall remain available until September 30, 1969,".

Senate amendment No. 54: Page 23, line 17, insert: "of which $162,000 shall remain available until September 30, 1969;".

Senate amendment No. 55: Page 24, line 9, insert: "of which $737,000 shall remain available until September 30, 1969;".

Senate amendment No. 56: Page 25, line 1, insert:

"ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

"SALARIES AND EXPENSES

"In addition to the amount made available in the appropriation under this head in the Department of Commerce Appropriation Act, 1969, for retirement pay of commissioner officers and payments under the Retired Servicemen's Family Protection Plan, $147,000 shall be available in that appropriation for such expenses."

Senate amendment No. 58: Page 26, line 14, insert: "of which $205,000 shall remain available until September 30, 1969."

Senate amendment No. 60: Page 25, line 18, insert:

"For an additional amount for 'Fees and expenses of court-appointed counsel', fiscal year 1968, $850,000."

Senate amendment No. 62: Page 27, line 3, insert: ", of which $10,000 shall remain available until September 30, 1969,".

Senate amendment No. 87: Page 65, line 16, insert:

" "Limitation on administrative expenses, Federal Savings and Loan Insurance Corporation", (Release of $4,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364);".

Senate amendment No. 91: Page 73, line 9, insert:

"SEC. 503. Section 201 of the Revenue and Expenditure Control Act of 1968 (Public Law 90–364, approved June 28, 1968), is hereby repealed."

Senate amendment No. 92: Page 73, line 12, insert:

"SEC. 504. Funds appropriated, or otherwise made available, by this Act for the fiscal year 1969, shall remain available for obligation until July 1, 1969, or for five days after the date of approval of this Act, whichever is later, unless a longer period is specifically provided: *Provided*, That all obligations incurred in anticipation of such appropriations and authority for the fiscal year 1969 as well as those for longer periods as set forth herein are hereby ratified and confirmed if in accordance with the terms hereof."

Mr. MAHON (during the reading). Mr. Speaker, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to Senate amendments numbered 4, 11, 13, 16, 27, 29, 31, 33, 38, 39, 43, 46, 51, 53, 54, 55, 56, 58, 60, 62, 87, 91 and 92, and concur therein.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 6: Page 5, line 7: insert "and in addition, $1,000,000 to be derived by transfer from the appropriation 'Procurement, Marine Corps'."

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$500,000".

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 7: On page 5, line 12, insert: "and in addition, $3,000,000, to be derived by transfer from the appropriation 'Research, Development, Test, and Evaluation, Army'."

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$1,500,000".

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 8: On page 5, line 18, insert: "and in addition, $5,377,000, to be derived by transfer from the appropriation 'Other Procurement, Air Force'."

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$2,000,000".

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 40: On page 16, line 19, insert:

"MANPOWER ADMINISTRATION

"MANPOWER DEVELOPMENT AND TRAINING ACTIVITIES

"For an additional amount to carry out the provisions of section 102 of the Manpower Development and Training Act of 1962, as amended, $10,000,000, to remain available until September 30, 1969."

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$7,500,000".

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 42: On page 17, line 11, strike out: "including payments authorized by section 108(b) of the District of Columbia Public Education Act, as amended (Public Law 90–354, approved June 20, 1968), and annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended (Public Law 90–575, approved October 16, 1968), $11,161,000, of which $3,920,000 shall remain available until expended for said annual interest grants: *Provided*, That, in addition, $160,000 shall be derived by transfer from 'Community mental health resource support', Public Health Service, fiscal year 1969: *Provided further*, That none of the funds appropriated by this Act for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended by Public Law 90–575, shall be used to formulate or carry out any grant to any institution of higher education unless such institution is in full compliance with section 504 of such Act" and insert in lieu thereof "of which $3,920,000 shall be for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended (Public Law 90–575, approved October 16, 1968), to remain available until expended for said annual interest grants, $360,000 which shall remain available until expended and shall be considered as interest earned on the sum authorized to be appropriated by section 108(b) of the District of Columbia Public Education Act, as amended (D.C. Code, sec. 31–1608) and shall not be considered as an amount appropriated under such section, and $16,000,000 shall be for educational opportunity grants under part A of title IV of the Higher Education Act of 1965, as amended, to remain available through June 30, 1970: *Provided*, That, in addition, $160,000 shall be derived by transfer from 'Community mental health resource support', Public Health Service, fiscal year 1969: *Provided further*, That none of the funds appropriated by this Act for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended by Public Law 90–575, shall be used to formulate or carry out any grant to any institution of higher education unless such institution is in full compliance with section 504 of such Act."

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 42 and concur therein with an amendment, as follows: In lieu of the matter stricken and proposed by said amendment, insert the following: "$3,920,000, to remain available until expended for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended (Public Law 90–575, approved October 16, 1968): *Provided*, That, in addition, $160,000 shall be derived by transfer from 'Community mental health resource support', Public Health Service, fiscal year 1969: *Provided further*, That none of the funds appropriated by this Act for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended by Public Law 90–575, shall be used to formulate or carry out any grant to any institution of higher education unless such institution is in full compliance with section 504 of such Act."

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 90: On page 69, line 4, strike out:

"SEC. 401. (a) Expenditures and net lending (budget outlays) of the Federal Government during the fiscal year ending June 30, 1970, shall not exceed $192,900,000,000; *Provided*, That whenever action, or inaction, by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations thereon, the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on expenditures and net lending, and the limitation set forth herein shall be correspondingly adjusted.

"(b) The Director of the Bureau of the Budget shall report periodically to the President and to the Congress on the operation of this section. The first such report shall be made at the end of the first month which begins after the date of approval of this Act; subsequent reports shall be made at the end of each calendar month during the first session of the Ninety-first Congress, and at the end of each calendar quarter thereafter."

And insert in lieu thereof:

"SEC. 401. (a) Expenditures and net lending (budget outlays) of the Federal Government during the fiscal year ending June 30, 1970, shall not exceed $187,900,000,000: *Provided*, That such amount shall be increased or decreased by the aggregate amount by which the sum of expenditures and net lending in said fiscal year are greater than or lesser than the sum of expenditures and net lending in the fiscal year ending June 30, 1969, for—

"(1) items designated 'Open-ended programs and fixed costs' in the table appearing on page 16 of the budget of the United States for the fiscal year 1970 (House Document Numbered 91–15, part I, Ninety-first Congress);

"(2) the item designated 'Special Southeast Asia support' in the table appearing on page 27 of that budget;

"(3) programs of aid to schools in federally impacted areas, under the Acts of September 23 and September 30, 1950 (U.S.C., chs. 13 and 19);

"(4) the programs to which title IV of the Elementary and Secondary Education Amendments of 1967 (Public Law 90–247) is applicable; and

"(5) the item designated 'Veterans benefits and services' in the table appearing on page 69 of the budget of the United States for the fiscal year 1970 (House Document Numbered 91–15, part I, Ninety-first Congress): *Provided further*, That whenever action, or inaction by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations thereon, the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on expenditures and net lending, including the effect on the limitation set forth herein: *Provided further*, That the Director of the Bureau of the Budget shall report periodically to the President and to the Congress on the operation of this section. The first such report shall be made at the end of the first month which begins after the date of approval of this Act; subsequent reports shall be made at the end of each calendar month during the first session of the Ninety-first Congress, and at the end of each calendar quarter thereafter.

"(b) The President shall reserve from expenditure and net lending, from appropriations or other obligational authority heretofore, herein, or hereafter made available, such amounts as may be necessary to effectuate the provisions of subsection (a).

"Such reservations by the President shall be in amounts sufficient to insure reductions of not less than $1,900,000,000 in expenditures and net lending, below the amounts recommended in the April review of the 1970 Budget, for programs other than those designated in subparagraphs (1), (2), (3), (4), and (5) of subsection (a).

"(c) In the administration of any program as to which—

"(1) the amount of expenditures or net lending is limited pursuant to subsection (a), and

"(2) the allocation, grant, apportionment, or other distribution of funds among recipients is required to be determined by application of a formula involving the amount appropriated or otherwise made available for distribution, the amount available for expenditure or obligation (as determined by the President) shall be substituted, in the application of the formula, for the amount appropriated or otherwise made available.

"Expenditures by the Tennessee Valley Authority out of the proceeds from its power operations, from the sale of any power program assets, or from power revenue bonds, notes, or other evidences of indebtedness shall not be subject to any limitations imposed by this title."

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 90 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

"SEC. 401(a) Expenditures and net lending (budget outlays) of the Federal Government during the fiscal year ending June 30, 1970, shall not exceed $191,900,000,000: *Provided*, That whenever action, or inaction, by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations reflected in the 'Review of the 1970 Budget' appearing on pages 9351–9354 of the CONGRESSIONAL RECORD of April 16, 1969, the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on expenditures and net lending (budget outlays), and

the limitation set forth herein shall be correspondingly adjusted: *Provided further,* That the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect on expenditures and net lending (budget outlays) of other actions by the Congress (whether initiated by the President or the Congress) and the limitation set forth herein shall be correspondingly adjusted: *Provided further,* That net Congressional actions or inactions affecting expenditures and net lending reflected in the 'Review of the 1970 Budget' shall not serve to reduce the foregoing of $191,900,000,000 unless and until such actions or inactions result in a net reduction of $1,000,000,000 below total expenditures and net lending estimated for 1970 in the 'Review of the 1970 Budget'.

"(b)(1) In the event the President shall estimate and determine that expenditures and net lending (budget outlays) during the fiscal year 1970 for the following items (the expenditures for which arise under appropriations or other authority not requiring annual action by the Congress) appearing on page 16 of the budget for such fiscal year (H. Doc. 91–15, part 1, Ninety-first Congress), namely:

"(i) items designated 'Social security, Medicare, and other social insurance trust funds';

"(ii) the appropriation 'National service life insurance (trust fund)' included in the items designated 'Veterans pensions, compensation, and insurance';

"(iii) the item 'Interest'; and

"(iv) the item 'Farm price supports (Commodity Credit Corporation)'

will exceed the estimates included for such items in the 'Review of the 1970 Budget' referred to in subsection (a) hereof, the President may, after notification in writing to the Congress stating his reasons therefor, adjust accordingly the amount of the overall limitation provided in subsection (a).

"(2) In the event the President shall estimate and determine that receipts (credited against expenditures and net lending) during the fiscal year 1970 derived from:

"(i) sales of financial assets of programs administered by the Farmers Home Administration, Export-Import Bank, agencies of the Department of Housing and Urban Development, the Veterans Administration, and the Small Business Administration; and

"(ii) leases of lands on the Outer Continental Shelf will be less than the estimates included for such items in the 'Review of the 1970 Budget' referred to in subsection (a) hereof, the President may, after notification in writing to the Congress stating his reasons therefor, adjust accordingly the amount of the overall limitation provided in subsection (a).

"(3) The aggregate amount of the adjustments made pursuant to paragraphs (1) and (2) of this subsection shall not exceed $2,000,000,000.

"(c) The Director of the Bureau of the Budget shall report periodically to the President and to the Congress on the operation of this section. The first such report shall be made at the end of the first month which begins after the date of approval of this Act; subsequent reports shall be made at the end of each calendar month during the first session of the Ninety-first Congress, and at the end of each calendar quarter thereafter."

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

OVERALL EXPENDITURE LIMITATION

Mr. MAHON. Mr. Speaker, the House passed this second supplemental appropriation bill on May 21, 1969. It passed the other body on June 16, 1969. The amendment now before us, amendment No. 90, was the amendment which held up the conference for some time. Let me explain the situation.

Mr. Speaker, the conference agreement establishing a comprehensive ceiling on Government spending for the current fiscal year 1970, is something of a landmark measure in the fiscal affairs of the Government. It breaks new ground. It establishes a precedent. It sets a basic pattern for the future.

For the first time, it places directly in the hands of Congress the specific decision as to the maximum amount to be taken out of the Treasury for payment of the Government's bills in a given 12-month period.

Last year and the year before, Congress adopted spending ceilings of sorts but they were not all-encompassing. They were partial ceilings at best. Last year's ceiling exempted from its provisions about half of the spending total. And the Senate version of this year's ceiling was also only a partial ceiling; it too would have exempted over half of President Nixon's expenditure budget for fiscal 1970.

But we have not adopted the Senate version. We have adopted an all-encompassing provision that keeps the reins for regulating the annual spending rate in the hands of Congress.

We have adopted something very close to the pattern originally voted by the House.

With one limited exception which I shall describe, we have adopted a "floating" or continuously adjusting ceiling based on actions or inactions by the Congress that affect fiscal 1970 expenditures. This is patterned after the House version.

The statement of the managers explains the conference agreement in some detail and contrasts it with the House and Senate versions—and I shall insert the full text of it—but briefly, the conference agreement differs in these respects:

The expenditure ceiling was set by the conferees at $191.9 billion, $1 billion below the amount in the administration's April 15 revised budget. The House bill made no reduction; it was directed primarily to securing focus on and ceiling control of all spending, not primarily to expenditure reduction.

The conference agreement includes the language in the House version which provides for varying the ceiling based on congressional actions or inactions on the budget. Any reductions made by Congress in its individual actions or inactions on the budget would count toward the $1 billion cut.

The Senate version of the expenditure limitation would have exempted from congressional ceiling control about $111 billion of the $192.9 billion spending budget, and would have imposed a reduction of at least $1.9 billion against the remaining $81 billion.

The conference agreement exempts nothing from the ceiling where Congress annually acts on the specific budget requests, but does provide a cushion of not to exceed $2 billion to meet unforeseen increases in a handful of items—such as interest on the public debt, social security, and so forth—where annual action to authorize the expenditures is not required by Congress. In such instances, the President would have to notify Congress of any determinations to draw against this cushion for such administratively uncontrollable expenditures.

The revised budget of April 15 classifies about $100 billion of the $192.9 billion expenditure total for fiscal 1970 as relatively uncontrollable civilian program expenditures under existing law, but several items in this classification are not permitted to be charged to the $2 billion cushion.

So, Mr. Speaker, it would be possible for the Government to spend more than the ceiling of $191.9 billion if Congress authorizes and appropriates additional funds or otherwise takes actions or fails to take actions at variance with the budget. But regardless of what actions may be taken, at least $1 billion must be reduced. There must be a reduction of $1 billion, according to the language now pending before us.

I would say the $1 billion is a modest reduction. I had hoped that we could make a much larger reduction than $1 billion. I am speaking now in terms of expenditures and not in terms of appropriations.

Last year; that is, fiscal 1969, in terms of appropriations, we cut about $13 billion from the budget and in terms of spending we cut, jointly with the executive branch, about $6 billion in the nonexempted areas. But overruns in the exempted areas wiped out the $6 billion.

However, the budget with which we are confronted this year presents a difficult problem, but we thought that under the circumstances we could afford to agree to the $1 billion reduction, hoping, of course, that the Congress through its efforts on the various appropriation bills and other bills will be able to make reductions substantially greater than $1 billion—certainly at least the $1 billion—which is specifically mandated.

But the main objective of the conferees on the part of the House, consistent with the original House version, was to fix an overall expenditure limitation in Government, Government-wide, exempting nothing at all. To reach agreement, we did provide a cushion, a latitude, of up to $2 billion for a limited number of so-called uncontrollable items.

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

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

Mr. GROSS. A $1 billion reduction from what?

Mr. MAHON. A $1 billion reduction from the $192.9 billion submission of President Nixon on April 15, 1969, relating to fiscal 1970 budget outlays.

It should be borne in mind that Mr. Nixon himself in submitting his budget increased the Johnson budget for so-called uncontrollables but reduced the Johnson budget for controllables. So this is the figure from which we operate, from the $192.9 billion.

Mr. GROSS. But it gives the President $2 billion of so-called flexibility; is that correct? Would that be above the $191.9 billion?

Mr. MAHON. It could be, but only for such things as interest on the national debt, social security, and several others,

which are uncontrollable through the normal appropriations process. The specific list is in the pending motion.

Mr. GROSS. This sounds like fiscal legerdemain to me, to say that Congress is going to cut $1 billion and then give the President the flexibility to go up $2 billion.

Mr. MAHON. The flexibility applies only to a limited number of items which do not require annual action by the Congress and which cannot be controlled by the President, such as the interest on the public debt, social security, and other items which are enumerated. These are fixed in various basic laws.

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

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. On this point, Mr. Speaker, I think it should be noted for the RECORD that the bill when it left the House did not contain any exemptions. The Senate bill contained many exemptions.

Mr. MAHON. The Senate exempted from control about $111 billion out of the $192.9 billion spending budget. And it exempted many more items than are included in the conference exemption list now under consideration. And it did not put any dollar limit on the exemptions.

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

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

Mr. GROSS. Mr. Speaker, I would ask the gentleman the amount of the so-called uncontrollables? The gentleman is talking about the interest payment on the Federal debt, the social security payments, and so forth and so on, but what else?

Mr. MAHON. Under the Senate version of the bill the so-called uncontrollables were calculated to be about $111 billion.

Mr. GROSS. About $111 billion?

Mr. MAHON. About $111 billion.

Mr. GROSS. That still leaves, it would appear to me, a lot of latitude in which to cut when you talk in terms of $111 billion on the one hand, and $191.9 billion on the other. Congress certainly has a lot of room to cut if it wants to.

Mr. MAHON. Congress can work its will. Whatever Congress does today it can undo tomorrow, of course. But the gentleman asked about the uncontrollables that were established by the other body. For example, $25.2 billion was exempted for the war in Southeast Asia. That is not exempted in this conference agreement. Other uncontrollables include some $42 billion for the social security, medicare, and other social insurance trust funds. Interest is $16 billion, plus, which is considered an uncontrollable. There are others in the Senate exemption list.

Mr. GROSS. The gentleman from Oklahoma (Mr. STEED) estimated several weeks ago that it would require some $17.3 billion this year for the interest payment on the Federal debt alone.

Mr. MAHON. I do not believe there is any doubt but what the President would have to utilize a considerable part of the $2 billion cushion in order to meet the interest acceleration on the public debt.

Mr. GROSS. Mr. Speaker, if the gentleman will bear with me for just 30 seconds, I would like to add that I regret that the committee acceded to any such exemption as this. The House bill properly provided no exceptions or exemptions, as far as I know. I am sorry that the conference did this. I know of no reason why the President of the United States should have this $2 billion play, this flexibility of $2 billion.

Mr. MAHON. I will have to say, as the gentleman well knows, that in a conference you do the best you can. I believe we did reasonably well in eliminating several of the exemptions which had been provided.

Mr. GROSS. I believe the gentleman will agree with me that we have seen too often the results of this body giving Presidents the authority to put something into effect if they deem it to be in the national interest. I am opposed to giving this kind of power to the executive branch of the Government, this kind of flexibility.

Mr. MAHON. I was satisfied with the original House version, and much of that version is retained in the conference agreement in the sense that we have a total ceiling on Government spending, which was an important objective.

Mr. Speaker, may I add that over the long stretch of time, covering all administrations of both parties, and for a variety of reasons, there have been great variations between original budget projections of expenditures—not appropriations, but expenditures—for the forthcoming fiscal year and what was actually expended in that year. Original budget estimates of spending simply have a way of not proving out, of missing the mark.

Sometimes, that is due in part to overoptimism.

Sometimes, it is due in part to a natural and understandable desire on the part of the executive branch to put its best budgetary foot forward and project the fiscal outlook as favorably as possible.

Sometimes, it is due in part to unforeseen, even unforeseeable requirements for necessary or mandated programs of government.

And, of course, the outcome is to some extent influenced by the actions of the Congress or inactions by the Congress on budget recommendations.

In short, it is a shared responsibility, but I believe it entirely fair to say that all administrations have tended to shade the projected spending total on the low side. This is not a partisan matter at all. It is simply a condition that exists regardless of party or person.

Let me be specific:

Taking all 14 budgets for the post-Korea fiscal years 1955 through 1968, the projected expenditure totals in the original annual budgets were cumulatively exceeded by about $50 billion. In 11 of the 14 years, the overruns aggregated $53.3 billion. In 3 years, there were underruns aggregating $3.5 billion. But overall for the 14 years, the Government actually expended—for a variety of reasons—about $50 billion more than the sum total of what was projected in the original budgets. That averages to about $3.4 billion a year.

That, Mr. Speaker, is why the original House provision held significant potential for savings if it had been adopted and adhered to.

Taking those 14 budgets by administrations, the first seven, from 1955 through 1961, were under the Eisenhower administration. The net overrun for the 7 years, comparing actual spending to the original budget projection, was about $17 billion.

The 3 years 1962–64 were under the Kennedy administration, and in those 3 years the net overrun was $6 billion.

The 4 years 1965–68 under the Johnson administration show a net overrun of nearly $27 billion.

The Nixon administration is, I feel certain, going to show an overrun for 1970, but it is too early to speak more precisely on this point.

So, Mr. Speaker, while we did not in the conference get exactly the House version, I do say we have its main features:

The ceiling is all-encompassing.

We are putting the spotlight, the focus, on total spending in a given 12-month period. The focus is on control of the rate in the spending of appropriations.

We are taking something of a step akin to the 1946 legislative budget idea which never worked and fell by the wayside.

Of course, Congress controls all spending now. It does so through voting appropriations and other forms of spending authority. But as Members know, not all appropriations voted for a particular year are spent in that same year. Thus the Government accumulates carryover balances unexpended. Under the new budget concept now in use, which embraces all the trust funds as well as Federal funds, the carryovers are now about $226 billion—social security, pipeline funds for defense procurement, and all the rest.

The conference agreement places a regulating ceiling on the rate, the amount that can be paid out from both unexpended carryovers and from new appropriations voted for fiscal 1970.

So, Mr. Speaker, if I were writing an open letter to the administration—any administration, Republican or Democrat—I would express the hope that this comprehensive spending ceiling, which focuses on the totality of budget spending, will lead to more realistic expenditure estimates in future budgets. It is in the public interest, it is in the interest of better understanding by all concerned, if we can have before us—if the Congress, the press, and the country can have before them the most accurate and realistic estimates possible. And to repeat, I express the hope that adoption of this provision will lead to better budgeting and a greater awareness in Congress and the country generally of the totality of Government spending.

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

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Speaker, I thank the gentleman for yielding. We had at least

four or five sessions on this conference. We were in session 2 or 3 days before the last recess. We did not agree to this conference report without making an effort to eliminate all of the exceptions. But as the gentleman from Texas has already pointed out, anyone who has served on a conference committee with the representatives of an equal body knows that there must be some give and take. This was the best we could do.

Mr. Speaker, I would like to endorse what the gentleman said about this being a sort of a landmark in legislative history. I do not know of any other time since I have been here that a real serious effort has been made by Congress to regain control of the purse strings. We control the purse in a fashion, because it is true that the President cannot spend any money that Congress does not first appropriate. But we know that some of the funds we appropriate in a given year are spent over several years in the future.

In the spending program for this year, for example, the President draws to some considerable extent on funds that were appropriated in prior years. That is clearly set forth in a table in the Budget in Brief to which I would like to draw to the attention of all Members who are interested in this subject.

It shows clearly that in the projected budget outlays for 1970, $109 billion only will come out of the new budget authority granted by the Congress for the fiscal year 1970 and $85.9 billion will come out of funds which were appropriated and were made available in prior years. I am using the January budget in brief.

It is worthy of note also, that of the funds we appropriate this year, some $100,700,000,000 is projected to carry over for spending in future years.

As the gentleman from Texas has indicated, when the Executive has a pot containing about $430-odd billion out of which he can draw funds for spending, there is not much of a way we can exercise any control over the amount of money that will be spent in a given year unless we impose a spending limitation. I think the overall spending limitation we are imposing, the objective we are achieving is worth having to agree to some limited provision for the so-called cushion, which is limited to a few so-called uncontrollable items.

For those who may contend that this is a meaningless exercise or that the reduction is not realistic, let me call attention to the fact that in the budget review made by the President of the January budget, there was a net reduction in projected budget outlays of $2.4 billion. That is below the outlays projected by the previous administration in the budget last January for fiscal 1970. They first updated some of the January budget projections to make them more realistic, adding $1.6 billion, then they reduced the updated figure by $4 billion, giving the net cut of $2.4 billion, and coming down to the $192.9 billion total.

So, Mr. Speaker, this additional $1 billion in the pending amendment, added to the $2.4 billion, makes the total cut at this point $3.4 billion from the January budget total of the outgoing administration.

I should add also that, of course, the administration is not happy with this provision. They would prefer no ceiling. They felt that they had, in the review of the budget, cut what they could and felt that they had a realistic total. And the President has committed the administration to a policy of fiscal restraint.

But, Mr. Speaker, we in Congress have our independent responsibilities. It is for Congress to decide what shall be appropriated and what shall be spent. The pending provision will require a little more belt tightening. And if we will, we can achieve the billion-dollar cut in our actions on the various spending bills.

The conference agreement was the best we could do, and I think under the circumstances was the best that could be reasonably expected.

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

Mr. MAHON. I yield to the gentleman.

Mr. YATES. As I understand the ceiling in this conference report, it differs from the ceiling adopted by the Congress last year in one particular respecting Southeast Asia.

The Southeast Asia appropriations last year were considered to be an uncontrollable item and, therefore, presumably not subject to the ceiling.

As I understand the provisions of this report, Southeast Asia is now considered a controllable item, in the same category as domestic programs, and therefore is different from the provision last year. Is that correct?

Mr. MAHON. The gentleman is entirely correct. The expenditures for the war are included in the ceiling, and are not exempted.

Mr. YATES. I thank the gentleman.

Mr. MAHON. Mr. Speaker, so that the RECORD will be clear, under leave granted I am inserting the full text of the statement of the House managers attached to the conference report, explaining the conference agreement in respect to the overall limitation on Government spending.

Amendment No. 90: Reported in technical disagreement. A motion will be offered to insert a conference substitute for both the House and Senate versions. The Senate struck the House version.

The conference substitute will impose an overall ceiling on expenditures and net lending (budget outlays) of the Government during the fiscal year 1970. As agreed to by the conferees, the *initial* ceiling stated in the provision is $191,900,000,000—or $1,000,000,000 below the amount in the House bill and also $1,000,000,000 below the revised projection of 1970 budget outlays announced by the President on April 12 and summarized in the review of the 1970 budget released April 15, and appearing in the CONGRESSIONAL RECORD of April 16, at pages 9351–9354.

The conference agreement retains the House language that would operate continuously to adjust the ceiling, as appropriate, to comport with the estimated budget outlay effect of specific congressional actions or inactions in appropriation bills or other bills having an impact on the April 15 budgetary proposals. The conferees have added language to this part of the provision to also make it clear that other actions by the Congress would operate to adjust the ceiling in like fashion. These budgetary and other actions would result in adjustments of the ceiling whether initiated by the President or by the Congress.

And language is included to provide that net reductions made through specific congressional actions or inactions in the various spending bills will count toward the aforementioned $1 billion expenditure reduction rather than being in addition to it.

The conference agreement makes two adjustments to the original House provision. One is the addition, as subsection (b), of a limited lump-sum exemption to the ceiling figure. This exemption would permit the President, after notification in writing to the Congress stating his reasons therefor, to adjust the ceiling figure by an aggregate amount not exceeding $2,000,000,000 in respect to variations in estimates for items enumerated in subsection (b) upon his determination that expenditures and net lending (budget outlays) for the enumerated items will vary from the estimates on which the $192.9 billion April 15 executive budget projection is based. The enumerated items in all instances involve objects and programs for which the budget outlays arise out of appropriations or other authority, or relate to estimated receipts that operate to offset budget outlays, that *do not require current action by the Congress*—in other words, permanent appropriations or other spending authority contained in basic law, or actions or inactions that operate otherwise to determine budget outlays under the unified budget concept.

The other adjustment to the original House provision is the $1 billion reduction. The House bill made no reduction; it was directed primarily to securing *focus* on and ceiling *control* of all spending, not primarily to expenditure *reduction*.

CONTRAST OF CONFERENCE AGREEMENT WITH HOUSE AND SENATE VERSIONS

The House version is explained in considerable detail beginning on page 118 of House Report 91–252. The Senate committee version was modified in some particulars on the floor, but the basic thrust and key features of the Senate version are explained on page 47 of Senate Report 91–228. Briefly:

The House provision was all encompassing; it contained no exemptions. And it did not seek to make a blanket reduction in the projected budget outlay total. The thrust of the House provision was to put the control of *total* spending in the hands of Congress, adjustable *only* by the Congress.

The Senate provision, unlike the House provision, did not put a ceiling on *total* budget outlays. The Senate provision exempted from the ceiling over half of projected expenditures and net lending—about $111.7 billion on the basis of currently estimated amounts. And the Senate provision would have imposed a reduction of at least $1,900,000,000 in the nonexempted areas of the budget, that is, against areas involving budget outlays of about $81.2 billion as projected in the April 15 review. It would, in turn, have fixed a firm statutory ceiling of $79.3 billion on budget outlays in the nonexempted areas. In the exempted items, budget outlays could rise as high as the requirements were determined to be. The President would have to make the necessary reductions to the extent the Congress, through its budgetary actions during the session, did not achieve the $1,900,000,000 figure

The conference agreement would likewise require the President to make any reductions necessary to achieve the $1,000,000,000 cut to the extent Congress, through its budgetary actions during the session, did not do so.

Since the conference agreement sets a comprehensive ceiling which would be continuously adjustable based on congressional actions or inactions on budgetary proposals whether initiated by the President or by the Congress and whether or not inside or outside the April 15 budget review totals, there is no necessity to exempt any area of the budget that Congress normally acts upon each year. Approval of supplemental appro-

priations to meet existing unbudgeted requirements would be the basis for a corresponding adjustment in the ceiling on budget outlays.

But the situation is different where additional budget outlays—not contemplated in the April 15 budget review or found practicable within the $191.9 billion ceiling figure—arise in respect to *programs and items on which Congress does not act annually* to supply the appropriation or other outlay authority. These are mainly the so-called permanent authorizations that each year automatically stem from various basic laws and thus are not acted upon in the annual bills. It is for a limited number of these instances—instances involving generally large sums and where it is difficult to make accurate projections—that the conferees have made provision, in subsection (b), for the President, if he finds it necessary and so notifies Congress, to allow the increased expenditures above the related estimates on which the $192.9 billion April 15 budget was based. The conference agreement puts a dollar limit of $2,000,000,000 on how far the President can go in so adjusting the ceiling.

The items in respect to which the Presidential adjusting authority could operate if found necessary are:

On page 16 of the budget:

(1) Items designated "Social security, medicare, and other social insurance trust funds";

(2) The appropriation "National service life insurance (trust fund)" included in the items designated "Veterans' pensions, compensation, and insurance";

(3) The item "Interest"; and

(4) The item "Farm price supports (Commodity Credit Corporation)".

Decline of receipts (credited in the budget against expenditures and net lending) derived from—

(1) Sales of financial assets of programs administered by the Farmers Home Administration, Export-Import Bank, agencies of the Department of Housing and Urban Development, the Veterans' Administration, and the Small Business Administration; and

(2) Leases of lands on the Outer Continental Shelf.

Subsection (c) of the conference agreement retains the House provision in respect to periodic executive reports on the operation of the ceiling provision.

LIMITATION ON NUMBERS OF CIVILIAN EMPLOYEES

Mr. Speaker, I should also add, as has been indicated, that in amendment 91, we agreed with the Senate provision repealing section 201 of the Revenue and Expenditure Control Act of 1968 which to some extent limited the number of civilian employees in the Government and generally placed limitations on filling of vacancies as they occurred.

While section 201 was adopted as part of an economizing measure, the weight of the evidence is clear that it has cost more than it has saved and is a very unworkable provision. In the circumstances, we agreed that it should be repealed. In order to make the RECORD more clear on the basis for this action, I am including the full text of the conference report explanation.

Amendment No. 91: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate, repealing section 201 of the Revenue and Expenditure Control Act which placed limitations on filling of vacancies in certain full-time permanent civilian positions in the Government and on the number of temporary and part-time empolyees in certain Government agencies.

In section 201 itself, and in subsequent enactments in the last session, Congress exempted from the limitations and restrictions about one-third of the Government's full-time permanent positions and about two-thirds of the Government's temporary and part-time positions.

While section 201 was adopted as part of an economizing measure, the conferees are agreed that its impact is, in some cases, contrary to efforts to economize. The weight of the evidence is clear: It has cost much more than it has saved, not only in cases where dollar losses through operation of the section can be identified and estimated, but also in many other less measurable instances through the introduction of imbalances and inefficiencies into day-to-day administration.

It has, according to the evidence, resulted in costly overtime work.

It has, according to the evidence, resulted in a large loss of internal revenue collections to the Treasury.

It has, according to the evidence, resulted in inefficient utilization of personnel.

Particulars in these respects are cited in House Reports 91–264 and 91–265, on the appropriation bills for the Departments of Treasury, Post Office, and Agriculture, and in Senate Report 91–228 on this second supplemental appropriation bill.

The Committee on Appropriations, because of the costly and impractical consequences of operations under section 201, is embarked on a suspension plan for every agency as the appropriation bills are reported. The House has already suspended section 201 with respect to the Departments of Treasury, Post Office, Agriculture, HUD, and many independent agencies during the fiscal year 1970. The motion to be offered would repeal the section altogether.

Congress will, of course, continue to control Federal employment through the traditional appropriations process by providing or withholding appropriations for salaries.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. MAHON).

The motion was agreed to.

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

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the RECORD on the measure just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALIFORNIA DISASTER RELIEF ACT OF 1969

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6508, with Mr. YOUNG in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Alabama (Mr. JONES) will be recognized for 30 minutes, and the gentleman from California (Mr. DON H. CLAUSEN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, I yield myself such time as I might consume.

The CHAIRMAN. The gentleman is recognized for such time as he may require.

Mr. JONES of Alabama. Mr. Chairman, H.R. 6508, the California Disaster Relief Act of 1969, the bill before this body today, was reported unanimously by the Committee on Public Works. It follows the pattern of similar legislation reported by this committee over the years. The most recent legislative acts were the Pacific Northwest Disaster Relief Act of 1965 and the Hurricane Betsy bill which assisted the States of Florida, Louisiana, and Mississippi to recover from the damage inflicted by that hurricane in 1965.

California was hit by violent storms and flooding in January and February of this year, and further runoffs by the usually heavy snowpack have affected areas of the State almost up to the present day. The best estimate of the physical damage suffered throughout the State at this particular time is roughly $265 million.

All but six of the 58 counties of the State have been covered by the proclamation of emergency of the Governor of California. In addition, most of the State was declared a major disaster area by the President and all available measures of local, State, and Federal Governments went to work to provide immediate relief and subsequent rehabilitation. Even with all this assistance which has been provided to the State, certain further basic help is required to restore many areas of California to their full capabilities. This is the reason for the legislation before you today.

In keeping with the longstanding policy of the Committee on Public Works, when the extent of the damage was reported and made known to the Congress of the United States, the chairman of the Committee on Public Works, the Honorable GEORGE H. FALLON of Maryland, as he has done on many previous occasions for other areas of the country, sent a special subcommittee to California to make a firsthand inspection of the devastated areas and to hear testimony from those people who were affected by the damage. This testimony was heard not only from the State and local officials of California but from many private citizens. The subcommittee in its swing through the State held hearings in Sacramento, Madera, Los Angeles, and Santa Barbara and made a firsthand inspection of the damage on the scene.

Further hearings were held by the committee in Washington, and as a result of these hearings, combined with the hearings held in California, the bill before you today was ordered reported.

I would like to particularly commend the work of the members from California who are on the Public Works Committee. They are Congressman HAROLD "BIZZ" JOHNSON, Congressman GLENN ANDERSON, and Congressman DON CLAUSEN. They worked diligently throughout the committee trip to California and at the hearings in Washington.

The California Disaster Relief Act has been given careful thought and follows the format of previous legislation reported by the committee. It provides assistance in areas where relief cannot normally be given under existing Federal regulations and statutes. This includes permanent highway repairs on a 50–50 State-Federal matching basis, necessary modification, changes, and help for construction and regulations covering one of the vital industries of California—the timber industry—and a modification and a waiver of the rules of the Small Business Administration and the Farmers Home Administration to provide relief to the average citizen who has been so hard hit by these storms.

I believe I would be remiss at this particular time in my opening comments if I did not take the opportunity to point out to this body the record which has been made over the years by the public works projects constructed by the Corps of Engineers which have been built in the State of California.

Completed or useful projects of the Corps of Engineers, constructed at a total Federal cost of $872 million, prevented far greater damages which would have otherwise occurred. Estimates have been made that these prevented damages would, if they had occurred, cost about $1,600,165,000.

I believe this record speaks for itself. It proves once again, as has been shown many, many times in the past, the value of and the need for proper flood control activity. Here is the record:

Flood protection information, Corps of Engineers projects—California (winter of 1968–69 and spring of 1969)

Damages prevented	$1,600,065,000
Damages preventable (had authorized projects been completed)	30,059,000
8 projects under construction	16,620,000
6 projects authorized not started	13,439,000
Total Federal expenditures in construction of corps projects in California	872,000,000
Projects with major savings:	
Los Angeles County drainage area project	1,112,500,000
Prado Reservoir	335,000,000

Damages prevented in project area by completed and partially completed projects—Project-by-project breakdown

Alameda Creek	$450,000
Bear Creek	200,000
Corte Madera Creek	25,000
Los Angeles County drainage area	1,112,500,000
Pine Flat Reservoir	4,250,000
Russian River Basin (Coyote Dam)	1,090,000
Sacramento River and major and minor tributaries	3,000,000
Black Butte Reservoir	200,000

Damages prevented in project area by completed and partially completed projects—Project-by-project breakdown—Continued

Folsom Dam and American River Levees	$5,000,000
New Hogan Reservoir	2,000,000
Mormon Slough	500,000
Farmington Reservoir	900,000
Merced County stream group	2,900,000
Big Dry Creek Reservoir	5,000,000
Pine Flat Reservoir	5,000,000
Terminus Reservoir	8,000,000
Success Reservoir	3,000,000
Isabella Reservoir	1,000,000
San Joaquin River Levees	4,400,000
Middle Creek	500,000
Sacramento River flood control project	12,000,000
Sacramento River, Chico Landing to Red Bluff	200,000
Sacramento River (bank protection)	300,000
Camanche Reservoir (partnership)	100,000
New Exchange Reservoir (partnership)	1,700,000
Oroville Reservoir (partnership)	500,000
Tuolumne River Reservoirs (partnership)	500,000
Prado Reservoir	335,000,000
City Creek channel	1,500,000
Riverside levees	2,150,000
Santa Clara River levees	52,000,000
Santa Maria River levees	2,200,000
Ventura River levees	2,500,000
San Antonio and Chino Creeks and San Antonio Reservoir	21,000,000
Fullerton Reservoir	50,000
Carbon Canyon Reservoir	4,000,000
Lytle and Cajon Creeks	300,000
Stewart Canyon debris basin	1,000,000
Devil, East Twin, Warm and Lytle Creeks	1,500,000
San Jacinto and Bautista Creeks	6,000,000
Total	1,600,165,000

The following projects under construction would have helped reduce the flood damage:

Damages preventable had project been completed

Buchanan Reservoir	[1] $1,300,000
Hidden Reservoir	[1] 1,300,000
Dry Creek (Warm Springs) Reservoir	545,000
Mojave River Reservoir	8,175,000
New Don Pedro Reservoir (partnership)	2,200,000
New Melones Reservoir	2,200,000
Sacramento River and major and minor tributaries (additional if completed)	400,000
Sacramento River bank protection	500,000
Total	16,620,000

[1] Funding through fiscal year 1970 limited to R/E acquisition and planning.

The following projects not included in the fiscal year 1970 budget for initiation of planning or construction would have helped in reduction of January–February 1969 flood damages:

Damages preventable had project been completed

Alhambra Creek	$40,000
Cucamonga Creek	12,250,000
Knights Valley Reservoir	100,000
Lytle and Warm Creeks	427,000
Santa Paula Creek	520,000
Tahquitz Creek	102,000
Total	13,439,000

The major provisions of the bill follow:

NEED FOR THE LEGISLATION

Section 1 of the reported bill is a statement of recognition by the Congress that the State of California has experienced extensive loss and damage as a result of storm, floods, and highwaters during the winter of 1968–69 and the spring of 1969, and that the Congress recognizes the need for special measures designed to aid and accelerate the State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

HIGHWAY REPAIRS

Section 2 authorizes $30 million to be available to the State of California for the period between the enacting date of the legislation and June 30, 1970, for the permanent repair and reconstruction of the permanent street, road, and highway facilities not on any Federal aid systems which were destroyed or damaged as a result of the storms, floods, and highwaters during the winter of 1968–69, and the spring of 1969. The section requires 50 percent participation by the State.

SHARED COSTS FOR RECONSTRUCTION OF TIMBER PURCHASE ROADS

In the Pacific Northwest Disaster Act of 1965, Congress authorized the Secretary of the Interior and the Secretary of Agriculture to reimburse timber sale contractors for reconstruction and restoration of roads which were under construction but had not yet been accepted by the Government as part of the national system of forest development roads and trails at the time of that disaster.

Subsequent to the passage of the Pacific Northwest Disaster Act, timber sale contracts were changed to recognize this problem. This provision of the bill would accomplish basically the same purpose; that is, to help timber operators reconstruct timber sale roads which have been damaged by this disaster. The new language is substantially identical to that which is now contained in the standard timber sale contract. There are 85 timber sale contracts without this language still in effect. There are 445 contracts with this language in them. This would put all timber sale purchasers on an equal footing.

Basically, section 3(a) would provide that the Federal Government would bear the cost of repairing these timber roads under certain conditions:

First. If the timber sale was under 1 million board feet, the contractor would bear the cost of the damage if the additional construction work required by the storm amounted to less than $1,000. If it was more than $1,000 the Federal Government would bear the cost.

Second. If the timber sale was between 1 and 3 million board feet, the figure would increase $1 per 1,000 board feet.

Third. If the timber sale was over 3 million board feet and damage over $3,000, the Federal Government would bear the cost.

Section 3(b) provides the Secretaries of Agriculture and Interior with discretionary authority to cancel a timber purchase contract where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under this cost-sharing arrangement.

REDUCTION OF MINIMUM TIME REQUIRED FOR ADVERTISING SALE OF NATIONAL FOREST TIMBER

One of the effects of the 1969 disastrous storms and floods in California has been the disruption or serious impairment of access to sources of timber supply from the national forests for the wood-using industries of the region. The economies of these regions depend largely or entirely upon the timber industry, which, in turn, is dependent upon national forests as a source of supply. Time is of the essence in rebuilding these economies, otherwise these communities will face severe unemployment.

To help avert this condition, section 3(c) would authorize the Secretary of Agriculture to reduce from 30 to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

COMPLIANCE WITH REQUIREMENTS OF LAW REGARDING ENTRY OF PUBLIC LANDS

Section 4 of the bill grants to the Secretary of the Interior authority to suspend the time limits established in certain public land laws for the performance of acts where the entryman's ability to comply has been interfered with by the floods and high waters.

BUREAU OF RECLAMATION OVERHEAD COSTS

Section 5 would repeal language included in the Public Works Appropriation Act for fiscal year 1967 which required that appropriations expended by the Bureau of Reclamation in connection with disaster relief under Public Law 81–875 as administered by the Office of Emergency Preparedness should be reimbursed in full by that Office to the Bureau of Reclamation. OEP interprets that provision as requiring that funds be on hand to reimburse the Bureau of Reclamation in full before disaster assistance may be provided, and the effect of this interpretation has been to preclude the use of the Bureau of Reclamation knowledge and abilities to relieve distress in disaster areas.

This language will place the Bureau of Reclamation on the same basis as the Corps of Engineers. Through enactment of this provision, the Office of Emergency Preparedness will be in a position to contract with whichever agency can more efficiently and effective and economically do the job.

SMALL BUSINESS ADMINISTRATION

Section 6 applies to SBA disaster loans for property loss or damage as a result of these storms, floods, and high waters to the extent that such loss or damage is not compensated for by insurance or otherwise. At the borrower's option, on that part of any loan in excess of $500, the SBA would be required to cancel up to $1,800 of interest, principal, or any combination thereof.

In addition the SBA would be authorized to defer any or all interest or principal payments during the first 3 years of the loan on a disaster loan made under the Small Business Act as a result of these storms, floods, and high waters, without regard to the borrower's ability to make these payments.

FARMERS HOME ADMINISTRATION

Section 7 applies to Farmers Home Administration disaster loans the same benefits as section 6 provides for SBA loans.

TERMINATION

Section 8 terminates the bill as of June 30, 1970, with the exception that the repeal of the provision of the Appropriations Act of 1967 is made permanent.

TITLE

Section 9 identifies the bill as the "California Disaster Relief Act of 1969."

Mr. Chairman, at this time I yield to the distinguished gentleman from California (Mr. JOHNSON) for the purpose of presenting further justification for the enactment of this legislation.

Mr. Chairman, I yield 7 minutes to the gentleman from California (Mr. JOHNSON).

Mr. FALLON. Mr. Chairman, will the gentlemen yield?

Mr. JOHNSON of California. I yield to the gentleman from Maryland (Mr. FALLON), the chairman of the full committee.

Mr. FALLON. Mr. Chairman, I rise in support of H.R. 6508, the California Disaster Relief Act of 1969. This bill was reported unanimously by the Committee on Public Works. It is legislation which has been drafted by the committee after field hearings were held in California on the site of the disasters and in Washington.

It is similar in nature to the Pacific Northwest Relief Act of 1965 and the "Hurricane Betsy" legislation which aided our Southeastern States. Both bills were reported by the Committee on Public Works and enacted into law by this Congress. This bill gives additional and needed help to the many flood stricken areas of California which were devastated by the winter and spring floods of this year. It provides specific relief in such areas as highway repairs, timber access construction operations, and a basic relief and a greater leeway in granting of aid from the Small Business Administration and the Farmers Home Administration to individuals who have suffered as a result of the disastrous floods in California.

This follows the pattern of previous legislation to provide help to those who need it most and restore one of our great States to full scale operation.

I recommend its passage.

Mr. JOHNSON of California. Mr. Chairman, on behalf of myself and all the people of the State of California let me express my deep appreciation for the consideration which the House of Representatives Public Works Committee extended to the State of California during the crisis we faced this year when an extensive storm struck all areas of the State. Chairman GEORGE FALLON, the distinguished chairman of the full committee, authorized the Subcommittees on Flood Control and Rivers and Harbors to make a joint inspection of the damage. Subsequently, the Flood Control Subcommittee, under the leadership of Representative BOB JONES, held hearings here in Washington. The bill we have before you today is the result of this thoughtful consideration by this committee.

As you recall, we had a similar tragedy at Christmas time in 1964 affecting northern California and the States of Oregon and Washington. At that time, Congress enacted the Pacific Northwest Disaster Act of 1965 which proved to be a tremendous value in getting the States of the Pacific Northwest, including California, back on their feet in the wake of the storms. We are seeking the same type of assistance here today.

RAINFALL RECORDS

This has been an exceptionally wet year throughout the central and southern areas of California. During the normal rainy season, from October to March, most of the areas of central and southern California experienced precipitation up to 250 to 300 percent above normal. In some places, the rainfall was 400 percent above normal. Much of this fell after January 11 in a series of storms which began to bombard the State on that day. During 10 days in late January when the storms were at their peak, some southern California areas received as much as 40 inches of rain; that is an average of 4 inches a day for 10 consecutive days.

In the larger drainage areas of California the following average rainfalls were recorded for the month of January, and again virtually all of the January rainfall came in a 10-day period:

North coast drainage: January, 14.52 inches; normal, 7.73 inches.

Sacramento Valley drainage: January, 15.63 inches; normal, 6.80 inches.

Northeast interior drainage: January, 11.52 inches; normal, 3.43 inches.

Central coast drainage: January, 10.42 inches; normal, 4.14 inches.

San Joaquin drainage: January, 11.58 inches; normal, 3.61 inches.

South coast drainage: January, 12.83 inches; normal, 3.25 inches.

Southeastern desert drainage: 5.44 inches; normal, 1.36 inches.

Looking at Weather Bureau statistics, it is easier to pick out the days in late January and February when it did not rain. In our State capital, for instance, it did not rain from the 14th to the 17th of January, or the 28th of January. It did not rain on the 1st, 2d, and 3d of February, nor the 10th, 12th, or 13th, or the 16th, or the 20th through the 22d, or the 26th of February. That is 11 out of 49 days that there was no rain. On every other day from the 11th of January to the 1st of March, it rained. It not only rained, it poured. Similar records were recorded throughout the State. The mountains were covered with snowpacks well in excess of 30 feet in many areas—that is 30 feet, not inches.

DAMAGE ESTIMATES

In just a few days, the State of California suffered hundreds of millions of dollars of damage in spite of a major flood control program. It should be stressed that in this disaster alone, an estimated $1,230,000,000 in damage was prevented by existing flood control works constructed largely through the wisdom and foresight and leadership of the Congress. With a preliminary estimate of approximately $265 million damage from this one storm alone, you can see that the job is not yet completed and we must continue the timely program of the construction of our flood control programs.

This, of course, is not part of the disaster relief bill we are considering today.

We are considering only the restoration of damage suffered in the January–February storms. I would like to touch briefly 100 deaths attributed to the storms. Physical property damaged was valued at approximately $265 million. This occurred in 40 of the State's 58 counties and was divided about equally between losses to public property and losses to private property. A substantial portion of this loss was to dikes, levees, and drainage facilities, restoration of which can be provided for under existing programs such as the Corps of Engineers' Public Law 99 authority or the Office of Emergency Preparedness' Public Law 875 authority.

ROADS NEED RESTORATION

As far as H.R. 6508 is concerned, the greatest need is for restoration of storm damaged highways, county roads and city streets. As you know, ours is a mobile society and without adequate transportation facilities, and especially highway routes, our economies collapse. Some $79 million worth of roads, streets, and highways were destroyed during the storms. Of this total $79 million in damage, less than half is eligible for Federal assistance under existing programs.

Reconstruction and restoration of roads under the Federal aid system pose little or no problem since there are adequate funds in the Federal Highway Administration emergency relief program to finance the rebuilding of these. This fund will cover less than $21 million worth of the total damage, however.

Nearly $14 million in road and street damage is eligible for restoration under Public Law 875 through the Office of Emergency Preparedness. The President has allocated $13 million for California disaster relief under Public Law 875, but this covers not only losses to roads and highways not on the federal system, but damages to all other public facilities including water and sewer systems, other utilities, public buildings, and some of the levees, dikes, and drainage facilities under local or state control.

You can see, therefore, that there is a tremendous deficiency which must be made up from State and Federal sources because the local governmental agencies which have jurisdiction over most of these roads and streets just do not have the financial resources to do this work. Helping eliminate this gap is one of the major objectives of the legislation that we have before you, H.R. 6508, sponsored by myself and 28 other members of the California delegation.

STATE COOPERATION

It must be emphasized, Mr. Chairman, that the State of California is doing everything within its power to restore these roads and streets. The motoring public of the Golden State now are paying 1 cent per gallon in extra gas tax in order to do its share in this massive job of rebuilding. The proposal we advance in H.R. 6508 provides Federal matching money for this purpose.

PRIVATE DAMAGES

Turning to the private sector, it is estimated that damage will approximate $100 million; $55 million of it in the agricultural areas, $20 million to residential and commercial buildings, and $25 million to privately owned public utilities. The legislation we have before us strives to assist agriculture, private industry and the homeowner to recover from the disaster.

I would like to outline the provisions of H.R. 6508, as reported by the Public Works Committee, and discuss how the committee recommended that the Federal Government assist in this effort which is so necessary if the desperately hit areas are to recover. This legislation is very similar to that which was enacted following the Alaskan earthquakes, the Christmas 1964 floods in California and the Hurricane Betsy disaster.

SECTION 1—DECLARES DISASTER

Section 1 declares the existence of the disaster and the need for assistance due to the storms, floods, and high waters experienced throughout the State of California during the winter and spring.

SECTION 2—ROAD RESTORATION

Section 2 authorizes $30 million to be made available to the State of California for permanent repair and reconstruction of flood-damaged roads, streets and highways not on any Federal aid system and for which no emergency funds are available under any existing provisions of Federal law.

Title 23 of the United States Code provides that the Federal Government can, through its emergency program, restore to Federal standards, roads, streets, and highways on the Federal aid system.

For roads not on Federal aid systems, the only disaster assistance available is through the Office of Emergency Preparedness and Public Law 875, which permits only emergency restoration of public facilities. This can be extremely limited in scope and can leave a tremendous amount of reconstruction left to be done if we are to rebuild our city streets, county roads and highways to acceptable standards.

Mr. Chairman, we are not talking about improving any roads. We are talking about reconstruction of damaged roads so they are permanently restored to safe levels.

The authorization would remain in effect until the end of this fiscal year and requires that any Federal money spent for this purpose be matched equally by the State of California. As I indicated earlier, this will be financed through a disaster fund raised by a 1-cent gas tax which already is in effect.

SECTION 3—TIMBER OPERATIONS

Section 3 relates primarily to the Forest Service and Bureau of Land Management lands. Basically, it would facilitate a resumption of timber operations by authorizing the Secretaries of Agriculture and Interior to reimburse timber sale contractors for reconstruction and restoration of roads which were under construction but had not been accepted by the Government as part of the national forest road system prior to floods. Where the damage is too great to make completion worthwhile, the section would permit cancellation of the contracts.

These provisions are incorporated in all timber sale contracts entered into since mid-1965. Eighty-five contracts entered into before that time do not have this provision and it is to place these timber purchasers on the same footing as the vast majority that we seek this legislation. Similar provisions were included in Pacific Northwest Disaster Act of 1965. Our own experience in that disaster resulted in the current contract language.

This section also reduces from 30 to 7 days the minimum period of advertising on timber sales. The economies of these regions depend largely or entirely upon the timber industry, which in turn is dependent upon national forests as a source of supply. Time is of the essence in rebuilding these economies, otherwise communities dependent upon the timber industry will face the imminent prospect of mill shutdown and severe unemployment. To help avert this condition, this section would authorize a reduction in the advertising period for timber sales.

Mr. Chairman, I should emphasize that the provisions of section 3 are similar to those in the Pacific Northwest Disaster Act of 1965. These were tremendously successful in solving many of our problems in areas with timber-based economies, and I would hope that they could be reinstated for the current crisis.

SECTION 4—PUBLIC LAND ENTRY

Section 4 authorizes the Secretary of the Interior to grant additional time to persons who have filed but did not complete within prescribed time limits the requirements for entry under the various public land laws because of the floods and storms, including the snows. This is a provision incorporated in the 1965 Pacific Northwest Disaster Act and merely recognizes that people hit by storms of this intensity cannot meet their development schedules at the same pace as if they had not been damaged.

SECTION 5—BUREAU OF RECLAMATION

Mr. Chairman, section 5 seeks to correct a problem which was discovered during the field hearings. The Office of Emergency Preparedness found that it could not deal with the Bureau of Reclamation and the Corps of Engineers on an equal footing in contracting for emergency restoration work. The language of this section would correct this. The net result should be a savings to the Federal Government in that OEP would be able to contract with whichever agency can most effectively, efficiently, and, most important, economically do the job. This is the only provision of this act which would remain in effect after June 30, 1970.

SECTION 6—SMALL BUSINESS ADMINISTRATION

Section 6 relates to the Small Business Administration Disaster Act and provides for a forgiveness of $1,800 in interest or principal on any disaster loan and authorizes the deferment of all interest and principal payments for up to 3 years. This and section 7 are the only grant considerations given the private sector, and it is little enough considering the losses. It has precedent in the Hurricane Betsy Act.

SECTION 7—FARMERS HOME ADMINISTRATION

Section 7 provides for the $1,800 forgiveness for the Farmers Home Administration emergency loan programs plus the same 3-year deferment offered SBA borrowers. This is the same as was incorporated in the Hurricane Betsy Act.

SECTION 8—TERMINATION DATE

Section 8 terminates the effective date of the act as of June 30, 1970, except for making payments on expenditures and obligations and commitments already agreed to prior to that date. Mr. Chairman, let me emphasize that all the provisions which we have discussed here are directly related to the California disaster and with one exception, are not permanent legislation. The exception is that provision which I do suggest we incorporate in section 5 to allow the Bureau of Reclamation to participate more effectively under Office of Emergency Preparedness, Public Law 875 programs.

SECTION 9—TITLE

Section 9 entitles the act the California Disaster Relief Act of 1969. Mr. Chairman, this has been a lengthy presentation, but I believed it necessary to provide a basis for our hearings.

H.R. 6508 and H.R. 6509 were introduced by me and 28 of my California colleagues February 6, 1969, even as the flood and storm damage was mounting.

The legislation as reported to the House of Representatives by the Public Works Committee reflects some changes and modifications which have been made as a result of the field hearings and the Washington hearings held by the subcommittee under the able direction of its outstanding chairman, my good friend and colleague, BOB JONES, and during the full committee consideration under the guidance of Congressman FALLON. Both of these chairmen are extremely knowledgeable in the field of disaster relief and I want to express publicly the deep appreciation of the people of the State of California for their personal guidance and assistance in this hour of need.

I am confident that the language we bring before you today will meet with the approval of all on both sides of the aisle and in the legislative and executive branches of Government.

Accordingly, I urge the approval of this act.

Mr. DON H. CLAUSEN. Mr. Chairman, I yield myself such time as I may consume.

GENERAL LEAVE

Mr. Chairman, I ask unanimous consent that all Members may have the opportunity to revise and extend their remarks on the bill, H.R. 6508.

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

There was no objection.

Mr. DON H. CLAUSEN. Mr. Chairman, this past fall and winter the Nation witnessed, once again, the terrible and awe-inspiring devastation of nature on the rampage. And, once again, it was my home State of California that was struck.

As with past disasters of this kind, we have once again realized that past legislation enacted by the Congress to protect Americans from these annually recurring natural disasters is not completely adequate to provide the kind of relief that is necessary and essential from the damage brought about by this latest disaster.

As they have so often in the past, my colleagues here in Congress have risen to the challenge and joined with Members from California in lending not only their sympathy, but their aid and their valuable knowledge of emergency legislation to prepare H.R. 6508, The California Disaster Relief Act of 1969, which is now before you.

This legislation recognizes that the greatest need in California is for restoration of storm-damaged highways, county roads, and city streets. With a mobile society, such as California has, our basic economies are threatened with virtual collapse without adequate transportation access and facilities. Estimates received from State highway officials, indicate that some $79 million worth of roads, highways, and streets were destroyed during the fall and winter storms.

Permit me, at this point, to briefly paraphrase what this bill contains and what it will cost for the benefit of my colleagues:

Section 1 of the bill recognizes and authorizes total storm damage in the amount of $265 million; $165 million for damage to public facilities and $100 million for damage to private property.

Section 2, and most important, authorizes $30 million for permanent repair and reconstruction of flood damaged streets, roads, and highways not on any Federal aid system. This section also requires 50 percent matching funds from the State of California for this purpose.

Section 3 of the bill authorizes $150,000 for the Bureau of Land Management and the Forest Service to reimburse timber purchasers for reconstruction of storm damaged forest access roads which were constructed as part of timber sales contracts, but not yet accepted by the Federal Govermnent.

Sections 4 and 5 are primarily administrative in nature and involve no costs to the United States. The first, section 4, authorizes additional time for public land entrymen to meet the legal requirements for entry provided they were otherwise unable to do so because of storms. Section 5 places the Bureau of Reclamation on the same basis as the Army Corps of Engineers in contracting for reconstruction work with the Office of Emergency Planning.

Section 6 of this legislation waives up to $1,800 indebtedness for Small Business Administration disaster loan borrowers and further authorizes deferments of all interest and principal payments for 3 years at a cost of $1,650,000.

Section 7 extends to FHA borrowers the same benefits extended to SBA borrowers in section 6 at a cost of $4,626,000.

Sections 8 and 9 identify and terminate the California Disaster Relief Act as of June 30, 1970.

This legislation, Mr. Chairman, is not all that Congress intends to do with regard to disaster relief. By way of example, I have introduced, and the committee passed, a resolution to our Flood Control Subcommittee of the Committee on Public Works that would authorize and direct the Secretaries of the Army and Agriculture to make a joint investigation and survey of the San Gabriel River Basin in California. This is the basin that includes the community of Glendora which was nearly inundated by slides of mud and debris.

Subsequently, the Secretaries are to prepare a joint report on such findings as they may conclude and forward their report to the Congress with recommendations for installing works needed to provide necessary flood prevention and control. This resolution was adopted on May 6 of this year.

My purpose in relating this is to illustrate that the legislation now under consideration, while it answers the immediate disaster relief needs of California, is just the first step toward the elimination of the causes of flood and storm damage that might occur in the future under the same or similar circumstances.

I want to make one point absolutely clear here today. In my judgment, the best type of disaster relief is disaster prevention.

At this point, Mr. Chairman, I want to bring to the attention of the Congress and the executive branch the absolute essentiality of applying higher priorities to flood control and prevention in our overall budgetary considerations. Further, I strongly suggest that we reshape our thinking in this regard because protection from and prevention of flood and storm damage should and, in my judgment, must be regarded as an investment—an investment in America, if you will.

The total investment of $900 million for protective works thus far in place in California has saved some $1.2 to $1.6 billion, and thus, more than paid for itself when you consider the total damage that could have taken place last fall and winter had these works not been in place.

While the most extensive damage caused by this flood experience was in southern California, a comparable and potentially devastating threat existed, particularly in my own congressional district on the north coast of California which bore the brunt of the 1964 disaster. This was also the case this year as the threat of still further devastation existed in southern Oregon and northern California where the Sierra snowpack reached a critical stage this year limiting access to forest lands and posing an ominous threat in the lowlands.

Mr. Chairman, while the legislation now before us is desperately needed, we have witnessed once again that we are dealing with an after-the-fact situation. Much of this disaster-relief-type legislation, I submit, could and would be avoided through an orderly program of finance and fiscal priority that recognizes protective and preventive works in the true light of the potential threat it poses to all Americans.

As our astronauts have so clearly proven, most of the land mass that comprises these United States, is largely a flood plain and, therefore, it is only log-

ical and reasonable that we in the Congress should guarantee security against this potential threat. We can, I believe, redirect our national resources toward the protection of American lives and property—rather than their destruction.

In closing, I want to commend and thank the distinguished members of the Committee on Public Works who have worked so hard to produce this California Disaster Relief Act of 1969. I should also like to thank the many Californians from all walks of life who took the time and made the effort to appear before our committee while it was inspecting the flood and storm damage in California to express their views and their recommendations for the alleviation of the disasterous situation in which they suddenly found themselves.

And, I cannot close without expressing my sincere appreciation to the staff of our committee; all of whom spent many long, weary hours in the preparation of H.R. 6508.

And finally, Mr. Chairman, I strongly and enthusiastically urge each of my distinguished colleagues here in the House to support this legislation, thereby extending a much needed vote of confidence to the people of California who have contributed so much to our country and who, in the past, have asked so little in return.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I shall be glad to yield to the distinguished gentleman from California, who has been very helpful in furnishing information with respect to the problems in the Santa Barbara area.

Mr. TEAGUE of California. I thank the gentleman very much, and I would like to express my appreciation to each of my colleagues from California, to Mr. JOHNSON and Mr. CLAUSEN and, of course, to all of the members of the Committee on Public Works for the splendid job they have done on this legislation, of which I happen to be one of the sponsors.

Mr. Chairman, this is clearly an emergency situation. Those of you from other sections of the country might be interested in knowing that in my own congressional district we had as much as 60 inches of rain in 10 days, which would be the normal amount of rainfall in 3 or 4 years. As a result of this we had damages estimated at between $40 million, $50 million, or even $60 million in my own congressional district alone.

These people certainly do not expect the Federal Government to take care of all this damage. Local government and private enterprise have done the major job. But this additional provision of assistance from the Federal Government is certainly justified.

My home district was one of those ravaged by the recent storms and floods, and I know only too well the urgency of this legislation. In my district alone, hundreds of acres of farmland were lost, hundreds of homes ruined by debris from the flood, many public facilities—bridges, railroads, waterlines—were disrupted, and human lives greatly endangered. All direct access to Vandenberg Air Force Base, the Nation's largest missile base, was severed.

Similar damage was and and is widespread around the State. Total damage for the storms is estimated at $265 million. In the January floods alone, 92 people were killed and more than 10,000 left homeless. The final toll in lives and property is shocking and tragic.

This legislation is an essential supplement to the current relief efforts of the Federal Government and the U.S. Army Corps of Engineers. Despite these efforts, much of the damage remains almost as it was after the storms. It is estimated that damage to city streets, country roads, and Federal highways exceeds $38 million. Less than half of this total is covered by State or Federal aid programs. Another critical need is for assistance to low-income householders who could not rehabilitate their property without the loans that this legislation makes available. The damage in California is simply too extensive for the available resources—local, State, and even Federal—to provide the necessary relief. This bill is urgently required to meet both public and private relief needs.

My 28 colleagues all support this measure. We understand personally the extent of the recent tragedy and the need for this assistance. I strongly urge unanimous support for H.R. 6508.

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

Mr. DON H. CLAUSEN. I yield to the gentleman from Iowa.

Mr. GROSS. You only have 60 inches of rain in 3 or 4 years? What do you drink in California?

Mr. TEAGUE of California. Mr. Chairman, if the gentleman from California will yield further, I will respond by saying that we have various types of beverages out there, including lemonade, orangeade, and sometimes we import beverages from as far away as the State of Iowa. But 15 inches of water is an ample supply.

Mr. DON H. CLAUSEN. Mr. Chairman, if the gentleman from Iowa will come to my office I will be pleased to give the gentleman a sample to show the gentleman why we drink this great California wine.

Mr. GROSS. I will be delighted to come to the gentleman's office under those circumstances.

Mr. Chairman, if the gentleman will yield further, I see various criticisms from various agencies of the Government with respect to this bill. I would ask the gentleman from California whether these criticisms were met in the terms of the revised bill?

Mr. DON H. CLAUSEN. I will state to the gentleman from Iowa that the answer is "Yes," most of them are fully met. Let me say that in one instance in particular the original legislation which was commented upon had 100-percent funding of the highways and that was the principal dollar amount involved.

As a result, the committee amended it to coincide with the property damage recommendations to be on a matching basis, which is consistent with the established matching program for highways in other areas of our jurisdiction.

Mr. GROSS. I would ask the gentleman if he can tell me about the interest provisions.

Mr. DON H. CLAUSEN. This was reduced. Originally it was $2,500. It was reduced to conform to the top limitation in the Hurricane Betsy disaster to $100.

Mr. GROSS. That was with respect to the forgiveness feature; was it not?

Mr. DON H. CLAUSEN. The gentleman is correct.

Mr. GROSS. This bill will provide for $30 million; is that correct?

Mr. DON H. CLAUSEN. $30 million is correct, which will be matched by the State government.

Mr. GROSS. In reference to this disaster in California, have there been disaster requests because of this storm, and if so, how much?

Mr. DON H. CLAUSEN. I would state to the gentleman that I do not know that I have the exact figure. This, of course, would be under Public Law 875, and I do not have the exact figure, but the total damages were somewhat in excess of $300 million. This piece of legislation covers and refers only to those not covered by Public Law 875.

Mr. GROSS. To answer the question, we are here dealing with Federal funds?

Mr. DON H. CLAUSEN. The gentleman is correct.

Mr. GROSS. There is no anticipation, I hope, that we are going to underwrite the $300 million worth of losses in California?

Mr. DON H. CLAUSEN. The answer to the question asked by the gentleman is "No."

Mr. GROSS. I thank the gentleman for yielding.

Mr. DON H. CLAUSEN. I thank the gentleman for his questions.

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

Mr. DON H. CLAUSEN. I yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I wish to express my sympathy to the victims of the storms which swept California last January and to the purpose of the bill before us now.

I have only just returned from my own State of Ohio which suffered what many regard as the greatest catastrophe in its history last weekend. Estimates are still coming in, but the dollar loss is heading toward the $100 million mark. Fourteen counties have been declared disaster areas by the Governor. The death toll, with many still missing, stands at 33 and other casualties are in the hundreds. I witnessed much of the storm and I have never seen anything like it. It was awesome, terrifying and presented Mother Nature at her worst.

An extraordinary catastrophe such as this—such as the floods which swept California last winter—call for extraordinary measures.

I shall support passage of the bill before us today in the conviction that a natural disaster as devastating as that suffered by California and by my State of Ohio are disasters whose impact are felt by the entire Nation. I urge that the House approve H.R. 6508.

I hope that at the appropriate time when we come to the House floor that the House will see fit to support whatever funds Ohio needs to support, and to

take care of the tremendous damages we have sustained.

Mr. JONES of Alabama. Mr. Chairman, if the gentleman will yield for a moment, I would like to assure the gentleman from Ohio that the committee is somewhat acquainted with the possible extent of the damages that have occurred in the State of Ohio, but that the chairman of the committee will dispatch a subcommittee next week to visit the affected areas so as to gain firsthand knowledge on the subject.

Mr. MINSHALL. Mr. Chairman, I would state to the gentleman that I appreciate that statement, and that if it is agreeable with the gentleman I intend to go out with that committee to at least show them firsthand the damages that have occurred in the 23d District of Ohio, so that they may see the damages that we have sustained in dollars, not to mention the loss of lives.

Mr. JONES of Alabama. Mr. Chairman, I would state that the gentleman certainly will be welcome.

Mr. DON H. CLAUSEN. I might just add briefly to the gentleman from Ohio (Mr. MINSHALL), your colleague, the gentleman from Ohio (Mr. HARSHA) has brought this very vividly to the attention of all the members of the committee.

I am very pleased our genial chairman, the gentleman has related to you something we already knew, that we are going through Ohio to conduct an on-the-spot investigation.

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

Mr. DON H. CLAUSEN. I yield to the gentleman.

Mr. STANTON. Mr. Chairman, I simply take this time to express to you and to the chairman my sincerest thanks for his support and for his recognition of the problem we have in northern Ohio, and specifically in my 11th Congressional District which was one of the hardest hit.

I wish to thank the gentleman at this time and I certainly am looking forward to going with them.

Mr. DON H. CLAUSEN. Mr. Chairman, I want to yield just briefly to the gentleman from California (Mr. LIPSCOMB) and I might add in addition to this legislation we have passed out a resolution which is all that is required legislatively to handle the problem dealing with the ultimate recommendation for the protective works in the San Gabriel Mountain area, which was the area I must describe as the watershed surrounding the Glendora community which was on nationwide television, where the entire mountain slides developed and almost inundated the entire community.

I now yield to the gentleman from California (Mr. LIPSCOMB).

Mr. LIPSCOMB. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I want to express particular thanks to my colleagues from California, Representative DON CLAUSEN and Representative HAROLD JOHNSON and to the chairman of the Subcommittee on Flood Control, the gentleman from Alabama (Mr. JONES), for their very effective action on this particular legislation.

The subcommittee came to California to inspect the widespread damages including in the Glendora-Azusa area in the 24th Congressional District that had such severe damage. This bill will go a long way toward giving Californians support that is needed for the restoration of damaged areas in the 24th Congressional District which I represent.

I join my colleagues in urging enactment of the California Disaster Act of 1969.

The State of California suffered hundreds of millions of dollars of damage as a result of storms, floods, landslides, and high waters during January and February 1969. The Public Works Committee puts the physical devastation in property loss and damage at $265 million. Of this total damage, the 24th District of California, which it is my privilege to represent, contains areas which unfortunately were specially hard hit by the rains, flooding, and mudslides. In my district, the Glendora—which received national attention—Azusa, San Dimas, and Mount Baldy areas experienced particularly severe damages and face a tremendous task of reconstruction and repair. The damage suffered by the people in the 24th Congressional District has been extensive, but it represents only a portion of the havoc caused by the storms throughout California.

With most of the State of California declared a major disaster area by the President of the United States, every effort was made by the Office of Emergency Planning, Corps of Engineers, Small Business Administration, and the Departments of Agriculture, Interior, and Transportation to bring about immediate relief to the disaster-torn area. However, these commendable efforts under existing law have not been enough to rehabilitate the devastated areas to normal conditions. The California Disaster Act is vitally needed to provide the special measures to assist the State in its efforts to reconstruct and repair these stricken areas.

A great need is for restoration of the storm-damaged highways, county roads and city streets. The $30 million authorized in section 2 of the Disaster Act is an important provision for the permanent repair and reconstruction of the permanent street, road, and highway facilities—not on any Federal aid system—which were destroyed or damaged by the California storms. This amount would be available to the State of California on a 50-percent matching funds basis. Since more than temporary repairs must be made which the State and counties are not financially able to do, section 2 helps meet an extensive rebuilding need that exists in California today.

Section 3, authorizing the Secretaries of Agriculture and the Interior to reimburse timber operators for reconstruction of roads which prior to the floods were under construction and were authorized by a contract for the purchase of timber, recognizes the importance of forest road and trail projects. The restoration of these accesses to sources of timber supply from the national forests represent a prudent and necessary investment in our Nation's natural resources. Because the economies of the national forest regions depend largely or entirely upon the timber industry, section 3 further authorizes the Secretary of Agriculture to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the flood-damaged areas.

Section 4 recognizes that persons affected by floods of this intensity cannot always meet development schedules as planned. To provide adequate allowance, this section provides additional time for public land entrymen to meet requirements of law for his entry if he is unable to do so because of the storms.

To allow the Office of Emergency Planning to contract with the agency that can more efficiently and economically do the job, section 5 places the Bureau of Reclamation on the same basis as the Army Corps of Engineers in contracting reconstruction work with the Office of Emergency Planning.

Sections 6 and 7 waives up to $1,800 indebtedness for Small Business Administration disaster and Farmers Home Administration loan borrowers and authorizes deferments of all interest and principal payments for 3 years. These sections are particularly important in light of the difficulties experienced by some in obtaining SBA and FHA loans and especially because it is the small businessmen and homeowners who have been hardest hit.

Mr. Chairman, I fully support this bill, and I strongly urge Congress to enact this needed legislation.

Mr. JONES of Alabama. Mr. Chairman, I yield 3 minutes to the distinguished member of the Committee on Public Works who has served during this session of the Congress and has been of such valuable assistance in the work and functions of our committee, the gentleman from California (Mr. ANDERSON).

Mr. ANDERSON of California. Mr. Chairman, as a Member of Congress from California and a member of the Public Works Committee, I wish to express my sincere support for H.R. 6508, the California Disaster Act.

Although my congressional district did not suffer damage, I did observe first hand the severe damage in many other areas of California. It was my privilege to travel with the subcommittee and participate in 4 days of hearings, at which time a great deal of testimony from the executive agencies and from the State of California concerning damage suffered was received. We also observed, on the ground, damage in many areas and the loss experienced to both public and private property.

I was also glad to join with a number of my California colleagues in sponsoring the bill before us today.

The central and southern areas of California this year experienced excessively heavy rainfall coupled with high velocity winds. Most of these areas experienced rainfall of 200 to 300 percent above normal. Through February, in many areas, rainfall experiences was almost 400 percent above normal. In some southern California areas, during a 10-day period late in January, an average of 4 inches of rain a day for 10 consecutive days was experienced. In the Sacramento area, on

only 11 days out of 49 during January and February, rain was not prevalent. Not only did we experience an unusually heavy rainfall during this period, but snowpacks in many mountain areas are at a near alltime high. I am informed that only in 1906 is it estimated that the snowpack exceeded this year.

Mr. Chairman, I would like to express my appreciation and recognize the consideration Congress has given California over the years in authorizing flood-control structures. I was particularly impressed by testimony of experts from the Federal agencies that an estimated $3 in losses has been prevented for every $1 invested so far in flood-control structures, and so forth, and that additional savings will continue to be forthcoming from these investments. We must, therefore, look forward to the planning of additional flood control projects in order that savings will result in future years and enable us to avoid the disastrous damages that result from storms, and so forth. From this last storm alone, California experienced losses in excess of $265 million. This is one single example of why we must continue the flood-control program in California.

Turning now to the purpose of H.R. 6508, I can only stress to you the urgent need to provide assistance for reconstruction of areas damaged and to provide relief to those of our citizens who are involved with Federal assistance programs.

Mr. Chairman, during the course of our hearings, expert testimony was received from the executive agencies of the Federal Government and the State of California relative to the damage suffered and the rehabilitation needed.

Physical property loss has been estimated being approximately in the area of $265 million. However, I wish to note this is a preliminary figure subject to refinement and, from what I have heard, every indication points to a much higher figure. Damage occurred in at least 40 of California's 58 counties and overall loss was divided approximately equally between public property and private property holders. The greatest need is for restoration of storm-damaged highways, county roads and city streets. However, I understand only a portion of the total rehabilitation needs will be eligible under existing programs. Therefore, H.R. 6508 is important as there is a substantial need to finance rehabilitation of local government facilities as these entities do not have the financial resources to do the necessary work.

I will not burden you with the needs under the several sections of the bill. However, I do wish to assure you that from information that has come to me and from my personal observation during the time of the hearings, that I believe this bill is essential and necessary.

Mr. Chairman, I would also like to stress the need for relief and assistance to our citizens who are involved with the Farmers Home Administration emergency loan program and the Small Business Administration loan program. To many of the participants I feel we must make adjustments and provide relief in order that the original purposes and intent of the respective programs are continued.

Mr. Chairman, I appreciate the opportunity to give my support to H.R. 6508 in order that we can provide assistance to the State of California and its citizenry following the disastrous storms experienced during December 1968, and January and February 1969.

Mr. JONES of Alabama. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. TUNNEY).

Mr. TUNNEY. Mr. Chairman, I would like to join my California colleagues in expressing my sincere gratitude to the Public Works Committee for having processed so expeditiously the California Disaster Relief Act of 1969. I think that the gentlemen from California who serve on the Public Works Committee—Mr. CLAUSEN, Mr. JOHNSON, and Mr. ANDERSON—are to be congratulated for shepherding the bill so quickly through the committee, and for making provisions in the legislation that are going to help many small businessmen and small farmers.

I think that the one aspect of the bill which is particularly significant is the fact that it does relieve small businessmen and small farmers from up to $1,800 of any loan in excess of $500, so that they are not going to be totally stuck for the entire cost of rehabilitating their plants and equipment.

I think one other significant provision of the bill is that part of it which allows the Bureau of Reclamation in the future to play an equal part with the Corps of Engineers in relieving distress in disaster areas. In the past, in some of these areas where there has been a local Bureau of Reclamation operation, they have not been able to participate because there were not funds in the Bureau of Emergency Preparedness to pay back the Bureau of Reclamation for the funds that Reclamation expended to relieve the distress. Now there will be no requirement for the Bureau of Emergency Preparedness to pay back any funds.

I believe these are particularly significant provisions in the bill.

Mr. PETTIS. Mr. Chairman, I join my colleagues in appealing for assistance to the State of California which suffered such great losses in the disastrous floods of this year. It is conservatively estimated that losses run in excess of $265 million. It is hard to comprehend the tragedy, as well as the monetary loss, in disasters such as this.

My own district suffered to the extent that nine persons lost their lives and public and private property damage amounted to nearly $80 million. Due to the geography of my district with its many ravines and washes the road damage was exceptionally severe. There were 70 residential dwellings destroyed in San Bernardino County and another 680 dwellings severely damaged. In almost every case, they were the homes of persons of modest means and limited income.

There are cases of persons who have worked all their lives, paying for their homes, finally reaching retirement when they had planned to settle down and try to make a small pension cover their living costs—something that might have been possible because their homes were paid for. Then they lost their homes—wiped out completely, or damaged so severely that they require considerable funds to bring themselves back to livable conditions.

State and local resources have been called upon heavily to make the necessary repairs. The State will collect more than $40 million in additional gas tax levies to be used for repair of flood-damaged roads and highways.

Local highway funds—at least in my district—have been exhausted. Individuals and various relief agencies, such as the Red Cross, have performed magnificently in assisting those families who suffered losses. But it has not been enough. We need help. This bill will provide that help on a matching fund basis for road and highway repair and to individuals through the provisions for expanding small business administration and farmers home administration loans and grants.

California is not asking the Federal Government to do it all—we have done a lot for ourselves already. But, as other States have found when they have been hit by an overwhelming disaster, assistance from the Federal Government is vital to a complete recovery.

Mr. CORMAN. Mr. Chairman, I rise to support the California Disaster Relief Act, which I cosponsored with a number of my colleagues in the House.

The vast destruction caused by storms and floods in many areas of California this past winter and spring created such great havoc that enactment of this legislation is urgent. Total damage to private and public property, caused by drenching rains, floods, snows, mud slides and other related problems, was estimated at $425 million. The number of persons who died as a result of the floods totaled well over 100. Most of the State was quickly declared a disaster area by the President.

While Los Angeles County was so designated, I am grateful that the damage to the flooded areas in my district was not as great as that suffered in other parts of California. Because of prior Federal legislation and because of the farsighted planning of the Army Corps of Engineers in cooperation with local officials, greater harm was spared the San Fernando Valley. In one instance alone because of the Los Angeles drainage project, begun by the Army Corps of Engineers in 1938 as a result of the floods during March of that year—which reeked havoc in the Los Angeles area—an estimated $900 million damage was prevented. Without protective facilities such as this, much of the San Fernando Valley's vast residential areas could have been entirely destroyed and untold personal suffering would have ensued.

Californians were fortunate in the very quick action taken by Chairman FALLON in sending a special subcommittee to inspect the damaged areas. The subcommittee held hearings in Los Angeles. Its members met with Federal, State, and local officials and from their on-sight inspection they were able to determine what assistance should be provided by the Federal Government. The Committee on Public Works acted quickly in calling hearings and reporting out a bill.

The provisions of this bill would give meaningful assistance to the State of California in rehabilitating the disaster areas. At the time of the floods, the emergency assistance offered from all sources was most commendable and brought a good measure of relief to the people caught in the floods. But relief efforts are not enough, and this bill, if enacted, will substantially restore the disaster areas in California to normal living conditions and will revitalize the damaged industries and businesses so that economic progress can continue.

Mr. Chairman, I strongly support this legislation and urge passage of it today.

Mr. LEGGETT. Mr. Chairman, I rise today to urge passage of H.R. 6508 which will in part relieve the tremendous burden of reconstruction necessitated in California as a result of the disastrous storms which inundated large parts of the State last winter.

I personally inspected some of the ravaged areas in the vicinity of Sacramento and can testify that the destruction, especially in the rural areas, was very great indeed. The total storm damage has now been set at $265 million, of which $100 million is attributable to private property losses.

The bill we are considering today will allocate a total of about $35 million for relief. The main authorization is $30 million to be made available to the State for repair and reconstruction of roads and highways not presently on any Federal aid program. This $30 million is part of a matching program, requiring a 50-percent contribution from the State of California.

The rest of the aid package includes a waiver of indebtedness for certain Small Business Administration loans. The maximum individual waiver will be $1,800. This section of the bill will also authorize deferment of interest and principal payments for 3 years on all other SBA loans. I feel this is a very important provision, as many of the establishments ravaged by the storms and floods were small private enterprises and family businesses which cannot under the present financial situation be rebuilt without some Federal assistance. The total cost to the Government under this section is only $1.6 million—a small investment when we consider the gains to be accomplished by getting the small businessman on his feet again. A similar program under this bill extends the same benefits to Federal Home Administration borrowers, and will cost about $4.6 million.

Another provision—section 5—places the Bureau of Reclamation on the same basis as the Army Corps of Engineers in contracting reconstruction work with the Office of Emergency Planning. This provision will enable the OEP to contract with whichever agency can more efficiently and economically do the job thus cutting down on the redtape of renewal. There will be no cost to the Federal Government under this section.

This is a cost effective bill. The economic benefits gained by speedy reconstruction will more than offset the minimal cost of this legislation and, of course, the value in human terms of getting people back into their homes and back into their businesses is incalculable. I strongly urge all of my colleagues to act favorably on this bill today.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

Mr. DON H. CLAUSEN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the State of California has experienced extensive property loss and damage as a result of storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent upon prompt restoration and reconstruction of transportation facilities and public works projects, and therefore Congress declares the need for special measures designed to aid and accelerate this State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

SEC. 2. There is authorized to be appropriated for the period beginning on the date of enactment of this Act and ending on June 30, 1970, not to exceed $30,000,000 for allocation to the State of California by the President for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems which were destroyed or damaged as a result of the storms, floods, and highwaters during the winter of 1968–1969 and in the spring of 1969 in California. No money shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the State of California agrees to share equally with the United States all costs of such repair or reconstruction.

SEC. 3. (a) Where an existing timber sale contract between the Secretary of Agriculture or the Secretary of the Interior and a timber purchaser does not provide relief from major physical change not due to negligence of the purchaser prior to approval of construction of any section of specified road or other specified development facility and as a result of storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969 in California a major physical change results in additional construction work in connection with such road or facility by such purchaser with an estimated cost as determined by the appropriate Secretary (1) of more than $1,000 for sales under one million board feet, or (2) of more than $1 per thousand board feet for sales of one to three million board feet, or (3) of more than $3,000 for sales over three million board feet, such increased-construction cost shall be borne by the United States.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California damaged by storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969.

SEC. 5. The last paragraph under the center heading "Administrative Provisions" in title II of the Public Works Appropriation Act, 1967 (Public Law 89–689), is hereby repealed.

SEC. 6. In the administration of the disaster loan program under section 7(b)(1) of the Small Business Act, as amended (15 U.S.C. 636(b)), in the case of property loss or damage in the State of California resulting from the storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) shall at the borrower's option on that part of any loan in excess of $500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that the total amount so canceled shall not exceed $1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

SEC. 7. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961–1967), in the case of property loss or damage in the State of California resulting from storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, the Secretary of Agriculture shall, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) at the borrower's option on that part of any loan in excess of $500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that that total amount so canceled shall not exceed $1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

SEC. 8. This Act, other than the repeal made by section 5, shall not be in effect after June 30, 1970, except with respect to payment of expenditures, obligations, and commitments entered into under this Act on or before such date.

SEC. 9. This Act may be cited as the "California Disaster Relief Act of 1969".

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

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

There was no objection.

The CHAIRMAN. If there are no amendments to the committee amendment, the question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. YOUNG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters, pursuant to House Resolution 463, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the amendment.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 6508.

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

There was no objection.

REAPPOINTMENT OF VICE ADM. HYMAN G. RICKOVER AS HEAD OF NAVAL NUCLEAR PROPULSION PROGRAM

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

Mr. HOLIFIELD. Mr. Speaker, the morning Washington Post carried a brief article which deserves the attention of the membership. I refer to an announcement by the Secretary of the Navy, the Honorable John Chafee, regarding the reappointment of Vice Adm. Hyman G. Rickover to another 2-year term as head of the naval nuclear propulsion program.

Admiral Rickover serves in the dual capacity of Director of the Naval Reactors Division of the Atomic Energy Commission and deputy commander of the Navy's nuclear propulsion ship's systems command.

Admiral Rickover has a long and illustrious record in the Navy, and I will append to my remarks a résumé of his record of service.

On June 24 the Joint Committee on Atomic Energy issued a report updating information on the naval nuclear propulsion program—1969. In that report's foreward the committee made the following statement:

The outstanding success of this program has been achieved under the technical direction of Vice Adm. H. G. Rickover, U.S. Navy. Admiral Rickover's current appointment as head of the naval nuclear propulsion program expires in a few months. The Joint Committee continues to have the conviction that continuity of stewardship of this vital and expanding program by Admiral Rickover and his joint AEC–Navy organization is more important than ever and that all aspects of it must be maintained and supported. The efficiency of the naval nuclear propulsion program and the large task accomplished by so few people are extremely impressive. Admiral Rickover is continuing to provide vigorous and imaginative leadership to this program and is without doubt the most qualified person available to head this vital work.

For some strange reason that has never been clear to the committee, each time Admiral Rickover's appointment has approached expiration during the last 16 years his reappointment has occurred only after considerable public furore. It is difficult to understand how the Navy, which has gained so much through Admiral Rickover's outstanding achievements and dedicated efforts, has always managed to place itself in the position of appearing to be forced by public exposure into retaining Admiral Rickover's services. The committee hopes that the new leadership of the Department of Defense and the Navy will act swiftly to announce their intention to reappoint Admiral Rickover when his present term expires in January 1970 so as to avoid any conjecture to the contrary that might arise again this year based on the poor record of their predecessors in this matter for the past 16 years.

I wish to commend Secretary Chaffee for his decision to reappoint Admiral Rickover.

I wish to especially commend our former colleague, now the Secretary of Defense, the Honorable Melvin Laird. I am sure that Secretary Laird's service on the House Appropriations Committee's Subcommittee on Defense gave him the personal knowledge of Admiral Rickover's contribution to the security of our Nation. I am also confident that his advice and counsel were effective in the decision announced by the Secretary of the Navy.

Since 1961 Admiral Rickover has held his present position. He, more than any other one man, is responsible for our nuclear Navy. He is directly responsible for our great nuclear submarine fleet which has at present 84 nuclear submarines and four nuclear-powered surface ships in operation. An additional 22 nuclear-powered attack submarines and three nuclear-powered surface warships have been authorized by Congress.

Our submarine fleet has steamed over 13 million miles. There has never been a Polaris nuclear submarine which has failed to complete its assigned mission because of a failure of its nuclear propulsion plant. This outstanding record is due to the high standards insisted on by Admiral Rickover.

I believe today that our nuclear submarine fleet stands as the first line of defense for our Nation. It is undoubtedly the most invulnerable weapon system we have due to its maneuverability and its ability to avoid being detected.

We should never forget that each Polaris-type submarine, and there are now 41, carries firepower in its nuclear missiles ranging from 2½ to 5 times greater than all the bombs used in World War II.

A biographical sketch of Admiral Rickover follows:

BIOGRAPHICAL SKETCH OF HYMAN G. RICKOVER

Vice Admiral Hyman G. Rickover was born in Warsaw, Poland, in 1900 and came to the United States with his parents, Abraham and Rose Rickover, at the age of four. He graduated from the U.S. Naval Academy in 1922, was commissioned as Ensign. He later attended the Columbia University School of Engineering and the U.S. Naval Postgraduate School. He became a qualified submariner in 1930.

In 1946, he was assigned to the Atomic Submarine Project, then under the Manhattan Engineer District, as Assistant Director of Operations. Since 1947 he has worked in a dual capacity as Manager Naval Reactors, U.S. Atomic Energy Commission and as Assistant Chief for Nuclear Propulsion, Bureau of Ships, Department of the Navy.

Admiral Rickover first achieved national recognition for his leadership in the development and fabrication of nuclear propulsion systems for submarines and other naval ships. As early as 1946, before the Atomic Energy Commission was established, Admiral Rickover was assigned responsibility for investigating the use of nuclear reactors for this purpose. He assembled a team of naval officers at Oak Ridge, Tennessee, and early in 1948 was made chief of a joint AEC-Navy program to develop the first naval propulsion system.

Later, in collaboration with the outstanding scientists and engineers of Argonne National Laboratory, basic data on the nuclear properties of reactor materials were compiled and conceptual design systems for nuclear propulsion of ships were developed.

Admiral Rickover also brought industry into an active role, and at Bettis near Pittsburgh, Knolls Laboratory near Schenectady, and at the National Reactor Testing Station in Idaho the development of naval nuclear propulsion systems was carried out. A landmark in this effort was the initial operation on March 31, 1953, of the Submarine Thermal Reactor, Mark I, the land-based prototype of the first nuclear submarine propulsion plant.

On June 14, 1952, the keel of the *Nautilus*, the world's first nuclear submarine, was laid at Groton, Connecticut. The event marked the beginning of a revolution in the concepts of naval propulsion. In February, 1957, the *Nautilus* completed operation on its first core, having traveled 62,500 nautical miles in more than two years. For the first time a true submarine had become possible. Nuclear submarines such as the *Nautilus* and the *Skate* voyaged under the North Pole Ice Cap, demonstrating that the polar regions were no longer inaccessible to ships. The *Triton* became the first submarine to circumnavigate the world completely independent of the earth's atmosphere. A graphic demonstration of the scope of Admiral Rickover's efforts and the value of nuclear propulsion to the surface fleet was recently provided when the aircraft carrier *Enterprise*, the guided missile cruiser *Long Beach* and the destroyer *Bainbridge* cruised around the world without refueling. From operating experience at sea, and from land prototypes, the effort to further develop nuclear propulsion has continued with great success.

Comparably important, but not so well known, is his direction and leadership of the Shippingport Pressurized Water Reactor (PWR) project near Pittsburgh, Pennsylvania, from which came not only most of the basic technology for submarine and surface ship reactors but also a large part of the reactor technology used in our present day water-cooled and water-moderated nuclear power plants.

The Shippingport Project was established in 1953 as an important national goal. It was the first large-scale central station atomic power plant in the world and has

served as the technical foundation for other reactor plants both private and government-owned. This plant has supplied more than 1.7 billion kilowatt hours of electricity to users in the Pittsburgh area since its initial start-up in late 1957 and has clearly demonstrated that nuclear fission can reliably and safely supply electricity to a utility network on a useful scale.

Notwithstanding its success in the production of electricity, the primary goal of the Shippingport project, under Admiral Rickover's direction, was advancement of the basic technology of water reactors. Some of the specific gains in reactor technology resulting from the Shippingport operation are in the fields of fuel and nuclear poison technology; reactor physics; reactor control; reactor thermal, hydraulic, and mechanical design; basic heat transfer studies; fuel element failure detection systems; refueling procedures; primary coolant water radiochemistry; and disposal of radioactive wastes.

Two of the most important contributions resulting from Admiral Rickover's direction of the Shippingport (PWR) project have been in the fields of reactor physics and reactor fuel technology. The PWR, with its "seed and blanket" design, demonstrated that it is feasible to obtain large amounts of power from a "blanket" of natural uranium surrounding a "seed" of highly enriched uranium which serves as the driving element in a reactor which is cooled and moderated with ordinary water. While producing power the seed-and-blanket design has the additional advantage of making possible the breeding of fissionable material from the very abundant element thorium in the blanket. As a result of Admiral Rickover's achievements in this program, the State of California has submitted a proposal for cooperative construction of a large thorium seed-blanket reactor which the Commission now has under consideration.

In the field of fuel metallurgy the Shippingport PWR project team, led by Admiral Rickover, has been responsible for the development of uranium oxide as a fuel material for large power reactors. Engineering studies of the PWR also produced many design improvements which have extended the life of reactor fuel elements and thus have contributed to the reduction in nuclear power costs. The first PWR core, placed in the reactor in late 1957, operated until February, 1964, more than three times its original design life.

For his many achievements, Admiral Rickover has been awarded the Navy's Legion of Merit and Commendation Ribbon with Oak Leaf Cluster, the Cross of the British Empire (Military Division), the Egleston medal of Columbia University's Engineering Alumni Association, and the Army and Navy Union's Medal of Honor. In 1959 the Congress of the United States presented him with a special Congressional gold medal in recognition of his achievements. He was the third U.S. Navy Admiral ever to be so honored.

On January 14, 1965, Vice Admiral H. G. Rickover was presented with the 1964 Enrico Fermi Award by President Johnson. The citation for the Award states: "For engineering and administrative leadership in the development of safe and reliable nuclear power and its successful application to our national security and economic needs."

Admiral Rickover is married to the former Ruth D. Masters and they have one son, Robert.

REAPPOINTMENT OF VICE ADM. HYMAN G. RICKOVER AS HEAD OF NAVAL NUCLEAR PROPULSION PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I wish to add my voice to the views expressed by the gentleman from California (Mr. HOLIFIELD). I am certain he speaks for the members of the Joint Committee. I enthusiastically compliment the Secretary of the Navy, and any others who had anything to do with the decision to extend Vice Adm. Hyman G. Rickover's term of office. The contributions made in the past by Vice Adm. Hyman G. Rickover are recognized by all who know him, and we are sure his contributions in the future will be even greater.

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

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

Mr. RIVERS. Mr. Speaker, I would certainly like to associate myself with these remarks.

Mr. Speaker, I think the observations of the gentleman from California and the gentleman from Michigan bespeak the sentiment of every single Member of this body.

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

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

Mr. MAHON. Mr. Speaker, I applaud the remarks made by the gentleman from California and the gentleman from Michigan. Admiral Rickover is one of the greats of our time.

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

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

Mr. HOSMER. Mr. Speaker, I too desire to join in and endorse the remarks of our colleagues, the gentleman from California (Mr. HOLIFIELD) and our other colleagues in commending the Secretary of Defense and the Secretary of the Navy for the extension of Admiral Rickover's term as head of the naval nuclear reactors program. I wish to call attention to the fact that this great American has, during his service in this position, installed and operated more nuclear reactors by a factor of 5 to 10 than any other person in the world and more than most nations of the world. His service to our Nation is unique and extraordinary. Few men in our Nation's history have had his opportunity to enhance its defense in such great measure. Even fewer have risen so magnificently to the opportunity. We shall for many generations be stronger and safer because of this remarkable man's contributions.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

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

Mr. MILLER of California. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from California and the gentleman from Michigan, the distinguished minority leader, with respect to what they have said about Admiral Rickover.

We all realize Admiral Rickover's great worth. He is one of the leading scientists in the world today.

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

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

Mr. ALBERT. Mr. Speaker, I desire to associate myself with the remarks of the distinguished gentleman from California, who certainly is in the position to be able to appraise the work of Admiral Rickover.

I also wish to join in the remarks of others of our colleagues.

I regard Admiral Rickover as one of the really indispensable men of this generation.

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

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

Mr. RHODES. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from California and the gentleman from Michigan and other Members of the House in commending the Secretary of Defense and the Secretary of the Navy for their redesignation of Admiral Rickover as head of the Navy nuclear propulsion program.

I also want to point out how fortunate the people of the United States are in being served by this very fine and able American and in having this man available for the next 2 years.

As a member of the subcommittee of the Committee on Appropriations which is charged with preparing the appropriations for atomic energy, it has been my good fortune to know Admiral Rickover personally and to know his worth for some time. He has both my personal and official admiration.

I am sure other members of the Public Works Subcommittee join with me in expressing our gratitude and our appreciation for his redesignation. It will be a pleasure to work with him in the future as we have in the past.

FREE WORLD SHIPS CARRYING SUPPLIES TO NORTH VIETNAM

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

Mr. CHAMBERLAIN. Mr. Speaker, the President's recent decision to reduce the number of American troops in Vietnam is clearly a significant milestone in the course of that tragic conflict and offers great hope that the beginning of the end is now in sight.

Nonetheless, the struggle is far from over, as the weekly casualty figures so unmistakably attest.

Another barometer of the Hanoi regime's commitment to the war is to be found in the steady stream of vessels carrying supplies into North Vietnamese ports. Many of these ships are Communist vessels but a substantial number of these monthly arrivals continue to be of free world registry under charter to various Communist interests.

During the month of June, according to Department of Defense information made available to me, 11 more ships flying free world flags steamed into North Vietnam. This brings the total so far this year to 60 such arrivals and compares

to the 78 arrivals during the first half of 1968.

Last month this traffic consisted of six ships flying the British flag, with two each bearing the registry of the Somali Republic and Cyprus, plus one of Singapore. While exact information about the cargoes involved is classified, I have seen the reports and am satisfied that strategic goods are included as well as other supplies, which can only help North Vietnam maintain its aggressive policy in the south.

While the incidents of terrorist mortar attacks and assassinations make bigger headlines, the constant flow of these supplies, which help to underwrite this policy of wholesale murder, is obviously of crucial importance.

The reduction in the volume of this traffic from what it was a year ago is encouraging, but it is not good enough. More must still be done to dry up this source of supply for the enemy. Accordingly, I am writing to the President to inquire more fully with respect to the efforts being made by the administration to eliminate this traffic. Despite the announcement a number of our servicemen will be returning home, we still have substantial forces stationed in South Vietnam and we owe it to these men wearing our uniform to put forth our best efforts to deny the enemy the wherewithal to continue their aggression.

At this point in the RECORD I insert a chart indicating free world shipping to North Vietnam during the first 6 months of 1969.

FREE WORLD SHIPPING TO NORTH VIETNAM, 1969

Month	British		Somali		Cyprus		Singapore		Japanese		Maltese		Total	
	Number	GRT DWT	Number	GRT DWT	Number	GRT DWT	Number	GRT DWT	Number	GRT DWT	Number	GRT DWT	Number	GRT DWT
January	8	34,597 47,200	2	8,973 12,600	1	2,137 3,100							11	45,707 62,900
February	6	30,824 44,300			1	2,137 3,100	2	8,148 11,000	1	3,896 6,000			10	45,005 64,400
March	6	27,870 39,600	1	8,997 13,500									7	36,867 53,100
April	7	29,714 50,000	1	3,378 5,000					1	695 717			9	33,787 55,717
May	9	45,802 63,400	1	4,534 6,000	1	2,137 3,100					1	5,333 9,400	12	57,806 81,900
June	6	30,195 47,100	2	7,912 11,000	2	7,308 12,200	1	4,224 6,500					11	49,739 76,800
Total	42	199,002 291,600	7	33,794 48,100	5	13,719 21,500	3	12,372 17,500	2	4,591 6,717	1	5,333 9,400	60	268,911 394,817

DEALING WITH CAMPUS DISRUPTERS

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

Mr. KUYKENDALL. Mr. Speaker, now that the Committee on Education and Labor has taken no action to strengthen the hands of the administrators of our universities and colleges in dealing with campus violence, destruction and seizure, it seems the only course open is to attach an amendment to the appropriation bill for the Department of Health, Education, and Welfare to cut off Federal funds where administrators fail to take appropriate action to uphold the law.

I am very much in sympathy with the approach suggested by the chairman of the subcommittee (Mrs. GREEN). In support of the need for action, I would like to include as a part of these remarks an article from the current, July 14, issue of U.S. News & World Report outlining the guidelines drawn up by eight college presidents for dealing with campus rebellions.

The thrust of the amendment we shall attempt to have enacted will be based on two points:

First. On Mrs. GREEN's approach which is clearly emphasized in the college presidents' report:

> Clear-cut policies and procedures to be followed in case of campus violence or disorder must be thought through, established, and published.

Second. Good faith action should be required of the administrators to implement their own plans in the event action is needed.

Mr. Speaker, I hope all the Members of this body will take note of this report and, for heaven's sake, let us do something before we begin another year of anarchy and chaos.

The article follows:

HOW EDUCATORS WOULD DEAL WITH COLLEGE REBELS

NEW YORK CITY.—No negotiation of student demands under duress . . . and no amnesty for lawbreakers.

These are major rules in guidelines drawn up by eight presidents of colleges in New York City area for dealing with campus rebellions.

After a study of college disturbances in the past school year, the educators issued a report saying:

"Violent and disruptive actions strike at the very heart of constructive dissent, academic freedom and due process in the accomplishments of reform—all of which are the earmarks of a free university—and cannot be countenanced."

In announcing the report on June 30, President Dumont F. Kenny of New York City's York College said colleges cannot continue to "take the battering" to which they have been subjected.

"A year of campus disorders," the report said, "has taken its toll in the colleges in instructional effectiveness, retention of able administrators and public support."

Among the guidelines recommended by the college presidents were these:

"Clear-cut policies and procedures to be followed in case of campus violence or disorder must be thought through, established and published."

"There should be no negotiation of demands under duress, i.e., when personnel are detained or buildings occupied."

"It must be made clear to all that there can be no amnesty for civil or criminal lawbreakers."

"When student governments are representative and legitimate, college administrations should support them against the challenges of . . . a tiny minority purporting to speak for the students."

"Faculties must face up to their responsibilities in dealing with . . . those few faculty members who have engaged in such practices as manipulating and irritating students for their own partisan and political goals."

"Student confidence in their faculty and administration can be enhanced by giving responsible students a chance to 'carry the ball.'"

"'Layers' of response should be prepared to prevent escalation of issues and help defuse crises. Since trivial or imaginary issues may grow into major demonstrations and disorders, it is important that faculty and administrators respond to all situations quickly."

The presidents opposed passage of special control measures singling out college students, because they already are "subject to the same civil and criminal laws as every other citizen."

As to police, President Kenny said most of the presidents felt that it is good policy to have police visible at the edge of the campus when violence threatens—ready for use if needed.

TIME TO CHANGE—DAYLIGHT SAVING TIME

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

Mr. HALL. Mr. Speaker, the dimension of time has long been a great mystery to man. Throughout the ages he has discovered that he can allot it, beat it, change it, devote to it, find it, gain it, have it, keep it, kill it, make it, mark it, occupy it, prescribe it, race it, serve it, spare it, take it, tell it, waste it, and watch it. However it was supposedly in the area of "saving time" that the 89th Congress concentrated its attention when it passed the Uniform Time Act of 1966.

This law was passed only after heated debate. There can be little doubt that the State's prerogatives were greatly curtailed. Be that as it may, the act is now the law of the land. What must be done now is to amend the act so as to make it fair and equitable to all segments of the population.

In this regard and toward improving this act, Mr. Speaker, I am today submitting a bill whereby daylight saving time

would not commence until the Sunday following Memorial Day, and then would cease the Sunday following Labor Day. Why should not daylight saving time begin when unofficial summer begins for the overwhelming majority of our people? I know of no logical reason why daylight saving time should begin so early in the spring and end so late in the fall.

Under the present act, children are forced to go to bed during the school year while the light of day still shines through their bedroom windows. I am sure that most Members of this body are aware how difficult it is to make youngsters sleep under these conditions. Probably the only way to remedy this situation is by the use of a ball bat or by the use of tranquilizers, depending upon the degree of frustration. This problem is compounded in that during certain times of the school year these same children must get up in the morning greeted by a pitch black and dark world and stand shivering in the dark awaiting the school bus. Surely, there is enough confusion facing our schoolchildren in our troubled world, without adding any more.

Not only have our children been placed under the adverse and confusing pressure of this expanded daylight savings time, but so have the remainder of the population. Therefore, Mr. Speaker, it is for these reasons I am introducing this reasonable bill in the nature of a perfecting amendment to the act. I solicit the support of all Members.

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

Mr. HALL. Mr. Speaker, I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Speaker, I read of a letter of one constituent—I do not know if this is one of the gentleman's—whose statement said that because of the extra hour of sunlight his crops were being ruined.

Mr. HALL. Mr. Speaker, I do not know about that, but it is awfully hard to milk in the dark, because they still milk on God's time and that is when the milk comes down in the udder.

THE FAMILY OF MANN—BENEFITS FROM SPACE EXPLORATION

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

Mr. MILLER of California. Mr. Speaker, very recently every Member of the House was sent a booklet produced by the General Electric Co., entitled "The Family of Mann."

Its purpose is to explain in a dramatic yet simple manner the widespread and significant benefits that have come to the average American and his family as a result of our program of space exploration.

It is important, I think, to recognize that a very large economic segment of the Nation's industry, heavily involved in aerospace research and technology, has taken the time and effort and money to publicize widely its recognition of the rewards of space research that have become a part of our everyday life.

You have heard very often, on this floor, and have read in many publications, of the spinoffs that have come from NASA's programs, that are now practical realities. These realities are most often downgraded or even ignored in the arguments of the critics, the chronic complainers who argue that space research represents money being wasted, that we cannot afford the funds we are investing in exploring space, and that the money could be better spent in other directions.

This booklet, "The Family of Mann," is not a figment of imagination. It cites facts. It shows that every major aspect of everyday living is being benefited: Medicine and health, education, housing, urban rehabilitation, communications—the list goes on and on.

Does this represent money being wasted? I do not think so, nor do I think you do. Can we afford the expenditure? We are expending in NASA less than one-half of 1 percent of our gross national product. Is that expenditure, in relation to all our other needs, beyond our means? I say no. We can afford it.

Mr. Speaker, I urge you to thoroughly examine this publication. I urge you to communicate its contents to your constituents. These are the people who will be the principal beneficiaries of our aerospace investments.

WHY DID THEY KILL MARTIN LUTHER KING, JR.?

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

Mr. WALDIE. Mr. Speaker, 2 weeks ago a young man from my district, Richard Harvey Mitchell, of John F. Kennedy High School in Richmond, Calif., won second place for individual oratory in the National Forensics League national speech championships. I know I express the pride of our county in Richard's accomplishment when I boast of his success.

His speech, Mr. Speaker, is on a vital subject and may well have within it far-reaching implications to Richard Mitchell, his generation, our generation, and the Nation.

Mr. Speaker, I would like to submit Richard's speech for inclusion in the RECORD:

WHY DID THEY KILL MARTIN LUTHER KING JR.?

(Speech by Richard Harvey Mitchell)

"I have a dream; that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plain, and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together."

Dr. Martin Luther King, Jr., the 1963 March on Washington, the man with the dream is dead.

"I hate America! You mass of paranoic racists! Riding around in your fancy cars, staying in your big hotels, and spending money like you got a printing press in your basement! Well, I'm going shopping today, but instead of money that you use, I'm taking my own credit card—this brick, and this bottle of gasoline!"

So spoke Carmichael and Hamilton in the book, "Black Power," their final solution to the racial problems of America.

In 1963, in his soul-inspiring speech, Dr. King knew; he attempted to warn America of a coming turmoil, but his words fell on ears deafened by the high shrills of fallacious advancement. The black rifle of death found its mark, then silence.

It was a dull Thursday, I was working in the basement of a hardware store in an after school part-time job. The phone rang; I answered; it was my brother. He informed me that Dr. Martin Luther King, Jr. had been shot and killed, the assailant unknown. I put down the phone in a moment of extreme shock and confusion. . . . I went home later that evening and cried.

The next day at school I realized that my feelings were not unique. Students were wandering aimlessly about the campus in what seemed to be a hypnosis of despair. A black student walked up to me informing me of a student mass meeting to be held second period that day. We black students had to talk. I knew the same questions stood with unqualified precedence in our minds; was Carmichael actually right? Was there but one method to achieve social advancement resultant in black self-determination in this Nation, and that being violence?

And King, what of King, the man with the unshaken faith in humanity? What would have been his destiny, and the destiny of his philosophy? But most important of all, with the greatest perpetrator of brotherhood and human understanding destroyed by a lightning bolt of fear and hatred, what would be our road from this point on as Black people?

Carmichael, in a tidal wave of emotion and anger, declared the death of the prince of non-violence; taking into account the American Revolution, and the Civil War, it became his contention that in America, violence was a way of life!

And then Dr. King himself, reflecting an obvious depletion of charisma and strength, stymied by a frustratingly unchanged society, he chose rather than to denounce the riots, to explain them: an explanation that totally satisfied neither Black nor White.

Finally me, left with one of two given alternatives: I could become the "color blind individual" and attempt assimilation into the American middle class. In the attempt to meet all the requirements for entrance into this class, I would face relinquishment of my identity; therefore, losing the very individuality that I so desperately sought. Or, I could become an expressant for the Black community, relating only on a collective level, denouncing this society and all its White inhabitants, and in that denouncement, being championed by many Blacks and hated by many Whites.

But, in that tormentous hour of confusion, I searched for a position unique in itself.

At the time of a previous crossroad, a person had advised me that in order to discover myself, the hardest road would be the more enlightening. I believe the position is more eloquently stated by Dr. King in one of the final documents he wrote before his death explaining his stand against the Vietnam War; a stand which put him at odds with many of both communities.

"There are those who tell me that I should stick with civil rights and stay in my place. I can only respond that I have fought too hard and too long to end segregated public accommodations to segregate my own moral concerns." And that is, indeed, my conviction and that must be the conviction of every American, if we are to survive as a Nation.

Dr. King's inspiring voice has been silenced forever, but I can refuse to accept that his magnificent philosophy died with him. With that in mind, White people cannot take a stand behind law and order, and

for law and order, without looking at the causative conditions of disorder, and without looking for correctives to those conditions.

Black people, on the other hand, cannot take a stand behind Black Nationalism and for Black Nationalism without making sure that it cannot become, and does not become, Black Racism.

Every American must stand up for universal justice. This is what Dr. King lived for, and this is *why* he died.

There flows a raging torrent of racism with White America on one bank and Black America the other. An arched bridge, weakened by years of deception, reaches from a side. We Black people are upon that bridge, and even past the line signifying halfway. But as we descend to the other side, to our great shock and disappointment, the opposite end slides coldly into the water. The raging torrent begins to rise; temple lifting comes the shout, "everybody off the bridge, for soon it will be out."

Black people filing coldly back and hurt, began to sing instead of "We Shall Overcome," "Forget the Whole Damned Thing."

And I alone on the crumbling bridge that at once did truly fall, and drowning here in the roaring rage I ask, "Whom shall I call?" I think that the best way that I can live up to the tremendous commitment left by Dr. King would be to pattern my life after the words of a simple song as he did, and as he expressed to his congregation "If I can help somebody as I pass along, if I can cheer somebody with a well song, if I can right somebody who's going wrong, then I will not have lived in vain. If I can do my duty as any man ought, if I can bring salvation to a world once wrought, if I can spread the teachings as the master taught, then I will not have lived in vain."

I would like to leave you with an intriguing question: Carmichael told White America to go to hell, and Rap Brown said burn this racist society to the ground: but if those two men presented the greatest threat to this Nation of systematic inequality, then why did they kill Dr. Martin Luther King, Jr.?

PROTECTION OF INDUSTRIAL DEFENSE FACILITIES

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

Mr. ICHORD. Mr. Speaker, the gentleman from Tennessee (Mr. QUILLEN) and I have today introduced a bill titled the "Defense Facilities and Industrial Security Act of 1969." Other Members joining with us in the introduction of the bill include Mr. BENNETT, Mr. FISHER, Mr. FUQUA, Mr. WAGGONNER, Mr. COLMER, and several members of the House Committee on Internal Security; namely, Mr. PREYER of North Carolina, Mr. EDWARDS of Louisiana, Mr. ASHBROOK, Mr. ROUDEBUSH, Mr. WATSON, and Mr. SCHERLE.

This is a comprehensive bill with the overall objective of providing a sound legislative base for the protection of defense production against sabotage, espionage, and other acts of subversion, to safeguard classified information released to industry against unauthorized disclosure, and to give express congressional authorization for the maintenance of a personnel security program for access to vessels and waterfront facilities under the Magnuson Act.

It appears that such legislation is both necessary and timely. A number of Federal court decisions have had the result of weakening certain aspects of the industrial security programs hitherto established and maintained by the Government under existing legislation or Executive order. They have also had the literal result of destroying personnel security programs initiated under title I of the Internal Security Act of 1950 with respect to industrial defense facilities and under the Magnuson Act with respect to vessel and waterfront security. This has occurred at a time when we are faced with steadily mounting dangers at home and abroad. Congressional action is necessary if facilities essential to an effective defense posture are to be adequately safeguarded.

The principal features of the bill are as follows:

First. It is a major purpose of the bill to remedy a serious deficiency in the legislative program for the protection of defense facilities arising from a decision of the U.S. Supreme Court in the case of *U.S.* v. *Eugene Frank Robel*, 389 U.S. 258 (1967). In that case, the Supreme Court voided a provision of title I of the Internal Security Act of 1950 which made it unlawful for members of Communist-action organizations to engage in employment in a defense facility.

This provision of law was the principal legislation serving to protect industrial defense facilities from infiltration by subversives.

The bill seeks to remedy this particular deficiency by requiring the President to institute a personnel security clearance program for determining eligibility of persons for access to postions or areas of employment in defense facilities which are determined to be sensitive by the Secretary of Defense.

Second. The bill gives express congressional sanction for the institution of measures and regulations establishing a security clearance program for the protection of classified information released to U.S. industry.

While a program for the protection of classified information has been instituted pursuant to Executive Order 10865, there is no express congressional authority for the maintenance of this program. Because of the absence of such authority, some doubt has been cast upon the validity of important provisions of the Executive order, particularly those provisions placing certain reasonable restraints upon cross-examination to protect intelligence sources. See *Greene* v. *McElroy*, 360 U.S. 474.

Moreover, present procedures require strengthening in several respects which are beyond the competence or power of the President acting alone. Among the pressing deficiencies in the Executive order is the absence of power to issue compulsory process for the attendance of witnesses; the absence of authority for the granting of immunity for compelled testimony; and the absence of authority for the imposition of certain area restraints.

Also needed is some regulation of the jurisdiction of Federal courts. There appears to be an objectionable tendency on the part of Federal courts to intervene in security cases and to enter orders and injunctions having the effect of granting access to classified information to alleged security risks prior to a final determination of the access privilege on the merits by agencies responsible for the safeguarding of such information. See for example, *Shoultz* v. *Secretary of Defense* (D.C. N.D. Cal.) decided February 9, 1968. The bill covers the foregoing and other deficiencies.

Third. The bill requires the President to develop and execute a cooperative, as well as a voluntary, security program with representatives of industry and labor for the protection of defense production. This would embrace certain facilities essential to defense production or mobilization but which are not subject to the screening program authorized for the specific categories of "defense facilities" as defined in the bill.

Fourth. The bill gives express congressional authority for the institution of measures and regulations establishing a personnel security program for access to vessels, harbors, ports, and waterfront facilities under the Magnuson Act (50 U.S.C. 191) to remedy a deficiency in the law resulting from the Supreme Court decision in *Schneider* v. *Commandant, U.S. Coast Guard*, 390 U.S. 17 (1968).

The Court declared in that case that the Magnuson Act gave no express—or even clearly implied—authority to the President to set up a personnel screening program for access to merchant vessels of the United States. As a result of this decision, the personnel security screening program for the protection of vessels and waterfront facilities instituted in 1950 and administered by the Coast Guard has virtually been abandoned. There is presently no adequate program in effect to forestall penetration of this vital area by saboteurs and espionage agents. The bill will restore and improve the effectiveness of the former program.

FIRST AMERICAN TROOPS RETURN FROM VIETNAM

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

Mr. RIVERS. Mr. Speaker, the first American troops have returned from Vietnam; 814 men who have experienced the horrors of war. They do not return shining in the glow of victory, nor do they return with their heads bowed in defeat. They return more in pathos than in splendor.

But they must assuredly return as men disillusioned for having participated in a war for which there never was, and is not now, a plan for a military victory.

Some of these men have seen their closest friends die before their very eyes. And I am sure they need no reminder that 37,000 Americans have given their lives for this war in Vietnam.

These men could well be the forerunners of gradual deescalation.

They have fought superbly and are deserving of all the honors we bestow upon heroes. But they are also the victims of the ridiculous policy of gradual escalation which has brought us to the

sad plight that exists in South Vietnam today.

And just as the concept of gradual escalation proved to be the greatest strategic blunder in the history of warfare, so may the concept of gradual deescalation prove to be the second greatest blunder in the history of warfare.

No one can dispute the wisdom of Vietnamizing this war in Southeast Asia. But the withdrawal of American troops can only strengthen the resolve of the North Vietnamese to concede nothing in Paris and to continue their predetermined plan of wearing out our patience.

Every man who has served in Vietnam knows we have the military might to achieve a military victory in Vietnam. And every American serviceman in Vietnam knows that we have not applied this military power.

There is no war in the history of the United States that has been more frustrating to the American people. We have fought the war, from the outset, with a restraint and constraint that baffles military leaders who must order men into battle. We have fought the war in Vietnam with one arm tied behind our back and, since last November, with one leg chained to the ground.

We could have brought North Vietnam to her knees, but a high-level fear of world opinion prevented us from doing so.

The American people have a right to be frustrated, for deep down inside they bitterly resent the fact that American boys have died for the sake of a national image that sought to reflect compassion, but has been interpreted by most of the world as stupidity, or weakness.

THE FIVE-SIDED RIDDLE; OR, THE PENTAGON, WHO IS IN CHARGE HERE—PART II

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

Mr. FULTON of Tennessee. Mr. Speaker, last week I placed in the RECORD a portion of the report of the Subcommittee on Economy in Government of the Joint Economic Committee entitled "The Economics of Military Procurement."

At that time I stated that I intend to continue placing a portion of the document in the RECORD until it has been printed in full.

Since that time President Nixon and Defense Secretary Laird have announced the formation of a "blue-ribbon" civilian panel to make a thorough study of the Department of Defense.

This is certainly welcome news here and I can only wish those who share in this monumental undertaking well, for their task is formidable.

The staff director for the group is Mr. Fred Buzhardt, Jr., who is quoted in the press as saying:

> We will try to find out how the D.O.D. can carry out the strategy handed down by President Nixon and the National Security Council with maximum efficiency, economy, and—most important—effectiveness.

It is my hope that this will be the main concern of the group rather than an attempt to gloss over glaring evidence of waste and mismanagement by laying blame on policies and programs of previous Department of Defense officials. If there is responsibility to be placed, then place it; if there is blame to lay, then lay it. But, more important, is that wasteful practices and mismanagement be halted.

Mr. Speaker, a very useful document for the new "blue-ribbon" panel would be "The Economics of Military Procurement" and I place the second installment of the report in the RECORD at this point:

THE ECONOMICS OF MILITARY PROCUREMENT

4. PATENT POLICY

The Government's patent policy similarly tends to reduce competition and increase the concentration of economic power. Briefly, the Government permits contractors to obtain exclusive patent rights, free of charge, on inventions produced in the performance of Government contracts. The Defense Department normally retains only a nonexclusive royalty-free license for itself. The contractor, in other words, obtains a monopoly which he can exploit for his own private gain in the commercial market for inventions paid for by public moneys. This "fringe benefit" of doing business under Government contracts does not get reported as part of the contractor's profits. In effect, the public pays twice. Once through the Government contract; again in the marketing of the private monopoly.

It should be noted that the contractor's own patent policy differs from that of the Department of Defense. When contractors award contracts to independent research institutes, the contractors, not the research institutes, retain the patent rights. Further, the employees of contractors generally must agree that the contractor gets the patent rights to any inventions developed during their employment.

Admiral Rickover and Professor Weidenbaum agreed that permitting contractors to obtain patent rights from Government contracts reduces competition in defense industries because the "ins" get a competitive advantage over the "outs." Rickover stated that one-half of the patents acquired by contractors as a result of Government-financed research and development work are owned by 20 large corporations, "* * * the very same companies that receive the lion's share of contracts."

In contrast to general Government policy, the Atomic Energy Commission and the National Aeronautics and Space Administration are required by law to take Government title to inventions developed under Government contracts, subject to waiver of rights by the Government. The Government's policy amounts to a special privilege to contractors at the expense of taxpayers.

5. SUBCONTRACTING AND PROFIT PYRAMIDING

The study of subcontracting in defense procurement is important for at least two reasons. First, subcontracting can provide an opportunity for small business to participate in Government work. Most small businesses cannot obtain prime contract awards. But they can supply prime contractors with a variety of goods and services. Second, profits in subcontracts turn up as part of the costs of the prime contract. Information about the amount and type of subcontracting and of subcontract profitability could be a valuable guide to current procurement costs and future policy. Unfortunately, the Defense Department has not been able to supply good information on these subjects.

DOD's collection of subcontracting data is inadequate. The only data which has been collected is the percentage of subcontracts that go to small business, on the basis of sampling. In fiscal year 1968, 886 large prime contractors awarded subcontracts worth $15.2 billion. Of this sum, $6.5 billion went to small businesses, according to DOD. DOD also *estimates* that approximately 50 percent of the total amount of prime contract awards is subcontracted. This estimate seems to be based on data gathered by DOD during 1957–63 when prime contractors were required to report such information. Data on the total amount of subcontracting has not been collected since 1963. DOD cannot state with certainty whether subcontracting has increased or diminished since 1963, or whether prime contractors are tending to keep more or less of their work in-house.

Because DOD no longer collects complete data on subcontracting, we cannot know whether subcontracting is being awarded competitively or through sole sources, what kinds of work are being subcontracted, or whether subcontractors are required to submit cost data in compliance with the Truth in Negotiations Act. Admiral Rickover testified that there is a lack of effective price competition both at the prime contract and subcontract levels in shipbuilding procurement and that some major subcontractors have never provided the cost data required by the Truth in Negotiations Act.

Another serious omission has been the failure to collect information on subcontractor profits. The DOD profit review system compiles profit data for a sample of prime contract awards. These figures do not reflect profits taken by subcontractors which could involve several tiers. For example, a prime contractor might purchase a piece of machinery from a subcontractor. The subcontractor might purchase a component for the machinery from another subcontractor, and so on. Each of the subcontractors will earn a profit on the item supplied. The same final item, therefore, is likely to include a profit as part of its cost for each time it changed hands. In this manner, subcontractor profits are pyramided, layer upon layer, into the final cost.

When the prime contractor obtains the item, he too, will add his profit to its cost. The Government pays for it on the basis of the prime contractor's cost plus the prime contractor's profit. Included in the prime contractor's cost are the pyramided profits of several subcontractors. However, profits are often considered to be only the amount realized by the prime contractor. Profit studies normally do not consider the hidden, pyramided layers of subcontractors' profits buried in the prime contractor's costs. Whether subcontractor profits are reasonable is entirely unknown to DOD or any other Government group. For this reason alone, defense profits may be seriously underestimated because the studies include only prime contractors' profits. The present policy of not gathering adequate information on subcontracting could be calculated to minimize the total amount of defense profits that are reported and to frustrate the thorough study of this important subject.

It is well recognized that subcontractors doing Government or non-Government business should be allowed to earn reasonable profits for their work. The issue here is that the DOD does not collect sufficient information to know whether subcontractors' profits on defense contracts are reasonable or excessive. The available data is also inadequate to reveal the level of competition among subcontractors, and the precise interrelationships between the prime contractors and the subcontractors. Further, it is presently not possible to determine whether prime contractors are charging the Government unreasonably for work done by subcontractors. In the subcommittee's judgment, the thorough study and full disclosure of all the

facts with respect to subcontractors' costs and profits, and their effects on the final costs to the Government, is frustrated by the DOD's present policy and practice.

6. NONCOMPLIANCE AND WAIVER OF THE TRUTH-IN-NEGOTIATIONS ACT

The Truth-in-Negotiations Act was passed in 1962. Its purpose was to give the Government better access to contractors' cost data so as to place Government on a more equal footing with industry in negotiating the prices of contracts. The Act is supposed to protect the taxpayer against overpricing where there is no true competition.

Investigations by this subcommittee and others over the past 2 years have demonstrated widespread noncompliance and other shortcomings with truth in negotiations. The Government's failure to fully implement it seems to be one of the major reasons. Lack of implementation occurs in two ways. First, the Government contracting officer can make a determination that competition is adequate, or that the price is based on a standard catalog price, and therefore that the Act should not apply. Such determination can be made with respect to a negotiated procurement even though there is, in fact, little or no actual competition for the contract. Once there is a determination that adequate competition exists, the Government does not obtain or evaluate cost and pricing data, or require the contractor to reveal the basis for his cost estimates, or to certify the completeness or accuracy of his cost information. Nor does the Government subsequently review the contractor's books or records. In effect, the price is set on the basis of uncertified, unevaluated data supplied by the contractor.

Second, the Government can waive the requirements under the Act for cost data. There is evidence that waivers are granted to many large contractors. In one recent case, the Navy waived the requirement for cost data in a $10 million procurement of propulsion turbines. According to Admiral Rickover, the price of the equipment was substantially higher than for similar equipment on a prior order. In addition, the price included a profit of 25 percent of costs. The contractor was one of the only two available sources capable of building the machinery. In response to requests for cost data, the contractor declined on the grounds that the proposed price was established "in competitive market conditions" and that "to supply any cost estimating data could only lead to misunderstanding." The waiver was granted over Admiral Rickover's objections.

The subcommittee also received evidence that the manufacturers of large computers are simply refusing to supply information specified in the Truth-in-Negotiations Act on orders for new design computers. In the face of contractor refusals to supply cost or pricing data for computers costing millions of dollars each, the Government has waived the provisions of the Act. According to the testimony of the General Services Administration, the Government is faced with a take-it-or-leave-it situation. The contractor will simply refuse to sell if the Government insists on the cost data. Moreover, there is evidence that few basic material suppliers such as steel mills, nickel producers, and forging suppliers comply with the cost data provisions of the Act.

Again, the tactic is (1) to persuade the Government contracting officer that competition is adequate, or that the price is based on a standard catalog price, and that the Act should not apply; or (2) to obtain a waiver of the cost data provisions.

The Truth-in-Negotiations Act permits the Government to make preaward audits of contractors' books to determine the adequacy of cost data in cases where the Act is applied. Investigations by GAO have revealed substantial overcharges to the Government as a result of the failure of the Department of Defense to obtain adequate cost and pricing data. Because preaward audits were not always effective in disclosing inadequate cost estimates, Congress amended the act to give the Government postaward audit rights, Public Law 90–512. The effectiveness of the postaward audit provision has not yet been determined. However, it should be kept in mind that the postaward audit provision cannot solve the problem of the failure to apply the Act, or the granting of waivers. Furthermore, the Comptroller General testified to this subcommittee in 1967 that a GAO review showed there had been full compliance with the Act in only about 10 percent of the transactions tested. We are not aware that the record of compliance has improved.

7. ABSENCE OF UNIFORM ACCOUNTING STANDARDS

In addition, the Truth-in-Negotiations Act often cannot place the Government on a more equal footing with industry in negotiating the prices of contracts, even when there is compliance, because of the inherent difficulties of determining costs and profits under present accounting practices.

For example, it may not be possible for the Government to determine whether direct and indirect costs on Government and commercial work have been properly allocated by the contractor. In one case, reported by Admiral Rickover, the Navy allowed a shipbuilder to charge salaries and other pay directly on Government contracts, while similar costs on commercial contracts were charged as overhead and allocated to both Government and commercial work. The Government was thus paying directly for work done on Government contracts and indirectly for work done on commercial contracts. The Navy had accepted these costing methods because the contractor's system conformed to "generally accepted accounting principles." In this particular case the GAO eventually found that the Government had been overcharged by over $5 million.

The fact is that there is wide disagreement on how particular costs should be handled and profits calculated under "generally accepted accounting principles." For this reason, experts may come to completely different conclusions about costs or profits in an individual case. In a case still pending, where the Government entered into several multimillion dollar contracts with the Westinghouse Co. for nuclear propulsion components, the contractor indicated his price included a 10-percent profit based on costs. GAO found that the contractor made actual profits of 45 to 65 percent of costs, and that he knew or should have known at the time he submitted cost breakdowns that the higher profits would be realized. Later the Defense Contract Audit Agency decided the contractor should have expected to realize 20- to 27-percent profits. Thus, two different Government auditing agencies are in sharp disagreement over the amount of profits in these contracts. The vagueness of "generally accepted accounting principles" is generally acknowledged. In a recent case, the Armed Services Board of Contract Appeals stated in its opinion:

"Except insofar as the ASPR (Armed Services Procurement Regulation) cost principles themselves reflect generally accepted accounting principles, it is difficult for the Board or the parties to cost contracts to govern their determinations by such an elusive and vague body of principles."

Under the Armed Services Procurement Regulations, cost principles are set forth for cost-reimbursement-type contracts for the purpose of denying certain costs, such as bad debts. These principles are not mandatory in fixed-price contracting. Yet fixed-price contracts constitute more than 75 percent of defense procurement. Thus there are no mandatory cost principles in the regulations for 75 percent of defense procurement. The cost principles that do exist have the effect of only disallowing certain items. They do not constitute uniform standards.

Finally, contractors are not required to maintain books and records on firm-fixed-price contracts, constituting 53 percent of defense procurement. Where contractors are required to maintain records, they must conform only to "generally accepted accounting principles," and may not show the cost of Government work. Admiral Rickover testified that a sole source supplier of nuclear propulsion units refuses to keep accounting records showing the cost of manufacturing the components. Thus, although he complies with the Truth-in-Negotiations Act, the absence of accounting records prevents a determination of whether his prices are reasonable. For example, a contractor may submit cost data at the time the price of the contract is being negotiated, but afterwards, during performance of the contract, not keep adequate books and records. Colonel Buesking testified, "I have yet to see a contractor's accounting system in major programs that can adequately determine the unit cost of hardware."

Uniform accounting standards for all defense contracts have been advocated to facilitate the measurement of costs and profits. The GAO is now undertaking a feasibility study of such standards at the direction of Congress. Regardless of the outcome of the study, it is clear that the Government often cannot determine the reasonableness of costs or profits on defense contracts under present cost accounting methods.

8. VOLUMINOUS CHANGE ORDERS AND CONTRACTORS' CLAIMS

It is often necessary to make changes in the design or production of an item after the contract is awarded. This is especially true for the more complex weapons and equipment such as missiles, fighter planes, bombers, and their electronic components. There may be thousands of changes on such procurements. The production of the B–47 bomber in the 1950's involved about 8,000 changes. The Minuteman program has involved at least that number. Change orders generally increase the cost of a contract.

The Government pays the price if it originated the change or was in any way responsible for it. Because of the great number of changes, and the fact that the total cost of the changes may exceed the original price of a given contract, it would be reasonable to assume that records are maintained of the cost of each individual change and of their origin as to the Government's liability. Again, DOD has failed to keep adequate records or to even require that contractors keep adequate records.

Contractors are not required to account for change notices separately. As a result, it is usually not possible to determine the cost of individual changes. Typically, the Government is forced to negotiate a lump-sum settlement to pay for numerous changes since most changes are not priced in advance of the work, and the Government has not checked to see what the cost of the change should have been. Admiral Rickover testified.

"Thus, contractors can use change orders as a basis for repricing these contracts. They have almost unlimited freedom in pricing change orders because their accounting system will never show the cost of the work. The Government can never really evaluate the amounts claimed or check up to see if it paid too much."

Under the present system of nonaccountability, it is possible for contractors to inflate costs by pricing changes, and to attribute cost overruns to contract changes. In the vernacular of the world of defense contracts, change notices are sometimes referred to as contract nourishment.

Many claims against the Government result from formal contract changes. Others are produced by constructive change notices which may occur in a telephone conversa-

tion between a DOD official and an officer of the contracting company. The contractor might obtain relief orally from meeting a contract specification, or claim that an act of God or a strike prevented him from meeting the contract schedule.

Regardless of the origin of a claim, the Government is often at a disadvantage in meeting it. A contractor may have a large staff begin preparing and documenting a claim the day work begins on the contract. Although fully documented, however, accounting records seldom support the costs claimed. Nevertheless, the claim may be pursued over a period of years until it is finally disposed of. DOD does not keep records of unfounded or exorbitant claims, nor does it consider such information in awarding subsequent contracts.

9. THE FAILURE OF INCENTIVE CONTRACTING

Another attempt to find a substitute for competition has been the use of incentive contracts. The Defense Department began using incentive contracts extensively in 1962. The shift in emphasis reflected the widely held belief within the Defense Department that the cost-plus-fixed-fee (CPFF) contracts commonly used up to that time for major weapons systems procurement did not result in adequate control over costs. Since 1962 the decline of CPFF contracts and the increase of incentive contracts has been substantial.

The goal of the incentive contract is to motivate the contractor to be efficient and control his costs. The mechanism is a provision in the contract entitling the contractor to retain a portion of any cost underrun as additional profits. That is, the Government and the contractor agree on a target cost as part of the contract price. They also agree on a profit as part of the price. If the actual costs turn out to be less than the target cost, the contractor retains part of the underrun as an increased profit. If the actual cost exceeds the target costs, the contractor must bear a portion of the overrun and his profit is reduced. The profit-sharing provision is the hoped for incentive which will cause the contractor to increase the underrun so as to increase his profit.

The Defense Department has maintained that incentive contracting is an improvement over cost-plus-fixed-fee contracts. Beyond question, the problem of cost control during the period when CPFF contracts predominated was very great. Assistant Secretary of the Air Force Robert H. Charles referred in his testimony to the "enormous cost overruns of several hundred percent" for major weapons systems procurement in the past. He attributed a substantial portion of the cost overruns to the use of cost reimbursement type contracts and the absence of price competition.

The question, however, is, first of all, whether incentive contracting is, in principle, an effective means of controlling the costs of procurement, and secondly, whether it has succeeded in practice. The Defense Department claims success on both counts, although conceding the difficulty of demonstrating the effectiveness of incentive contracts as opposed to CPFF contracts, since they cannot both be utilized on the same project at the same time. On the other hand, much evidence was received which casts doubt on the proposition that incentive contracts result in cost savings, at least in practice.

Indeed, the experience of incentive contracting shows that it can increase both profits *and costs*. For while a contractor may increase his profit by performing efficiently to produce an underrun, another way of producing an underrun is to inflate the original target cost as much as possible. As Irving Fisher of the Rand Corp. pointed out in the hearings November 13, 1968, the problem of overstated target costs is significant because most weapon system procurement is negotiated without price competition, and many of the development contracts awarded competitively are awarded on the basis of technical or nonprice rivalry. In situations where target costs are negotiated, the opportunity for contractors to increase them is great.

The evidence suggests that incentive contracts have not accomplished their intended goal of increased efficiency or reduced costs, and that they may actually be contributing to a general upward shift in target costs. Whether this is inherent in the incentive contracting approach, or the result of poorly applied but valid concepts, we are not prepared to say. However, we feel that burden of proof that the concept is indeed valid rests squarely on the Department of Defense. We are so far unconvinced that this approach is the best that can be designed to effectively control procurement contract costs.

GREAT LAKES SHORELINE LEGISLATION

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

Mr. SCHADEBERG. Mr. Speaker, I am today introducing legislation designed to combat an emergency situation which exists in the First District, Wisconsin, and in every other congressional district bordering the Great Lakes—shoreline erosion of such serious nature that homes, lives and property are being continually threatened with destruction. It is my hope that consideration of this bill by the Committee on Public Works, and its subsequent passage by Congress, will afford adequate relief to the Great Lakes areas and other areas which suffer from this problem.

Mr. Speaker, I was first apprised of the shoreline erosion situation in my district in 1963. At that time, although there was only slight damage which was not beyond the capacity of the individual homeowner to remedy, I began an investigation into the means and methods of controlling shore erosion that today results in appropriate legislation.

Even in 1963, with most damage being slight, there were instances of severe damage. One instance occurred to the Sisters of Saint Dominic who were required to put out $50,000 in measures to preserve their shoreline. In fact, a movie by the Conservation Department of the State of Wisconsin entitled "Mud" tells their story.

What was once a minor problem has developed into one of major proportions. During the past few years a rise in the water level of the Great Lakes has resulted in a threat to all property on the shoreline. Already this year the total damage caused in the lake shore area in the County of Kenosha between 42.30° and 42.40° latitude has been estimated at being over $200,000. This estimate does not even include private financial output to daily combat erosion. In a survey taken in June of this year of 67 property owners living along Lake Michigan between Racine, Wis., and Lake Forest, Ill., it was discovered that they have expended $218,000. This sum does not include the estimated damage to land, buildings, and equipment.

The efforts of these individuals is proof that Federal assistance is not their first request. Time and effort has been spent in trying to meet and solve the problem, but to no avail. I have personally seen the attempts made in my district to halt the onslaught of waves and water: huge 10-ton boulders placed on the shoreline, only to be pushed aside by oncoming waves as if they were small pebbles; old rusted autos and tree trunks placed on the shoreline to break the destructive action of the water, only to be deposited rapidly on the bottom of the lake at the first storm activity; huge concrete culverts placed on, and large pilings driven into, the shore, only to have the water undercut the ground around them. In spite of these efforts the damage continues—garages toppled into the lake, roads cracked and left sitting precariously on the edge of the lake, and homes that once were 300 feet from the shore now stand with views 10 feet from the shore.

What is seriously needed is a concerted Federal effort in the preservation of this property by the building of abutments and jetties to extend into the lake to divert and break up the strength of the waves and to form natural sand and gravel barriers that can fluctuate and change with the changing water levels. The Federal Government, acting through the Army Corps of Engineers, is needed to coordinate the placing of these jetties. Otherwise a situation will result where one individual undertakes preventive measures, and others do not, and the damage to the unprotected property is twice as severe. The entire shoreline must be saved, and this is possible only through the combined efforts of the communities, and the indivduals, acting with the Federal Government whose activities can cut across State borders.

The bill I am introducing today will coordinate all efforts to protect the land along the lakes and to save the lakes from filling with mud and sediment. It has the effect of deleting subsection (d) of the first section of the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946—33 United States Code, section 426e(d). This act currently allows Federal assistance only to be used for protection of public lands and/or private lands used for a public purpose.

With the passage of this bill, private property owners can qualify for assistance to be given by the Corps of Engineers in accordance with already established procedures for civil projects relating to shore erosion on public lands.

The bill I am introducing today also amends subsection (b) of said act of August 13, 1946—33 United States Code section 426e(b)—by allowing the Federal matching grant formula of 50–50 reimbursement to be met by responsible local interests, meaning private citizens who would receive a benefit from protective measures. In this fashion, the individuals, through the process of special municipal assessments, would be able to meet Federal costs to solve a problem, the effects of which go beyond the benefit to the landowner.

Mr. Speaker, I have conducted a very thorough investigation into the current possibilities for Federal assistance. There are none. Under existing law, private

homeowners whose lands are being eroded, to their detriment and to the detriment of the conservation of the lakes, have no place to go. The Army Corps of Engineers cannot enter onto any privately owned property for the purpose of shoring lake frontage due to high waves. They can participate if the President of the United States declares that a disaster exists. This process however is long and involved, calling for a special request from a State Governor. It is not available for emergency protection, merely for the relief of areas which have already suffered from a disaster. I would hope that disaster measures will never be needed.

The citizens in my district are more than willing to borrow from the Small Business Administration, who can issue loans at a 3-percent rate, but this activity would provide only temporary relief. It would not solve the long-range problem, where the Federal, State, and even the local government will have to work together to protect what is left of what was once a magnificent lakeshore.

My findings are supported by efforts of other Members of Congress who join me in cosponsoring this measure to obtain assistance, and even guidance, for the lands in their districts. There is nothing that can currently be done except to sit by and see the destruction of miles and miles of beautiful and productive lands. Present policies governing beach erosion must be expanded to bring them into line with the policies governing the elements of other civil works programs.

Congress recognized the need for the expanding legislation last session when it adopted Public Law 90–483. Section 106(a) of this law authorizes the Chief of Engineers, Department of the Army, to determine where in the United States there exists significant erosion; to determine those areas where the erosion so threatens the economic, industrial, recreational, and agricultural factors as to justify assistance; and to determine priorities which are to be reported to Congress.

Although this study has been authorized by Congress, the study is not intended to preclude consideration of changes in general beach erosion and shore protection erosion if sufficient need can be shown to currently exist.

In hearings before the House Committee on Public Work's Subcommittee on Rivers and Harbors last session on a bill entitled "Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes," considerable evidence was presented that cast light upon the inadequacy of existing shore protection authority. A report submitted by the Secretary of the Army in response to section 314 of the Rivers and Harbors Act of 1965, and printed as Senate Document No. 10, 90th Congress, revealed that accomplishments under existing law are insignificant, relative to the magnitude of the great losses which the Nation is sustaining as a result of erosion.

The committee concluded in its report, House Document 1709, 90th Congress:

> The present legislative base for the Federal shore protection program should be reviewed.

The report continued:

> Accordingly, the committee plans to schedule hearings next year with a view to determining the adequacy of shore protection legislation, and of the program being carried out thereunder.

Mr. Speaker, last week one of my staff assistants went to the offices of many Members of the House whose districts border the Great Lakes. He found that the situation which exists in my district is causing havoc throughout the entire region. The Great Lakes are being threatened now and we cannot wait for a study to be completed by the Corps of Engineers in 1972, with corrective legislation to be made in the middle 1970's. By that time, irremediable damage will have been caused.

We in this great deliberative body have a responsibility to this Nation, to the preservation of our lands, and to the protection of our waterways from contamination and sedimentation. We must not sit idly by when there exists a situation as serious as shore erosion is today.

Mr. Speaker, I am committed to this legislation and to the protection of our shorelines. I am convinced that the situation which exists around Lake Michigan alone would require the enactment of this legislation. I welcome the support of the cosponsors of this bill, and invite those Members who have been faced with the same problem to join me in support.

It is my express hope that the Public Works Committee, of which I am a member, can see the need for this legislation; recognize the support that it has in this Nation; and open hearings on this measure in time to bring succor to those areas presently threatened with destruction.

EXTENSION OF THE TAX SURCHARGE

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

Mr. PUCINSKI. Mr. Speaker, the other body has indicated that the surtax bill which was passed by this House will not be reported out for at least 2 or 3 months, until the Senate has had a chance to insert some tax-reform proposals on to that bill.

This would mean that when the bill comes back to the House, our only vote on tax reform would be a vote on the conference report itself and would deny Members of the House their constitutional right to participate in writing a tax bill.

I believe the other body ought to be reminded, that any attempt to bypass the House in this manner will be met with the strongest resistance in this Chamber.

I should like to take this opportunity to also remind the other body that when we extended withholding of the surtax for 30 days, we did it on a voice vote. No rollcall was asked for. That 30-day extension expires at the end of this month.

If there is an undue delay by the Senate in reporting the bill back here in order to tack reform amendments in the other body thus denying the House a meaningful chance to draft its own version of tax reform, we shall do everything possible to block any further extension when such a resolution is presented in the House at the end of July. It would be my judgment that the chances of such a resolution being defeated would be very good, when we consider the surtax extension carried by only five votes in this Chamber.

Those in the other body who believe they can deny the House its constitutional right to initiate its own tax legislation had better think twice before they try that maneuver.

I would suggest the other body move on the surtax and leave tax reform as a separate item.

Members of this House should be made aware that if the Senate tacks tax reform to the House-passed surtax bill and sends it to the House for approval, many of us who voted against the surtax will be compelled to consider voting for the Senate version because it may be the only vote we will have on tax reform in this Congress. We must not let the other body put us in this posture. I want the House to consider its own tax-reform package because I hope we will be able to increase dependents exemption beyond the present $600 per dependent. There are other reforms I shall support and I have no reason to believe the Senate will include them in their bill.

AMENDING THE CONSTITUTION TO ALLOW PRAYER AND BIBLE READING IN PUBLIC SCHOOLS

The SPEAKER. Under a previous order of the House, the Chair recognizes the gentleman from Connecticut (Mr. MESKILL) for 60 minutes.

Mr. MESKILL. Mr. Speaker, the gentleman from Pennsylvania, Congressman DENT, and I have joined together today in a request for a special order to permit Members of Congress to address the House of Representatives on legislation designed to amend the Constitution to allow prayers and Bible reading in public schools and other public places. From my mail and in talking to people back home in the Sixth District in Connecticut, I have come to the unmistakable conclusion that people are sincerely frustrated and distressed by the Supreme Court's decisions excluding all prayers and Bible reading from our public schools.

My objective in calling for this special order today is to provide a forum for Members of Congress to express their sentiments, and those of their constituents, on a matter of concern to a great many of us. Today, in our sophisticated world, I am sometimes appalled by our lack of perspective. So often, it seems, we find ourselves unable to see the forest for the trees. So it is, I think, with this question of religious observance in our public schools. What was originally intended to define and clarify the first amendment has become a precedent-setting example of the Supreme Court's

willingness to interpret the U.S. Constitution to its own satisfaction.

The first amendment states:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

But it does not banish religion or belief in a supreme being. America has had a long history of religious influence. Not only has it been a part of our social and cultural development, religion has played a role in our political history as well. Today, when more than ever before, we need to restore our faith in a being other than ourselves, we find that the Court has outlawed even the voluntary recitation of prayers or the reading of the Biblical Scriptures in a clear case of defying the will of the majority.

That is why I should like to speak briefly this afternoon in support of House Joint Resolution 455, a resolution to amend the Constitution, introduced by myself and my colleague and good friend from the neighboring Fourth District of Connecticut (Mr. WEICKER). House Joint Resolution 455 proposes a constitutional amendment to permit voluntary prayers and Bible reading in public schools and other public places, and it would preserve the authority of this Government, and all other governments in the United States, to publicly acknowledge belief in God or a supreme being. It deems that nothing in our Constitution shall be construed to "prohibit the offering, reading from, or listening to prayers or Biblical Scriptures, if participation therein is on a voluntary basis, in any governmental or public school, instruction, or place."

Ten years ago such a resolution would have been unnecessary. In fact, it would have been unthinkable. But the years since 1959 have seen a series of cases decided by the U.S. Supreme Court which have outlawed prayers and Bible reading from our public schools.

In 1962, the Supreme Court startled the people of this country by deciding in *Engel* v. *Vitale*, 370 U.S. 421, that even nondenominational prayers offered in public schools during regular school hours were a violation of the first amendment of the Constitution. Overnight, practices that had been a well established and highly valued part of the educational process in many parts of the country became illegal. A year later, expression of religious belief in schools was even further curtailed when the Court, delivering the opinion in the case of *Abington School District* v. *Schemp*, 374 U.S. 203, held that the Bible reading in public schools also violated the first amendment.

The effect of these two cases combined with subsequent cases was to bar religious expression, even voluntary religious expression, from our public schools. States and localities which had put a high value on religious expression as an important element in the total scope of their educational program bypassing laws suggesting or requiring some sort of religious observance in public schools, suddenly found that their concern for their children's spiritual development had run aground on the bar of constitutional prohibition as interpreted by the Supreme Court.

Cases subsequent to the two parent cases, Engel and Schemp, following the lead of the original decisions, declared that voluntary recitation of the simple verse—

We thank you for the world so sweet;
We thank you for the food we eat;
We thank you for the birds that sing;
We thank you for everything.

Is unconstitutional. By any reasonable standards short of the absurd, this could hardly be interpreted to represent a case of "establishment" or the interference with "the free exercise of" religion.

However, I am afraid that no matter how erroneous the Supreme Court's decisions may appear as a matter of constitutional construction, it does not help the rule of law or protect the respect we must have for justice to castigate, demean, or defy the holdings of the Court. Respect for our laws and for our judicial process is too important for that kind of irresponsible rhetoric. I need not remind you that the Court has made its decisions, and those decisions now have the force and authority of the law of the land. No amount of mere oratory will change the situation.

However, if we believe that the effect of the Court's decision is detrimental to the welfare and development of our children and our values, it is up to Congress, in this case, to initiate constitutional revision. That is why I have introduced House Joint Resolution 455. This resolution proposes a constitutional amendment which will once more permit religion to be a part of the educational life of our children, if they and their parents so desire.

The language of the resolution is simple. The language is not complicated because its intended purpose is not complicated. All that it does is to provide that the establishment and free exercise clauses of the first amendment do not forbid voluntary prayers or Bible readings in public schools, or other public places. The first amendment is not rescinded, or even changed. All that will happen is that the Constitution of the United States will declare that voluntary prayers and Bible reading in public schools and other public places are not activities forbidden under the first amendment. Thus, the judgment of the Supreme Court on the constitutionality of voluntary religious observances under the first amendment will be supplanted by a clear statement in the Constitution itself, reflecting the wishes of the people of this Nation.

House Joint Resolution 455 does not merely limit itself to prayers and Bible readings in public places, though. It anticipates further action by the Court. In view of the position taken by the Supreme Court in the past in interpreting the first amendment, it seemed wise to include certain situations which have not specifically come under the scrutiny of the Court. Therefore, section 2 of the resolution provides:

Nothing in this Constitution shall be deemed to prohibit making references to belief in, reliance upon, or invoking the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony, school institution, or place, or upon any coinage, currency, or obligation of the United States.

I am certain that every Member of this House is aware of the speculation that has gone on concerning the constitutionality of certain religious practices carried on by our Government. These practices range from our astronauts reading from the Book of Genesis while in outer space to the opening of the Supreme Court each day with the phrase, "God save the United States and this honorable Court." The phrase "under God" in the Pledge of Allegiance has been questioned, and there is doubt in some people's minds whether our coinage can legally bear the motto "In God we trust." And Mr. Speaker, what could the Court say about the inscription directly above the Speaker's rostrum here in the House which reads, "In God We Trust"?

It is true that the Supreme Court has not declared any of these practices unconstitutional yet, but one can only speculate how the Court would decide if such a case as one of these were brought before it. Therefore, I submit that while we are defining certain activities as not being prohibited by the first amendment, we should include these religious practices carried on by our Government, as well.

Mr. GERALD R. FORD. Mr. Speaker, you will remember that when the Supreme Court in 1963 announced its decision that use of the Bible and the Lord's Prayer in schools was unconstitutional, Justice Potter Stewart filed a dissenting opinion. It has always seemed to me that the views of Justice Stewart are far better law and public policy than the decision of the majority.

In the newsletter to my constituents for June 26, 1963, I said:

The action of the Supreme Court in declaring unconstitutional a state requirement that the Bible be read and the Lord's Prayer recited was not unexpected. But this does not make it right. I strongly disapprove of the majority decision which in effect is a backward step in the development of those principles which have contributed so much to our nation.

Although the Bible was to be read without comment, and in the Pennsylvania case Protestant and Catholic versions as well as the Jewish Holy Scriptures have been used, and although participation by students was voluntary and the parents involved had not availed themselves of the opportunity to have their children excused, nor had they proved that being excused would have injured the students—yet the Court struck down the State laws as unconstitutional under the first amendment. It is significant that one Justice consumed 77 pages to tell why he concurred in the 23-page decision of the Court.

Justice Potter Stewart disagreed with his eight colleagues and wrote a 13-page dissent. His opinion is eminently sound and recognizes the need for the broad view if our children are to have the most comprehensive educational experience.

Fully agreeing with the majority that the government must be neutral in the sphere of religion, Justice Stewart wrote: ". . . A compulsory state educational system so structures a child's life that if religious exercises are held to be an impermissible activity in schools, religion is placed at an artificial and state-created disadvantage. Viewed in this light, permission of such exercises for those who want them is necessary if the schools are truly to be neutral

in the matter of religion. And a refusal to permit religious exercises thus is seen, not as the realization of state neutrality, but rather as the establishment of a religion of secularism, or at least, as government support of the beliefs of those who think that religious exercises should be conducted only in private." The effect of the Court's decision is to grant to a small minority power which it would not possess as the majority. This hardly seems consistent with broad constitutional principles. I will support a resolution to submit to the state legislatures a constitutional amendment to overrule this decision of the Court.

I also would like to quote the last paragraph of Justice Stewart's opinion. He said:

What our Constitution indispensably protects is the freedom of each of us, be he Jew or Agnostic, Christian or Atheist, Buddhist or Freethinker, to believe or disbelieve, to worship or not worship, to pray or keep silent, according to his own conscience, uncoerced and unrestrained by government. It is conceivable that these school boards, or even all school boards, might eventually find it impossible to administer a system of religious exercises during school hours in such a way as to meet this constitutional standard—in such a way as completely to free from any kind of official coercion those who do not affirmatively want to participate. But I think we must not assume that school boards so lack the qualities of inventiveness and good will as to make impossible the achievement of that goal.

It does seem to me that our local boards of education do possess the ability to determine what type of religious exercises, if any, should be conducted in the public schools of our country. It seems to me that we should leave this matter to the local authorities rather than to hold unconstitutional for the entire Nation the use of voluntary religious exercises.

As you know, during the 88th Congress legislation was introduced providing for a constitutional amendment overruling the decision of the Supreme Court. When the Committee on the Judiciary appeared to be taking no action on this legislation, a discharge petition to bring the matter to the floor of the House was presented and I signed that petition. However, the Committee on the Judiciary then did hold long and extensive hearings on the subject, hearings which fill three heavy volumes. At the end of the hearings no further action was taken.

The committee took no action to approve the constitutional amendment largely because many of the religious leaders, including some from the orthodox, conservative denominations, endorsed the decision of the Supreme Court and opposed the constitutional amendment.

I can only conclude, therefore, that until the church leaders of our country solidify their positions, it is going to be extremely difficult to obtain a constitutional amendment overriding the decision of the Court.

Mr. DENT. Mr. Speaker, I am pleased to rise today, in association with my distinguished colleague from Connecticut (Mr. MESKILL) and many other colleagues, in support of a matter which has been of great concern to me for several years.

The problem which we are discussing today, that of whether or not our children should be permitted to pray in school, has been created by several, I think wrongly decided, court decisions during the past decade. These cases, with one exception, were carried to the Supreme Court, and that body of men decreed that our age-old practice of remembering God for a few minutes each morning in the classroom was a violation of the first amendment of the Constitution.

For the past several Congresses, I have sponsored an amendment to the Constitution to remedy the ills created by these decisions, and have strongly urged its passage. The amendment reads:

SECTION 1. Nothing contained in this Constitution shall prohibit the authority administering any school, school system, educational institution, or other public building supported in whole or in part through the expenditure of public funds from providing for or permitting the voluntary participation by students or others in prayer. Nothing contained in this article shall authorize any such authority to prescribe the form or content of any prayer.

Briefly, I would like to sketch for my colleagues the historic opinions handed down by the Court that made me see the great need for this amendment. Four cases in particular are the most important in this regard.

In June 1962 what has come to be called the Regents Prayer case, *Engel* v. *Vitale* (370 U.S. 421), was appealed to the Supreme Court. This simple prayer, "Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country," composed by the New York State Board of Regents, was recited daily in all New York classrooms.

The Court held this prayer to be a violation of the "establishment clause" of the first amendment, and therefore unconstitutional.

During the 1962 fall term of the Supreme Court two cases that really sealed the fate of prayer in the schools were brought before the Bench. The decision in *Abington School District (Pennsylvania)* v. *Schemp* (371 U.S. 203) removed the practice of reading 10 verses of the Bible at the opening of each school day. And the opinion handed down in *Murray* v. *Curlett* (374 U.S. 203) nullified the practice of reciting the Lord's Prayer in our Nation's schools.

One case that was denied review by our highest Court, *Sein* v. *Oshinsky* (348 F. 2d 999, 1965), upheld the prohibition against kindergarten children's recitation of a short prayer before eating their milk and cookies.

To me, Mr. Speaker, these decisions signal an increasing secularization of our democratic society, which was built on the principle of a belief in God, and our dependence on Him for our continued existence. As Thomas Jefferson so aptly stated:

God who gave us life, gave us liberty. Can the liberties of a nation be secure when we have removed the conviction that these liberties are the gift of God?

Religion has long been the moral basis for a democratic society. If we let these decisions of the Court stand, what additional attempts to have God removed from our national life can we expect? In his concurring opinion in the Engel case, Justice William O. Douglas spelled out some areas in which the right to believe in God is still acknowledged and permitted to be practiced. Douglas held that such practices as chaplains for our legislatures, Armed Forces, and prisons; chapels at U.S. service academies; references to God in oaths of office, at the opening of legislative sessions and court convenings; on coins and currency; and in patriotic songs and the Pledge of Allegiance to the flag are all unconstitutional by virtue of his interpretation of the "establishment clause" of the first amendment.

My interpretation of the "establishment clause" is that our Founding Fathers wanted to prevent the possibility of one religion being favored over another in our country. I do not agree with Justice Black's statement that Government must remain "neutral" on the question of religion. Religion was one of the reasons our forebearers came to this land, and is one of the principles upon which it was founded.

Thus, Mr. Speaker, I find it imperative to secure these traditions for our Nation. I feel the enactment of an amendment to the Constitution to permit voluntary prayer in our schools will go a long way in spelling out the right to continue these traditions.

In addition to the need to halt the trend toward the secularization of our society, this amendment is needed to clarify just what is permitted or prohibited in the way of public prayer. The Supreme Court decisions have been interpreted in more different ways than one can count. Some school districts have read the decisions in such a way that compelled them to remove all prayer and time for it from the daily schedules; some have set aside periods of meditation for their students; still others have insisted by rule or by statute, that prayer or Bible reading must be practiced every morning. The amendment I propose states that "nothing in the Constitution shall prohibit the voluntary participation of students or others in prayer." It is as simple as that.

We are not trying to coerce anyone into praying. What we are proposing is that prayer is permitted for those who wish to do so. It spells out the right of people to pray if they so desire, where they so desire, and when they so desire, if it is done in a manner which does not violate the rights of those who do not wish to pray. Each school district would thereby be informed that prayer is permitted; they can then decide how this will be done.

As Justice Potter Stewart commented in his dissenting opinion in the Schemp and Murray cases, the people who desire that the school day be opened with prayer have a claim against the State for not being permitted the free exercise of their beliefs. This amendment will permit the free exercise of those beliefs.

Mr. Speaker, let us get back on the right track. Let us interpret our Constitution the way it was written. If the framers of that document intended that we not pray

or recognize God in any form, they would have written it that way. Let us stop this trend toward a godless society. As Richard Cardinal McIntire of Los Angeles remarked after the antiprayer and Bible decisions were revealed, this ruling is an "imitation of Soviet philosophy, Soviet materialism, and Soviet regimented liberty." If we let these decisions stand and possible procreate, can we expect anything else to be the case?

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

Mr. MESKILL. I am happy to yield to the gentleman from Indiana.

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

I want to commend the gentleman and those associated with him for bringing this matter so forcibly and well to the attention of the House. It certainly is a matter which deserves our best support, and I am pleased to say to the gentleman that it will have mine. As a matter of fact, I have introduced House Joint Resolution 305, which also proposes a prayer amendment to the Constitution. Hopefully, action can be taken this session, which will allow voluntary participation in the saying of prayers in public places.

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

Mr. MESKILL. I am delighted to yield to the gentleman from Mississippi (Mr. MONTGOMERY).

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

I also would like to associate myself with the remarks of the gentleman from Connecticut (Mr. MESKILL). I thought they were timely, they were well chosen, and I certainly pledge to the gentleman in the well my support of this resolution.

I introduced a similar resolution last year, as did numerous other Congressmen. I feel very strongly that schoolchildren or other persons gathered in a public place should be allowed to pray on a voluntary basis. I certainly would not require those who do not wish to participate to do so since this would be an abridgment of their constitutional rights. But, by the same token, I do believe those persons who wish to participate in religious ceremonies in public buildings should be allowed to do so. To deny them this right is to deny them their rights to freedom of religion supposedly guaranteed under the Constitution. Religious morals and the belief in a Supreme Being played an important role in the founding of our great Nation and I think they should continue to do so.

Mr. Speaker, I would like to ask the gentleman from Connecticut what chances he thinks the resolution will have, and what action will be taken, and how Members can help.

Mr. MESKILL. Mr. Speaker, I would respond to the gentleman in this way, by saying I shall do everything I can, I think a number of Members who have cosponsored recommendations similar to House Joint Resolution 455 should write letters to the Chairman of the Committee on the Judiciary asking for a public hearing on this bill. I know this matter has had public hearings in past Congresses, but I believe if we could get another public hearing and present more support for this bill it would help. I believe this is the best thing we can do to encourage passage of this much-needed constitutional change.

Mr. MONTGOMERY. I thank the gentleman.

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

Mr. MESKILL. I am happy to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding, and I want to join the gentleman in the well and the others who have spoken about and in commendation of the gentleman from Connecticut for bringing this subject to the floor of the House, and to the people of the United States. With his keen legal mind, and as a Representative from the State of Connecticut, he has done a real service in showing the other side of the coin. Just as the coin with "freedom" on one side and "responsibility" on the other side seldom lights on its edge whereon "privilege" is written, so must there be another side than the irresponsible side, regardless of the finding of a misled Supreme Court.

Perhaps, being a nonlawyer in the Congress, I do not have the respect for those senile gentlemen of the Court that the law bar association likes to hold for them. Be that as it may, I have been a sponsor of a bill similar to that which the gentleman has espoused in the well of the House today, for the last four Congresses.

I would like to say, in addition, that the answer to the question posed by the gentleman to the Chair about what would happen to the 8-inch-high letters "In God We Trust" above the Speaker's dais, can be answered by me, having been here, and one of those who was partially responsible for them being placed there soon after the infamous decision of the so-called High Tribunal as reaction and riposte to the dietum; and I think they will stay there ad infinitum, as long as this Capitol stands.

The reason I believe this so strongly is because I think I sense the feeling of the people of the United States about the Judeo-Christian religion and its underpinning and founding of this representative Republic under a limited constitution.

The beauty of that Constitution is that it can be changed and made different in three ways on occasion of need, by balloting instead of bulleting.

I would say this inscription and others regardless of the findings or legislative decrees by the Court will persist as long as there is a coequal legislative branch that does believe in the principle of sovereignty of the three branches of Government.

In fact, I would predict that if anybody tries to decree that the legislative branch with reference to the saying "In God We Trust" should come down from our own Hall, we will tell them the same thing that the Congress told the Supreme Court under Chief Justice John Marshall years ago:

> You have interpreted the law—now enforce it.

This could come about and if they tried to make us take down "In God We Trust" over our Speaker's dais, I am sure this legislative body would tell them to come over here and try to enforce it.

This is as it should be with our coequal branches of Government. As the people's representatives we should probably tell them this more often than we do, certainly in specific and well-known instances.

With this background I want to reassert again, I am certainly in favor of the proper processes of amending the Constitution so that we can have voluntary prayers at any time and at any place in this Nation that any group wants to call for prayer to our Supreme Being. I thank the gentleman for his efforts here today.

Mr. MESKILL. I thank the gentleman for his words and for his very serious remarks and the background which he furnished concerning the inscription which appears over the Speaker's dais.

I think many people do not know the story of it.

I was not aware of the time of the inscription being placed there. I think it is of great significance and I certainly appreciate the remarks of the gentleman from Missouri in bringing this to the attention of the House and to the attention of the people of the United States.

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

Mr. MESKILL. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. Mr. Speaker, I want to associate myself with the distinguished gentleman from Connecticut and his remarks in connection with his and other similar legislation designed to restore the right to voluntary prayer and Bible reading in our public schools and other public places.

For a number of years now, I, too, have introduced legislation which, if enacted, would provide for a proper amendment to the Constitution of the United States.

I want to commend the gentleman for reviewing the Court opinions on this subject and bringing them up to date. I hope our entire House membership will read what he has had to say. If we cannot get action on your resolution or any other appropriate resolution on this subject by the House Judiciary Committee, then I think we should start another drive for a discharge petition. In any event, I want to assure the gentleman of my support and continued efforts toward the goal he is seeking.

During this discussion, I think it is appropriate to point out that today, July 9, in the traditional calendar of saints, is the feast day of Thomas More, scholar and humanist, lawyer and counselor, man of affairs and man of deep faith in God. We might take as our motto on the occasion of this discussion his own simple yet profound prayer:

> The things, good Lord, that we pray for, give us Thy grace to labor for.

By these words he defined the true meaning of genuine prayer as a disposition of the heart which works its way on the will and is translated into daily life. In this sense, prayer may be said to underlie all our actions as the source of strength, inspiration, and renewal that comes from fellowship with the divine.

It is this which we seek for our Nation as for ourselves.

The voluntary character of religion in America has been noted and praised by many observers and contrasted with other patterns elsewhere in the world where religious allegiance has employed the coercive power of the state to establish uniformity or to forbid dissent. In urging the rightful claim of prayer in our public schools, we in no way repudiate this voluntaristic principle. Rather, we seek simply to acknowledge the deeply religious foundation of our national life, in keeping with hallowed precedent and tradition.

In these days of turmoil and anxiety, much that we cherish seems endangered. In response to what many among us see as a time of crisis for our people, we would associate ourselves with the moving words recently written by a woman who is at 81 perhaps the greatest musical mind in the world today—Madame Nadia Boulanger:

> One feels strongly that (in our poor, troubled world) some essential values cannot be defeated. And one is guided by an inner certitude and love.

It is these essential values, embodied in the custom of prayer, which we would preserve and maintain in the conviction that we may become more aware of the unchangeable background of all life—the reality of God.

Inside the north entry of St. Paul's Cathedral in London there is a brief inscription:

> Si Monumentum requiris, circumspice (If you would seek his monument, look about you).

The reference is to the architect, Sir Christopher Wren. So may it be that due to the renewing power of faith symbolized by our prayers and set forth in the imperishable legacy of the Judaeo-Christian Scriptures, we may come to point with pride to our Nation and to our people, saying: If you would see their monument, look about you.

May our own prayers and the renewing power of our own faith prompt us to work just a little harder to get this Congress to take the kind of action which together we are seeking today.

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

Mr. MESKILL. I am happy to yield to my colleague, the gentleman from Alabama.

Mr. FLOWERS. Mr. Speaker, I thank my colleague of the Committee on the Judiciary for taking this time and thank him for yielding to me. I am also sponsoring legislation proposing an amendment to the Constitution and allowing a return of voluntary prayer and Bible reading to our public schools and other public buildings.

Ours has always been a religious nation deriving her greatness through collective reliance on the Supreme Being. We can be thankful that the leadership of this Nation has historically embraced this reliance and set examples for the rest of our people. Our Presidents from Washington to Nixon have looked to God for strength and guidance. Both great Houses of Congress open each day's business with prayer, and are attended by Chaplains for the spiritual guidance of the Members. The Supreme Court opens its sessions with a plea for God's help. The oath taken by all members of the legislative, executive, and judicial branches of Government concludes with the traditional words, "so help me God." The sustaining faith of this Nation and its citizens is perhaps best expressed in the simple phrase contained on our coins and currency, "In God We Trust." I am particularly proud that an inscription of this great truth appears above the Speaker's chair in this Chamber.

This same Supreme Court, which opens its sessions with the words, "God save the United States and the Supreme Court," has recently said to our children, the hope for this Nation's future, "you may no longer pray or express your devotion to a Supreme Being while attending public school."

Mr. Speaker, history teaches us many things—if we are only willing to learn. But one principle that has been stated over and over again throughout the annals of time is that a great nation cannot turn her face away from God without losing her greatness. In this time of enormous pressures and complexities in all of our lives, we desperately need more divine guidance as individual citizens and as the most powerful nation on earth.

I support the doctrine of separation of church and state as contained in the Constitution and am also mindful of the words of Christ when he said to the Pharisees:

> Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's.

But we are not dealing here with the question of the separation of church and state; we are dealing with a problem created by a decision of the Supreme Court which forbids the rendering to the Lord that which is His own. Therefore, I earnestly urge the speedy consideration of legislation which has been referred to as the "prayer amendment" and which will allow the return of voluntary prayer and Bible reading to our schools and other public places.

Mr. MESKILL. I thank the gentleman for his contribution.

Mr. WEICKER. Mr. Speaker, I am proud to follow the lead of my friend and colleague, TOM MESKILL, in cosponsoring House Joint Resolution 455.

During the past several years, there has been a concerted effort to accentuate the technical in our laws, while trying to obscure the fundamental reasons for our present greatness as a nation.

I do not believe that the United States of America could have ever achieved its present position in the world were it not for the belief of its people in a supreme being. Certainly, there had to be on occasion after occasion, an "added ingredient" other than our numbers which enabled us to prevail in the face of what must have seemed at any given time as insurmountable odds. In this regard, I am not only referring to our victories on the battlefield, but also our victories in attaining a better life for our citizens in what historically can be categorized as an extraordinarily short period of time. I attribute our good fortune as a nation as much to religion—all religions—as I do to the laws that have been conceived by men.

To me it is no coincidence that as we have drawn farther away from accepting the viability of God's word as applied to daily problems, we have also lost much of our idealism and that national programs have emphasized the negative rather than the positive.

I hope we, as a nation, will always live the dreams of a brave, idealistic nation whose citizens are dedicated to making God's word a reality in today's universe.

Mr. ARENDS. Mr. Speaker, June 25, 1962, was a dark and foreboding day for the free people of this great country of ours. This was the day that the U.S. Supreme Court handed down the first of a series of decisions which prohibit prayer in our public schools.

Since that grievous day many of us have sought to secure the passage of an appropriate resolution to eliminate this prohibition by amending the Constitution. Literally hundreds of such resolutions have been introduced beginning with the 87th Congress and each succeeding Congress, including this 91st. But they have languished in the House Committee on the Judiciary, and we have never had opportunity to vote on the proposition.

Given this opportunity, I am confident that the House would adopt the proposed constitutional amendment by more than the required two-thirds majority. I am also confident that if the people themselves were given the opportunity to vote on the proposition the amendment would be readily ratified by three-fourths of the States.

I am not unmindful that this matter came before the Senate for a vote on September 21, 1966, in the form of the Dirksen amendment. The vote was 49 yea and 37 nay. While it failed of adoption, not having the two-thirds majority required for a constitutional amendment, a significant majority of 12 favored it.

That was almost 3 years ago. There has since been a moral awakening throughout the country. From the disunity among our people, the unrest and the strife, there has come a realization of a national spiritual need. In the final analysis, a nation is no stronger than the moral fiber of its people.

It is out of appreciation of this all-important fact, and that our future as a Nation depends upon our children, that we are joined here in this effort to bring about an amendment to the Constitution that there may be voluntary prayers in our schools. We seek to return to the teachings of our fathers.

Voluntary prayer in our public schools has no more relationship to the constitutional prohibition against the "establishment of a religion" than the singing of our national anthem which contains a reference to "God" or the recital of our Pledge of Allegiance with its reference to "this Nation under God." Indeed, as a Nation we have prided ourselves in being a God-fearing people. Recognition of dependence on a Supreme Being has been a basic element in our moral fiber.

The Supreme Court's decision was

wrong. It has been having a greater impact on our national life than we presently realize. It has been having an erosive effect on our moral fiber as a God-fearing, law-abiding people. It must be changed, and I join with my colleagues who have spoken here today in a determined effort to make it possible for our citizens of the future to learn the value of prayer in everyday living.

Mr. WAGGONNER. Mr. Speaker, I appreciate this opportunity to discuss for the RECORD the proposition that our children should be permitted to participate in voluntary prayers in our public schools. This is no new subject with me nor one I have had to do lengthy research to prepare myself to discuss. I first introduced a bill to permit voluntary recitation of prayers in our public schools a few days after the Supreme Court, under Earl Warren, took that right away from us back in 1963.

Like so many Americans, I was then and still am genuinely disturbed over this issue and, while it might be politically expedient to avoid the subject and take no part in the contest of views, my conscience would not permit me to do so then and it will not permit me to do so now.

The Supreme Court's attack on the first amendment to the Constitution has created as much confusion among the people as any set of decisions in modern times. Many well-meaning churchmen, church groups, ministers, and laymen are misled into thinking the controversy concerns only prayers in public schools. This is not the case at all.

These same churchmen, church groups, ministers, and laymen are misled into thinking that Congress is attempting to destroy the protection of the first amendment to the Constitution. This is not the case at all.

The truth is: The Supreme Court has already laid the groundwork with which that protection will ultimately be destroyed. What Congress is attempting to do is restore that protection.

The truth is: By itself, the prayers-in-schools issue is important because it signals the further attack on religion in the United States.

I know of no Member of the Congress who wants to tamper with the pure perfection of the first amendment to the Constitution. Certainly, I do not. This is what the first amendment says on the subject of religion:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof * * *.

I know of no way religious freedom could be given the people in clearer language. I know of few other instances in all history when so few words guaranteed so much to so many.

But, the Supreme Court has jeopardized the protection of this amendment and some action must be taken to reinstate it. It is not enough to say: "Hands off. Do not tamper with the first amendment." The first amendment has already been tampered with by the Supreme Court—and this is only the beginning.

Let us examine the Supreme Court case which, for the first time, took the Nation on a sharp turn to the left as far as religion is concerned. It is not the 1962 prayer-in-public-schools case in Engle against Vitale, but in the case of Everson against Board of Education in 1947. The philosophy expressed during this case is the heart of the controversy, not in the more recent prayer cases.

I would like to call attention to those words in the majority opinion which changed the interpretation of the first amendment from what it had always been and added a new dimension to it that the framers of the Constitution and the authors of the first amendment never dreamed of. Pay particular attention to this statement, if you will:

> The "establishment of religion" clause of the first amendment means at least this: neither a State nor the Federal Government can set up a church.
>
> Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another.

Notice how the first amendment has suddenly been made to say:

> Neither can pass laws which aid . . . all religions.

Of course the first amendment says no such thing. It obviously says that neither can "aid one religion" nor "prefer one religion over another," but it does not in anywise say that neither can "aid all religions."

Another way in which additional language was written into the first amendment by the Court appears a little later on.

At 330 U.S. 15–16, we find this statement:

> No tax in any amount, large or small, can be levied to support any religious activities.

Even in the dissenting opinion, this same philosophy was repeated by Mr. Justice Rutledge when he described his concept of the first amendment in these words:

> It was to create a complete and permanent separation of the spheres of religious and civil authority by comprehensively forbidding every form of public aid or support for religion.

And, further on in his opinion:

> The amendment forbids any appropriation, large or small, from public funds to aid or support any and all religious exercises.

Prior to the Everson case in 1947, it was understood by all that the first amendment meant that the U.S. Government could not establish a Federal or national religion or select one particular denomination as the Federal or national religion of this country. It was understood to mean that the Federal Government could not aid one particular denomination or prefer one over the other. It was also understood by all that the Federal Government could not prohibit the free exercise of religion.

It was with this understanding that the people went their separate ways, each worshipping in the way he chose, or not worshipping if he so chose, while the Federal Government gave aid and protection to all religions with complete impartiality. This was an interpretation of the first amendment which no one doubted and to which all adhered.

With the Everson case, the Supreme Court destroyed this interpretation of the first amendment by stating:

> The Federal Government could not aid all religions impartially * * * could not take any step whatsoever, no matter how small, which would further religion in the United States.

This is the philosophy which is the direct cause of the current controversy and it is this philosophy which I feel must be changed if the first amendment is to be restored to its former meaning.

Under the Everson philosophy that the Federal Government could not aid all religions impartially or spend any tax funds which would promote religion, it brings into serious doubt if any of these traditional activities of the Government, among others, are any longer constitutional:

For example, the employment of chaplains in the military service—

The motto of the United States, "In God We Trust";

The words, "under God" in the Pledge of Allegiance;

The tax exemptions enjoyed by all churches;

Tax deductible contributions by anyone to any church;

The Prayer Room in the House of Representatives;

Fire and police protection for church property;

Thanksgiving Day as a national holiday;

Baccalaureate services in public schools;

Observance of Christmas and Easter in public institutions;

Prayers during ceremonies or meetings of any public body.

These are but a few ways in which the Federal Government aids all religions and religion itself. There are many, many more. If the Everson philosophy is followed, each of these practices must and will fall when a case involving them finally comes before the Supreme Court.

The handwriting is already on the wall. Mr. Justice Brennan has said: "the regular use of public school property for religious activities" such as the erection of a nativity scene, may be unconstitutional—374 U.S. at 298. In fact, Justice Brennan's assertion "that morning devotional exercises in any form are constitutionally invalid" compels the conclusion that schoolchildren cannot even think a prayer unless the period of silent thought is called something other than "devotional."

Mr. Justice Brennan has also said that the reference to God in the "Pledge of Allegiance" may merely recognize the historical fact that our Nation was believed to have been founded "under God"—374 U.S. 222. He similarly dismisses any idea that the Nation's motto, "In God We Trust," has any religious meaning. This, to me, says that as long as we are paying homage to old superstitions and traditions, it is constitutionally permitted. If, however, we take it seriously, then it would be unconstitutional.

Mr. Justice Douglas says:

> A fastidious atheist or agnostic could even object to the supplication with which the Court opens each session: "God save the United States and this Honorable Court" (343 U.S. 312–313).

I do not believe the people of the United States, no matter what their particular denomination, want this Nation to carry its official position of "no position" to this extreme. Any man who has reduced his mind to the point where he has "no position" on any subject, is little more than a vegetable. A nation is no different. A godless nation is not a neutral nation. It is one which has taken a position against God and, I submit, this is the wrong decision. It is one we must not take.

Any person or group which takes the position today that Congress should do nothing to reestablish the first amendment will have no cause to complain when any or all of the practices I mentioned earlier are systematically struck down one by one by the Supreme Court. The Everson philosophy underlies the prayers-in-schools decision and it will be the same philosophy the Court will use when they make all future decisions.

This, then, is what the controversy is all about; not merely whether or not children can be permitted to join in voluntary prayers in school, but the question of the Federal Government's attitude toward the existence of a Supreme Being. The Supreme Court has not taken the view of the believer who says, "Yes, there is a Supreme Being." It has not taken the view of the atheist who says, "No, there is not." It has not even taken the position of the agnostic who says, "I do not know."

The Supreme Court has said that the official position of this country is one of suspended judgment on the question of His existence.

It has been held by some that Congress need only to withdraw from the Supreme Court its appellate jurisdiction in cases involving religion.

This, they claim, will take away from the Supreme Court the right to rule in religious cases and thus, no amendment would be needed. This is a possible solution but as a practical matter, I doubt that it can be done. The principal arguments against such action are first, although this would hamstring the Supreme Court it would not stop lower courts from making the same decisions, and second, it would not strike down the Everson decision and others already made.

There are also some who want to take no action to stop the Court in the hope that it will abandon the Everson philosophy when it is seen how unpopular it is. I can find nothing in the record of the present Court to indicate it is likely to change. As a matter of fact, the Everson philosophy is in perfect accord with the Court's social ideologies and its general trend toward socialism. I believe the Court went to great lengths to establish firmly the Everson philosophy for the sole purpose of using its language as a springboard for all future decisions on any cases involving religion.

There are those who say that Congress is concerned over what the Supreme Court did in the prayer cases because of pressure from religious fanatics and those who do not understand what the Court has done. This is a totally unfair statement. Few Americans would want Congress to be unconcerned over so grave an issue. It would be far easier, from a political point of view, for Members of Congress to ignore the controversy and take no part in it. Those of us who are concerned are reacting to only one pressure: our consciences. Evangelist Billy Graham spoke of his concern when he said:

> What we have seen is only the beginning of what we face. If there is a movement by a small minority to remove the idea of God completely from our national life, I think it extremely dangerous.

His Eminence Francis Cardinal Spellman has taken substantially the same position. I do not believe it can be argued that men like Billy Graham and His Eminence Francis Cardinal Spellman can be accused of reacting because of pressure. Certainly, I am not.

A group of us in the Congress feel that the Everson philosophy paves the way for total removal of God from all public life in which government at all levels has a part. We are searching for the most effective way possible to restore the first amendment to its previous meaning. There is no intent to weaken the amendment, only to strengthen it.

The seeds of godlessness were planted by the Everson philosophy. It has sprouted a poisonous vine, only one branch of which is the school-prayer case. In my opinion, the only solution is to uproot the vine—the Everson philosophy—and, by so doing, kill all the branches which will, sooner or later, choke out religion in every form as far as government at all levels is concerned.

The Supreme Court and some Members of Congress are counting on public apathy to kill this entire issue. They hope to confuse enough people into thinking that nothing has been done except to prohibit prescribed prayers in public schools. The public has not been told the true implications of the Everson philosophy.

I have taken an active part in this issue because, in my meditations, I have asked myself a number of questions. I return always to a single question, however: What is the will of God?

And I remember a passage from the Book of Mark which says:

> Suffer the little children to come unto me, and forbid them not; for such is the kingdom of God.

I want no part in forbidding the little children to approach their God through voluntary prayer in our public schools.

In this age of permissiveness when the vilest pornography is permitted to be sold and viewed, it is anachronistic that the same Court which permits this, forbids little children to pray. They can be led into temptation, says the Court, but they cannot seek deliverance from evil.

If Congress does not take whatever steps are necessary to reverse the Supreme Court in this matter, this Nation, with its priceless heritage of religious freedom under the first amendment will be launched on a sea of godlessness for an endless voyage into darkness.

Mr. MORGAN. Mr. Speaker, I wish to support the pending resolutions and bills to amend our Constitution to allow voluntary prayers in our public schools. At the same time, I wish to commend the earnest and sincere authors of these measures.

I do not by any means consider myself a specialist or an expert on our Constitution. It seems quite evident to me, however, that the simple language of the first amendment has been misconstrued and misunderstood to a very great extent. Our forefathers were worried about the possibility of religious persecution or control in the future and wanted to make certain that the Congress never enacted legislation that would impose a particular form of religion on the people. The men who drafted our Constitution and the Bill of Rights were deeply religious men who wanted to preserve freedom of religion for all. They were keenly aware that many of the early settlers were people who had left Europe to seek religious freedom in America. These early patriots would have been horrified to think that their simple language would ever be interpreted to prevent voluntary, non-sectarian prayers in our public schools.

We have always been a religious people and have always been insistent upon freedom of worship. For over a century our coins have borne the inscription "In God We Trust." It is consistent with all our great heritage of religious freedom to allow prayers in our public schools. Both the House and the Senate open each day's business with prayer. At the opening of each day's session of the Supreme Court, the protection of God is invoked. Every President, from George Washington to Richard Nixon, has upon assuming office asked the protection and help of God.

Technically, the pending bills and resolutions provide for an amendment to the Constitution. Personally, I regard them as measures to clarify the original intent of our patriot-statesmen who drafted the first amendment only to insure that Americans never suffered the restrictions on worship suffered by their own immediate ancestors.

These pending bills seek to correct a fundamental misinterpretation and remove technical legal barriers to voluntary prayer. I think that prayer was never more needed than it is now in our time. As we become more and more conscious of the confused thinking that has multiplied our problems, both domestic and foreign, it is hard to escape the conclusion that all of us would benefit by a little more prayer and contemplation in our lives. I urge passage of this legislation as a vitally needed step in the right direction.

Mr. ANDERSON of Illinois. Mr. Speaker, for the past several years the question of prayer in the public schools has received a great deal of public attention. It would be somewhat redundant to simply list the constitutional arguments surrounding this debate. Even more, it would be an abdication of moral responsibility on our behalf to simply pass this entire matter off as nothing more than a legal problem.

We are dealing not simply with the questions surrounding the legal right of public school prayers, but with the more important questions pertaining to the moral obligation we have as a people to foster respect and reverence for the deity. In so doing, we are not merely

dealing with the question of our own religious heritage as a people, but also with obligations which stem from the very fact of our humanity as we stand in judgment before the creator God.

Legally, the Court has declared that even the repeating of a nonsectarian prayer in the public schools violates the separation of church and state as established by the Constitution. I would question the legal reasoning upon which such a decision stands. But more fundamentally, I would ask whether or not we are denying from our children a portion of their humanity. It was, after all, for the right to pray and worship that our forefathers sacrificed their lives, property, friendships, and homelands. What distresses me, therefore, is not so much the legal judgment of the Court—although even here I find myself in disagreement—but the insensitivity of the Court to this basic feature of human existence.

What disturbs me is not even the simple denial of our historical and religious heritage. It is, rather, that at a time when our Nation's young are more than ever before in quest for values and identity, we are denying them the religious foundation upon which such values can be built.

The denial of public prayers in the schools does not protect the rights of that small minority who acknowledge no God so much as it deprives the rights of that large majority who do so acknowledge the Deity. The denial of public prayers in the public schools does not prevent sectarianism so much as it fosters a secterianism of its own—a sectarianism with philosophical roots of scepticism and relativism pertaining to questions of the absolute.

If we deny the fact of our religious dimension as human beings, we increase still further the dangerous tendency to look to the political sector as the final arbiter of all questions. In exchange for religious faith we shall find ourselves left only with political ideologies.

Mr. Speaker, I sincerely urge this body to consider its own obligations carefully in the discussion which surrounds the question of prayers in the public schools. We are dealing not only with a legal question, but with an ethical and philosophical question. And the way in which this question is resolved may well effect the continued well being of our Nation and its people.

Mr. BROCK. Mr. Speaker, it is sadly ironic that a government such as ours, founded on the Judeo-Christian concepts of human dignity and individual rights should prohibit our children from reaffirming that faith in simple, voluntary school prayer.

This strikes at the root of a spiritual heritage as old as the first colonists who set foot in the New World. One of them, William Bradford, in his chronicle of the early Pilgrims, wrote:

> They committed themselves to the will of God and resolved to proceed.

And, down through the centuries, that is what millions of Americans have done. As our country grew and prospered, this set of values and beliefs strengthened our resolve to proceed. It can be seen in the simple faith and courage that built a thousand tiny frontier settlements, and it can also be seen in our great historic documents where, for the first time, a people declared that "they are endowed by their creator with certain unalienable rights."

Today, through the arbitrary action of lower courts extending unreasonably the decision of the Supreme Court, our children have been deprived of a fundamental part of their spiritual heritage. At a time when they are needed more than ever, spiritual values have been driven out of our schools by judicial fiat.

Ever since the Court delivered its decision banning school prayer, I have worked for the passage of a constitutional amendment guaranteeing the right to voluntary expressions of faith in public buildings.

Today, I join with a number of my colleagues in renewing the drive for this important objective. There is as passage in the Book of Matthew that can apply to countries as well as people.

It asks:

> What is a man profited, if he shall gain the whole world, and lose his own soul?

Mr. COLLINS. Mr. Speaker, as we look around us today, we find bigots in every community who are objecting to prayer. From the early days America was built by people having a strong belief and devotion to God. Through the years patriots have had to continually fight for religious freedom against all narrow-minded bigots.

As the Colonies were building their independence they met in Congress in the city of Philadelphia. An interesting book describing the times was "Familiar Letters of John Adams and His Wife, Abigail Adams During the Revolution." I had the enjoyable experience the other day of taking this old yellow-paged book from the Congressional Library and reading this collection of fine letters from a man who later became President of these United States, John Adams, to his wife, Abigail. For all my fine colleagues who appreciate the opportunity we have here in Congress to open our sessions each day with a prayer, I would like to quote directly from the book of a letter from Philadelphia the 16th day of September 1774:

> Having a leisure moment, while the Congress is assembling I gladly embrace it to write you a line.
>
> When the Congress first met, Mr. Cushing made a motion that it should be opened with prayer. It was opposed by Mr. Jay, of New York, and Mr. Rutledge, of South Carolina, because we were so divided in religious sentiments, some Episcopalians, some Quakers, some Anabaptists, some Presbyterians, and some Congregationalists, that we could not join in the same act of worship.
>
> Mr. Samuel Adams arose and said he was no bigot, and could hear a prayer from a gentleman of piety and virtue, who was at the same time a friend to his country. He was a stranger in Philadelphia, but had heard that Mr. Duché (Dushay they pronounce it) deserved that character, and therefore he moved that Mr. Duché, an Episcopal clergyman, might be desired to read prayers to the Congress, tomorrow morning.
>
> The motion was seconded and passed in the affirmative. Mr. Randolph, our president, waited on Mr. Duché, and received for answer that if his health would permit, he certainly would. Accordingly next morning he appeared with his clerk and in his pontificals, and read several prayers in the established form; and then read the Collect for the seventh day of September, which was the thirty-fifth Psalm.
>
> You must remember this was the next morning after we heard the horrible rumor of the cannonade of Boston. I never saw a greater effect upon an audience. It seemed as if Heaven had ordained that Psalm to be read on that morning.
>
> After this Mr. Duché unexpected to everybody, struck out into an extemporary prayer, which filled the bosom of every man present. I must confess I never heard a better prayer, or one so well pronounced. Episcopalian as he is, Dr. Cooper himself never prayed with such fervor, such ardor, such earnestness and pathos, and in language so elegant and sublime—for America, for the Congress, for the Province of Massachusetts Bay, and especially the town of Boston. It has had an excellent effect upon everybody here. I must beg you to read that Psalm. If there was any faith in the Sortes Biblicae, it would be thought providential.
>
> It will amuse your friends to read this letter and the thirty-fifth Psalm to them. Read it to your father and Mr. Wilbird. I wonder what our Braintree Churchmen will think of this! Mr. Duché is one of the most ingenious men, and best characters, and greatest orators in the Episcopal order, upon this continent. Yet a zealous friend of Liberty and his country.
>
> I long to see my dear family. God bless, preserve, and prosper it. Adieu.
>
> JOHN.

Mr. BLACKBURN. Mr. Speaker, it seems incredible that in these times someone could feel deep down inside himself that children, before taking milk and cookies in school, are violating the Constitution when they say:

> Thank you for the World so sweet,
> Thank you for the food we eat;
> Thank you for the birds that sing,
> Thank you, God, for everything!

Yet there is a small minority of people who think just that.

As you are aware, more than 80 bills have been introduced with regard to amending the Constitution to allow voluntary prayer and Bible reading in our public schools.

The Supreme Court begins each session with the words:

> God save the United States and this Honorable Court.

Surely, this same privilege should also be allowed the children of our country.

This Nation was founded upon spiritual concepts. It is a nation which has repeatedly affirmed and reaffirmed its belief in an eternal God and its adherence to religious precepts. Almost everywhere we turn in virtually every act of government, there is reference to a Supreme Being.

While I am certainly in favor of separation of church and state, it must be remembered that the separation of God and our Nation is another thing and there is a difference. God and the church are not one and the same. God is the perfect creator of the heavens and the earth. Churches—denominations—are the imperfect human organizations in the process of sanctification.

We have a responsibility to the people of this great land of ours to help meet the needs of the majority and it is quite evident that the majority in our

country are in favor of Bible reading and voluntary prayer in our schools.

No one challenges the scriptures, when it says:

Righteousness exalteth a nation, but sin is a reproach to any people." (Proverbs 14: 34)

May the day never come when America will cease to recognize God and seek His blessings in every area of its life—including her public schools.

Mr. KING. Mr. Speaker, I have introduced legislation during this session of Congress proposing an amendment to the Constitution of the United States which would permit the offering of prayer in public schools.

I have joined with others ever since the Supreme Court decisions affecting prayer were handed down, in seeking legislative action to reverse those ill-advised decisions. Nondenominational prayer should be permitted and encouraged in all our public meetings. A very small minority has successfully barred all reference to God, prayer, or the Bible in our schools. We are a God fearing and God loving nation and should be permitted to express our feelings in this regard. Our children need guidance more than ever before. One only needs to read the newspapers to draw this conclusion.

The purpose of my resolution is to protest the prohibiting of prayer and Bible reading in our public schools. More importantly, it would restore the rights of a great majority of children in the free exercise of their religion in the public schools—rights now being denied them because of the objections of a small minority.

My amendment has been very carefully drawn, preserving minority rights and preventing any official dictation in religious matters. As parents, we have the responsibilty to give our children strong moral training at home. We should also expect the schools to continue this training when our children are away from home. There can be no moral training without religion and therefore, I feel some kind of religious instruction is necessary for the schools to fulfill our expectations.

I sincerely hope and strongly urge the Congress to promptly enact legislation this year that will permit the free exercise of religion in our public schools.

Mr. COWGER. Mr. Speaker, I, among the other sponsors of legislation allowing voluntary prayer in public schools, wish to again speak out on this occasion regarding the need for this type of legislation.

Personally I felt solemn regret when the Supreme Court made its far-reaching decision against voluntary, nondenominational prayer and Bible reading in public schools. Then, when I began receiving letters, telegrams, and petitions, I saw the majority of the people, contrary to the Supreme Court's decision, wanted prayer and Bible reading returned to the schools. It is my privilege to voice some of the opinions of this majority today.

It was not within the desires of our Founding Fathers that we should be a nation so indifferent to the influence of our Creator. The first amendment to our Constitution only intended to prevent a State religion. If one woman can have the power to have voluntary prayer and Bible reading removed from the classroom, imagine what the power of a majority, with a common goal, can do to put it back.

In this age of indifference, intolerance, and even hate, we ask that we have a right to voluntary participation in nondenominational prayer in our schools, a simple right of an individual to express his faith in his Creator, without fear of reprisal from the Government or a highly vocal minority of nonbelievers.

This Nation was founded on religious freedom. Many official governmental functions include prayer, with no complaints. Many public ceremonies include prayer, with no complaints. Nearly every civic activity includes prayer, with no complaints. Our Declaration of Independence, and even our currency, contains language of religious significance. Our Pledge of Allegiance includes the words, "under God." There are no responsible complaints.

Now, we the majority, ask that our Nation's Constitution be amended so that the rights of persons lawfully assembled in any public building, which is supported in whole or in part, through the expenditure of public funds, may participate in nondenominational prayer.

And, if this amendment is made by this Congress, the people of this Nation will have the right of expressing themselves on this matter, of making their desires known, through the ratification of the amendment by the legislatures of their States.

Mr. BROYHILL of Virginia. Mr. Speaker, almost 200 years ago a body of men, not unlike ourselves, established this Government under the Divine Guidance of the Creator of us all.

Down through the years our forefathers, our fathers and mothers, and we ourselves, were privileged in the workings of our Government, in the making of our public documents, during our proceedings and activities, in our ceremonies, in our schools, in our institutions, at various other places in this vast land or upon our coinage, currency or obligations, to make reference to belief in, reliance upon, or to invoke the aid of God or a Supreme Being.

In June of 1962, and again in June of 1963, the U.S. Supreme Court rendered a decision which, for all practical purposes, put an end to prayer in our public schools. These decisions denied our children their heritage so valiantly protected throughout our history and cast a cloud of suspicion over other truths we as a people had long held self-evident. Many Americans have bitterly complained against these two decisions because of their belief that our children, as students, should be afforded the same opportunities to participate in prayer in our schools as was afforded their fathers before them, if they so desired.

I firmly believe that each of us are honor bound, as the representatives of the people of our great Nation, to restore to our children this right that has been taken away by these rulings of the Supreme Court. To me, these decisions to remove voluntary prayer from our schools represents and have proved to be an attack on the very foundations of our Republic. I also believe that many of our present problems among our youth result from the removal of voluntary prayer from our schools.

This Nation was conceived under God and has relied on the protection of His divine providence, as was set forth in the Declaration of Independence. Our Nation has survived and prospered all these years only with His help.

Reverence was once one of the virtues that we learned at our mothers' knees, and which the teacher was responsible for continuing in the schoolroom. Even though a child might not have been fortunate enough to have learned such virtues at home, he was at least exposed to them as a part of his necessary education. The result of these decisions has been to remove this guidance from our children while they are attending school and to leave them in a vacuum, void of those teachings of morality and Godly virtues that we were privileged to receive in schooling.

While I do not assume that restoration of voluntary prayer in our schools is a panacea for all the problems that are so evident in the state of our present union, nonetheless, I am sure that establishment of this right in our Constitution will be a step in the proper direction and will aid greatly to bring back a sense of morality and Godly virtues to our school system, which our children need so much.

I therefore join my colleagues today in restating the necessity, as I have previously urged this House when I introduced House Joint Resolution 388, for a constitutional amendment to help at least in part the parents and schools of our Nation to again bring our children the greatest teachings ever to enlighten mankind.

Mr. CRAMER. Mr. Speaker, it is indeed a pleasure to have this opportunity to join with my colleagues in reiterating my support of legislation to permit voluntary religious expression in our public schools.

In 1962, the words "In God We Trust" were added to the marble mantle that rises above the Speaker's chair. It has always seemed ironic to me that just a year after these inspiring words were added to our Chamber, the Supreme Court denied our children the right to voluntary religious expression in our schools. I must express my firm belief that the decisions of the Supreme Court involving school prayer are distortions of the original intent and purpose of the first amendment.

The first amendment was written to prevent National Government control over religion and the establishment of a state church. It was not intended to destroy religion or to make the state and religion alien or hostile to one another or isolated from each other. It was drafted to prohibit the Congress from making a "law respecting an establishment of religion, or prohibiting the free exercise thereof." I find it beyond my comprehension to believe that the voluntary recitation of a simple, nondenominational prayer, or the reading from the several versions of the Bible under noncompul-

sory conditions, results in the establishment of a religion and thus a violation of the first amendment.

The basic issue before us today is not the extent to which religion is to be promoted in the schools and government activities, but the extent to which it is excluded. Just as our schools teach and promote patriotism and other spiritual and moral values, it should be a permissible part of the curriculum of our public schools to encourage not a particular religion, but at least reverence for God on a voluntary basis.

In brief, I believe it is essential that we formulate and submit to the States for ratification a constitutional amendment which would make it unmistakably clear that the first amendment does not mean the ejection of all traces of religion from our public schools and functions of government. I have reintroduced in this Congress a resolution to this effect. Specifically, my proposal, House Joint Resolution 15, as well as many similar bills introduced by my colleagues, would amend the Constitution by stating that nothing in the Constitution shall be deemed to prohibit prayers or Bible readings in public schools or other public places when done on a voluntary basis. Section 2 makes it clear that there is no constitutional prohibition against making reference to belief in, reliance upon, or invoking the aid of God in any government document, proceeding, activity, ceremony, school, institution, place, or upon any coinage, currency, or obligation of the United States. Section 3 is added to make certain the Court knows what we mean and does not apply the establishment clause to this article.

It deeply distresses me that the legislation I have presented is necessary at all, but it is a fact that the Supreme Court has limited one of our inalienable rights as protected under the first amendment. It is therefore now incumbent upon me to right that wrong by passing legislation in support of voluntary religious expression.

Mr. SCHADEBERG. Mr. Speaker, it is with great reluctance that we in this august body of Congress have had to introduce legislation to amend the Constitution of the United States in order to restore to that magnificent charter of freedom the original intent of the first amendment.

The first amendment to the Constitution, the basic strength of our freedom-loving Nation, states:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

And yet, through various usurpations of the legislative right, the Supreme Court has, through its decisions, made it necessary that the gulf being widened between the American people and their religious rights, be bridged. That is the purpose of the proposed amendment—to restore to the American people the freedom of worship.

The American people are a religious people. That is our strength—we place our faith in God instead of in the rationalizations of man and man's will. We recognize that God is the Creator of the universe, not man, and that reverence for life is due him from whom all things come. Our ancestors came to this land for the freedom to acknowledge this faith.

However, the progeny of these great peoples are being faced with direct Federal intervention in the spiritual aspects of their lives. By denying to them the right to participate in nondenominational prayer in the institutions that have been created, our children are unable to show respect for our Creator in their schools, denying to them a basic article of learning, that all strength comes from God. In public buildings that have been built by the tax moneys of the American people, prayer has been prohibited and thereby the religious faith of the people whose efforts have contributed to the construction of these buildings.

Our institutions and our society of laws presuppose an Eternal Being. Our laws come from religious institutions and tenets, our beliefs in freedom and love and peace from the heritage of ethical peoples. To separate the American people from the right to praise the heritage cannot and must not be allowed.

The amendment which I am supporting is necessary to preserve the freedom and integrity of the United States of America. We in Congress are constantly attempting to provide for a better life for the American people, to protect them from those sources which seek to destroy our rich philosophy and heritage, and to preserve the basic articles of faith upon which this, the greatest Nation of all, was built.

All of our efforts will be in vain if the American people cannot participate in the most basic and fundamental institution of our society—faith and belief in God. We, the chosen representatives of the people, cannot allow the Federal Government, or any body thereof, to destroy what was the instrumental force behind the creation of our Nation. We in Congress cannot allow direct involvement in religion, in violation of the Constitution, by the Government by allowing it to determine that our citizens cannot practice and worship as they please.

If the basic freedom to practice our faith in the United States is not preserved, then there is little value in trying to protect other aspects of life. Life springs from God the Father Almighty. Reverence is paid Him by all types of people who share in common their recognition of their relation to God. To fail to restore this basic freedom to worship as one pleases, will be to allow all that this great country stands for, and has stood for, to slowly slip away, bringing our Nation to its knees faster than could be accomplished by any other internal or external force.

The Declaration of Independence indicated that God is the creator of liberty and that governments are instituted among men to secure this right. One of the surest ways to destroy liberty is to deny the worship of God in the institutions and places of our land to the citizens who consent to be governed. That is why I support this amendment to the Constitution of the United States and pray for its immediate adoption—to restore liberty and freedom to the American people.

Mr. ANDREWS of Alabama. Mr. Speaker, it seems to be the order of things today to encourage that which is bad and harmful and to prohibit that which is infinitely good and helpful.

The incorrigible and arrogant Supreme Court has given the green light to rapists, murderers, filth-peddlers, public servants who defraud and steal from the public, narcotics and drug merchants, and revolutionaries who would overthrow our Government and destroy private enterprise and the entire capitalistic system.

But to those who would simply pause in our public schools to read from the Holy Scriptures and give thanks to the God who gives us our freedoms, and in whose name this Nation was founded and has thrived, the Court quickly flashes a red light.

In matching an alarming degree of incompetence with a natural tendency toward hypocrisy and belligerence, the Court has ordered God-fearing Americans to stop in the name of atheism.

We in Congress have a mandate from the people, from whom our Government is derived, to bring prayer in our public schools back to legitimacy, a position it so rightfully enjoyed before the interference of the Supreme Court.

On the first day of the 91st Congress I introduced legislation calling for an amendment to the U.S. Constitution permitting the right to read from the Holy Bible and offer nonsectarian prayers in public schools or other public places if participation in such is not compulsory. I believe prayer and scripture in the public schools, under these circumstances, to be fair and right.

Prayer in the schoolroom is not a substitute for religious instruction in the home and church, and it is not designed to guarantee order and a return to things spiritual. However, those who wish to give thanks to God or read the Bible in school should be able to do so. Both are small but significant expressions of devotion to the Almighty.

On this special observance of School Prayer Day, I am pleased to join with other Members of Congress in an expression of support for the restoration of religious expression in our public schools.

Mr. SIKES. Mr. Speaker—

> From amidst diversified and often warring creeds: over a vast span of history: in the language of many a tribe and many a nation: out of the mouths of the learned and simple, the lowly and great: despite oceans of bloodshed, and torturing inhumanities, and persecutions unspeakable—the single voice of a greater Humanity rises confidently to heaven, saying, "We adore Thee, who art One and who art Love: and it is in unity and in love that we would live together, doing Thy will."

So writes an eloquent scholar of prayer throughout the world.

Prayer thus conceived is more than any particular form or rite. It touches heart and mind alike with its cleansing, healing power, and brings the diversity of nations and races into a spiritual unity deeper than any sectarian allegiance. It is at once a response to and a resolution of the suffering, the anxiety, and the confusion which mark the record of human history.

We in America have known a long

tradition of public prayer whose chief value we may assert to have been the manifest recognition of our dependence upon a power and purpose greater than man for the gifts of life and liberty. In furtherance of the preservation of this practice and in the conviction of its inestimable value to our Nation, especially in these days, I have joined many of my colleagues in introducing House joint resolutions to permit the offering of prayer in public schools, and I invite the support of all who are gathered here today for our Prayer Day witness. May we pray this day and always both for guidance in this great deliberative body and for our country's best needs as for the world community, in the words of the Psalmist:

Send out Thy light and Thy truth that they may lead me, and bring me unto Thy holy hill, and to Thy dwelling-place.

Mr. WYDLER. Mr. Speaker, as one who signed the discharge petition—some years ago—in an attempt to get the matter of prayer in public schools before the Congress, I wish to restate my disappointment that the U.S. Congress was never given the opportunity to vote on this issue of vital importance to our country.

I still believe the Supreme Court decision was a latter day interpretation—and an incorrect one—of the words, the meaning and the intent of the U.S. Constitution.

In any event, I do believe that there should be no constitutional prohibition against voluntary prayer in public places. I do believe that the Congress should be given the opportunity to vote on this issue—and the people of the country should be given an opportunity to express their wishes and desires as well.

Mr. LUKENS. Mr. Speaker, as a devout believer of daily prayer, I am deeply aware that each day one needs to stop, reflect and realize the need for thoughful reflection in every human life. There is logic, of course, and every reason for us to assume that there is something, someone, bigger than all the heads of state in the world—a Supreme Being.

I want again to go on record saying that I feel that the local school board should have authority to allow prayer in their local schools. After all, the local school board is the most representative feeling of the community and therefore the local school officials should have the decision as to whether or not prayer is included in the daily school program.

I am delighted and honored to participate in this Prayer Day ceremony marking the concern of many that the Supreme Court's interpretations, however well meaning, have gone too far to support the rights of the minority at the expense of the majority.

I believe that a person should have the right to pray if he wishes to do so—wherever and whenever he wishes. This country is great because our forefathers founded it on such a solid foundation—a separation of church and state, but a combination, unalterable, of God and country. I do not want this foundation to be shattered and destroyed to the point where the original thought disappears. It is interesting to note that our forefathers produced this great country of ours never thinging that God and country could be separated let alone try to be separated from the daily workings of our country. Prayer is a great time for introspect and deep thought and I believe every human needs this moment daily. There is no better time than that afforded in prayer to wonder who, why, and what, and even that immortal question, "Quo Vadis," wither thou goest. I believe in prayer and practice it daily. I fervently hope that we will see a return to prayer and to the Judeo-Christian concept by all people, especially in the United States, so that once again the future of the world and its people may be permeated with inspiration and hope.

Surely in every man and woman's heart there is no better confidence and no more effective tool in their hands than that powerful thing called prayer. It has moved mountains and men, and to that extent it has truly changed the world. It has given our country a basis upon which to be proud. I hope, above everything, that prayer remains in the heart of those who truly care about a Supreme Being.

Mr. McCLORY. Mr. Speaker, it is most encouraging that Members of the House of Representatives have set aside today as "Prayer Day" in the Congress. This provides each of us with an opportunity to express the hope that the citizens of our Nation will be aware of the divine authority to which mankind can look for guidance in handling human problems. It is not intended by this event that anyone should be coerced to pray or take part in any particular type of prayer. On the other hand, it should be emphasized that there is a greater need today than ever to seek spiritual direction.

Voluntary prayers in our public schools should be protected by our Constitution, and if a constitutional amendment is needed for this purpose, then I see no reason why it should not have overwhelming support. Even silent meditation wherein a person could reflect in his own manner would go a long way toward helping each of us in our daily tasks. Indeed, the silent, unobtrusive prayer to me is more meaningful and effective than audible prayers recited by rote.

I commend my colleagues, the gentleman from Connecticut (Mr. MESKILL) and the gentleman from Pennsylvania (Mr. DENT) on their leadership in organizing "Prayer Day" in the Congress. I am pleased to join with them in this earnest expression of support for a constitutional amendment to allow voluntary prayer in our public schools.

Mr. DONOHUE. Mr. Speaker, ever since the Supreme Court ruled, back in 1962, that it was unconstitutional for New York State to permit its own State school board to compose prayers and order them recited in the presence of a teacher, there has developed great confusion as to the exact meaning and effect of the Court's ruling on this vitally important subject.

There is no doubt that a great many of our citizens very earnestly and sincerely believe that the rulings of the Supreme Court of the United States have rightfully closed the door upon the recitation of prayer in any form and under any circumstances in our public schools and they want these doors to be kept closed.

All of us here, I am sure, deeply respect the views of these people although we differ with them in our own convictions and in our own belief that a majority of our citizens desire a modification of the Supreme Court decision to the extent that voluntary prayer, with parental approval, should be permitted in all our schools. Our belief that voluntary prayer should be permitted in our schools is principally based upon the language our founders inserted in the first amendment to the Constitution wherein it is declared that Congress shall not make any law "prohibiting the free exercise" of religion.

That this belief is very widely and commonly held throughout the country is clearly evidenced by the fact that multitudinous bills have been introduced and are now pending in both branches of the Congress proposing an amendment to the Constitution to establish, in general effect, that nothing in the Constitution should be deemed to prohibit the offering or reading of prayers or Biblical Scriptures in any governmental or public school, institution, building or place, provided participation therein is on a voluntary basis and provided further that the right to decline to participate shall not be abridged.

Mr. Speaker, may I emphasize here that nowhere in any of these measures is there contained or projected an intent toward the establishment of a state church which, all of us agree, would be obviously unconstitutional. What these amendments are mainly concerned with is to legally establish permission for schoolchildren, with approval of their parents, to exercise their right to voluntarily join in prayer, usually at the beginning of their schoolday.

Many of us very earnestly believe that the denial of this right serves to deny these schoolchildren, and others, the wholesome opportunity of acting in accord with the history of the religious traditions of our people, as reflected in countless practices of the institutions and officials of this Government, and of sharing in the spiritual heritage of our great Nation.

Speaking as an individual but, at the same time, I think, echoing the thoughts and desires of a tremendous number of my fellow Americans, I would urge the approval and adoption of any proper, constitutional method and manner of permitting prayer in all our schools and institutions provided, of course, and always, that it would not involve in any way any compulsion or particular denominational projection or representation.

It appears to me that the right and the desirability of voluntary prayer and religious expression under our Constitution is fully and publicly supported by the provision of a Chaplains' Corps in every branch of our armed services; by the practice of having an invocation or benediction at public meetings; by the recitation of prayer by a publicly ap-

pointed chaplain at the opening of each daily meeting of the U.S. House of Representatives and Senate; by the recitation, at the opening of each day's session of the U.S. Supreme Court itself, of the invocation, "God save the United States and this Honorable Court"; by the fact that the Declaration of Independence itself contains four affirmations of the existence of God, and by the historical revelation that each of our Presidents, from George Washington to Richard M. Nixon, has, upon assuming his office, asked the protection and help of God.

Mr. Speaker, if these prayerful practices and traditions are permitted and encouraged in the Armed Forces, in public meetings, in our courts, in our legislative bodies, and by the leaders of this great Nation, it is difficult to understand why they are held to be inappropriate for children, especially, and the American people, generally, and particularly in a time and period when our children are being openly exposed to such a widespread and universally feared decline in the high moral and ethical standards proclaimed by our Founders.

In summary, Mr. Speaker, may I say the Bill of Rights provides:

Congress shall make no law respecting an establishment of religion, or *prohibiting the free exercise thereof.*

On its face, this language surely appears and ought to include the free exercise of religious expression in our schools as well as in public places but always, as I have already emphasized, provided it is done without denominational or sectarian representations through which or by which it could be construed, in any sense, to be "an establishment of religion."

We must always and everywhere and in every sphere protect the rights of minorities but I very earnestly believe we should also and equally act to protect the rights and wishes of the majority. I am confident that the great majority of the American people would approve of the legal establishment of voluntary prayer and religious expression as contained and restricted, in the manner I have outlined, in the amendments that are pending before the Congress, and I hope that the Congress, in its wisdom, will see fit to approve such an amendment.

Mr. ASHBROOK. Mr. Speaker, during hearings before the House Judiciary Committee in 1964 on the question of public prayer, 93 of 98 Congressmen who appeared favored a constitutional change to allow voluntary prayer in public schools.

Unfortunately, such a constitutional amendment was never reported out of the committee and the House has had no opportunity to reflect through vote on the floor the majority opinion in the Nation in favor of voluntary prayer. The hours and years continue to pass without resolution of this issue although it still ranks as one of prime concern for most Americans. Indeed, the issue of prayer in schools has often been cited as generating more expressions of concern to Members of Congress than any other issue in history. Enigmatically, the people realize that while their children are excluded from voluntary prayer in their classrooms, the oath of office recently taken by Chief Justice of the Supreme Court Warren Burger ended with the plea: "So help me God."

Those of us who are troubled over this issue realize that a major segment of the Congress has been thwarted in efforts to finally justify the lines of type on this page of the Nation's opinion. The Congress has ignored the people on the issue to which they have given their greatest support. In response to the wishes of the people, I and many other Members of Congress introduced legislation initiating a constitutional amendment to clarify the status of voluntary prayer in the public schools. We have introduced it in Congress after Congress and we will continue to introduce it until action is taken.

In the meantime, the Nation, and especially our school-age youth feel a great void which should and must and can be filled. Many other Members today have spoken on the merits of this issue and I wholeheartedly support their efforts on behalf of constitutional clarification; in addition, however, we should carefully note what the Supreme Court has limited and what it has not. While we are working to remedy the Court's decisions we must not overlook what can still be done.

In the 1963 decision the Supreme Court pointedly explained that it was not attacking the religious basis of American life. In spite of the decisions and their effects, in one section of the majority opinion the Court testified at length to belief in a Supreme Being throughout American history:

The fact that the Founding Fathers believed devotedly that there was a God and that the unalienable rights of man were rooted in Him is clearly evidenced in their writings, from the Mayflower Compact to the Constitution itself. This background is evidenced today in our public life through the continuance in our oaths of office from the Presidency to the alderman of the final supplication, *"so help me God."*

Likewise each house of the Congress provides through its chaplain an opening prayer, and the sessions of this court are declared open by the crier in a short ceremony, the final phrase of which invokes the grace of God.

Again, there are such manifestations in our military forces, where those of our citizens who are under the restrictions of military service wish to engage in voluntary worship . . .

It can be truly said, therefore, that today, as in the beginning, our national life reflects a religious people who, in the words of Madison, are *"earnestly praying, as . . . in duty bound, that the Supreme Lawgiver of the universe . . . guide them into every measure which may be worthy of His . . . blessing."*

In another section of the 1963 majority opinion, the Court affirms:

The First Amendment, however, does not say that in every and all respects there shall be a separation of church and state. Rather, it studiously defines the manner, the specific ways, in which there shall be no concert or union or dependency one on the other. That is the common sense of the matter. (343 U.S. at 312.)

Again this 1963 decision points out:

In addition, it might well be said that one's education is not complete without a study of comparative religion or the history of religion and its relationship to the advancement of civilization. It clearly may be said that the Bible is worthy of study for its literary and historic qualities.

Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected consistent with the First Amendment.

While these Supreme Court decisions recognize that belief in God is at the heart of American life, it should be kept in mind that they do nevertheless prohibit religious exercises in public schools.

One of the basic reasons I believe that a constitutional amendment should be offered is the wilderness area which has been created following the 1962 and 1963 decisions. Many schools have wanted to play it safe. To take no chances, they have cut down on Easter and Christmas observances and have secularized baccalaureate services. Few of these steps were required but they indicate how a decision can influence local boards of education and administrators who want to take the safe route.

The American Association of School Administrators through a special commission stated on June 30, 1964:

The Commission believes that the public school curriculum must give suitable attention to the religious influences in man's development.

A curriculum which ignored religion would itself have serious religious implications. It would seem to proclaim that religion has not been as real in men's lives as health or politics or economics. By omission it would appear to deny that religion has been and is important in man's history—a denial of the obvious. In day-by-day practice, the topic cannot be avoided. As an integral part of man's culture, it must be included.

Whatever else the Supreme Court decisions may or may not have done, they have stimulated the public schools to a search for appropriate means to deal effectively with religion as one of the great influences in man's history . . .

The Commission recognizes three distinct policy areas, related to each other and to the subject of this report, where explicit educational policy, adequate materials, and effective methods need to be devloped.

In one large area, recognition must be given to the role of religion and the religious in literature, in history and the humanities, and in the arts.

In a second area ways must be found to portray the part played by religion in establishing and maintaining the moral and ethical values that the school seeks to develop and transmit.

Finally, the public schools are called on to build an understanding of the relationship between civil government and religious freedom, and to prepare youth for citizenship in a multifaithed society.

Within the limits set by the Supreme Court, there are more than a few opportunities for educators to develop the curriculum so that it faithfully reflects the recognition of God as an integral part of American life.

One thing that teachers can do right now is to make suitable reference to such facts as the following:

First, the Mayflower Compact: 41 Pilgrims on the deck of the Mayflower in 1620 prepared the first written constitution of our land. It opened with these words: "In the name of God, Amen," and stated that the long and difficult voyage to the New World had been "undertaken for the glory of God." They

signed it "solemnly and mutually in the presence of God."

Second, Declaration of Independence: This profound document, the cornerstone of American freedom, provides a clear and unshakable basis for our Constitution, Bill of Rights, and all subsequent legislation in behalf of human rights. As finally approved by the Founding Fathers, the declaration makes these four specific references to the dependence of our Nation on God: "the laws of nature and of nature's God," "that all men are created equal, that they are endowed by their Creator with certain unalienable rights," "appealing to the Supreme Judge of the world for rectitude of our intentions," "with a firm reliance on the protection of divine providence."

Third, Thanksgiving Day: From the very start of our Nation, one day each year has been set aside to render thanks to Almighty God. The Chief Executive officially asks each citizen to express gratitude to a bountiful Creator.

Fourth, the American seal: On every dollar bill the seal is pictured with the "eye of God" directly above the pyramid. The words "Annuit Coeptis" signify:

He (God) has favored our undertakings.

Congress approved this design on June 20, 1782.

Fifth, oath of office: The oath taken by Government employees, witnesses in court, and those seeking passports concludes with the prayerful petition: "So help me God." This practice was originated by George Washington when he took his first oath of office as President of the United States, April 30, 1789.

I have read the inaugural addresses of our Presidents and every one of them referred to God and beseeched his help and guidance in the assumption of the trying responsibilities of the office.

Sixth, national anthem: Francis Scott Key composed the "Star Spangled Banner" during the bombardment of Fort McHenry on the night of September 13, 1814. For 117 years, this song was popular as a patriotic hymn. On March 3, 1931, Congress adopted the "Star Spangled Banner" as our national anthem. It closes this way:

"Praise the Power that hath made and preserved us a nation.
Then conquer we must, when our cause it is just
And this be our motto—'In God is our Trust'."

Seventh, national motto: A joint resolution was also adopted by Congress on July 20, 1956, establishing "In God We Trust" as the national motto of the United States:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That the national motto of the United States is hereby declared to be "In God We Trust."

Eighth, State constitutions: My own State of Ohio as "grateful to Almighty God for our freedom" written into the constitution. In fact, 49 of the 50 State constitutions recognize our dependence on God Himself as the source of human rights and liberties. Here are other excerpts from some of the State constitutions:

Alaska: "We the people of Alaska, grateful to God and to those who founded our nation and pioneered this great land."

California: "We, the people of the State of California, grateful to Almighty God for our freedom."

Florida: ". . . grateful to Almighty God for our constitutional liberty."

Georgia: "We the people of Georgia, relying upon the protection and guidance of Almighty God . . ."

Hawaii: "We, the people of the State of Hawaii, grateful for Divine Guidance and mindful of our Hawaiian heritage . . ."

Illinois: "We, the people of the State of Illinois, grateful to Almighty God for the civil, political and religious liberty . . ."

Massachusetts: "We, therefore, the people of Massachusetts, acknowledging with grateful hearts the goodness of the great Legislator of the universe . . ."

Michigan: ". . . grateful to Almighty God for the blessings of freedom, and earnestly desiring to secure these blessings . . ."

Missouri: "We, the people of Missouri, with profound reverence for the Supreme Ruler of the Universe, and grateful for His goodness . . ."

New York: "We, the people of the State of New York, grateful to Almighty God for our freedom . . ."

Pennsylvania: ". . . grateful to Almighty God for the blessings of civil and religious liberty . . ."

Texas: ". . . invoking the blessings of Almighty God, the people of the State of Texas do ordain and establish this Constitution . . ."

Ninth, Pledge of Allegiance: On April 20, 1953, a resolution was introduced in the House of Representatives to add the words "under God" to the Pledge of Allegiance to the flag. Both the House of Representatives and Senate adopted the resolution. It was made the law of the land when President Eisenhower signed the bill on June 14, 1954. The pledge now reads:

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.

Tenth, legislative sessions: In the Ohio Legislature and in the U.S. Congress, each session has been opened with a prayer. There are chaplains in the House and Senate who are full-time officers of Congress here in Washington and at least part-time members of the legislative family in Columbus. No Supreme Court decision has deterred our legislators from conducting their deliberations in the atmosphere of religious commitment.

While it may be clearly debatable how religious we are as a people and how deep our commitment is to the faith of our fathers, it cannot be argued that our Government was founded on anything except those Judeo-Christian principles which come from the Bible. While we are waiting to stem the tide which has resulted from the Supreme Court decision, we can nonetheless affirmatively point out many of the truths which are here stated and remind ourselves that our Constitution, our Government, our way of life has a deep religious heritage which should be militantly portrayed rather than shrinkingly withdrawn.

Mr. BARING. Mr. Speaker, there is indeed reason for all Americans to pray today for peace, prosperity, and good health for all mankind. We have witnessed in the past few hours today the arrival home to America the first contingent of soldiers from Vietnam which, hopefully, will be a large step in the right direction toward ending the conflagration of death in Southeast Asia.

I would be the first to pray that this return home by our troops will be a rewarding sign for all of humanity oppressed today by aggressive groups around the world—that eventually indeed, mankind can live in peace.

Mr. Speaker, prayer is an important part of our daily lives and the exhilarating feeling one achieves when in prayer and following prayer should be a reminder to all of us associated with the decisionmaking process of our great body of Congress which guides this Nation. Prayer is essential. Prayer is for everyone and is valid wherever one chooses to pray to his God and in his own way and in his own time.

I call attention to the numerous prayer bills introduced by myself and my colleagues in this session of Congress in hopes that today's commemorative day, inserted into the RECORD as "Prayer Day," will be a moving occasion for all of us to urge the passage by Congress of the joint resolutions calling for the return of prayer in our educational system. For I believe it is during these formative years that our youth of today gain the outlines that will guide their lives in the future. The few moments given in devout prayer by our children while in school must be realized to be a constructive step to help heal the sore wounds of this Nation and not, as some would have us believe, an infringement on one's personal rights. One's personal rights are inclusive of saying of prayers, if one so chooses. Of all the measures introduced calling for the reinstatement of saying prayers in school, none so state that any authority will have the right to dictate what prayers are said. These measures provide, however, by constitutional authority, the right of all persons to voluntarily say prayers in school.

And, Mr. Speaker, I would point out, that we have a lot to pray about. We can pray for an end to hostilities in Vietnam and in the Middle East. We can pray for a successful landing on the moon by Neil Armstrong and his fellow astronauts on their July 1969 journey. We can pray for ample supplies of food for all mankind so no one will continuously go hungry. We can pray for the employment of all persons. We can pray for the removal of the many forms of pollutants which seemingly are about to gag our society or endanger our lives.

Mr. Speaker, we can pray for the unity of all men and those prayers we desire to say to achieve these ends should be allowed wherever and by whomever and at any time they please.

Mr. BLANTON. Mr. Speaker, it is a pleasure for me to participate in this discussion on voluntary prayers in our public schools. I commend my colleagues, the gentlemen from Connecticut (Mr. MESKILL) and Pennsylvania (Mr. DENT), for their role in encouraging the House of Representatives to act on legislation which will allow our schoolchildren to pray in school.

I want to go on record as supporting

a constitutional amendment which would allow voluntary prayers to be said in our public school systems. To me, I find it hard to believe that we have become so technical in our interpretation of the Constitution, that we must have an amendment passed to allow simple prayer in schools. It should not be necessary to legislate on such a matter, but, of course, the judicial branch has left us no other choice.

The founders of this Republic, in my view, never conceived of prohibiting prayers in schools operated by the general public. Nondenominational thanksgivings to our Creator certainly do not hinder the growth of the intellect of our children. And to my knowledge, no school has ever forced a child to say a prayer, or to acknowledge a particular religion which was alien to his family belief.

The Supreme Court, in banning voluntary prayers from the public schools, interpreted the Constitution to include school prayers in the general constitutional prohibition of Government intervening in religion. The founders of the Republic wrote the Constitution in an age when the colonies discriminated through their Government against religious minorities. This fear of a religious majority persecuting a minority religious sect through the Government apparatus was, in my studies of the Constitution, the only concern the founders had in this area. Certainly I believe it would be ridiculous to assume that the founders believed simple nondenominational prayers would represent Government operation or control of religion.

The separation of church and state doctrine has been carried too far. I believe this Nation has prospered because we are a people tempered and restrained by a moral fiber nurtured by our religious beliefs, however varied they may be. The right to say a prayer in schools should be just as important as the right not to say a prayer, and both should be immune to infringement from the Government. To me, it would be unconstitutional for Government to prohibit a class of children from voluntarily praying to their Maker, merely because they are situated in the confines of a public building when they do so.

In any event, I would like for the people among the States to decide this issue, and therefore I support measures which would allow the States to act on a constitutional amendment allowing prayer in schools, so long as the prayers are not dictated by the Government to the detriment of any other religion or religious beliefs. The voluntariness of the utterance of prayers should never be violated, but equally important, it should never be stymied.

Mr. YATRON. Mr. Speaker, I rise today to assert my fervent support for legislation seeking to amend the Constitution of the United States in order to permit voluntary prayers in the public schools.

Our Nation has a strong religious heritage. Religion permeates the lives of all inhabitants of the United States of America. It is most desirable that prayers be reinstituted in our public school systems—on a completely voluntary basis, of course.

The schools of our Nation are being called upon to bear increasing responsibilities in the moral upbringing of our children. The moral principles imparted by religious training are exemplary guides to live by.

The very opportunity to participate each morning in a moment of introspection and prayer should firmly impress upon the participants the cherished principles of subservience to God and fellowship with man.

In an age where crime rates soar and morality crumbles, it is imperative that the elected leaders of this country take whatever steps are open to reverse this disheartening trend. Reinstituing school prayers constitutes an essential element in effectuating such a reversal.

Mr. WHALLEY. Mr. Speaker, those who like myself have defended prayer and Bible reading in our public schools are moved by a deep and truly sincere concern for the well-being of our country and a profound conviction that our traditions of prayer embody something very precious in our history.

The Book of Common Prayer, in one of its most impressive passages, speaks of man as giving thanks "for our creation, preservation, and all the blessings of this life." No more appropriate phrase can be found to define the human condition and to relate men to the source of all being, all value, and all truth. Perhaps the greatest of our public blessings is the privilege of living in this particular land, where we have the unquestionable privilege to express our religious convictions. This Nation has blended into "One Nation, under God" with people from almost every part of the globe.

By prayer, which rises from our hearts, each of us can also express our love and devotion to this country and for the blessings which are ours by virtue of our American citizenship.

We assemble on this Prayer Day to dedicate our energies toward a common purpose. A part of that purpose is emphasized when we say that life and liberty alike have their ultimate source in God. This Nation was conceived under God, as demonstrated by the Declaration of Independence, and has survived and prospered all these years with His help.

I am convinced that prayer and Bible reading in our public schools is a matter of utmost importance to millions of Americans and it is an issue which must not be swept aside.

I have strongly supported and will continue to support efforts to return prayer and Bible reading to our Nation's public schools. We sincerely hope more people will join us in these efforts.

Mr. DEL CLAWSON. Mr. Speaker, during the earliest stages in the formation of this Government the Founding Fathers in their wisdom recognized the importance, in fact, the need for prayer. An account of the proceedings of the Constitutional Convention by Carl Van Doren describes intervention by Ben Franklin when a virtual impasse had been reached by delegates attempting to resolve conflicting viewpoints on the awarding of equal voting privileges to the States. Van Doren reports as follows:

At this juncture, Franklin asked if he might be heard. This time he himself read his brief speech in his low, soft, hesitant voice, addressing his words directly to Washington in the Chair, almost as if this matter were between the two.

"The small progress we have made after 4 or 5 weeks close attendance and continual reasoning with each other—our different sentiments on almost every question, several of the last producing as many noes as ays, is methinks a melancholy proof of the imperfection of the Human Understanding. We indeed seem to feel our own want of political wisdom, since we have been running about in search of it. We have gone back to ancient history for models of government, and examined the different forms of those Republics which having been formed with the seeds of their own dissolution now no longer exist. And we have viewed Modern States all round Europe, but find none of their Constitutions suitable to our circumstances.

"In this situation of the Assembly, groping as it were in the dark to find political truth, and scarce able to distinguish it when presented to us, how has it happened, Sir, that we have not hitherto once thought of humbly applying to the Father of lights to illuminate our understandings? In the beginning of the Contest with Great Britain, when we were sensible of danger we had daily prayer in this room for the divine protection.—Our prayers, Sir, were heard, and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of a Superintending providence in our favor. To that kind of providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity. And have we now forgotten that powerful friend? or do we imagine that we no longer need his assistance? I have lived, Sir, a long time, and the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men. And if a sparrow cannot fall to the ground without his notice, is it probable that an empire can rise without his aid? We have been assured, Sir, that 'except the Lord build the House they labour in vain that build it.' I firmly believe this; and I also believe that without his concurring aid we shall succeed in this political building no better than the Builders of Babel: We shall be divided by our little partial local interests; our projects will be confounded, and we ourselves shall become a reproach and bye word down to future ages. And what is worse, mankind may hereafter from this unfortunate instance, despair of establishing Governments by Human Wisdom and leave it to chance, war and conquest.

"I therefore beg leave to move—that henceforth prayers imploring the assistance of Heaven, and its blessings on our deliberations, be held in this Assembly every morning before we proceed to business, and that one or more of the Clergy of the City be requested to officiate in that service."

There is no need to enlarge or embellish this eloquent statement by Ben Franklin. I would simply call attention to its singular appropriateness at this point in our national history. In response to a narrow view of the Constitution verging on the "carping" should we deny ourselves the benefits of guidance by the higher spiritual authority consulted by those who framed the Constitution? If, as the nonbelievers insist, there is no God, then how can they find prayers offensive? If, on the other hand, as most Americans believe, God does live, then why should believers not enjoy the benefits of public prayer, especially if there is no compulsion on anyone to participate?

It is a privilege to join with my colleagues in observation of Prayer Day and

in support of legislation to allow voluntary prayers in our public schools.

Mr. ROBISON. Mr. Speaker, I am indeed happy to take part in this "Prayer Day" in Congress. I have presented my thoughts on this subject in the RECORD previously, but that occasion was more than 5 years ago.

In the meantime, little has changed legally, with the possible exception of a widespread acceptance of a mistaken interpretation of the initial Supreme Court decision in Engle against Vitale, an interpretation which is unquestionably detrimental to the spirit of the first amendment. I would contend, as previously, that that decision was not a ruling against prayer in the school, but a ruling against the official seal of the New York State Board of Regents on such prayer. It is still my position that a daily prayer period in school, a period of a strictly voluntary nature, would offend no one; indeed, to refuse to permit such moderate practice may constitute a terrible form of discrimination against the majority of people in this Nation.

This thought was the basis of a bill which I introduced at that time. Since then, there have been many bills introduced and no action has been taken. I sincerely hope that it shall not be necessary to take any action that may interfere with the first amendment freedoms of the minority in the process of correcting this situation.

I think that it is fitting that we should recognize, in the form of "Prayer Day," the fact that God and prayer remain an integral part of American tradition. I still receive letters from my constituents who argue that many of this country's current problems may be traced to that fateful decision of the Supreme Court, a decision which is slowly but surely becoming buried in our memories. Perhaps these people are not entirely wrong in pointing to campus disorders and youthful drug use as manifestations of a lack of exposure to ethical and spiritual training. Aristotle contended long ago that the foundation of a virtuous citizen were the ethical lessons ingrained in him during his youth.

But we must remember that times have changed, and not, I believe, for the worse. Having given our young people a taste of spiritual and intellectual freedom, we can no longer expect them to tacitly accept thought which may be new to many of them. If we have not exposed them to this thought or to the responsibility that accompanies this freedom, some of the fault must be our own. As a result of this liberation, however, we can rightly expect many of them to ignore and rebel, much as there is rebellion within most segments of church and society today. The problem with the young generation is not that they will not accept anything; the problem is that they will not accept everything. The problem is not that they will trust no one over thirty; the problem is that they feel those over 30 have failed them too often.

Questioning means change, and change has always been considered as progress in this Nation. We must have faith in this progress, in our youth, and in truth. If our religious beliefs are worthy of our respect, then they do not need the official seal of the Board of Regents of the State of New York. No one will argue with that proposition. We must continue to remember this as we move to pass legislation that will permit prayer in our schools once more. The Founding Fathers demonstrated as much wisdom in writing the first amendment as they did in establishing a reliance on prayer that has persisted through our Nation's history. It is in this spirit, and with the spirit of the Almighty, that our society will move forward.

Mr. MCKNEALLY. Mr. Speaker, I rise today to speak in support of a constitutional amendment which is long overdue; an amendment to allow people lawfully assembled in public buildings the right to participate in prayers of a nondenominational nature. This fundamental right of every individual was swept aside by the Supreme Court prayer and Bible-reading decisions of 1962 and 1963.

These decisions represented a grave misinterpretation of the first amendment of our Constitution and the intentions of our Founding Forefathers. The first amendment states:

> Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

This amendment prohibits the establishment of a state church or national religion. It does not, however, state or imply a disavowal of the historical affirmation by this Nation and its Government of the fundamental truth of theism. As a result of the above-mentioned decisions, such an affirmation is placed in serious doubt.

Throughout the history of the world, man has sought the guidance and assistance of a Supreme Being. The United States and its people are no different. God and prayer are an integral part of our national heritage. We must take action now to maintain and strengthen our religious heritage and restore voluntary prayer in our schools where the youths of today are learning to become citizens of this great Nation.

It has now been more than 6 years since the Supreme Court has handed down its rulings and although numerous prayer amendments have been introduced, none have been voted out of committee and reached the floor of the House of Representatives. Surveys have shown that 80 percent of the people of the United States want a prayer amendment. I believe that the time has come when the voices of the people should be heard and an amendment for public prayer be enacted.

Mr. THOMPSON of Georgia. Mr. Speaker, as the author of legislation to amend the U.S. Constitution and allow voluntary prayers in our public schools, I appreciate this opportunity to voice my support for this legislation by participating in the observance of a "Prayer Day."

One of my colleagues recently pointed out that public opinion surveys show approximately 90 percent of the general public approve of voluntary prayer in the public schools and that it is time we listened to that 90 percent. That is exactly the situation we have here. Mr. Speaker, our national conduct far too often no longer is consistent with the will of the majority, but coincides with the thinking of a small minority.

The question here is not one of violating the traditional separation of church and state, for no one is seeking to establish a religion. What we are seeking to do is reestablish, on a voluntary basis, what the majority of Americans want—voluntary prayer in public schools. No compulsion is involved—for, any constitutional amendment must be voted on by the people's elected representatives through the approval of this amendment by the State legislatures.

Research into the constitutional questions involved in the issue of voluntary prayer in the public schools brings one to these inescapable conclusions:

First, that the establishment clause of the first amendment does not prohibit a recognition of Almighty God in public prayer; second, that a recognition of God was indeed a part of our national heritage; third, that the establishment clause of the first amendment was intended to prohibit a state religion, but not to prevent the growth of a religious state; fourth, that the uttering of a prayer in public assemblies was traditional throughout the Nation; and fifth, that the authorities support the position that a noncompulsory recitation of a prayer causes no pocketbook injury.

Our land has a great religious heritage. "In God We Trust" has been our Nation's official motto since 1956. "In God We Trust" has been officially inscribed on our Nation's coins and currency since 1955. These mottos carry forward a tradition which began when the Pilgrims first came to this country. The first thing they did was enter into in Mayflower Compact in 1620 which began with the recognition of God.

Mr. Speaker, confusion and consternation has reigned and widened since the original Supreme Court decision outlawing voluntary prayer in public schools was issued. This Congress has a responsibility to put an end to the confusion which has been allowed by legislative inaction to spread, by putting before the people for a vote, the question of whether voluntary prayer in the public schools ought to be again allowed. The opponents of this legislation do not want the matter to come to a vote of the people because they know the eventual outcome. They seek to thwart the will of the majority by keeping these bills pigeonholed in committee, away from a vote on the floor of the Congress where they know it will pass, and away from the people.

Mr. Speaker, I know we have nothing to fear from the people. This Government is theirs; they have a constitutional right to speak their minds on this question and I think we should give them that opportunity. I stand here today in their behalf asking that this Congress speak for the majority of God-fearing Americans, and give them the right to express their will for the return of voluntary prayer to the public schools.

Mr. ROBERTS. Mr. Speaker, I am delighted to join with my colleagues in making this "Prayer Day in Congress." The issue of returning voluntary pray-

ers to our Nation's public schools has long been a matter of grave concern to me. It is my strong belief that the U.S. Constitution protects the right of individuals to turn to God in accordance with their own beliefs. In keeping with this right, I have reintroduced my bill providing for a constitutional amendment which clearly allows voluntary prayer in public institutions. The Supreme Court's decision in favor of Madeline Murray O'Hair's case against school prayer has cast a shadow of doubt on this right. It is the purpose of my bill to clarify the issue.

The smallness of man in the vast universe was never more apparent than it was when three of America's astronauts orbited the moon and viewed earth from this lofty position. The thoughts of these men turned to the spiritual, and the prayers of the world were with them as they read the story of the creation from the Bible. And yet, there were those who objected to even this gesture.

We must do all that we can to protect the right to seek spiritual counsel in times like this. Returning voluntary prayer to our schools is the first step in reestablishing this constitutional right.

Mr. NICHOLS. Mr. Speaker, I am pleased to join with my distinguished colleagues today in urging immediate consideration and passage of the public prayer amendment to the U.S. Constitution. This amendment is of vital importance to our American way of life. The amendment will not force anyone to participate in prayer or other religious activities in our schools and public places, but it will allow continued voluntary participation in such activities.

There has been some misunderstanding about the Supreme Court ruling affecting prayer in our public schools. This ruling did not outlaw prayer, but it prohibited any student from being forced to participate. Many educators, however, have taken the ruling at face value and have completely eliminated religious activities altogether. This amendment would allow the restoration of morning devotionals, baccalaureate services, and other religious programs as long as they are voluntary.

I am pleased to say that our public schools in Alabama have continued to begin each day with voluntary, nonsectarian devotionals. I am sure they will continue to do so even without the enactment of this amendment. But unless we act to make voluntary religious activities in public places a part of our Constitution, there may come a time when the Supreme Court will rule that such activities are unconstitutional even where voluntary. This is the thing we must guard against if we are to continue to allow our people freedom of religion, one of the basic reasons America was founded.

Mr. Speaker, I again want to urge immediate consideration of this constitutional amendment to preserve the right of voluntary prayer in schools and other public places.

Mr. WYLIE. Mr. Speaker, I commend the gentleman from Connecticut (Mr. MESKILL) for his leadership in pointing out the need for this amendment. Resolution 449, which I introduced, is identical to the resolution introduced by my colleague from Connecticut.

Many of my constituents have written me to urge restoration of the right of prayer in public buildings and public schools. On my questionnaire of November 1968, my constituents voted 9 to 1 in favor of such an amendment. This amendment would return to the people of our Nation a religious liberty surely intended by the authors of the Constitution but now thought to be denied by the decisions of the Supreme Court of the United States.

Much of my correspondence notes the travesty of a nation claiming that "in God we trust" and installing its highest officials with an oath ending, "so help me, God," yet at the same time suggesting that the right of prayer to that same God in our public buildings is inappropriate.

I urge immediate action on this amendment so that the United States will make known, unequivocally, to the world that we are still "one Nation, under God."

Mr. CEDERBERG. Mr Speaker, on March 6, 1968, I introduced a joint resolution which deals with allowing prayer and Bible readings to be read on a voluntary basis in any governmental institution or school or public place. My amendment reads:

> That nothing in this Constitution shall be deemed to prohibit making reference to belief in, reliance upon, or invoking the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony, school, institution or place, or upon any coinage, currency or obligation of the United States.

It is also stated in my joint resolution that my amendment shall not constitute the establishment of religion.

When the Pilgrims came to this country, one of the first things they did was to enter into the Mayflower Compact on November 11, 1620, and the first words of their compact are: "In the name of God, Amen."

The Declaration of Independence of the United States of America was adopted and signed on July 4, 1776, and in this document are written the words:

> And for the support of this declaration with with the affirm reliance upon protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

In the preamble of each State constitution is a statement regarding the faith in God of the people of the State in forming the constitution. More recently on July 11, 1955, Congress passed and the President approved Public Law 84–140 which places the inscription, "In God we trust," on our coins and currency. President Eisenhower, on July 30, 1956, signed a resolution which made "In God We Trust" our national motto. Many of our public buildings today bear witness to our faith in God. One can find it in our Nation's Capitol, in the prayer room, the Nation's motto, in the Supreme Court Building, the White House, the Library of Congress, the Washington Monument, the Lincoln Memorial and the Tomb of the Unknown Soldier.

One of the questions which is constantly brought up is that if this amendment is made to the Constitution of the United States, it will alter the meaning of the Bill of Rights, the first 10 amendments which assert and guard most of our fundamental liberties. I do not feel that the joint resolution, House Joint Resolution 523, which I introduced as a proposed amendment to the Constitution of the United States will jeopardize our Bill of Rights. I have consistently supported efforts to amend the Constituiton for this purpose. The bill I introduced this year is broader than some proposed legislation. I have included not only prayer, but also Bible reading and the use of reference to God in any governmental service or place.

I join in supporting my colleague from Connecticut in his efforts to bring this matter to the attention of the Congress and I hope that we will be able to receive favorable action on this proposal at some future time.

Mr. BUSH. Mr. Speaker, I want to commend my colleagues TOM MESKILL and JOHN DENT for sponsoring this "Prayer Day" so that we all can reaffirm our country's cherished spiritual tradition and help to clear the confusion about the place of voluntary nondenominational prayer in our public life.

As our world has become more complex and as we have redefined again and again the limits of religion in our public life, we have become confused. Many have come to believe that some sort of neutrality about religion—in Government—in education—is what our Bill of Rights intended. But this is not the belief of a majority of the American people. It is not the conviction of the Congress. And it is not the policy of the administration.

Our country was founded by men who came searching for religious freedom. Our political system was developed at a time when it would have been unthinkable to even consider good, efficient government without the influence of religion. George Washington said almost 200 years ago:

> Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principles.

This is the context in which our Declaration of Independence, Constitution, and Bill of Rights were written. It is not accidental that the first words of the Bill of Rights are:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

And in our public life, both Houses of Congress, as well as the Supreme Court, are opened with an invocation to God. Every President upon taking office asks for the help and protection of God. And President Nixon to emphasize his strong belief in the influence of religion on our lives has instituted nondenominational prayer services in the White House. This action is extremely timely and comes at a time when we must lift the confusion from the minds of the people about the place of prayer in our public life.

And it is with this need in mind that I introduced legislation to permit persons lawfully assembled in public buildings to participate in nondenominational

prayer. This bill is very carefully drawn, preserving minority rights and preventing official dictation in religious matters. Participation must be voluntary. We must not force a given religion down anyone's throat, but at the same time we must not prohibit prayer by those who wish to do so.

Mr. CAMP. Mr. Speaker, I am of the opinion that this is a democratic form of government in spite of what the Supreme Court says to the contrary. And I am also of the opinion that, under such a form of government, the majority rules. Therefore, it only seems logical to me that if the majority of the people of this Nation want voluntary prayers in their public schools they should have it.

I have never agreed with the Supreme Court decision which outlawed prayers in our public schools in the first place. Thus it strikes me as highly ironic that the people of this Nation are required to amend their Constitution to allow a constitutional action, but if that is what is demanded, I am for it.

The founders of this Nation were Christian men, and the overwhelming majority of the people of this country profess to be Christian. It was presumed by our Founding Fathers that this would be the case. How is it possible, then, that the men who framed our Constitution, and the hundreds of brilliant men who have succeeded them in the 181 years since, could have provided for chaplains to deliver prayers before both Houses of Congress, set aside religious holidays as national holidays, have inscribed "In God We Trust" on our coins, inserted "This Nation Under God" in our flag salute, paid chaplains for our men in military service, and on and on, ad infinitum, when it was all unconstitutional from the beginning? It is totally inconceivable to me how the combined wisdom of nine men in black robes can be superior to the combined wisdom of all the mighty statesmen who have graced these Halls for almost 200 years. The Supreme Court, as have all the courts, placed a great deal of stock in precedent when considering legal matters, but it has been totally blind to precedent when it pontificates on political or moral questions. We are told by the Supreme Court that prayers in schools are unconstitutional because they are supported by public tax money.

I submit that the only logical outcome of this kind of reasoning can only result in the final abolition of any and all religious activities on all public properties.

Mr. Speaker, I am not prepared to see this happen. This very House of Representatives is supported by taxpayers. If this is not a public institution, then I do not know what a public institution is. And if it is deemed wise and prudent to open our daily deliberations by invoking the wisdom and direction of God, why is it not equally proper to solicit the same transcendent power for our schoolchildren.

To be completely consistent, the Members of this House would have to cease our prayers in Congress; we would have to remove all references to God on our coins and the flag salute; we would have to desist in observing religious holidays as national holidays; and we would have to rid the armed services of their tax-supported chaplains. This is just a beginning of all the things we would have to abolish. What about all of the little prayer rooms? What about the oaths of office administered on public properties with a hand on the Holy Bible? How can we, the Members of Congress, enjoy the blessings and comforts of public prayer while it is denied to our children?

If the Constitution of the United States must be amended to protect these things, then I hereby pledge my unequivocal support of such an amendment.

Mr. ZION. Mr. Speaker, I share in the dismay of many Members of this House regarding the announced verdict of our High Court banning public prayer in our public schools. My memory recalls vividly the sense of shock and outrage I experienced in learning that the simple, voluntary prayer recited by schoolchildren in the State of New York was no longer permissible.

Mr. Speaker, have we lost our reason? As I take my place in this Chamber, my eyes travel upward to the place above the Speaker's chair where golden letters proclaim that "In God we trust." I am well aware that the oath of office of every important Federal official, including the President of the United States and Justices of the Supreme Court, concludes with the prayer "So help me God".

Is recognition of the Divine Creator of us all to be confined to the formality of public oaths and ceremonies? Are we saying then that public prayer in our schools is improper while ceremonial references to God are valid because they are meaningless? If they are meaningless, why are they included?

I suggest, Mr. Speaker, that they are there because our Founding Fathers intended that they be there, and that these Founding Fathers saw no violation of intent, in their inclusion, of the prohibited action of the American Congress in "establishing a religion."

Article I of the Bill of Rights is a sound article, a necessary article. Our national experience, drawing on the recent visions of fratricidal church-state conflicts throughout the width and breadth of European history, knew well the dangers inherent in sanctioning one faith over others.

But the same men who lent their hands to the drafting of the Bill of Rights were also God-fearing patriots, well aware of the role of Divine Providence in our national beginnings. They were churchmen of many faiths. They were Roman Catholics and Calvinists and Jews and Methodists and hosted many less defined doctrines of belief. But they possessed, in common, a belief that a Supreme Being had guided this infant state through its traumatic birth and baptism of fire and that the perilous future dictated clearly that the God of us all must be accorded due reverence, devotion, and thanks, regardless of a man's particular interpretation of that Divinity.

How remote has our Supreme Court wandered from the intent of these Founders. Can a simple prescribed prayer, offered on an individual voluntary basis by New York schoolchildren really be held to offend the letter and spirit of the American Constitution? The Supreme Court does so say. And the Supreme Court is, under our constitutional process, the final arbiter of such questions.

It thus becomes apparent that when reason fails in the making of such a judgment, other men from other branches of the Federal structure, must undo that which has been unwisely done. I, therefore, join with my colleagues in calling for a reversal of the Supreme Court decision. I would see this Congress enact positive, unmistakably clear language in the form of a constitutional amendment which would forever guarantee the right of free human beings to acknowledge their God and Creator through the medium of public, voluntary prayer. To do less is to indeed sail our ship of state in perilous times over troubled waters without a pilot at the helm.

Mr. WYMAN. Mr. Speaker, I rise to once again express my support for my resolution (H.J. Res. 469) that will permit voluntary prayers in our public schools. It disturbs me to think that Congress has not yet acted on such an amendment to insure our constitutional right to make continued reference to God Almighty in public places and in public institutions throughout our land.

I cannot understand why U.S. citizens, whether or not connected with a church, oppose allowing children to hear or recite a prayer or decline to do so, on an optional basis, in our public schools.

It seems to me, Mr. Speaker, that the point of the whole problem is that we must remain humble before a Supreme Being. It is wise to encourage our young people to believe in a Supreme Being—no matter what the perspective.

Without such a belief—without the genuine humility it develops—the restrictions of conscience on human behavior can fall by the wayside, for belief in God strengthens conscience.

The United States is a Christian nation under God, conceived as such, and dedicated to religious freedom and to belief in God. Certain reactions to this basic truth, such as the Supreme Court decision of 1963, which was made only in the name of legal verbosity and intellectual technicality, reflect the new cynicism that, when displayed before the great dispenser of infinite justice, can only mean asking for trouble for our way of life.

It has been said so pointedly that the real question in determining the eventual success or failure of democracy in the world is not whether God is on our side but whether we are on the side of God. I pray that Congress will see fit to declare its intent as recognizing, respecting, and thanking Him who has given us all that we have by amending the Constitution and insuring our right to participate in prayer on a voluntary basis.

Mr. WINN. Mr. Speaker, for centuries universal man has acknowledged the existence of a Supreme Being—some almost omnipotent force which is responsible for the creation and order of the universe. And for years, our Nation has been guided by men who, in turn, have been themselves guided by a greater power with which they have

associated. America, and much of the rest of the world, has come to accept this greater power as God.

It is not our intent today to deny any man, woman, or child the right to worship or not to worship his or her god. It is, though, our intent to reestablish for a great number of our American citizenry the right to pray to God in schools and other public places—in silence and without coercion upon our neighbors to do the same.

Join us on this Prayer Day in Congress in our efforts to reestablish the rights of many while denying the rights of none. Join us in support of a constitutional amendment which will guarantee the right to pray—in silence and on a voluntary basis—in the public buildings of our land.

Mr. ESCH. Mr. Speaker, I am delighted to join with my colleagues in indicating strong support for a constitutional amendment to allow voluntary prayer in our public schools.

Our countryside was settled because of the faith and dedication and devotion of the courageous men and women who came to our shores. Religious liberty was the motivating force behind their immigration to the unknown new world. Their faith and devotion was so strong that they would not tolerate an intolerent society which denied their right to worship freely.

Our Nation was established by men who felt that the freedom of religion was vitally important to free men. Freedom of religion was so important to them that they guaranteed it in the first amendment to the Constitution. I hold that a trust in God is the basic spiritual foundation on which this Nation was built.

I am convinced that the first amendment which guarantees the freedom of religion was never intended to prevent free practice of religion in our public schools and public places. Indeed, the uttering of a prayer in public assemblies has been traditional throughout the Nation. Symbolic of that tradition is the offering of prayer by leaders of all the religious faiths during the inauguration of our President. I am proud of this symbolic commitment of the Nation to a higher purpose and to God.

Mr. Speaker, I very strongly believe that we should teach our children that expressions of reverence are something to be encouraged rather than repressed. While I do not believe that any child should be forced to pray against his beliefs, I very strongly feel that an opportunity for prayer should be provided.

I hope that the House of Representatives, the Senate, and the legislatures of the States will soon be provided an opportunity to express their will on this important constitutional amendment.

Mrs. REID of Illinois. Mr. Speaker, as the sponsor of House Joint Resolution 427, I wish to join my colleagues in support of legislation proposing a constitutional amendment to allow voluntary prayers in our public schools.

The first fundamental principle of our free society is the right of every individual to worship God in his own way. The one single force that gives distinction to the United States of America, unique among all nations, is our heritage of freedom of religion. Ours is the only nation in history conceived, begun and continued as a specific monument to God's great plan. To deny our youth, their teachers, and their counselors the privilege of a communal exercise of their allegiance to God as well as to country is, in my opinion, a rejection of our most constant source of power and strength.

America's young people between the ages of 7 and 21 spend more waking hours at school and in school activities than they do at home and church combined. Many of them have no exposure to their spiritual God except through the student bodies to which they belong.

I realize that much has been written and spoken concerning the decision on prayers in public schools and I have noted the argument that those who differ with us believe their children should not have imposed on them a compulsory period of silence or separation during the recitation of a school prayer. By the same token, it can also be reasoned that the great majority of schoolchildren who have participated or desire to participate in school prayers, have been forced to accept the position of the nonbeliever.

No citizen should be denied his right. No American should be required to embrace a religion. We should remember, however, that those who struggled to put the exact words in our first amendment to the Constitution clearly sought to avoid only a Government-forced form of religion. We are not to establish a denomination—a faith—or a creed. At the same time we are to do nothing to "prohibit the free exercise of religion." Worship is a personal and private matter. Those who choose not to worship may refrain, but those few should not be permitted the power to prevent the overwhelming majority the privilege of their own worship.

There are a great many contradictions in our country, and some of them simply do not make sense. The matter of prohibiting a prayer time for children in our public schools is one of them. Each day when the House convenes, the Speaker gavels for order and then says, "The Chaplain will offer prayer." Chaplains of the House and Senate whose salaries are paid from public funds, offer their prayers in a building built from public funds. When the distinguished Justices of the Supreme Court of the United States are announced by the Court Crier, he asks God to "save this honorable Court." But the Court has ruled that prayers by and for children in public schools are unconstitutional.

In my judgment, these decisions damage our national religious heritage. There is much evidence that an overwhelming majority of the people of our Nation want the right to have prayers in public schools for those who desire them. I believe it is the duty of Congress to submit this question directly to them. This can be done only by a resolution for a constitutional amendment, which when approved by two-thirds vote in each House, can then be submitted to the States for final ratificaiton.

It is my hope that the Committee on the Judiciary will act to report the proposed amendment at the earliest date possible.

Mr. ESHLEMAN. Mr. Speaker, there are many of us in this body who know well the satisfaction of approaching one's Creator with personal prayer. Congress today, like our forefathers who set forth this system of government, is imbued with a deep and abiding sense of accountability to God and to man. Daily, the prayers which open our sessions reaffirm that this Nation is above all spiritual at its roots.

The first written document in America, the articles of government known as the Mayflower Compact, began with the words, "In the name of God, Amen." The Declaration of Independence states that men's inalienable rights are "endowed by their Creator." Our most fundamental foundations rest within a valued tradition of spirituality and God.

Today that tradition is being challenged. A great debate has emerged which is supposedly centered on the expressed American doctrine of separation of church and state. However, in reality, the separation of church and state is not the issue. Few doubt the necessity for maintaining a line of demarcation between the functioning of religion and the functioning of the Government. The true dispute concerns the divorce of God from the Nation. Grave doubts exist about the abandoning of inherent spirituality in our national life.

The central issue in the present debate is whether or not within our public institutions our youths will be permitted again to profess the faith of our fathers. Will prayer, which was for so long a part of our educational process, again be allowed in our public schools? Not prayer which seeks to force certain dogma on the individual, but voluntary prayer which provides an opportunity for the student to seek the same divine guidance that we recognize as so important to our legislative deliberations. It is lamentable, in my opinion, that we have waited so long to define by law a means by which our children can offer constitutionally a simple prayer in their classrooms.

It appears that an amendment to the Constitution will be needed to guarantee that prayer can be brought back into this Nation's schools. I would hope that the Congress will act quickly to pass such an amendment.

Mr. BYRNES of Wisconsin. Mr. Speaker, I am pleased to add my voice to the effort to make possible the voluntary offering of prayers in the public schools.

Throughout our history, beginning with the Declaration of Independence, Americans have asked divine guidance in their public deliberations and undertakings.

Nowhere does the Constitution prohibit such supplication to God and indeed His name is invoked daily in this House. It is beyond me how the Supreme Court could read into the Constitution a prohibition against voluntary, nonsectarian prayers in the public schools. By no stretch of the imagination, it seems to me, can this voluntary practice be construed as the establishment of a religion.

On the other hand, what this judicial

edict has done is to deny the spiritual foundations of this Nation and to weaken the principle which changed the course of history when it was enunciated by our Founding Fathers in the Declaration of Independence—that man's inalienable rights come from a Creator who stands above man and his works.

To deny to those who wish to do so participation in prayers which recognize this basic principle is to deny the very foundation on which this Nation was built.

Mr. MURPHY of New York. Mr. Speaker, to define prayer is far from easy. Perhaps the simplest definition is also the profoundest—the "Practice of the Presence of God," in the famous words of the title of the much-loved little French classic by 17th-century Catholic Brother Laurence. It is this sense of communion with a "Presence" which gives unity to prayer throughout the ages from every race, every faith, and every part of the world, binding together such widely differing personalities as the simple, unlettered author of the "Practice" in 17th century France to the subtle, complex character of the 19th-century American poet, Emily Dickinson, who wrote of prayer as the "little implement; through which men reach; where presence is denied them."

In these days it appears to many that the practice of prayer has measurably declined together with the general influence of organized religion. Yet religion has proven time and again through history to possess remarkable staying power; its recuperative energies testify to the universal and ineradicable religious hunger of men which will not be denied, though it be forced by new forms of oppression to express itself in strange or hidden ways. The power of prayer lies in its interior life where man may commune with his God in the spirit of Matthew 6:5–6:

When you pray, go to your private room, and when you have shut your door, pray to your Father who is in that secret place . . .

So ultimately the seat of all deeply religious encounter is in the hidden encounter of the soul with God.

Yet having said this, we recognize also the necessity for some regular, formalized expression.

To pray together—

Wrote Madame de Stael—whose witness is the more significant in that she herself was far from conventional religious opinion—

in whatever tongue or ritual, is the most tender brotherhood of hope and sympathy that men can contract in this life.

The history of Christian worship, as of the worship of the synagogue which preceded it and, indeed, gave it shape in the beginning, is a history of corporate prayer; and the only prayer clearly identified with the express will of its founder, in answer to the question, "Lord, teach us how to pray," begins with the significant address, "Our Father." Feelings and virtues which are unexpressed have little or no social impact. So it is with prayer.

Because of this awareness that prayer, like love, like courtesy, like truth itself, must proceed from an all-important inward disposition to an equally important outward expression, and because of the special place which religious faith has held in the American experience from the very foundation of the Nation, we are met here today in common witness to that deep concern for the religious values which are represented by the tradition of voluntary prayer in our public schools. Within my own constituency, this nationwide concern has found expression in the activities of Citizens for Public Prayer, Box 112, Staten Island, one among many such groups across the continent. Sharing this concern, I have associated myself with those who are seeking constitutional change in this area, and, indeed, have actively sponsored pertinent resolutions in this present Congress and in the two previous Congresses. For what indeed are men, in the words of Tennyson:

". . . better than sheep or goats
That nourish a blind life within the brain,
If, knowing God, they lift not hands of prayer
Both for themselves and those who call them friend?
For so the whole round earth is every way
Bound by gold chains about the feet of God."

The genius of true prayer, suggested in Tennyson's moving lines on the death of Arthur, lies in the realm of gratitude, in that sense of dependence and of thanksgiving which is truly the beginning of wisdom, bred in a saving sense of our finitude and humility. Such prayer can illumine the insight of Justice Oliver Wendell Holmes, who wrote that, "The great act of faith is when man discovers that he is not God." The larger concern which is symbolized by our gathering here today touches on the well-being of our troubled nation and, indeed, of the world at large.

Man's life—

Writes a distinguished philosopher, scholar, and teacher, not himself a professional religious spokesman—

Is a becoming; and not only becoming, but self-creation . . . the force that shapes him is his own will. All his life is an effort to attain to real human nature. But human nature, since man is at bottom spirit, is only exemplified in the absolute spirit of God. Hence man must shape himself in God's image, or he ceases to be even human and becomes diabolical. Knowledge of God is the beginning, the center and end of human life.

And, finally—

Prayer may not be the whole of religion, but is the touchstone of it. All religion must come to the test of prayer; for in prayer the soul maps out the course it has taken and the journey it has yet to make, reviewing the past and the future in the light of the presence of God (R. G. Collingwood.)

The traditions of public prayer in America, suitably protected against sectarian abuse or any form of coercion, are a precious element in our national life which we neglect or abandon at our peril.

Mr. BROTZMAN. Mr. Speaker, the Constitution of the United States is the greatest instrument of government devised by man. I do not believe it should be or need be amended often. But at the same time I feel Congress does have a responsibility to preserve and protect the Constitution from unwarranted mutation by judicial fiat, and under some circumstances an amendmnet may be the only practical means to provide that protection.

I believe that the decisions of the Supreme Court regarding prayer in the public schools have led to a situation that makes such a measure appropriate.

I am aware that the Court did not outlaw prayer as such in its public school decisions. It is doubtful that it could have. What was prohibited was the official designation of a set prayer for use in public schools. Unfortunately this decision has been lost in the implementation of the decision and in effect voluntary group prayer is no longer sanctioned in most of the public schools of the land.

Mr. Speaker, I believe there should be no question regarding the right of public schools to permit voluntary prayer as an integral part of their daily schedule. Therefore, I would support a resolution to offer the States an opportunity to enact a constitutional amendment that would secure this right.

Mr. SANDMAN. Mr. Speaker, I am pleased to join my distinguished colleagues in support of a constitutional amendment to allow voluntary prayers in our Nation's public schools.

Religious freedom was one of the founding principles of our country. God must be kept active in our thoughts and actions and in the operations of our Government.

More than 80 bills have been introduced in Congress. I fully support this legislation to rescind the Supreme Court decision of 1962 banning all prayer in our public schools. I am hopeful we will be able to obtain favorable action during this session of Congress.

To forbid voluntary prayer in our schools and classrooms is to commit our children during their preparatory education to a stifling vacuum instead of providing for their growth in the natural, spiritual atmosphere of the Christian faith that has given our country strength and the will to survive and be the champion of freedom in all of its relationships.

Mr. ZWACH. Mr. Speaker, when our forefathers met in Philadelphia 193 years ago to draft what has become the Declaration of Independence, they made repeated references to a Supreme Being.

In the closing paragraph of that great document they wrote:

With a firm Reliance on the Protection of divine Providence . . .

When George Washington took the oath as first President of the United States on April 30, 1789, he added a four-word prayer of his own, "So help me God," an invocation still used in official oaths.

In his inaugural address, Washington reverently acknowledged our country's dependence on Almighty God when he said:

It would be peculiarly improper to omit in this first official act, my fervent supplications to that Almighty Being who rules over the Universe. . . . and whose providential aids can supply every human defect. . . .

Seven and a half years later, in his farewell message, Washington said:

> Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensible supports.

In his first Thanksgiving Day proclamation on October 3, 1789, the Father of our Country wrote:

> Whereas it is the duty of all nations to acknowledge the Providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and favor. . . .

When Abraham Lincoln left his home in Springfield, Ill., to serve as President of the United States, he said:

> Without the assistance of that Divine Being who ever attended him (George Washington), I cannot succeed. With that assistance, I cannot fail.

Under the protection of the divine providence, as evoked by our leaders all through the years, God-fearing, God-recognizing America became the greatest nation the world has ever known.

Mr. Speaker, I urge my colleagues to go back to that divine guidance, to allow our schoolchildren to evoke the blessings of providence, so that America, under God, long the light of hope, the cradle of liberty and freedom, maintains its self-respect and the love and admiration of all of the peoples of the world.

Mr. HOGAN. Mr. Speaker, man's most intimate and most public manifestation of reverence and acknowledgement of a power greater than himself, indeed greater than the universe, is prayer. By the act of prayer, public or private, man becomes humble, admits to his fallible nature, impotence, and dependence upon an ultimate source which represents eternal omnipotence, immutable principles, and perfection in all those ideals toward which he strives and relative to which he guides his life and appraises his actions. This Being man chooses to call Creator or God and by so doing grants to Him alone adoration and worship. With the Being man establishes a rapport so intimate that its contents are known only to himself, and thus he reaffirms his individuality. Yet, by the means of prayer, man knows that he is not alone in this vast universe and no matter the human emotion or the circumstance—grief or joy, desperation or fear, need or gratitude, man can resort to prayer as a means of expression or as a source of strength or consolation and above all, as belief in hope.

Like the nature of man, prayer is universal and common to all. More important, the act of prayer binds all mankind and is the giver of real meaning to the term "brotherhood of man" for all, by this act, acknowledge the same Giver of Life. The Declaration of Independence utilized the force of reason to unequivocally declare that the rights of man were an endowment of their Creator. Yet, though our very institutions of Government are based upon this fact, we are forbidden to pay our voluntary respect to that Creator by prayer in our public schools. To be logical, and in keeping with the recognition accorded the Creator in the prime document of our reason for national existence, one must conclude that the Constitution should be amended to permit voluntary prayer in our public schools.

Mr. KLEPPE. Mr. Speaker, on April 29 of this year, I joined with several Members in introducing House Joint Resolution 685 which proposes an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings. In essence, it says very simply:

> Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through expenditure of public funds, to participate in nondenominational prayer.

Apparently it is legal for persons lawfully assembled in public buildings to proclaim that "God is dead."

It seems to me that those of us who believe otherwise should have an equal opportunity to beg forgiveness for them and to assert our conviction that God still lives and will for all time.

Mr. FALLON. Mr. Speaker, since the Supreme Court's decision invalidating recitation of the Lord's Prayer and selective readings from the Bible in our schools, I have received a large number of protests not only from the residents of my congressional district but from all over the country.

From editorials on the subject, apparently there were some who felt the controversy would blow over "when the American people understood the true facts." However, this is not the case. The storm of protest unleashed by the Supreme Court's decision has been tremendous. The controversy provoked by the school prayer cases continues despite the passage of time.

Commentators express consternation at the tenacity of the school prayer and point to court decisions in a number of other vital areas which they deem to possess more far-reaching significance. However, such analysis miss the mark since the average American, whatever his own notions of one man—one vote, fairness in legislative investigations and sundry other matters to come before the Court in recent years, feels the effects of the school prayer rulings in a very personal and intimate way. Rather than insuring against an establishment of religion, he feels that these decisions have been made inroads upon his free exercise of religion.

Like most Americans before him, he has been raised in the practice of beginning the day with a prayer—and in many cases the reading of the Bible and singing of hymns—which he feels in the final analysis are conducive to the fostering of brotherhood and gratitude.

Although the average American may have only dimly perceived, if at all, its value at the time, the process of beginning the day with prayer, had its cumulative, wholesome effect on his development as a worthy and responsible citizen. Moreover, as the passage of years brought on awareness, it formed part and parcel of the tradition that he wishes to pass on to his children.

It is in support of this tradition that I have introduced a joint resolution to permit the recitation of noncompulsory, nondenominational prayer in the public schools. My proposal is free from any and all compulsion. It permits restoration of opening prayer exercises; it does not require it. The entire matter would be in the hands of State and local authorities where it was traditionally and is more appropriately lodged. Wherever the practice is resumed, individual students who, for any reason, dissent from the practice, would be at liberty to withhold their participation. In fact, my amendment would not tolerate resumption of the practice if not characterized by an absolute guarantee of voluntariness on the part of the students, teachers, school officials, and parents. Furthermore, the requirement that the prayer must be denominationally neutral rules out any program which would foster the beliefs of any particular institutional or organized religion.

Mr. Speaker, the Congress has in recent years made significant strides in securing every American his most basic right of citizenship—the right to vote. My amendment, if adopted, is another step in this direction for it permits the American people to vote on this most important of all matters—the upbringing and education of their children.

Mr. LENNON. Mr. Speaker, I am very pleased to join other Members of Congress in emphasizing my belief that prayer is vital to preserving the spiritual life of our Nation.

In September 1963, I first introduced a resolution to amend the Constitution to permit voluntary prayer and reading of the Bible in our public schools. I have reintroduced the resolution in subsequent Congresses.

Voluntary prayer in our public schools and institutions, in my judgment, could well be the moral rearmament needed to inspire our youth to become builders of more orderly and harmonious living within our Nation. Unless our Nation is awakened to the dangerous trend away from the spiritual heritage of our forefathers, I am fearful for the future. Through the years prayer has instilled the moral principles and strength for our form of government.

Recognition that our Nation is not separated from God would not in any way violate the principle of separation of state from church, nor establish any religion. It would, however, allow our citizens to exercise the right inherent in the first amendment of our Constitution—that of freedom of religion.

This is assuredly a time to rededicate ourselves to reliance upon the deep power of prayer.

Mr. FUQUA. Mr. Speaker, a great deal of confusion exists throughout America today because of a lack of understanding relative to Supreme Court decisions regarding prayer in our public schools.

Few decisions have caused as much consternation and concern for our people, and it is my judgment that remedial legislation is necessary.

The measure which I support recognizes that the State should not write mandatory prayers nor should we ever force any person to recite prayers. But it seems to me that there is a corresponding right for the vast majority to engage in simple devotionals while attending schools.

Since our is a nation of laws rather

than the whims of man, I feel very strongly that we should enact immediately legislation which would clarify this question in the minds of our people. Nothing in the measure which I support and which a great many Members of the Congress support would infringe upon the basic rights of individuals, but rather it would allow those so inclined to engage in simple devotionals without running counter to any court decisions.

The legislation to which I refer was arrived at by a bipartisan committee named by the leadership. I served on that committee, and we spent many hours digesting the various measures which had been introduced and then attempted to arrive at a measure which would allow for maximum voluntary participation in devotional exercises in our schools without infringing on the basic religious freedom which is every American's right.

Today, we join together in a concerted effort to urge that this legislation be reported out of committee so that the Congress can vote either to pass or reject these suggested provisions. Certainly, this is a reasonable request, and I urge the appropriate committees of the Congress to hold hearings at the earliest possible date to consider the bills which have been introduced on this subject.

Mr. BEVILL. Mr. Speaker, in 1962, the U.S. Supreme Court ruled that prayer recital in public schools is an establishment of religion prohibited by the Constitution. Since that time, through subsequent decisions, the Court has continued to maintain this position.

I, along with a great many other Americans, have been deeply concerned about the effect of the Court's position. In both the 90th and this 91st Congress I have introduced proposals to amend the Constitution to allow for freedom of prayer not only in public buildings but wherever Americans gather.

More than 80 other Members of Congress have introduced similar bills during this session, indicating the magnitude of feeling surrounding this issue. I consider this feeling to be conclusive evidence that Americans regard religious freedom as vital to our democratic system. It is my hope that our remarks today will emphasize the importance of our taking action to check the power the U.S. Supreme Court has assumed through its decisions regarding prayer. Americans are justified in wanting their freedom protected.

We open each session of the House with prayer. Each session of the Senate also opens with prayer. I feel that it is important that American children open their schooldays with prayer also.

We must insure the freedom of prayer in this country.

Mr. MOLLOHAN. Mr. Speaker, I wish to thank my distinguished colleague, the gentleman from Pennsylvania (Mr. DENT), for taking the initiative to set aside a time for remarks by those of us who have been active in efforts to establish the principle of nondenominational prayer in schools in our Constitution.

Under the decisions of the Supreme Court there is a pervasive doubt that any such religious activity can now take place in our Nation's public schools without violating the first amendment provision that—

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

Because of the Supreme Court's interpretation of that provision, the wisest course, for those of us who feel that prayer should have a place in the schools, is to amend the Constitution so as to specifically provide for such prayers. Accordingly, I have introduced House Joint Resolution 371 which provides—

> Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in part or in whole through the expenditure of public funds, to participate in non-denominational prayer.

America was a nation conceived in the spirit of the freedom of religious practice. The Mayflower Compact, sworn to by the entire pilgrimage cited the "glory of God" as the purpose of the voyage to the New World. The recognition of a Divine Being appears not only in the state documents of America such as the Declaration of Independence and the Constitution, but in the articles opening the Northwest Territory as well. Our oldest national holiday, Thanksgiving, has a primarily religious motivation.

We should keep in mind our Founding Fathers' vision of religious tolerance. For it was this tolerance, not only for differing choices of the worship of God, but the choice not to worship or even believe in God that found its way into the Constitution through the oath of office and the refusal to set up a religious test in the qualifications for holding office.

Today, we are not attempting to establish a state religion or to provide to all a religious training. We are simply reaffirming the right of Americans to have an observance of God through prayer in a public assembly. We are reaffirming this right in the conviction that while the right to exercise a religious belief, and to do so in public, is equal to the right not to have a religious belief.

The purpose of this amendment is to balance those rights for the great majority of Americans who do have a religious belief, which they wish to be able to express publicly and to have their children express publicly. It should be noted that there is nothing in the amendment proposed by my bill that would infringe on the rights of those who do not share a religious belief. There could not be a requirement that children participate in a religious observance at school. Quite the contrary, this amendment merely allows those who have been barred from such an observance to once again observe their religious belief in a public assembly.

If we are to have religious freedom, that freedom must be for all, not just the few. To prevent that, we must see that the positive right to exercise religious belief is protected along with the right to refrain from such a belief.

Mr. GARMATZ. Mr. Speaker, less than a decade ago, voluntary prayer in public schools was considered a part of our American heritage—it was symbolic of a country whose Founding Fathers believed in religious freedom. Less than a decade ago, it would have seemed unreal to think that legislation would be needed to guarantee such a basic freedom. I still find it unreal when—at this moment in time—Representatives must rise on the floor of Congress to fight for what everyone once took for granted as being guaranteed by our Constitution.

The fact that such drastic changes have been wrought in such a short timespan is cause for alarm; it is a warning that our precious rights and privileges must be zealously guarded.

We are living in a strange age, where reason sometimes seems to give way to whim. This is an age when vulgarity, profanity, obscenity and even pornography are not only countenanced, but openly accepted, under the guise of free speech. It is an age when permissiveness has become an accepted and recommended practice, and is used as an excuse for allowing civil disobedience, campus disorders, and even outright violence to go unpunished. I find it ironic and disturbing that the same era which produced this concept of permissiveness has also produced a movement which would not permit a simple prayer.

Mr. Speaker, I take no pride in the fact that the infamous Madalyn Murray—who helped ban the prayer from schools—lived and did her dirty work in the city of Baltimore, a portion of which I represent. I assure you that most residents of Baltimore and the State of Maryland share my sentiments. I know this from the avalanche of mail I have received, and from remarks made personally to me by countless concerned Americans.

What this Nation needs, and what most of its citizens yearn for, is a return to reason. One of the first steps in that direction is legislation which will permit voluntary participation in prayer in public schools. I have introduced a joint resolution (H.J. Res. 343) which would accomplish that goal by an amendment to the Constitution of the United States.

Certainly, it is reasonable to guarantee that right to every American who cares about how our children are being influenced in their early and impressionable school years. Many other Members of Congress share my sentiment have introduced identical resolutions, and will speak today on the floor in behalf of this amendment.

Mr. Speaker, I hope that their voices will be heard, and I trust that overwhelming support for this resolution will come from both Houses of Congress.

Mr. DOWDY. Mr. Speaker, the flight of the astronauts around the moon renewed and stimulated support, as evidenced by the volume of mail, for our efforts to restore the traditional right of religious expression. I have appreciated every one of the many letters from the people of my district. They have reaffirmed my opinion that a great majority of Americans are opposed to the restrictions which have been placed upon prayer and Bible reading.

This year, as in past Congresses, I

joined others of my colleagues in introducing a proposed amendment to the Constitution of the United States which would state clearly that nothing in the Constituion would be deemed to prohibit the offering of, reading from, or listening to prayers or biblical scriptures, if participation is voluntary, in any school, institution or place in our country.

I believe that such action is necessary so that the boys and girls of this Nation—and their parents—can claim that part of their heritage which allows them to read the Bible and pray together, if they desire, without breaking the laws of the land, as decreed by the U.S. Supreme Court.

It is the right of every American child to know the source of America's strength. There can be no disputing the fact that many of America's leaders have regularly sought God's help, through prayer and reading of the Bible, as they have led our Nation.

It is my opinion, Mr. Speaker, that it should be a matter of pride with us that, in this day when so many demand so much, our people should be guaranteed the freedom of praying together in any lawful assembly if they so desire.

I am happy to join my colleagues in supporting legislation to allow voluntary prayers in our schools.

Mr. HENDERSON. Mr. Speaker, in 1963 the U.S. Supreme Court in the case of Engle against Vitale, ruled that the use of a particular prayer in the public schools of the State of New York was, under the circumstances which prevailed at that time and place, a violation of the 14th amendment of the Constitution of the United States.

In a series of decisions since that time, the Supreme Court has also ruled that prayer and scripture reading in the public schools of other States and under varying circumstances was likewise unconstitutional.

Despite these decisions in specific cases, there remains considerable doubt as to whether the rulings are broad enough to apply to all forms of voluntary prayer and scripture reading in all public schools throughout the Nation.

I personally am inclined to hold the view that in each instance, the ruling did not extend beyond the facts of the particular case and that the type of "devotional" we are accustomed to in the public schools of North Carolina is not prohibited by the Court decisions.

However, in order that there be no doubt in the minds of school officials, pupils, parents, or other interested parties, in 1963 shortly after the first decision by the Court, along with may other Members of Congress, I introduced a resolution which would amend the Constitution to spell out clearly that no prohibition aginst voluntary prayers or Scripture reading is contained therein.

The House Judiciary Committee did not give these resolutions a favorable report in the 88th Congress and consequently they were never voted on in the House. I testified before that committee in 1964 to urge favorable action.

Congress still has taken no action on the many resolutions introduced on this subject, but my position remains unchanged. I have again this year reintroduced my amendment and again urge its favorable consideration by the House.

Mr. HAGAN. Mr. Speaker—"So help me, God."

These words were a part of the oath taken by Judge Warren E. Burger when he was sworn in as Chief Justice of the U.S. Supreme Court. This same Court was responsible for the ruling which began a chain reaction across the country culminating in the removal of prayer from a very large number of our public schools. Not only do we acknowledge God's supremacy in the Supreme Court, but in our Congress and in so many other courts and public offices throughout the land with opening prayers and oaths similar to that given to our Chief Justice.

In a very moving event last Christmas our Apollo 8 astronauts voiced their faith in God by reading from Genesis as they circled the moon. These men had been privileged to see more of God's great firmament than most of us ever will. They had trusted their lives to the orderliness of His creation, and they wanted the world to know of His majesty. Never have we had so great a need for God as we do today. Our young folks need His love and wisdom. One of the most positive actions Congress can take toward helping our youth is to see that once again they are allowed to come under the influence of God's word through Bible reading and prayer in our schools. Yet, today, despite the fact that a number of my colleagues and I have sponsored legislation to permit voluntary prayer in public schools and public places, no action has been taken.

In this modern day when everything is questioned and we see so much cynicism, we need to be reminded of the reality of God and find our way back to Him as a nation. Our moral values and standards have slipped. Until we turn to Him again we will not find the peace and good will on earth we all so earnestly desire.

I am grateful for this opportunity of joining with my colleagues in supporting legislation to allow voluntary prayers in our schools, because of its great importance and the tremendous impact it can have on our country.

Mr. FREY. Mr. Speaker, on February 4 I introduced legislation which would amend the Constitution to permit nondenominational prayer in public facilities.

I join today with my fellow colleagues in "Prayer Day" to declare our united feeling for immediate congressional action on legislation to restore and retain the original meaning of this portion of the first amendment to the Constitution.

Public reaction has been overwhelmingly in favor of voluntary prayer in our schools. The Founding Fathers of our country did not intend that the church and state be hostile and suspicious toward one another. But in recent years Court decisions have tended to discourage the recognition of our religious heritage and bar even nondenominational prayer in schools. In these times when many are claiming the world and this country are proceeding at a fast pace down the road of moral decay, I think it is time to reiterate this Government's recognition and acceptance of the importance of religion in our daily lives and in the heritage of this country.

Mr. ROTH. Mr. Speaker, as a sponsor of House Joint Resolution 407, I am pleased to join in urging action on the proposed amendment to the Constitution. The school prayer amendment is strongly supported by the people of Delaware and by their elected officials. In my recent constituent poll sent to every household in Delaware, I asked the question: Would you favor a constitutional amendment to permit voluntary nondenominational prayer in public schools? Although the results have not been completely counted, more than 80 percent of those responding said "Yes."

Earlier this year, the General Assembly of the State of Delaware adopted Senate Joint Resolution 2, a measure commending Senator JOHN J. WILLIAMS, Senator J. CALEB BOGGS, and myself for our support of the prayer in school amendment. The resolution was signed by Gov. Russell W. Peterson on March 31, 1969.

I do not view the proposed amendment as an attempt to impose a particular religion on any individual. Were that its aim, I would oppose it. But, if Government is barred by the Constitution from establishing an official state religion, neither should it deny individuals the right to pray if they wish.

It seems incongruous that this Nation, whose birth certificate invoked the blessing of our God upon its struggle for freedom, should now outlaw prayer—even voluntary prayer—in public schools. School prayer can never be an effective substitute for parental guidance or religious training. But, return of school prayers would help restore a sense of individual morality that now seems lost, I believe.

School prayers were banned as the result of a judicial ruling and in the face of broad and strong public resentment to that decision. The people have never really been asked their opinions on the subject. It seems to me desirable to place the question squarely before the people. As a sponsor of House Joint Resolution 407, proposing an amendment to the Constitution, I would support it; as a private citizen, I would work and vote for its ratification by my State.

Mr. HUNT. Mr. Speaker, I commend my colleagues, the gentleman from Connecticut (Mr. MESKILL) and the gentleman from Virginia (Mr. DENT), for reserving this time in order that all concerned Members may address themselves to the issue of voluntary participation in prayer in public schools, a practice effectively prohibited by decisions of the Supreme Court.

While I am no constitutional lawyer, it seems to me that the application of the first and 14th amendments by the Court, in those cases involving the subjects of religion and Government, has been so mechanical as to render a reconstruction of the intent of these amendments necessary. To the disbelief of a majority of our population, which traditionally has recognized a spiritual heritage in public as well as private affairs, the lofty semantics so often utilized by this tribunal confounds the layman's understanding of commonsense

and good judgment. Only the results make a lasting impact, and in this instance, prohibition of prayer in public schools strikes the majority as being an infringement upon the free exercise of religion guaranteed by the Constitution.

It seems strange indeed that for 152 years since the ratification of the Constitution, the first amendment stood its ground well. It provides that—

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . .

Then in 1940, in the case of Cantwell against Connecticut, the Supreme Court in one stroke declared:

The Fourteenth Amendment has rendered the legislatures of the states as incompetent as Congress to enact such laws.

As a result of this decision, there has been no lack of cases brought by those who not only mock our spiritual heritage and belief in a Supreme Being, but would supplant religious freedom with their own brand of secularism. Subsequent decisions, and with them the complete prohibition of voluntary nondenominational prayer in public schools, have certainly not placed Government in the position of neutrality respecting religion, but instead have fostered the impression of Government-imposed secularism.

I believe this view is best stated, in commonsense terms, by Mr. Justice Stewart in his dissenting opinion in the case of Abington School District against Schempp:

It might . . . be argued that parents who want their children exposed to religious influences can adequately fulfill that wish off school property and outside school time. With all its surface persuasiveness, however, this argument seriously misconceives the basic constitutional justification for permitting the exercises at issue in these cases. For a compulsory state educational system so structures a child's life that if religious exercises are held to be an impermissible activity in schools, religion is placed at an artificial and state-created disadvantage. Viewed in this light, permission of such exercises for those who want them is necessary if the schools are truly to be neutral in the matter of religion. And a refusal to permit religious exercises thus is seen, not as the realization of state neutrality, but rather as the establishment of a religion of secularism, or at the least, as government support of the beliefs of those who think that religious exercises should be conducted only in private.

That the Supreme Court has mechanically assured there shall be no law "respecting an establishment of religion" while at the same time effectively "prohibiting the free exercise thereof," Mr. Justice Stewart concludes his dissent:

What our Constitution indispensably protects is the freedom of each of us, be he Jew or Agnostic, Christian or Atheist, Buddhist or Freethinker, to believe or disbelieve, to worship or not worship, to pray or keep silent, according to his own conscience, uncoerced and unrestrained by government. It is conceivable that these school boards, or even all school boards, might eventually find it impossible to administer a system of religious exercises during school hours in such a way as to meet this constitutional standard—in such a way as completely to free from any kind of official coercion those who do not affirmatively want to participate. But I think we must not assume that school boards so lack the qualities of inventiveness and good will as to make impossible the achievement of that goal.

Mr. Speaker, my resolution, House Joint Resolution 424, like numerous others on the subject, seeks to assure that the right of persons to participate in nondenominational prayer in any public building shall not be denied because of a modern-day construction of the Constitution, not intended by its founders nor found acceptable to the large majority of the American people. I gladly add my voice to those who urge that hearings be undertaken in order that the legislation can be given thoughtful and deliberate consideration.

Mr. WHITEHURST. Mr. Speaker, it is a privilege for me today to join with my colleagues in support of a constitutional amendment to permit voluntary prayers in our public schools. The fact that so many Members have introduced bills toward this end encourages me to believe that this body will take positive action. I have received more letters and cards requesting this legislation than any other subject. Surely we cannot remain deaf to the plea of God-fearing citizens who wish to relate their faith to the daily educational routine of their children.

Mr. GOODLING. Mr. Speaker, I would like the record to show that I have joined with a host of Congressmen in introducing legislation designed to amend the U.S. Constitution to permit nondenominational prayers in the public schools and other public institutions. My legislation is House Joint Resolution 287.

I have introduced legislation of this nature to the previous Congress, but unfortunately no progress was made on it. Personally, however, I feel this type of legislation has great merit, so I have again introduced it and hope the Congress will give it serious consideration.

The truth of the matter is that our great Nation had its beginning in prayer, being settled against the background of the Mayflower Compact. This Compact was written in November of 1620, beginning with this prayer:

In the name of God . . . we, having undertaken for the glory of God, do by these presents solemnly and mutually in the presence of God, and of one another, covenant and combine ourselves together into a civil body politic.

The kneeling figure of George Washington—through the bitter winter in Valley Forge—is a part of this country's religious background that never should be forgotten. In a like manner, it was Lincoln who said:

I have been driven to my knees many times, for I have had no place else to go.

Too, it is recorded in history that during the Constitutional Convention and the Revolutionary and Civil Wars, the leaders of America constantly sought Divine Guidance through those dark days of our American history.

It is interesting to note that our coins and currency give recognition to the Deity, and all of us are familiar with the "In God We Trust" inscription on our nickels and quarters. This inscription also appears over the Speaker's rostrum in this very Chamber. In a like manner, many of our public documents make reference to God, and witnesses and others in courtroom proceedings swear to tell the truth "and to help them God."

Mr. Speaker, history's verdict on this God-fearing country of America is rather interesting, for while this Nation has supported freedom of spiritual pursuits, so has it arrived at great material attainments. For instance, the United States has only 6 percent of the world's population, but still it has 57 percent of the world's automobiles, 51 percent of its telephones, 41 percent of its radios, and 47 percent of its television sets. In addition, college opportunities in America are more abundant than any other place in the world.

While I feel that nondenominational prayer should be available in public schools and other public institutions for those who want it, by the same token, those who do not choose to take part in such programs should have the right to be excused. Freedom to participate must be balanced by a freedom not to participate.

Mr. Speaker, the Freedom of Religion Doctrine—separation of church and state—implicit to the first amendment to the U.S. Constitution must be preserved. My bill does this by permitting participation in nondenominational prayer, but not forcing it.

Mr. GAYDOS. Mr. Speaker, one of the basic freedoms guaranteed to the American people under the Constitution is the right to worship God according to his own convictions and without any prohibitions. There are those, however, who, denying the existence of a supreme being, would take issue with this fundamental principle and seek to deny us this right. They have voiced their objections to prayer so loudly and vigorously that they succeeded in having Bible reading in our public schools declared unconstitutional by the Supreme Court. Needless to say, the decision of the Supreme Court was not a popular one, nor did it reflect the opinion or will of the majority of the people. In my district, the school board of the city of Clairton, after much deliberation, decided to reinstitute prayers and Bible reading in the city schools despite the U.S. Supreme Court ruling against them. This was not done in defiance of the Court, but in the firm belief that the will of the majority was being subrogated to the will and pressures of a vocal minority. and in fact, the freedom of religious expression was being suppressed. Local newspapers were deluged with a veritable flood of letters to the editor supporting the board's decision and applauding their courageous action. The issue of Bible reading and prayers in school persists in my district. Hardly a day goes by that my mail does not contain a letter or petition urging my support of legislation to restore voluntary prayer in our public schools. The question has been raised whether the Supreme Court erred or whether in fact it had the right under its constitutional power to rule as it did. It is fundamental that the Constitution does not give it legislative power, but only the authority to pass judgment on any law enacted by the Congress. The

first amendment of the Constitution clearly states:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

I see nothing that says—

Except the Supreme Court may usurp the power of Congress and prohibit prayer in public schools.

As long as the antiprayer ruling stands unchallenged a precedent will be set which may ultimately lead to a total suppression of religious freedom. It is incumbent upon us, as Members of Congress, to reclaim the constitutional power bestowed by our Founding Fathers and restore to this Nation the right of every citizen to worship God wherever, whenever, and however he pleases.

Mr. TAYLOR. Mr. Speaker, in 1962, the day after the Supreme Court prayer decision was announced, I became the first Member of Congress to introduce a constitutional amendment to overrule the Court and thus permit the resumption of prayer in our schools. I have introduced a similar bill in the 91st Congress.

Since that date, literally hundreds of similar or related bills have been offered in the House and Senate, but very little real action has ever been taken on them by the House Judiciary Committee, aside from limited hearings held a few years ago.

I believe now, as I have always believed, that our forefathers devised language in our Constitution to guarantee and preserve freedom of religion, rather than freedom from religion.

The relationship between church and state was catapulted into headlines by the 1962 decision. Since that date, there has been a continuing controversy between legal purists who support the decision and those of us who have insisted that the decision was contrary to the meaning of our Constitution.

For more than 170 years there had been a practical and accepted interpretation placed on the first amendment to the Constitution by school boards, teachers, and parents. The interpretation had been that this amendment did permit the saying by schoolchildren of nonsectarian prayers recognizing the existence of God and permitted reading of the Bible or any other sacred book so long as the passages read were not given any sectarian interpretation and so long as children whose parents objected were given the opportunity to be exempted from attending such prayers or Bible reading. This, I believe, was and is a wise interpretation.

Mr. Speaker, I believe that the Members of this House should be permitted to vote on a constitutional amendment that would allow voluntary prayer in our public schools.

Mr. COUGHLIN. Mr. Speaker, it is a privilege to join my distinguished colleagues participating in "Prayer Day" and urging the prompt reporting and adoption of an amendment to the U.S. Constitution permitting voluntary, nondenominational prayer in public buildings.

I firmly believe that the right to pray is, at least, as basic and just as the right not to pray.

The Founding Fathers, with their strong religious conviction, would be aghast to see how their words in the Constitution have been interpreted. Those words were certainly not meant to deny prayer in public schools.

Our very national motto, "In God We Trust," and the words "one Nation, under God" in the Pledge of Allegiance to the Flag, demonstrate that acknowledgment of God in part of the very fabric of the United States and that no violation of the principle of separation of church and state arises consequent to such an acknowledgment.

I have joined in the effort to provide a constitutional amendment which would allow voluntary prayer in public places and simultaneously protect those who do not wish to so participate. Nothing in such a resolution would adversely affect constitutional, civil or religious rights of individuals.

Providing no one is forced to participate, prayer in public places no more violates the separation of church and state than the fact we take our oath of office "under God" or sing His name in our national anthem.

The rights of the majority of people believing in God must be protected when they in no way interfere with the rights of others. To do otherwise is to deny the very freedom to worship that the Constitution was designed to preserve.

Mr. CLEVELAND. Mr. Speaker, I rise to commend the gentleman from Connecticut (Mr. MESKILL) for leading this effort to restore a sensible policy on the matter of prayer in public buildings. It is a serious issue of tremendous importance to the Nation.

Ever since the Pilgrim Fathers knelt on the deck of the *Mayflower* on a cold November day 350 years ago, it had been the sacred and valued civil right of citizens on this continent to worship and give thanks to God.

What the Supreme Court has done, however, is effectively to bar all meaningful forms of public worship by citizens assembled on public property. The result has been to put the Government squarely into the realm of religion where it had been aloof—in accordance with the Constitution.

Let us examine the history of these decisions, briefly:

In 1962, the U.S. Supreme Court ruled that 22 words, specified by the board of regents in New York, could not be used as a prayer by students in the public schools.

For the record, those words are:

Almighty God we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers and our country.

I want to make it clear that I agreed with that decision, and so stated at the time, because the prayer was officially written and prescribed by the top educational authority in the State, the board of regents. Clearly, it is wrong under the Constitution, for government to prescribe a form of worship for carrying out in the public schools.

The decision, however, left the air very clouded and school boards across the land, as well as parents and students were baffled as to what was allowable.

Then in 1963, the Supreme Court struck down the reading of the Bible and the recitation of the Lord's Prayer in the public classroom as unconstitutional.

In analyzing these decisions, Prof. Charles E. Rice of the Fordham University Law School commented in his book "The Supreme Court and Public Prayer"—Fordham University Press, 1964:

Analytically and practically, the school prayer cases signal a preference by the federal government of the non-theistic, secular approach to the ultimate questions of life.

I think this is an accurate assessment of the effect of these two decisions and the threat they pose to national life.

On April 15, 1969, I introduced House Joint Resolution 639, proposing an amendment to the Constitution, as follows:

. . . Nothing in this section shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in nondenominational prayer.

The adoption of this language, in my opinion, would restore the meaning of the first amendment—to keep the Government out of religion.

There is a strong and disturbing secular swing in public affairs today. Insofar as this is the free choice of the people that is unobjectionable on constitutional grounds. But surely, it is not for the Government to interject a formal policy of promoting secularism. This would be just as bad as formally interfering in the establishing of a religion.

In either case, the Constitution, as I read it, absolutely enjoins the Government from interfering with the establishment of any religion; and by obvious extension, with the disestablishment of any religion.

As I have frequently stated and written to interested constituents, to read the last verse of "America," to read the last verse of our national anthem, to recite the Pledge of Allegiance and the concluding paragraph of the Declaration of Independence is to conclude that any effort to divorce education from an understanding of our traditional reliance on divine guidance is—to say the least—unrealistic.

Mr. HORTON. Mr. Speaker, I humbly join with my colleagues today in Prayer Day to show the vital importance of prayer. I applaud the strong and able leadership of our distinguished colleagues, Congressmen MESKILL and DENT, in initiating this appropriate congressional recognition of the importance of prayer in our lives.

At this time in our history, when people are bewildered and unsure of traditional values, I would say part of this confusion is due to lack of a firm spiritual foundation on which to build a value system. Some people have nowhere to turn to give themselves a truce from the chaos around them.

Godliness is part of our tradition. We must not deny this heritage. We must not deny ourselves the inner growth and awareness of ourselves as men, aware of one's uniqueness and worth—which is partially attained through prayer.

May it be our aim, as we meet daily in this historic chamber, to meet the needs of struggling humanity, to strengthen the ties that bind free men together, and to find the way to peace among the nations of the world. . . .

With these words, Rev. Edward G. Latch, Chaplain of the House of Representatives, recently opened a legislative day in the House. Prayer is a traditional part of both Houses of Congress, just as it is a part of American heritage.

The first amendment to the Constitution says:

Congress shall make no law respecting an establishment of religion. . . .

This phrase was designed, not to discourage religion, but to assure the equal freedom of worship to all.

Unfortunately, many people have taken this phrase to mean that God has no place in our Government.

While the Constitution does prohibit the establishment of any religion by Government, it in no way precludes those in Government from expressing their personal religious beliefs and exercising religious rights.

The Constitution does not require the Government to turn its back on religion, to the point where prayer and religious beliefs have no place in the lives and ceremonies of public officials.

Down through the years our leaders in Congress and in the White House have prayed in the manner of their choice for inspiration and guidance in carrying out their responsibilities.

Prayer was offered at the convention in Philadelphia which produced our Constitution. Prayer is offered as each House of Congress opens it daily sessions.

And, so, Mr. Speaker, I strongly support the observance of Prayer Day on the floor of Congress, and I feel that with all the turmoil in our country today, it would be well to listen to the words of our first President:

While just government protects all in their religious rights, true religion affords to government its surest support.

GENERAL LEAVE

Mr. MESKILL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order and to include extraneous material.

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

There was no objection.

NATIONAL SERVICE ACADEMY

The SPEAKER pro tempore (Mrs. MINK). Under a previous order of the House, the gentleman from Michigan (Mr. MCDONALD) is recognized for 10 minutes.

Mr. MCDONALD of Michigan. Mr. Speaker, with each passing year the need for improving our system of military manpower procurement has become more and more urgent. There has been ever-increasing support in Congress, the administration, and the general public to rely to a greater degree on volunteers and recruitment in meeting our defense manpower requirements. An all-volunteer military force is inherently compatible with the basic principles of democracy and our free society. However, we must come to grips with how to attract qualified personnel to fulfill the vast and immediate needs of our Armed Forces. At the present time there are approximately 2.5 million jobs which can only be performed by technically trained personnel. Since the turnover rate in the service is so high, we are faced with a tremendous constant demand for new people to fill these positions.

In addition there has also been an increasing sentiment that there should be a possible alterante way for both young men and women to serve their country in something other than a military capacity. Social service in such organizations as the Peace Corps and VISTA has provided one alternative. Nonetheless, I feel this concept should be expanded even further. Currently, civilian agencies at the local, State, and Federal levels require technically qualified manpower to fill approximately 6.5 million governmental jobs.

Therefore, to build a continuing reserve of young men and women to serve the technical needs of a regular volunteer army, the Reserves, and the National Guard as well as our various civilian agencies, I propose the establishment of the National Service Academy. The purpose of such an institution would be twofold: First, it would provide the military with an experienced pool of personnel to effectively operate our armed services; and second, it would provide the possible chance, depending on international conditions, for young people, trained in a technical field, to fulfill an obligation to their country by working for a local, State, or Federal governmental body. Furthermore, the long-range impact of this project may prove that the byproducts are more important than the primary program. While the immediate goal is supplying people to fill military and Government jobs, our Nation may well receive even greater benefits by providing many young people with classroom and on-the-job training so that they may become more productive citizens.

Many people who are presently or who would eventually perform semi- and unskilled tasks would be attracted by the opportunity for advanced training at the National Service Academy. Upon their discharge they would be equipped for better jobs as a result of their newly acquired classroom and on-the-job experience.

Recruitment would focus primarily on high school graduates, but greater job opportunities would inure to the benefit of dropouts. The job vacancies left by the people who volunteer for service at the National Service Academy could be filled by people of lesser talent or ability.

Although this idea envisions many substantial changes, the concept of a Government-sponsored academy is not new. Our first commitment to this type of an institution was first made in 1802 when the U.S. Military Academy was founded. Moreover, recognition of the need for national military academies has twice been reaffirmed during the last three decades with the establishment of the Merchant Marine and Air Force Academies. Although the purpose of the National Service Academy transcends strictly military preparation, due to the critical need for competent Government personnel in technical fields, active Federal participation in this area certainly seems justified, especially in light of certain facts.

First, if we plan to eliminate conscription, we must realize that this decision will have a severe impact on our Reserve and National Guard manpower. Without the possible threat of the draft, there will be little incentive for a young man to volunteer for these programs. This fact is of particular significance because, regardless of international developments, we have the continuing need for a strong National Guard available to cope with disasters and internal disorders. Second, with more and more schools dropping the ROTC program, there must be an alternative means devised to encourage young men and women to consider a professional career as an officer. Third, due to the substantial opposition, especially among the young, to the Vietnam conflict and role of the Military Establishment in our society, there has been increased interest in providing an opportunity for nonmilitary national service.

I believe that the concept and educational opportunities afforded by the National Service Academy will provide the needed encouragement for people to participate in certain military programs, but also provide the change for national service for others in a nonmilitary capacity. And perhaps even more importantly, our country stands to receive a tremendous fringe benefit from this project in that we will have greatly enhanced our human resources by providing skilled training to a vast number of young people who otherwise would not have received such an education.

In the near future I plan to announce the appointment of an advisory panel to help develop this basic idea into a detailed, workable plan. I would also be interested in any suggestions from my colleagues who feel this general concept has merit.

THE WAR ON INFLATION: IT SHOULD BE FOUGHT WITH RIFLES AS WELL AS WITH CANNON

The SPEAKER pro tempore (Mrs. MINK). Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Madam Speaker, last April 15 I took the floor to point out that the administration's 1969 war on inflation was not likely to succeed by concentrating, as it has, entirely on fiscal and monetary measures.

The cost of living as of April 15 had increased 5 percent since the beginning of the year. That absolutely inexcusable rate of inflation still continues.

FISCAL AND MONETARY POLICIES ARE SOUND

The reason, I repeat, is because the war against inflation is being fought solely with the cannon of fiscal and monetary policy rather than by also using the rifle of credit and cost-push policy. The

Federal Reserve monetary policy so far this year—increasing the money supply, narrowly defined as including currency outside banks and demand deposits, at a rate of around 2 percent a year—represents an appropriate degree of monetary restraint. Equally, fiscal policy—a combination of expenditure cuts and revenue increases—would lead to an appropriate budgetary surplus.

BUT THEY ARE INSUFFICIENT

But fiscal and monetary measures, as evidenced by the continuing inflation, are alone not enough. They fail to make contact with two important causes of inflation—overextended bank lending to business, and cost-push pressures in strong industries.

Let us look first at credit inflation. As I have said, increases in the money supply have been subject to proper restraint. Nonetheless, the American banking system has increased its lending to business by a staggering 15 percent this year. And interest rates have increased 26 percent since the beginning of the year, to a present prime rate of 8.5 percent. More, leading bankers are now threatening an even further increase, perhaps to 9.5 percent.

EXCESSIVE BANK LENDING CAUSES INFLATION

The banks have been able to increase their business lending, despite tight money, by selling off everything but the president's chair. The New York banks particularly have borrowed heavily on the Eurodollar market, abstracting some $10 billion, more than one-third of the total, from that market. The Federal funds market has likewise been heavily availed of. Banks have decreased their investments, and increased their loans, by selling off Treasury securities and municipal bonds from their portfolios, frequently at a loss. Bank holding company subsidiaries have issued commercial paper in large amounts, thus further augmenting the lending power of the banking system.

Altogether, despite a run-off in the funds banks have obtained through issuing certificates of deposit, they have actually increased their lending power.

BY OVERTAXING PRODUCTIVE RESOURCES

This increased bank lending to business feeds inflation in two ways.

First, corporate borrowers use this bank credit to make investments in plant and equipment over and beyond the immediate needs of economy. This strains our resources of machinery and manpower—precisely the over-heating which causes inflation.

Business borrowers are not deterred by high interest rates. Half of the cost is deductible on their income tax. Moreover, in an inflationary economy they can pass on the added interest costs in price increases.

Thus excessive bank lending overstimulates the economy and is a direct cause of inflation.

BY CAUSING EXORBITANT INTEREST RATES

A second inflationary element in this excessive bank lending are high interest rates, themselves one of the most inflationary elements in our cost-of-living increases. High interest rates especially hurt State and local governments, small business, the homebuilding industry, and the installment consumer. They are caused by the refusal of banks to ration their credit more effectively. Instead, banks have chosen to ration by the purse—by endlessly increasing the interest rate.

Obviously, what is needed is to restrain bank lending. It is all very well to say that in 6 months, tight money will have had its effect and bank lending will therefore decrease because, with slower growth, fewer businesses will want loans. This Pollyanna-like approach ignores the fact the interim inflation is most damaging. It also ignores the fact that the longer we allow inflation to continue, the more difficult it will be ever to bring it under control.

NEEDED: A BAN ON FURTHER BUSINESS LENDING

The administration has issued vague, generalized appeals to the banking community to ration its credit. The appeals have gone unheeded. Because they are generalized in nature, it is very easy for each of our 13,000 banks to assume that Washington is addressing its plea to all the other banks, not to it. And so the credit inflation runs merrily along.

The remedy I have proposed—and I still propose—is for the President, the Secretary of the Treasury, and the Federal Reserve Board to jointly issue a formal request to each bank not to increase its business lending over that outstanding on a given day—say, June 1, 1969. This would end the constant increase in commercial loans.

There is every indication that such a request would be honored by the banking system. Indeed, it should be welcomed by responsible bankers, because it gives each one of them an excellent reason to turn down the request of a business borrower who thinks he has a line of credit.

Since the request would be clearly phrased, a bank which wanted to act in the public interest would not be likely to be penalized by losing business to a bank which tried to flout the administration directive by increasing its business lending.

PAST EXPERIENCE HAS BEEN FAVORABLE

Experience indicates that such a directive would be obeyed. The Federal Reserve banks used such a procedure with outstanding success during the Korean war in the early 1950's. They used a variant of such a plea, again successfully, at the time of the credit crunch in 1966. Voluntary controls on foreign lending by U.S. banks, administered by the Federal Reserve, have worked well for the past 3 years. Similar standstill directives on bank lending are in effect in the United Kingdom and in France, again successfully.

I believe such a directive would work. I believe that it would fight inflation, by causing a slowdown in business spending. I believe it would permit a prompt decrease in the exorbitant prime interest rate, because effective direct rationing by the bankers could take the place of rationing by the purse. Incidentally, a beneficial byproduct of such directives would be the tapering off of the inordinate demand by the New York bankers on the Eurodollar market, a demand which is already causing distress in European financial circles.

Our banks are enjoying recordbreaking profits. A voluntary standstill on credit extensions to business would be a welcome signal that banks are willing to bear some part of the burden of fighting inflation.

It would be a signal, too, that the administration is serious in its anti-inflationary stance. I call upon the administration to delay no longer, and furthermore to issue a voluntary business credit standstill request.

Let us turn now to another neglected aspect of the administration's war on inflation—the wage-price cost-push situation.

THE SUCCESSFUL 1962–66 WAGE-PRICE EXPERIENCES

A dozen years ago, we learned—or should have learned—that merely skimming excess overall demand off the economy does not end inflation. Though we had a recession in 1957–58, prices continued to rise because costs, notably in the concentrated industries, kept on rising even after excess demand had been brought under control.

For 4 years following 1962, we had an expanding economy and no inflation. This was due at least in part to the then existing system of wage-price guideposts. In general, wages and prices were to reflect annual increases in overall productivity. While the policy prevailed, the U.S. anti-inflationary performance was the best in the industrialized world. According to testimony before the Joint Economic Committee in 1968, the wage-price guideposts during the period 1962–66 reduced the annual rate of increase in average yearly earnings by about 1.25 percent; reduced the rate of increase of unit labor costs by about 2 percent; and reduced the rate of increase in wholesale prices by about 1.4 percent.

There were valid criticisms of the way wage-price guidepost policy was conducted in this period. For one thing, the guideposts were announced unilaterally by the Counsel of Economic Advisors, instead of being arrived at after institutionalized consultations with labor and management. For another thing, there was no administrative agency assigned the task of holding hearings and focusing public attention on specific wage or price increases inconsistent with national economic stability.

Whatever the reason, the guideposts were abandoned in 1967. That was the fault of the Democrats.

They have not been revived. That is the fault of the Republicans.

THE GUIDEPOSTS SHOULD BE REVIVED

This year's Joint Economic Committee report, issued in March 1969, makes the following recommendation, by unanimous vote of its majority members:

> This Committee, as it has for a number of years, strongly advocates the development of an effective, realistic and definite set of wage-price guidelines. We also advocate the establishment of a special office at a high level in the administration to assemble and analyze information on a comprehensive and fair basis in order to apply these guidelines to important industries.

In addition to the successful American guidepost experience in 1962–66, extensive experience elsewhere testifies to the efficacy of wage-price guideposts as a useful adjunct to sound anti-inflationary fiscal and monetary policies. West Germany, for example, has in existence a successful wage-price guidepost program known as concerted action. Other countries which employ wage and price restraints include the Netherlands, Great Britain, Austria, Belgium, Denmark, Norway, and France.

CANADA HAS INAUGURATED GUIDEPOSTS

A recent convert to guidepost policy is Canada, which has just established a Price and Income Commission. The commission is an independent body, financed by the government, which examines broad price, cost, productivity, and income movements. Its approach will be voluntary, with the aim of rallying public support for responsible action by labor and management.

We should revive the wage-price guideposts now. We should improve on the 1962–66 practice by requiring management-labor participation in their formulation, and by setting up an agency to focus the spotlight of publicity on inflationary increases.

In short, Mr. Speaker, the administration is defaulting in the war against inflation. By neglecting voluntary guideposts for commercial lending by the banks, and for wage-price, cost-push inflation, it is unnecessarily prolonging our inflationary ordeal.

ALONG LINES OF EXCELLENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Missouri (Mrs. SULLIVAN) is recognized for 10 minutes.

Mrs. SULLIVAN. Mr. Speaker, the late John F. Kennedy, when asked at a press conference less than a month before his death whether he was enjoying his work as President of the United States, defined happiness as "the full use of your powers along lines of excellence" and said he found, therefore, that the Presidency "provides some happiness."

According to today's news, Vice Adm. Hyman G. Rickover has agreed to serve another 2 years as Director of the Naval Reactors Division of the Atomic Energy Commission and deputy commander for nuclear propulsion of the Navy's Ship Systems Command. Now 69, Admiral Rickover has held his present position since 1961.

Admiral Rickover may or may not define happiness in the same words used by the late President Kennedy, but he has certainly demonstrated over the years the full use of his powers along lines of excellence. In this respect, he has given the rest of us occasion for "some happiness" and great gratitude for his service to the American people in a position of the highest importance and responsibility.

Through my work on the Committee on Merchant Marine and Fisheries, particularly in connection with legislation which we sponsored some years ago to adapt nuclear power to commercial ocean transportation, I came to know Admiral Rickover and to develop the deepest esteem for his patriotism and ability. It is good news that he will now continue in a vital job no one else could possibly fill as well.

I hope that he will continue also to speak out forcibly and with great effectivenes on the trends in our national life and attitudes which reflect an acceptance of mediocrity instead of an insistence upon the highest standards we are capable of achieving.

ESTABLISHMENT OF AN INTERNATIONAL LIVESTOCK QUARANTINE STATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PURCELL) is recognized for 10 minutes.

Mr. PURCELL. Mr. Speaker, recently I introduced H.R. 11832, providing for the establishment of an international livestock quarantine station.

The bill would provide the authority for the Department of Agriculture to establish and operate an international animal quarantine station within the territory of the United States, and permit the movement of animals into the United States otherwise prohibited or restricted under the animal quarantine laws. The quarantine station would be located on an island selected on the basis that the location would permit the maintenance of maximum animal disease and pest security measures. Under the bill, movements to other parts of the United States would be prohibited unless made in accordance with conditions determined by the Department of Agriculture to be adequate to prevent the introduction or dissemination of livestock or poultry diseases and pests from foreign countries.

The Tariff Act of 1930, as amended—19 U.S.C. 1306—contains an absolute prohibition against the importation of all ruminants and swine—except wild zoo animals—and fresh, chilled, or frozen meats of such animals from countries declared by the Department of Agriculture to be infected with foot-and-mouth disease or rinderpest. Under very stringent restrictions, including authority for permanent postentry quarantine, wild ruminants and swine may be permitted entry under the act when such animals are solely for exhibition at an approved zoological park from which they cannot be moved except to another approved zoological park.

Provisions in the act of February 2, 1903, as amended (12 U.S.C. 111) and the act of July 2, 1962 (21 U.S.C. 134 et seq.) provide additional authority and responsibility for prohibiting or restricting importation of animals, meat, and other articles in order to prevent the introduction or dissemination of foot-and-mouth disease and other destructive livestock or poultry diseases and pests such as African swine fever, exotic ticks, African horse sickness, and fowl pest.

These statutes are implemented by extensive and strict regulations in the Code of Federal Regulations, title 9, parts 92, 94, 95, and 96. The regulations apply to the importation of animals, meats, animal byproducts, and materials such as hay, straw, and forage from all countries, especially those where foot-and-mouth disease exists. The regulations are based on the best scientific information available, including the research being done at the Plum Island Animal Disease Laboratory, Long, Island, N.Y.

Mr. Speaker, while our primary responsibility is and must continue to be the prevention of livestock and poultry diseases and pests gaining entry from foreign countries, at the same time we must recognize that there are breeds and types of foreign livestock with the potential of bringing about specific desired improvements more rapidly in U.S. livestock production than can be accomplished with domestic breeds. Research activities have demonstrated the high potential of cross-breeding to increase reproduction, vigor, growth, and efficiency in livestock production. Cross-breeding can bring about changes in the character and composition of the product more rapidly than any other breeding procedure. It has been further shown that the wider the genetic diversity of the parent stock used in cross-breeding, the greater are the benefits from hybrid vigor and the greater the possibility for changing production and product characteristics. For instance, the introduction into the United States of exotic germ plasm of plants from all over the world has been a most important factor in bringing about the phenomenal new varieties of high-yielding crops of numerous kinds that are in everyday use on farms and ranches. The potential benefits in our livestock production, especially of meat-producing animals, from the importation and organized use of exotic breeds of animals are expected to be similar to those experienced in crop production. Some of the improvements in livestock production that might be expected would include:

First, beef cattle—An increase in weaning weight, in postweaning growth rates, and in muscularity; a decrease in carcass waste fat; and improved fertility and calf survival;

Second, dairy cattle—An increase in milk production, fertility, and calf survival;

Third, sheep—An increase in lambing rate, in lamb growth and in muscularity; and a decrease in carcass waste fat; and

Fourth, swine—An increase in prolificacy and muscularity, and improved efficiency of gain.

In spite of the benefits to be derived, the importation of new and different animal breeds from foreign countries must not be done at the risk of introducing diseases and pests not now present in this country which would greatly reduce livestock production. Both objectives can only be obtained by the establishment of an international quarantine station. The establishment and operation of such a station should be under the direct control of the Secretary of Agriculture. It would involve the selection of an island site where maximum disease security measures could be utilized.

Enactment of the proposed legislation would necessitate additional appropria-

tions of approximately $5.5 million exclusive of any costs which may be involved for land acquisition. Of this total amount, approximately $4.2 million would be on a nonrecurring basis for the construction of facilities, and $1.3 million for the initial operating expenses of the quarantine station would be financed largely by the collection of fees from importers.

Mr. Speaker, I believe there is a great need for enactment of H.R. 11832. I believe that this need is recognized by all those concerned with improving our domestic breeds of livestock. I have been particularly pleased at the cooperation I have received from the Department of Agriculture in drafting this legislation and I hope that this display of a cooperative attitude will continue as we proceed later to other undertakings.

While it is impossible to estimate just what might be the actual final dollar value of the enactment of H.R. 11832 to the United States, I have seen estimates stating that for beef cattle alone, it could represent an increase of nearly $670 million; this takes into account increases in the average weaning weight, increased postweaning growth rate, reduction of waste fat, and improved fertility and survival rates. Similar benefits to dairy cattle, sheep, and swine could amount to as much as $834 million.

Presently, though, these benefits are being denied farmers because of the literally unbelievable difficulties of bringing foreign breed strains into the United States.

Mr. Speaker, while a similar measure has been introduced in the other body by Senator HRUSKA, I think it is incumbent that we in the House of Representatives proceed to an early consideration of H.R. 11832. Accordingly, I intend to schedule hearings before the Subcommittee on Livestock and Grains, which I have the honor of chairing, as soon as the Department of Agriculture can obtain clearance from the Bureau of the Budget to present its views. I sincerely hope that the Bureau of the Budget will not continue to delay the consideration this bill deserves.

AMERICA'S FUTURE ROLE IN ASIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. TUNNEY) is recognized for 10 minutes.

Mr. TUNNEY. Mr. Speaker, 27 years ago, President Franklin Delano Roosevelt asked the Congress to declare war on Japan, and turn back Japanese military aggression in Asia. The Congress agreed, war was declared and a huge American expeditionary force was sent to fight in the Far East.

The people of our country were not primarily fighting to protect China and Southeast Asia from Japanese conquest. They were fighting to defend American territory and vital national interests against an aggressor who perpetrated a sneak attack on Pearl Harbor.

Since the end of World War II and in a period of only 15 years, the United States has been engaged in two additional wars in Asia, involving over half a million casualties and almost $200 billion in expenditures. In both instances the wars were fought to repulse foreign aggression and protect our national security.

The irony of world politics is clearly seen in the Korean and Vietnam conflicts. In both wars the United States has viewed China as the main threat to world order while Japan has been our firm Asian ally. A few years earlier, in World War II, our great ally was China and our implacable enemy was Japan.

To add to the confusion, in the Vietnam war, we are not even pitted on the field of combat against our main antagonist—China. We are fighting Vietnamese in their homeland. There is considerable doubt in the minds of many Americans that we are supporting a government in Vietnam which has broad popular appeal and one which has inherent viability. The pattern of the war does not allow for a neat separation of the Vietnamese protagonists into the forces of good and the forces of evil. An earlier division based upon anti-Communists valiantly struggling against Communist oppressors has lost some of its emotional vitality because it all too often appears that American soldiers are dying to uphold a corrupt, selfish, inefficient regime in Saigon.

The cost of our efforts in Vietnam in manpower, in money, in international friendship, in domestic programs deferred, in moral confusion has led many Americans to question just what our national interests are in Asia and whether we can afford a continuation of present policies.

In the past 6 months I have taken two extensive trips to Asia to try and resolve these questions for myself. Unfortunately there are no clear-cut answers. I am certain of one thing however—the United States has a vital stake in the future of Asia and our present disgust with the Vietnam war must not result in a rejection of all responsibility for the area.

It is critically important that in the next few years long-range policy objectives in Asia be carefully formulated and dispassionately implemented. It is absurd to lurch from crisis to crisis with predictable constancy and outrageous inevitability.

There have been too few responsible governmental officials in the last 20 years who clearly saw the limitations as well as the extent of America's role in Asia. There has been a tendency to play the role of the reluctant imperialist—the Roman who feels morally compelled to bring civilization to the world and then defend the empire from all its enemies.

With a series of bilateral and multilateral alliances after World War II, we took on military responsibilities that we just do not have the resources to handle. Vietnam has clearly demonstrated that the United States cannot be the policeman for the world. We cannot put down every insurgency in every underdeveloped country, nor should the United States want to.

There has been a tendency to think in terms of military reaction to dynamic social changes that are political and economic in nature. In the minds of some officials it is better to maintain the status quo rather than suffer the discomfort of unpredictable change.

Too many Americans think of Asia as a monolith. Actually it extends from India and Pakistan around through Southeast Asia and Indonesia to China, Korea, and Japan. Asia contains over 50 percent of the world's population and includes a multitude of different languages and dialects, racial groupings, and cultures. The people of Asia in the last generation have become imbued with a spirit of nationalism. The force of nationalistic aspirations has been nourished by passionate anticolonial feelings. It is a nationalism which rejects intermeddling by other Asian states, China included, as fully as it disdains European or American interference.

No Asian policy can be uniform in its approach to different countries, cultures, and levels of economic development.

There are for instance two different types of policy commitment in the case of the Korean and Vietnamese wars. It is one thing to repulse northern military aggression in South Korea with an unified South Korean population. It is quite another thing to defeat a combination of guerrilla subversion and northern military aggression in South Vietnam where a substantial portion of the South Vietnamese people are determined to overthrow their Government. Sadly, many Americans are not able to differentiate between the two types of commitments. They have not been helped by simplistic overgeneralizations by responsible officials.

Basic policy goals should be considered in the context of what the United States can afford both materially and spiritually. Potential adverse effects to domestic human resource development programs, balance of payments and the general health of the economy should be weighed before policy is established. There should be a systematic consideration of alternative methods of achieving policy objectives.

If this was done 15 or 10 or 5 years ago does anyone believe that the United States would have opted to get bogged down in a seemingly endless war in Vietnam—a country with less than 2 percent of the population and economic productivity of Asia? If Americans could have made a decision in the early sixties to buy South Vietnam for over 200,000 casualties, 30,000 soldiers killed in action and $100 billion, do you think there would have been many takers?

This is not to say that the United States can, like a recluse, retreat into a fortress America and ignore the rest of the world. The world will not ignore us. What I am suggesting is a careful evaluation of our relationship to countries in Asia within a total framework of American national interest. This means disenthralling ourselves of the notion that the U.S. security is threatened and we must militarily respond whenever there is a revolution against a government located on the periphery of China.

Such an analysis would produce a logical rationale for maintaining a forward line of defense in Asia. It would demonstrate a need to remain in a state

of military preparedness to resist overt foreign aggression in Korea, against Japan or even in Southeast Asia. We must not, however, in the future confuse revolutionary war, where two or more political elements in a country are fighting for control of the government, with wars of international conquest. To do so, could lead to future Vietnams with even more tragic consequences.

Irrespective of what we may have thought at one time, American military power is limited, and we cannot unilaterally provide a defense shield against Communist subversion throughout Asia. We depend on stable societies with political structures capable of directing the type of capital investment necessary to produce prosperity. Hopefully, the governments will be responsive to their people and will develop self-perpetuating democratic institutions. It is important in this regard that our aid efforts concentrate on self-help projects, education, and institution building. We must always bear in mind that our efforts are merely supplementary to, not substitutive of, local resourcefulness, developmental planning, and execution.

On my most recent trip to Japan in November of last year, Mr. Takeiri, chairman of the Komeito Political Party, in talking to me about the dimensions of American power said:

> In terms of world morality and political reality it is an illusion that the great powers can control small countries. You have tried in Vietnam and have failed. Your assistance does not change the character of governments nor make them better liked by their people.

The fact that we cannot remake nations and peoples in our own image and likeness should not lead us to despair. Japan with a war shattered economy and a completely demoralized population in 1946 has within the last 20 years performed an economic and social miracle in a uniquely Japanese way. In 1968, her gross national product was $116 billion and had been expanding at the rate of 10 percent per year for the last 20 years. This colossal productivity makes Japan the third ranking industrial nation in the world in terms of total output. Japan's development has taken place as a result of Japanese energy, vision, and determination. It has been directed by a freely elected government committed to free enterprise economics.

In surveying our role in Asia, it becomes obvious that Japan is the center of gravity in any policy formulation. Without strategic bases on Okinawa or the main Japanese islands, it would be impossible to logistically support a major military operation in Korea, Taiwan, or Southeast Asia. Without Japan's assistance, our economic and technological aid programs to other Asian countries will fall far short of what is needed to fire the torch of sustained progress. In other words, Japan must be the focal point of our Asian policy.

For too long we have been taking the friendship of Japan for granted. We have ignored the fissures that have appeared in the foundation of mutual support and cooperation. It is time to take a long, unbiased look at our relations. We must identify areas of agreement and disagreement and strive to resolve differences which exist so that ultimate goals uniting our two countries will be achieved.

It is essential that we do not engage in crisis diplomacy in our relationship with Japan. We do not want to ignore conflicts of interest until an explosion is imminent. By systematically addressing ourselves to the various problem areas we can establish a basis for mutual understanding in a calm and rational atmosphere. To drift into acrimonious confrontation with Japan would be a tragic failure of our foreign policy.

The United States and Japan have a common desire in wanting stability and peace in Asia. Japan is particularly concerned that social upheavals and political unrest in the undeveloped countries of Asia which leads to major power intervention could result in a direct military confrontation between China and the United States. Japan fears the result would be an utilization of nuclear weapons by both sides and an eventual destruction of Japan as the ally of and a base for the United States.

Japan shares American interest in the resources and markets of Asia. With a population of over 800 million persons excluding China, with substantial raw material resources, the underdeveloped countries of Asia could in the future be important trading partners to industrial nations on both sides of the Pacific.

Japan wants to remain under the American nuclear umbrella. She knows that if she had not benefited from such protection she would not have reached the present high level of prosperity. Japan has never allocated more than 1.5 percent of her gross national product to defense since World War II. This compares with the 9½ percent that the United States is presently spending on her own and free world defense. If Japan had had to make a similar diversion of resources over the past 20 years, she could never have attained such a high level of economic growth.

Japan's numerous connections with the United States have become close, intricate, and mutually rewarding. Our joint trade is over the $7 billion mark, ranking second only to our trade with Canada and far in excess of any trade that we have with any European country. This is by far the largest transoceanic trade between two countries in history. It accounts for 30 percent of Japan's foreign commerce and 9 percent of our own. Japan is our largest customer for agricultural produce with total purchases approaching the $1 billion mark. She has a wide variety of cultural and intellectual contacts with our country, exceeding by far the number she has with any other nation. Unquestionably our countries have become interdependent at various levels of contact and neither can afford a rupture in this friendly association.

Against a backdrop of cooperation and shared aspirations several serious problems have arisen between our two nations. The first relates to the treaty of mutual security and cooperation and the continued use of military bases in Japan and on Okinawa. Most Americans are totally unaware that a problem exists, and, so, the time bomb ticks toward 1970 in a national atmosphere of complacent ignorance.

It is important to remember that the treaty, Okinawa, and the U.S. bases in Japan are all interrelated subjects which must be evaluated in terms of Japan's crushing defeat in World War II and her subsequent rehabilitation. For the first time in history Japan was occupied by a foreign army and the myth of the Kamikaze or the divine wind which would always save Japan from defeat and occupation was shattered. The Japanese are an immensely proud people and the shock of nuclear attack, defeat, and conquest produced a deep sense of national humiliation. This manifested itself in a pathological fear of atomic weapons, a strong strain of pacifism, and an unalloyed guilt over the militarism that led to Japan's foreign wars and ultimate military destruction.

In the first years following the surrender and occupation, the Japanese accepted the dictates of Amrican policy without objection or reserve. The people were surprised by the generosity of the occupation forces. They had been led to believe that defeat would insure barbaric reprisals against them. These reprisals did not occur. There developed what former Ambassador Edwin Reischauer calls an American fixation. All aspects of economic, social, and political life were contrasted to the way Americans did things. Often the American model was imposed by the Americans from above. Following the signing of the Peace Treaty in 1952 and their subsequent huge economic success the Japanese developed a new self-confidence and a new pride. The American fixation is fading and nationalism is beginning tc assert itself.

It became clear to me several months ago as I talked to scores of Japanese from all walks of life, that the mood of the nation has changed dramatically in the last decade. The young have no guilt about World War II and they are dissatisfied with playing the role of shadow to a dominant U.S. presence. One young businessman summed up the new attitude of Japan by saying:

> The majority of young people complain that Japan does not have as much independence in foreign affairs as she should have. It is not pleasant having foreign bases on your land. We don't like the fact that the United States apparently plans to be in Japan forever.

An integral part of the Japanese psychological dilemma in their relationship with the United States and their ability to pursue an independent foreign policy, is article 9 of Japan's new constitution. In article 9 Japan renounces forever war as the soverign right of a nation and promises not to maintain land, sea, and air forces as well as other war potential. Although this policy is still a part of the Japanese Constitution and no government would dare abolish it, the Japanese presently maintain a balanced military force of over 250,000 men. The government gets around the constitution by calling its soldiers, airmen, and seamen a "self-defense force."

Although most Japanese acknowledge the need for a self-defense force, they

are opposed to any governmental action which would thrust Japan toward an involvement in a foreign war. They also resist any substantial increase in defense spending, knowing economic growth would suffer.

Emerging from the panoply of postwar national attitudes, the crisis that is approaching for Japanese-American relations in 1970 can be identified. In 1970 the Mutual Security Treaty will have been in force for 10 years and will then be subject to abolition by either party with a 1-year notice of intent to terminate. Leftwing groups in Japan intend to force the government to give notice to terminate by sponsoring mass street demonstrations and rallies adjacent to Americatn military installations.

It is the treaty which provides the legal foundation for U.S. commitment to come to the aid of Japan in the event of armed attack against her. The treaty also grants the use to America of military bases in Japan. It is obvious that the treaty is essential to America's defense posture in Asia. It is equally obvious why Communist and marxist elements in Japan would dearly love to see it eliminated.

The number of die-hard leftwingers is a small percentage of the total Japanese population, but they are presently benefited by three conditions: First, a general belief that the United States has too many bases, too close to civilian population centers and that the United States never intends to abandon these bases. Second, a nearly universal and increasingly vocal desire by Japanese and Okinawans, to have Okinawa and the other Ryukyu Islands returned to Japan as an integral part of the Japanese state. At the present time approximately 1 million Okinawans and other Ryukyuans are administered by an American high commissioner who doubles as commander of U.S. military forces on Okinawa and holds the rank of lieutenant general. Third, a deepseated fear held by many Japanese that U.S. military engagements in other parts of Asia are going to draw Japan into a war with China in which Japan would once again be subject to nuclear attack. The Vietnam war has particularly inflamed this anxiety.

It cannot be doubted that if the United States wants to retain its high level of cooperation with Japan and wants to nurture mutual friendship, accommodations are going to have to be made with popular Japanese sentiment. A way is going to have to be found within the next year to return administrative control of the Okinawan people to Japan and still not compromise the effectiveness of our base structure on the island. A way is going to have to be found to make our military presence less visible to the Japanese on the home islands. This may have to be done by moving our bases out of population centers and perhaps eliminating nonessential bases.

The two factors which greatly complicate a satisfactory resolution of the Okinawa problem is that American bases on the home islands of Japan cannot be used to support a military action elsewhere in Asia without prior consultation with the Japanese Government. Additionally, no nuclear weapons can be stored on bases located in Japan. The question is can the Japanese Government politically afford to resume administrative control of Okinawa without subjecting the American bases there to the same type of restriction on free use and nuclear storages as exists in Japan?

My conversations on Okinawa last November with the American High Commissioner, Lieutenant General Unger, and members of General Unger's staff lead me to believe that the Military Establishment does not think we can restrict our use of the Okinawan bases to the same limitations as exist for the Japanese bases and still have the capacity to live up to our defense commitments in Asia.

A solution must be found to this apparent impasse. It is going to require creative and affirmative thinking by the Nixon administration. A head in the sand approach will resolve nothing and produce an even deeper division on the issue between Japan and the United States.

In my opinion, a possible solution which should be considered is the early announcement that the United States has been burdened with the administrative control of Okinawa for over 20 years. It is time that the Japanese assumed their responsibilities for the overall welfare of the Ryukyuans. We, therefore, are forthwith going to divest ourselves of such control. No mention would be made of free use of the bases or nuclear storage. These points would be left for future negotiations with the recognition that any modification of American rights could well be conditioned upon Japan doing more for itself in the area of self-defense.

A second serious problem area in which Japanese interests are often at cross-purposes with those of the United States is bilateral trade policy. It is not my intent today to catalog the various commodities which constitute the $7 billion commerce between our two countries. I want to point out however, that protectionism is always a nemisis to the health and expansion of trade and that a protectionistic state of mind is gaining strength in both Japan and the United States. Frankly, neither nation can afford it.

Following World War II the United States gave $4 billion in loans and credits to Japan. For the first two decades following the war the balance of trade was heavily in our favor, providing in 1961 the remarkable surplus to the United States of $654.8 million. In 1965, Japan was able for the first time to achieve a parity in her trade with us. In 1968, it was $1.1 billion in Japan's favor. When you consider that Japan is also selling $175 million worth of goods to the South Vietnamese Government, goods purchased with American dollars, you can readily see the extent of the deterioration that has occurred in our overall balance of commercial accounts with Japan in the past several years.

Japanese imports have had a particularly large impact on the steel and textile industries. By way of example, Japan sold $490 million worth of steel and $216 million worth of textiles in the United States in 1965. In 1968, the respective figures are $809 million for steel and $272 million for textiles.

Strong protectionist lobbies are operating on Capitol Hill to restrict Japanese imports. Congress must not succumb to such tempting false panaceas. It takes 435,000 workers to produce the commodities we sell to Japan. A self-defeating and self-sustaining spiral of restrictive trade legislation on both sides of the Pacific could endanger the jobs of one or all of these American workers.

But trade is a two-way street. If the United States is to use restraint in imposing new trade barriers, Japan must reduce those barriers to the U.S. goods which presently exist in violation of her covenants under the GATT Treaty. At the moment she has 121 illegal quota restrictions on various commodities. Japan almost totally excludes U.S. automobiles and computers from her domestic market. Japanese licensing procedures inhibit the importation of many other commodities which are not officially subject to quota restrictions. Many American businessmen throw up their arms in disgust and dismiss as impossible the prospect of being able to cut through redtape and acquire a Japanese import license.

Ongoing negotiations on the details of trade policy between high-ranking American and Japanese officials must be given high priority. Our trade with Japan is vastly more important to the United States than trade with all the rest of Asia combined. The underlying philosophy of any agreements should be to the end that a freer and more expansive commerce is developed between our two countries. This means, and I reiterate, refusal by the United States to establish restrictive trade laws and willingness by Japan to eliminate various practices which unfairly and illegally constrain the importation of goods from the United States.

An American looking at Asia today cannot help but stand in awe of the enormity of the problems facing underdeveloped countries in the region. Teeming populations, inhibiting religious and social customs, grinding poverty, low levels of education, all contribute to institutional structures that produce change at a slow and irregular pace.

Technological innovation and communications are having a dramatic impact on popular attitudes. Misery is no longer accepted as inevitable. Progress is a value of mystical dimensions. Ferment and dissatisfaction have replaced dull reignation to the unchangeable. Political unrest is an inescapable offshoot of this new awakening.

The United States as a revolutionary country should feel sympathetic to the revolution of aspirations occurring in Asia and other parts of the world. Justice, freedom, opportunity, progress are not exclusively Western values. They are human values of universal appeal.

The war in Vietnam has distorted our vision. It has tended to polarize our thought between monolithic communism and noncommunism fighting for supremacy in the third world. In actuality the fever of irresponsible change is multifaceted and is far too effervescent for the United States or any other world power

to control. We cannot remake the world. We can however in Asia, with the help of Japan, share our technical skills and capital resources to assist in the developmental process. We can relate to Japan of the 1970's and abolish stereotypes conceived during the late 1940's and early 1950's.

We must recognize the bitterness of Asia's colonial heritage and expect that our own motives will at times be held suspect. Our strategy should emphasize social and economic initiatives, not military reaction. It has to be based on long-term objectives not short-term crisis planning. We should not try and shape the present in the image of the irretrievable past. Altered circumstances require fresh vision.

We must not attempt to defend our past mistakes in Asian policy. But neither do we want to make the greatest mistake of all—that of waiting with arms folded and doing nothing for fear of making a mistake. History will judge us harshly if we do.

MALAWI'S INDEPENDENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. DIGGS) is recognized for 10 minutes.

Mr. DIGGS. Mr. Speaker, on the occasion of the 5th anniversary of the independence of, and the third anniversary of the declaration of the Republic of Malawi, I should like to extend warm congratulations and best wishes to President Kamuzu Banda, the Government, and people of Malawi.

Under the leadership of Dr. Banda, the Republic of Malawi is making progress in its economic development. Today, Malawi does not only have diversified agriculture to protect, as much as possible, its economy from the ruinous price fluctuations in world agricultural markets, but it has also started building a light industrial sector to complement its agricultural economy. In this particular regard, I would like to add that Malawi welcomes foreign investors whose contribution to the economic development of Africa is very urgently needed.

In saluting Malawi on this day, I wish to pay tribute to its people for the progress they have made so far and to wish them great prosperity in the years that lie ahead.

INTERNATIONAL HYPOCRISY

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, in light of the developing situation in the Middle East, I should like to present a capsule picture of the situation there. Backed by their Soviet allies, the Arabs grow ever more frantically bold in their desperate efforts to show they have recovered from the paralyzing blow Israel dealt them not so long ago.

Shrilly their radios blast forth messages of hatred and death. There is no mention of compromise or direct negotiations. Nightly, Arab guerrillas probe at the borders of Israel, against whose defenses and awareness their thrusts increasingly fail.

Daily barrages thunder across Suez, as Egyptians violate the so-called ceasefire, using U.N. observers as targets in the process. Constantly their planes take to the air over the area, and just as constantly are brought down to earth by Israel's excellent air force.

I never cease to be amazed at the array of forces Israel is confronted by, sworn to end her national existence. Almost never before in history has such a small state stood up so bravely, consistently and successfully to such a massive, all-fronts assault upon her sovereignty. For this is truly what it is.

In the United Nations, an Arab-Soviet coalition aided and abetted by U Thant utilizes instrumentalities of that body as a forum for anti-Israel propaganda. With regularity, condemnations of Israel issue forth from the Security Council. On lower U.N. levels, attacks are made upon the rights and privileges of Jewish or Israeli organizations to participate in a full range of worldwide U.N. activities.

Internationally, there is an Arab boycott of Israel and her goods. Nations who dare trade with her are subjected to economic blackmail. Acts of terror are perpetrated against Israeli agents or agencies peacefully plying their legitimate trades. Constantly, here commerce is subjected to violence, sanction and discrimination. Yet she is unbowed and undefeated.

In spite of all this, Israel continues to thrust outward in a thousand ways. Her trade and industry expand. Her advisers aid dozens of nations around the world. I consider this tiny state a wonder.

Mr. Speaker, in spite of America's willingness to stand aside quietly at the U.N. and allow Israel to be condemned, she survives and grows. In spite of an unmatched array of enemies thirsting for her blood, she is more vibrant daily. In spite of U Thant and his pro-Arab, pro-Soviet sycophants, she stands unbowed.

Is it not incredible that we in this country debate while 2½ million survivors and children of persecution stand off the entire Arab world backed by Russia? Is it not a matter of true amazement to us to observe her courage, performance, and daring in the midst of strife; strength in the midst of threat; reality in a world of unreality.

America has stood by and let this situation deteriorate. We went along with a severe anti-Israel vote in the U.N., and make no excuses for it. We allow ourselves to be drawn into a mockery of four power talks over the Middle East. But Israel in 1969 is not Czechoslovakia in 1938. She has no desire to win a peace prize at the expense of her national existence. Direct peace talks is her reiterated theme, and she is right. Mr. Speaker, it is incredible to me to see people making grotesque efforts to find a balance of fairness between Israel and the forces arrayed against her. It is a mockery of fairness to condemn her just for the crime of desiring to survive as a national state and live in peace. Surely the world, led by the U.N., is setting some future standard for hypocrisy by its actions.

FEDERAL ACTION TO TEMPORARILY BAN DDT IS IMPERATIVE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, every few days in the past several months the Nation has been confronted with further evidence that hard pesticides, particularly DDT, are an ever-growing menace to wildlife, ecology, and man.

I have introduced a bill to ban further shipments of this pesticide. Individual jurisdictions are banning it, domestically and abroad. A time has arrived for our Federal Government to impose a temporary ban upon further manufacture, shipment, and use of this pesticide.

To this end, I have sent a letter requesting such action to the Secretary of Agriculture, Commissioner of the Food and Drug Administration, and Chairman of the Interstate Commerce Commission. I am inserting the text of this letter today in the hope that it will be of interest to the membership of the House.

The text of the letter follows:

DEAR MR. SECRETARY: I believe we share a common interest in both prevention of pollution and protection of our land's ecology. Recently, cumulative evidence has delivered a damning indictment of the continuing use of some hard pesticides. Most specifically, the accusing finger points to DDT.

Several species of wildlife face extinction because of this long lasting poison, among them the peragrine and American eagle. Sweden has banned its use of a trial period and Denmark will follow Sweden's lead and halt its use in agriculture, forestry, and horticulture next fall. Michigan has banned it. Arizona has done the same for two years. The New York City Park Department has banned it permanently. California is banning it from homes, gardens and in dust form on farms.

Both Great Britain and the Soviet Union are considering its discontinuation. The case of the Coho salmon and Lake Michigan watershed DDT levels is already well known. Our Department of Agriculture has banned DDT use on lettuce and cabbage, once the heads of vegetable forms.

Other short-life pesticide alternatives are easily and cheaply available. A ban on DDT use would harm no one and aid many. Every conservation group in the land, those lonely courageous voices in our modern wilderness, has been calling for such action for months now. Will it take a major disaster to make us move?

Several measures have been introduced in both houses of Congress which would end DDT's use. Banning its interstate shipment would be an excellent start. I have already introduced a measure to this effect.

It is so terribly sad to see a society which can act so swiftly on behalf of destructive goals acting in so dilatory a manner on a threat which menaces its entire structure. When wildlife is destroyed and ecosystems unbalanced, can permanent and far-reaching harm to man be far behind? Are we blind to the threat? Do we not realize that what kills animal and birdlife as well as vegetation, can and will also eventually kill people? Do we not stir uneasily at the thought of pesticide residues building up to such levels that everyone on all sides of us bans or acts against it? Still, we wait.

Man is not going to be satisfied until he denudes his earth of everything in the way

of wildlife except parasites who prey upon him alone. He will not be satisfied until his every stream is polluted and all his air is befouled. Until junk, garbage and solid wastes tower in mountainous heaps on every side. Until he has to stand with his back to the wall and struggle for existence with forces he has himself unthinkingly unleashed.

Here is our own land we have despoiled so much . . . ruined so much . . . killed off so much. The buffalo and passenger pigeon are gone. Our virgin forests are gone. Clean water and fresh air shrink daily. We desperately strive to save a wild river here . . . a few redwoods there. Our inheritance shrinks daily. This good and fair land bleeds from thousands of man-inflicted wounds. Then we salt them with pesticides in the name of progress. It is time that the word progress was used with a little more care. Once it was used to advance man. Today it has degenerated to the level of a camouflage term for new despoilation or exploitation.

Such evidence is incontrovertible. It is time the Federal government followed these leads. Therefore, I hope you will seriously consider a temporary national ban on further production, shipment, and use of this pesticide, until the inevitable conclusive evidence is in. In the interests of public health and national safety, I would hope you would consider such action.

Thank you for your consideration.

Sincerely,

BERTRAM L. PODELL,
Member of Congress.

MISTREATMENT BY OVERSEAS NATIONAL AIRWAYS

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

Mr. HAYS. Mr. Speaker, a few days ago our distinguished colleague from California (Mr. VAN DEERLIN) strongly indicated his outrage at the treatment one of his constituents received at the hands of Overseas National Airways, a supplemental air carrier—perhaps better known as a nonsked.

On the chance that you missed the gentleman's words, let me repeat them for you:

Mr. VAN DEERLIN. Mr. Speaker, apparently it takes a will of iron and the stamina of a fullback to travel these days on some air carriers.

This morning I received a telephone call from a constituent, who reported she had been waiting all night at Dulles International Airport, with 250 other passengers, to depart on a vacation trip to Europe.

She was highly upset, not so much by the delay as the fact that the carrier, Overseas National Airways, had not bothered to tell the passengers what was wrong or to make any effort to ease their discomfort.

I checked with the airport manager, and was told that for about 3½ hours, between 2:30 and 6 a.m., some 450 passengers from at least two Overseas National flights were milling around Dulles. At that time of night, the airport snack bar is manned by a single employee. All other eating facilities are closed, and I understand that frustrated passengers were on the verge of rioting.

Although the carrier never told the passengers this, failure to assemble a complete flight crew apparently was responsible for the delay. By the time a flight engineer could be located—in Buffalo—and brought to Dulles, the duty time of other crew members had expired, thus forcing the plane to remain on the ground.

As I see it, chartered airlines, like overseas National, have a good thing. Perhaps too much of a good thing. They are guaranteed full passenger loads, and they squeeze their customers in like sardines—250 on a single plane.

Perhaps they should show a little regard for the fare-paying passengers in return. Many of the people making these chartered trips are elderly citizens who have scrimped and saved for years for their tickets.

What a way to begin the vacation of a lifetime—dumped at Dulles like so much excess baggage.

Ironically, Mr. Speaker, the gentleman is a member of the distinguished Commitee on Interstate and Foreign Commerce which passed an amendment to the Federal Aviation Act in the closing days of the 90th Congress intended to keep them in business but hardly giving the supplementals a license to commit the sins of which they now appear to be so manifestly guilty.

I am concerned, as is my friend from California, with what happens to passengers at Dulles, booked in good faith by Overseas National Airways and allowed to hang around, hour upon hour, in an aura of uncertainty and indifference.

But I am more concerned, Mr. Speaker, as a member of the Foreign Affairs Committee, with what might happen if such an occurrence was repeated abroad—in Frankfurt; or London; or, more horribly, Moscow or Leningrad—where, I am informed. Overseas National conducts periodic air tours. American prestige abroad is dwindling rapidly enough as it is, Mr. Speaker, without encouraging repititions of the Dulles incident simply because the Civil Aeronautics Board does not police these supplementals to make certain that they honor their contracts with the traveling public and perform only those functions which the 90th Congress thought it was granting them.

It seems to me that the time is at hand to take a good hard, critical look at the supplemental airline industry. This is an industry which, according to reliable sources, is growing faster than any other section of the U.S. airline industry and will be a billion-dollar industry by 1973.

Recently I read where the supplemental airlines vigorously opposed liberal new transatlantic fares proposed by the International Air Transport Association, whose members include scheduled carriers of the United States and foreign nations. The fares proposed for air travelers, as I understand the proposal, would sharply reduce the cost of traveling by air to Europe and contains other benefits for individual and group travelers.

The supplemental airlines cried out against the plan, claiming that it would divert traffic they would have access to. Yet the CAB found that the fares would benefit the public.

The Civil Aeronautics Board granted most of the IATA proposal, but for a realtively short period of time, only 5 months in the winter of 1969–70, pending the completion of a full evidentiary hearing which the supplementals successfully requested. The short period of time of approval threatens to make impossible a fair experiment with the new fares, particularly in the peak summer season of 1970.

In the pleadings of the American carriers which are members of IATA, the CAB was told, among other things, that the fare package was aimed at generating sufficient traffic to meet the requirements of the 747 for which most scheduled world airlines have made heavy financial commitments.

This plea is a reasonable one, capable of withstanding any argument on sound economic grounds. Yet, we find the U.S. scheduled airlines, the foundation-stone of U.S.-flag commercial air transportation, being frustrated in their vital future planning by a relatively new category of air carriers, the supplementals.

Let us not forget that the supplementals' statutory obligation is to provide air service supplementary to that of the scheduled carriers. The Government of the United States has an obligation to maintain a clear distinction between the responsibilities of the scheduled and nonscheduled airlines of this country. The agency directly charged with that responsibility is the CAB, and we are well aware that with its relatively small policing arm, this can be a difficult task.

I also recall reading recently that the CAB was preparing a crackdown on charter groups alleged to be attempting to evade the Board's restrictions. The article to which I refer is the Wall Street Journal story of June 9, 1969, which I would like to enter into the RECORD.

In its own order announcing an investigation into this incident, the CAB pointed up the blatant disregard for regulations shown by the supplemental airlines involved in the charters planned by the International Student Affairs Club, to which the excellent Wall Street Journal article refers. The Board noted that the violations involved "go to the very heart of the charter concept and tend to obliterate the distinction between supplemental air transportation and the individual sales service provided by the scheduled air carriers." The CAB also noted that the two supplemental airlines involved—American Flyers and Trans International—failed to take any steps to see that the tour participants were advised that the eligibility of the charters was subject to question and that the flights faced possible cancellation.

This is outrageous defiance. It should be halted at once. Stricter control of airlines perpetrating such tactics on an unsuspecting public must be established by the CAB.

I can cite other examples of supplemental carriers defiance of Board regulations, such as another airline in this category which allegedly cancelled a Mexico-United States charter just 1 day before the charter trip because, it explained, it lacked traffic rights.

I could get on, but I do not think it is necessary. Further examples of this kind of performance—or nonperformance—can likely be obtained from some of your own constituents who are engaged in the travel agency business.

Steps must be taken now to insure that the supplemental carriers are made

to conform with the laws under which they are authorized to provide public service.

Further, any authority granted to these carriers must contain safeguards against inflicting injury on the scheduled carriers of the United States in their day-in, day-out operations, particularly the international airlines which are constantly faced with political as well as economic problems all over the globe.

And last but certainly not least in importance, the CAB must bring to a halt the liberal attitude toward the supplemental airlines, whose record of performance is hardly worthy of impeding the efforts of the U.S. scheduled airline industry, which has achieved such a splendid record in many decades of public service.

Mr. Speaker, the Wall Street Journal has been keeping an eagle reportorial eye on the activities of the supplementals since they began breaking the rules and exceeding the limitations set down for them by the 90th Congress.

At a later date I shall ask unanimous consent that these Journal articles be made a part of the RECORD.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. ASPINALL (at the request of Mr. ROGERS of Colorado), for this week, on account of death in his family.

Mr. FRASER (at the request of Mr. OBEY), for July 9, 1969, through July 21, 1969, on account of official business (Geneva Disarmament Commission).

Mr. WOLFF (at the request of Mr. PIKE), for today and Thursday, July 10, 1969, 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:

(The following Members (at the request of Mr. FLOWERS), to revise and extend their remarks and to include extraneous matter:)

Mr. REUSS, for 30 minutes, today.

Mrs. SULLIVAN, for 10 minutes, today.

Mr. PURCELL, for 10 minutes, today.

Mr. TUNNEY, for 10 minutes, today.

Mr. DIGGS, for 10 minutes, today.

Mr. DIGGS, for 60 minutes, on July 10.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MAHON to revise and extend his remarks and insert certain tables and pertinent printed material relating to fiscal affairs of the Government.

Mr. WILLIAMS to have the remarks concerning Mr. Milliken printed in the RECORD immediately following approval of the Journal.

Mr. MADDEN and to include extraneous matter.

(The following Members (at the request of Mr. CAMP) and to include extraneous matter:)

Mr. WHALLEY.

Mrs. HECKLER of Massachusetts.

Mr. MIZE.

Mr. ASHBROOK.

Mr. FOREMAN in two instances.

Mr. DUNCAN.

Mr. POLLOCK.

Mr. WYDLER.

Mr. MCDONALD of Michigan in two instances.

Mr. PELLY.

Mr. ZWACH.

Mr. GOODLING.

Mr. HASTINGS.

Mr. MORSE.

Mr. GUDE.

Mr. WYMAN in two instances.

Mr. BETTS.

Mr. COLLINS in three instances.

Mr. AYRES.

Mr. ESCH.

Mr. SAYLOR.

(The following Members (at the request of Mr. FLOWERS, and to include extraneous matter:)

Mr. ROONEY of Pennsylvania in three instances.

Mr. DIGGS.

Mr. BARING.

Mr. SCHEUER. in two instances.

Mr. TEAGUE of Texas in eight instances.

Mr. MURPHY of New York.

Mr. RARICK in three instances.

Mr. BRADEMAS in six instances.

Mr. MIKVA in six instances.

Mr. OLSEN in four instances.

Mr. PRYOR of Arkansas.

Mr. HELSTOSKI in two instances.

Mr. HANNA.

Mr. DINGELL in four instances.

Mr. ST GERMAIN in two instances.

Mr. EILBERG.

Mr. TUNNEY in three instances.

Mr. ULLMAN in five instances.

Mr. O'HARA in two instances.

Mrs. CHISHOLM.

Mr. BURLISON of Missouri.

Mr. PEPPER.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 545. An act to amend the District of Columbia Bail Agency Act (80 Stat. 327); to the Committee on the District of Columbia.

S. 1458. An act to prohibit the business of debt adjusting in the District of Columbia except as an incident to the lawful practice of law or as an activity engaged in by a nonprofit corporation or association; to the Committee on the District of Columbia.

S. 1583. An act to provide that appointments and promotions in the Post Office Department, including the postal field service, be made on the basis of merit and fitness; to the Committee on Post Office and Civil Service.

S. 2185. An act to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89-774 (80 Stat. 1324); to the Committee on the District of Columbia.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1647. An act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

ADJOURNMENT

Mr. FLOWERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Thursday, July 10, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

937. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend Section 5723(b) of Title 5, United States Code, relating to length of service required by teachers in Bureau of Indian Affairs schools when travel and transportation expenses are paid to first post of duty; to the Committee on Government Operations.

938. A letter from the Executive Director, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases as of May 31, 1969, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

939. A letter from the Attorney General, transmitting a draft of proposed legislation to improve the judicial machinery in customs courts by amending the statutory provisions relating to judicial actions and administrative proceedings in customs matters, and for other purposes; to the Committee on the Judiciary.

940. A letter from the Director of Management Operations, Department of the Interior transmitting a report covering grants made to nonprofit organizations for support of scientific research programs during calendar year 1968, pursuant to the provisions of section 3 of Public Law 85-934; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. S. 574. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; with amendment (Rep. No. 91-358). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. S. 38. An act to consent to the upper Niobrara River compact between the States of Wyoming and Nebraska (Rept. No. 91-359). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BROTZMAN:

H.R. 12689. A bill to amend the Food Stamp Act of 1964, as amended; to the Committee on Agriculture.

H.R. 12690. A bill for the relief of the Southwest Metropolitan Water and Sanitation District, Colo.; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 12691. A bill to improve the judicial machinery in customs courts by amending the statutory provisions relating to judicial actions and administrative proceedings in customs matters, and for other purposes; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 12692. A bill to authorize the Interstate Commerce Commission, after investigation and hearing, to require the establishment of through routes and joint rates between motor common carriers of property, and between such carriers and common carriers by rail, express, and water, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT:

H.R. 12693. A bill to amend the first section of the act of November 5, 1966, to define the boundaries of the Indiana Dunes National Lakeshore; to the Committee on Interior and Insular Affairs.

By Mr. FLYNT:

H.R. 12694. A bill to establish fee programs for entrance to and use of areas administered for outdoor recreation and related purposes by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GERALD R. FORD (for himself, Mr. ARENDS, Mr. RHODES, Mr. BOB WILSON, Mr. MESKILL, and Mr. WIGGINS):

H.R. 12695. A bill to amend the Voting Rights Act of 1965, and for other purposes; to the Committee on the Judiciary.

By Mr. HALL:

H.R. 12696. A bill to amend the Uniform Time Act of 1966 in order to provide that daylight saving time shall be observed in the United States from the first Sunday following Memorial Day to the first Sunday following Labor Day; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLIFIELD (for himself and Mr. PRICE of Illinois) (by request):

H.R. 12697. A bill to amend section 153 of the Atomic Energy Act of 1954, as amended, to extend the compulsory patent licensing authority of the Atomic Energy Commission for 5 years, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. HORTON (for himself, Mr. DENT, Mr. DIGGS, Mr. LEGGETT, Mr. MCCLOSKEY, Mr. POWELL, Mr. REES, and Mr. STANTON):

H.R. 12698. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. ICHORD (for himself, Mr. QUILLEN, Mr. BENNETT, Mr. FISHER, Mr. FUQUA, Mr. WAGGONNER, Mr. COLMER, Mr. RIVERS, Mr. PREYER of North Carolina, Mr. EDWARDS of Louisiana, Mr. ASHBROOK, Mr. ROUDEBUSH, Mr. WATSON, and Mr. SCHERLE):

H.R. 12699. A bill to amend the Internal Security Act of 1950 to authorize the Federal Government to institute measures for the protection of defense production and of classified information released to industry against acts of subversion, and for other purposes; to the Committee on Internal Security.

By Mr. KUYKENDALL:

H.R. 12700. A bill to etsablish a Joint Committee on Environmental Quality; to the Committee on Rules.

By Mr. LANDGREBE:

H.R. 12701. A bill to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LUKENS:

H.R. 12702. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

H.R. 12703. A bill to amend the Gun Control Act of 1968 to strengthen the penalty provision applicable to a Federal felony committed with a firearm; to the Committee on the Judiciary.

By Mr. MCEWEN:

H.R. 12704. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN:

H.R. 12705. A bill to prevent payment of double subsidies, and to assure availability of tonnage for defense purposes in the national interest, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PERKINS:

H.R. 12706. A bill to amend the Railroad Retirement Act of 1937 so as to increase the amount of the annuities payable thereunder to widows and widowers; to the Committee on Interstate and Foreign Commerce.

H.R. 12707. A bill to amend title XIX of the Social Security Act to continue for an additional period in certain cases the special provision fixing the minimum Federal assistance percentage for a State under the medical assistance program at 105 percent of the Federal share of such State's medical expenditures under all of the public assistance programs during 1965; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 12708. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Ways and Means.

By Mr. POLLOCK:

H.R. 12709. A bill to authorize the Secretary of Health, Education, and Welfare to make Indian hospital facilities available to non-Indians under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES:

H.R. 12710. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 12711. A bill to protect collectors of antique glassware against the manufacture in the United States or the importation of imitations of such glassware; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHADEBERG (for himself, Mr. VANDER JAGT, Mr. HUTCHINSON, Mr. RUPPE, Mr. LANDGREBE, Mr. O'KONSKI, and Mr. CEDERBERG):

H.R. 12712. A bill to amend the act of August 13, 1946, relating to Federal participation in the cost of protecting the shores of the United States, its territories, and possessions, to include privately owned property; to the Committee on Public Works.

By Mr. TAYLOR:

H.R. 12713. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 12714. A bill to provide that the Federal Government shall pay one-half of the cost of health insurance for Federal employees and annuitants; to the Committee on Post Office and Civil Service.

By Mr. WHITTEN:

H.R. 12715. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (by request):

H.R. 12716. A bill for the relief of the Nightwriter Corp.; to the Committee on the Judiciary.

By Mr. CARTER:

H.R. 12717. A bill for the relief of Dr. Leticia K. Chy-Koa; to the Committee on the Judiciary.

H.R. 12718. A bill for the relief of Dr. Elpidio Kap Koa; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 12719. A bill for the relief of Mrs. Jeoung Sook Choe; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 12720. A bill to provide for the conveyance of certain real property of the District of Columbia to the Washington International School, Inc.; to the Committee on the District of Columbia.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

172. By the SPEAKER: Petition of the Board of Chosen Freeholders, Mercer County, Trenton, N.J., relative to creating an urban mass transportation trust fund; to the Committee on Banking and Currency.

173. Also, petition of the Americans for Patriotism, Inc., Scarsdale, N.Y., relative to a U.S. American Revolution Bicentennial Commission; to the Committee on the Judiciary.

174. Also, petition of the Rochester Police Locust Club, Inc., Rochester, N.Y., relative to redress of grievances; to the Committee on the Judiciary.