the State plan provided in Section 303. The application in addition to the provisions of Section 303, shall:

"(1) set forth a comprehensive Statewide program for the renovation and construction of correctional institutions in the State under which at least 50 per centum of all Federal funds granted to State agencies under this Act for any fiscal year will be available to agencies of political subdivisions of such State;

"(2) provide satisfactory assurance that the control of funds granted under this Act and title to property derived therefrom shall be in a public agency for the uses and purposes provided in this Act and that a public agency will administer such funds and property;

"(3) provide assurances that the State agency will pay from non-Federal sources the remaining costs of such program;

"(4) provide assurances that projects assisted under this Act will incorporate innovations and techniques in the design of such facilities in order to improve the effectiveness of the correctional institutions within such States;

"(5) provide assurances that the personnel standards and programs of such facilities will reflect the best practice prevailing in the United States;

"(6) set forth policies and procedures designed to assure that Federal funds made available under this Act will be so used as not to supplant State or local funds, but to supplement and, to the extent practicable, to increase the amounts of such funds that would in the absence of such Federal funds be made available for the purpose of this Act;

"(7) set forth procedures under which the State agency shall not finally disapprove an application for funds from an appropriate agency of any political subdivision of such State without first affording such agency reasonable notice and opportunity for a hearing;

"(8) provide, where feasible and desirable, the sharing of correctional institutions and facilities on a regional basis either among the political subdivisons of a State or among the various States in a region;

"Sec. 504. As soon as practicable after enactment of this Act, the Administration shall, after consultation with the Federal Bureau of Prisons, by regulation prescribe basic criteria to be applied by the State planning agency under Section 503. In addition to other matters such basic criteria shall provide:

"(1) the general manner in which State planning agency shall determine priority of projects based upon (a) the relative need of the area within such State for correctional facilities, (b) the relative ability of the particular public agency in such area to support a program of construction of such facilities, and (c) the extent to which the project contributes to an equitable distribution of assistance under this Act within each State;

"(2) general standards of design, construction and equipment for correctional facilities for different types of offenders and in different locations.

"Sec. 505. Nothing contained in this Act shall be construed to authorize the making of any payment under this Act for the construction of facilities as a place of worship or religious instruction."

Sec. 2. (a) Subsection (f) of Part G—Definitions is amended to insert immediately after the first sentence, the following: "For correctional facility purposes, the term also includes the preparation of drawings and specifications for correctional facilities; altering, remodeling, improving or extending such facilities; and the inspection and supervision of the construction of such facilities. Such term does not include interests in land or off-site improvements."

(b) Part G—Definitions is amended to add the following subsections:

"(1) The term 'correctional institution' means any prison, jail, reformatory, work farm, detention center, community correctional center, regional correctional center, or other institution designed for the confinement or rehabilitation of individuals charged with or convicted of any criminal offense, including juvenile offenders.

"(m) The term 'correctional facilities' includes any buildings and related facilities, initial equipment, machinery, and utilities necessary or appropriate for correctional institution purposes."

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

Mr. HRUSKA. I am happy to yield to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I am unfamiliar with the proposed legislation but I wish to commend the distinguished Senator from Nebraska for bringing this general area to the attention of the Senate.

I have the good fortune to serve on the Committee on the Judiciary with the distinguished Senator from Nebraska. Last spring we had an opportunity to visit what I think is one of the most ideal correctional institutions that I have had an opportunity to see. This particular institution is a Federal youth rehabilitation facility located in West Virginia, just outside Morgantown. It is a very fine, modern correctional institution and can serve as a model for the Nation.

At that time we visited the institution in the company of the former Attorney General, Ramsey Clark. From past experience I know of his great interest and concern about this entire area. I think the whole area of rehabilitation of offenders is long overdue for action by Congress and the Senate.

I wish to commend the Senator for drawing our attention to this dimension of the criminal justice system. As a member of the committee which will consider it, I hope to be able to work with him on this legislation because I know very well of his deep commitment in this field. This is an area in which all of us talk about doing something but where there remains a very great opportunity for action.

I thank the Senator.

Mr. HRUSKA. I thank the Senator from Massachusetts for his contribution.

The Senator will find upon examining the bill that it is a projection of some of the things discussed during the formulation of the omnibus crime bill of 1968. In that bill and the provisions of the Law Enforcement Administration Act, we touched peripherally on the subject of correctional institution, but only slightly. This is an effort based on a study of longer duration than the procedures and mechanics contained in the Law Enforcement Administration Act in the field of construction and improvement of those institutions.

The proposed bill will be found to be within that framework. Without it all we are doing is spending a tremendous sum today to detect and apprehend for crime, maintaining an elaborate system for charging those persons with crime, and convicting them with crime, and that is the end of the road.

The greater part of the jails in America today—I would say as many as one-third, but the exact number escapes me—are over 100 years old and few were built in this century. That is a terrible indictment in this field.

Mr. KENNEDY. I commend the Senator. The whole area of corrections, both within and without correctional institutions, is one in which there has not been enough attention. I think all of us are at fault for not working with greater industry in this area. The Senator from Nebraska has performed a very important service in bringing this matter to the attention of the Senate. I am hopeful that we can get consideration of this entire field in the Committee on the Judiciary and develop legislation in this area at an early time.

Again I commend the Senator from Nebraska.

Mr. HRUSKA. I thank the Senator for his generous remarks.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there is no further business to come before the Senate I move, in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 16 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, September 10, 1969, at 10 a.m.

HOUSE OF REPRESENTATIVES—*Tuesday, September 9, 1969*

The House met at 11:45 o'clock a.m.

Rev. Donald N. Duncan, First Baptist Church, Marietta, Ohio, offered the following prayer:

Father of all mankind, we thank You for our Nation, which has been built upon the principles of Jesus Christ. Help us to remember that we are not our brother's keeper, but our brother's brother. For these men of the Legislature, who will write laws to control all facets of life, we thank You. Make them sturdy in mind and spirit.

We thank You for our world. We pray for peace, but not peace at any price. The peace that will last must be a cooperative peace. Be with our men in service.

Give this Government a keen sense of fairness. A will to make change, without losing the sense of direction of life. Help each Member of the House of Representatives to have faith, courage, and hope.

Bless the President of our country and all who are involved in making our Nation stalwart. Keep us mindful of the weak. Help us to be proud of the strong. Bless all who are in mourning this day.

We put ourselves in Your hands. Amen.

THE JOURNAL

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

MEMORIAL SERVICES FOR THE LATE HONORABLE EVERETT McKINLEY DIRKSEN

The SPEAKER. Pursuant to the provisions of House Resolution 531, the House will attend the memorial services for the late Honorable Everett McKinley Dirksen in the rotunda of the Capitol.

At the conclusion of the services the House will return to its Chamber.

The Clerk and the Sergeant at Arms, bearing the mace of the House, will head the procession.

The Chair, the majority and minority leaders, the majority and minority whips, and other Members appointed to the funeral committee will take places at the head of the column and the House will then proceed to the rotunda.

Thereupon, at 11:49 o'clock a.m., the Speaker and the Members of the House, preceded by the Clerk of the House of Representatives (Hon. W. Pat Jennings) and the Sergeant at Arms (Hon. Zeake W. Johnson, Jr.), bearing the mace of the House, proceeded to the rotunda of the Capitol.

At 12:35 o'clock p.m., the Members of the House returned to the House Chamber.

(For memorial services for the late Honorable Everett McKinley Dirksen, see proceedings of the Senate today.)

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute for the purpose of asking the distinguished majority leader the program for the remainder of this week and any other information concerning the business of the House.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

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

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

Mr. ALBERT. Mr. Speaker, I am glad the distinguished minority leader has made this inquiry because all Members know that the death and funeral services of Senator Dirksen have caused us to change the program in several particulars.

As Members know, the astronauts will not be here this week.

We will go on with the program as scheduled, with this exception for this week. When we finish the general debate on the resolution providing for a constitutional amendment on presidential elections, we will adjourn over, whether we finish on Thursday or Friday. We are hopeful we may finish up on Thursday, in view of all the circumstances.

We will announce the program for next week later. But for the benefit of Members, I might say there will be interruptions in the continuation of consideration of the resolution to which I have referred because of other priority matters, one of which of course is suspension day on Monday. Another is that the astronauts have been invited to come on Tuesday of next week rather than tomorrow. Another is we have long intended to schedule the legislative appropriation bill for next Tuesday, and subject to interruptions resulting from these factors, we will proceed as speedily as possible to the conclusion of the consideration of the resolution on the constitutional amendment next week to finality.

Mr. GERALD R. FORD. May I ask the distinguished majority leader a further question? We are taking up this afternoon the two bills from the Committee on Interior and Insular Affairs. Will we take up the rule on the resolution for the change in the method of electing the President today or tomorrow?

Mr. ALBERT. It is our plan to take it up today, if we can get to it in a reasonable time.

Mr. GERALD R. FORD. I thank the distinguished majority leader.

SERVICES FOR THE LATE HONORABLE EVERETT M. DIRKSEN AT THE NATIONAL PRESBYTERIAN CHURCH

Mr. GERALD R. FORD. Mr. Speaker, may I advise Members planning to attend the services at the National Presbyterian Church on Nebraska Avenue tomorrow that there will be buses at the Capitol steps at 12 o'clock noon tomorrow for providing transportation to and from the church.

PERMISSION FOR SUBCOMMITTEE ON HOUSING, COMMITTEE ON BANKING AND CURRENCY, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may sit during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE SMOTHERS BROTHERS COMEDY HOUR

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

Mr. HOWARD. Mr. Speaker, tomorrow at 8 p.m., channel 5 will telecast "The Smothers Brothers Comedy Hour" show which the CBS television network recently refused to show, and which created a major controversy over the subject of TV censorship.

I urge all of my colleagues to watch this show, not so much to decide if they feel the show is worthy or not, but to decide if they feel that its content was so objectionable as to be subjected to censorship.

Mr. Robert D. Wood, president of CBS, in a letter to the Democratic Study Group, said in part that—

> CBS has an obligation to the audience—and to its sense of decency, propriety and morality.

Mr. Speaker, I urge everyone to watch this show and to then decide whether this action was responsible, or the result of the personal political philosophy of a few individuals in determining what the American people may or may not see.

I wish to stress that I believe that if any part of the show is indecent, improper, or immoral, then CBS was justified in censoring those portions. On the other hand, if, because of a political philosophy, this program was censored under the guise of "morality" then a great disservice has been done to the American people and American freedom.

I urge my colleagues to watch the show and then judge for yourselves.

PERSONAL ANNOUNCEMENT

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

Mr. BINGHAM. Mr. Speaker, yesterday I was unavoidably absent from the House because of illness in my family. Had I been present I would have voted against the motion to recommit H.R. 11039, the bill to extend the Peace Corps, and in favor of the bill as amended.

U.N. SECURITY COUNCIL SHOULD DEMAND RELEASE OF TWO TWA HOSTAGES

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

Mr. PUCINSKI. Mr. Speaker, I would like to call attention of the House to a letter which I sent to the Secretary of State yesterday, which appears in the CONGRESSIONAL RECORD on page 24741.

This letter urges Secretary Rogers to seek assistance from the United Nations Security Council to demand the immediate release by Syria of two American passengers who were taken hostage from a TWA airliner hijacked more than 10 days ago.

It might not seem very important. There are only two individuals. But the integrity of this country and the security of this Nation are at stake. More than 10 days have elapsed. Syria has taken these two passengers as prisoners and is holding them as hostages. This is the first time a nation has taken as hostages passengers removed from a hijacked commercial carrier.

This is an outrage against the dignity of the United States and an act of the most atrocious kind of international piracy we have ever seen. I hope my colleagues will join me in urging the Secretary to seek action through the United Nations. I believe the Security Council ought to be summoned, and I think the Security Council ought to demand safety for these two passengers and ought to demand their immediate release.

If we do not do this, I warn the Members, there is going to be more and more of this type of action. We have already seen the kidnaping of an American Ambassador, and we are witnessing the outrage against our three helicopter pilots in North Korea. If this country does not take action through the Security Council, we are going to see a serious escalation of this new kind of terrorism against American interests around the world. I hope my colleagues will join me in this plea.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

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

There was no objection.

PERSONAL ANNOUNCEMENT

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

Mr. MORSE. Mr. Speaker, due to a longstanding engagement away from the Capitol, I was unable to be on the floor to vote in favor of the Peace Corps Act, H.R. 11039.

The Peace Corps is a vital part of our efforts and the goals of our foreign policy: a better and mutual understanding between the United States and the developing countries; a closer communication and basic rapport between peoples that can lead to greater cooperation; the support and participation of the American people in meeting the urgent and basic human problems which challenge the future of civilization.

As a relatively young program, it has faced vastly complex and varied situations. It has undertaken a course virtually uncharted in our experience as a nation, without the benefit of past efforts or tradition. Its achievements have been significant, and its continued strength and success will be indicative of our commitment to the principles of human equality, dignity, and peace.

HURRICANE GERDA

(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, at this very moment Hurricane Gerda is off the Atlantic coast threatening possible damage to heavily populated land areas of the United States. Hurricane watches went up a few days ago on the Georgia coast when Gerda was just a mere tropical storm. Now emergency plans are being formulated from Long Island to Maine to protect shipping, aircraft, homes, and other property. Residents of low-lying areas are being urged to move inland. Hopefully Gerda will blow out to sea.

We have just been through a devastating hurricane—Camille.

As Gerda moves up the Atlantic coast, we must ask ourselves, how long will it be before we have the necessary legislation to effectively help hurricane victims? How long will it be before we have a national plan to prevent great damage in advance of these killer hurricanes?

Solving these problems should have a high priority in this Congress. I urge prompt and early action.

AMERICAN PRISONERS OF WAR HELD BY NORTH VIETNAM OR VIETCONG

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

Mr. DICKINSON. Mr. Speaker, I previously sent out a message to all Members of the House pointing out that on Thursday of this week it would be my intention to take a special order in connection with our prisoners of war who are now held captive by North Vietnam. As is probably known by most of the Members of this House, we have over 1,300 men missing in action in Vietnam, of which only 450 are known to be prisoners. Yet, to this date, neither North Vietnam nor the Vietcong have revealed the names of those Americans they are holding prisoner.

I take this opportunity, Mr. Speaker, to inform the Members of the House, as I have by mail, that because of the change in the legislative schedule this week, I have asked for a special order for Wednesday of next week, September 17.

Notices will appear in the public press.

We expect the families of many of the POW's and those missing in action to be in attendance in the gallery for this special order. We expect 200 or 300 here.

We will follow this up with a reception at which the Joint Chiefs of Staff and other Government officials have been invited to attend, honoring the families of the missing in action and the prisoners of war.

Once again I should like to invite the Members of the House to participate in this special order with me and to honor the families of POW's and MIA's by being present at the reception.

THE CRUEL AND INHUMANE TREATMENT OF AMERICAN POW'S BY NORTH VIETNAM

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

Mr. DON H. CLAUSEN, Mr. Speaker, I want to take this opportunity to address myself to a situation that, for too long, we in the Congress have been altogether too silent on. I refer to the cruel and inhuman treatment afforded American prisoners-of-war by the Government of North Vietnam.

Since the outset of U.S. involvement in the war in Vietnam, the Government in the north, while disassociating itself with the conflict in the south, has taken custody of American prisoners, refused to even report their names or the exact number they hold, and, as confirmed by two who were recently released, these men are being subjected to the lowest forms of human degradation and suffering.

For a government that claims to be concerned about human suffering and interested in seeking a negotiated settlement of the conflict, North Vietnam's treatment of American servicemen raises serious doubts about their true intentions. Quite frankly, I hope the world is watching and I further believe that this tragic story should be told to the American people—they have a right to know.

In addition to the captives themselves, the real victims here are the families and loved ones of those who's fate now hangs in the balance. Not knowing whether their servicemen are dead or alive, these helpless victims represent the true agony of Vietnam.

To them, the relatives of our missing fighting men, I hereby pledge my full support to do everything I can to correct this human tragedy.

ADMINISTRATION POLICY OF NEGOTIATION, NOT CONFRONTATION IN VIETNAM

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

Mr. FISH. Mr. Speaker, a news story that the United States will not initiate new military actions following the current 3-day cease-fire in Vietnam is the most welcome and if accurate is the most significant peace initiative to date. Let us call it what it is, and proclaim to the world that we are prepared to simply bring a stop to the shooting and killing.

Regardless of the reception in Hanoi to such action, the world will know that continuation of the war is up to the North Vietnamese.

The President is to be commended for his leadership in reversing our military strategy. No less significant is his assertion of decisionmaking by Washington and not by Saigon.

Limiting our military operations would be the most dramatic effort to deescalate. It would follow a reduction in B–52 flights and the start of troop withdrawals. It would follow steady progress during this year toward moving settlement of the issues from the battlefield to the political arena. It is consistent with administration policy of negotiation not confrontation.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 247, RELATING TO THE ADMINISTRATION OF THE NATIONAL PARK SYSTEM

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 461 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 461

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 247) relating to the administration of the national park system. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the joint resolu-

tion shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

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

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

Mr. BOLLING. 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. 163]

Anderson, Ill.	Ford,	Powell
Ashbrook	William D.	Preyer, N.C.
Baring	Foreman	Purcell
Belcher	Frelinghuysen	Reuss
Blanton	Gaydos	Rooney, N.Y.
Boland	Giaimo	Roudebush
Cabell	Gubser	Scheuer
Cahill	Hungate	Shriver
Celler	Jacobs	Sikes
Clark	Karth	Smith, Calif.
Clay	Kirwan	Smith, Iowa
Collins	Landrum	Taft
Conyers	Lipscomb	Teague, Calif.
Cunningham	MacGregor	Teague, Tex.
Daddario	Mailliard	Tiernan
Davis, Ga.	Meeds	Tunney
Dawson	Melcher	Udall
Diggs	Meskill	Watson
Dwyer	Miller, Calif.	Widnall
Esch	Murphy, N.Y.	Wilson,
Fallon	Nix	Charles H.
Fisher	Pelly	Young
Foley	Pickle	

The SPEAKER pro tempore. On this rollcall 364 Members have answered to their names, a quorum.

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

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 247, RELATING TO THE ADMINISTRATION OF THE NATIONAL PARK SYSTEM

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

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Nebraska (Mr. MARTIN), pending which I yield myself such time as I may consume.

Mr. Speaker, while there is some controversy on the legislation made in order by this resolution, there is no controversy on the rule, so far as I know. It is a simple, open rule providing for 1 hour of general debate.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, this rule provides for 1 hour of debate, to be equally shared and controlled by both sides of the aisle.

The purpose of the joint resolution is to prohibit any overnight camping, or the erection of any temporary structure at any location within a national park which has not been previously designated as a regular campground.

Present law and existing regulations leave to the Secretary of the Interior the right, in his discretion, to issue a permit for group camping at park areas other than such designated locations.

The joint resolution removes this discretion and treats all persons wishing to use camping facilities equally. All may camp on a first-come, first-served basis at designated campgrounds. Other areas of the parks cannot be used for overnight camping.

Several exceptions are provided. Military use, including overnight camping is permitted, as is overnight use by U.S. park employees in the performance of their duties. Public overnight use is permitted for an emergency arising out of an act of God; that is, fire, flood, earthquake.

Mr. Speaker, I know of no objection to the rule.

Mr. Speaker, I reserve the balance of my time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 471, TO HOLD IN TRUST CERTAIN LANDS FOR THE PUEBLO DE TAOS INDIANS IN NEW MEXICO

Mr. BOLLING. Mr. Speaker, I call up House Resolution 462 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES 462

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 471) to amend section 4 of the Act of May 31, 1933 (48 Stat. 108). After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

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

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska (Mr. MARTIN), pending which I yield myself such time as I may consume.

Again, Mr. Speaker, there is some controversy on the bill made in order by this resolution, but I know of no controversy on the resolution itself. Therefore, I reserve the remainder of my time.

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

House Resolution 462 provides for an open rule with 1 hour of debate for consideration of H.R. 471.

The purpose of the bill is to grant to the Pueblo de Taos Indians of New Mexico trust title to approximately 48,000 acres of federally owned land now a part of the Kit Carson National Forest. These lands were taken from the Indians without payment in 1906. The 48,000 acres which were conveyed are part of a larger tract of approximately 130,000 to which the Pueblo de Taos Indians have aboriginal title. This was confirmed by a decision of the Indian Claims Commission in 1965. The Indians attach great significance to this particular 48,000 acres and have urged the Government to return title to the land which the Indians now use rather than make a lump sum payment.

The importance of this tract of land to the Indians has long been recognized by the Government. Preservation of the land in its natural condition is said by the Indians to be essential to the protection of their religion. The Forest Service has stated that the transfer of the land to the Indians would not prejudice the administration of the remaining acreage in the Carson National Forest.

The bill transfers the land to the Indians and continues existing rights and uses now permitted on a part of the 48,000 acres so transferred. These rights include grazing permits granted by the Forest Service and recreation use by the public which have heretofore been granted with the approval of the Indians on a limited basis which will be continued.

The committee report makes clear that the committee does not consider this bill as a precedent for settling of claims by the conveyance of land rather than by money payment. The committee considers the Pueblo de Taos Indians to be a unique position in that their aboriginal title was extinguished without compensation. Also, the religious needs of the Indians with respect to this land have been recognized by the Federal Government for the past 63 years and that the Indians interest in the land includes preservation of their religion.

No additional Federal cost is anticipated through the passage of this bill. The Department of Interior supports the legislation. The Department of Agriculture opposes enactment of the bill believing that the land should remain a part of the national forest and that the Indians should continue to be permitted their special user rights. They foresee the attempt to use this legislation as a precedent in settling future Indian claims.

The Bureau of the Budget supports the Department of Agriculture in its opposition.

This bill is almost identical to H.R. 3306 which passed the House in the 90th Congress but died in the Senate.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RELATING TO THE ADMINISTRATION OF THE NATIONAL PARK SYSTEM

Mr. ASPINALL. 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 joint resolution (H.J. Res. 247) relating to the administration of the national park system.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado.

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 joint resolution (H.J. Res. 247), with Mrs. GREEN of Oregon in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution is dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Colorado (Mr. ASPINALL) will be recognized for 30 minutes, and the gentleman from Iowa (Mr. KYL) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. ASPINALL. Madam Chairman, I yield myself 10 minutes.

Madam Chairman, as the gentleman from Missouri stated, there is some opposition to the legislation and those in charge of the time will endeavor to see to it that those who wish to speak in opposition have that right.

Madame Chairman, the Committee on Interior and Insular Affairs has carefully considered the legislation now before the House. In addition to the consideration given to House Joint Resolution 247 this year, the committee studied a comparable measure during the 90th Congress but time did not permit its consideration before adjournment.

House Joint Resolution 247 is not a difficult measure to understand. Its purpose is simply to provide basic statutory standards with respect to camping activities within the various units of the national park system. It does not prohibit camping, overnight occupancy, or the erection of temporary structures, but it limits them exclusively to areas regularly designated for that purpose.

Presently, there are no statutory standards for the guidance of the Secretary with regard to overnight use of national parks and recreation areas. In fact, he has general authority to manage and control all areas of the system and to regulate their use as he deems appropriate. The majority of the members of the committee feel that this discretionary authority is far too broad, particularly with respect to his authority to issue special permits to camp in areas that are otherwise unavailable for that purpose.

Madam Chairman, there are many good reasons why temporary campgrounds should be prohibited except in very extraordinary circumstances.

First, they can be menacing to public health, because they lack the usual water and sanitary facilities commonly found at all regularly designated camping areas;

Second, they place an undue burden upon those who are charged with the responsibility of providing protection and other administrative services for visitors;

Third, they can cause irreparable harm to the natural values of an area or, at best, they can require costly restoration; and

Fourth, and perhaps most important, they interfere with the normal public use of an area and with the enjoyment of that area by the public at large.

In fact, Madam Chairman, the National Park Service is so convinced of the validity of these arguments that it has denied some persons and groups permission to temporarily camp in areas not regularly available for overnight use. On some occasions, however, temporary campgrounds have been permitted notwithstanding the magnitude of these problems.

The members of the committee do not argue that special, temporary permits should be granted to all who applied. On the contrary, most members feel that these special privileges should be extended to no one or no group, because we feel that such permits have been and will continue to be detrimental to the national park program and contrary to the public interest.

House Joint Resolution 247, if enacted, would assure an equal opportunity for all persons and special privileges for none except in the extraordinary circumstances detailed in the resolution. It would prohibit the Secretary of the Interior from permitting anyone to be domiciled overnight in any area of any unit of the national park system which is not regularly designated for that purpose.

The exceptions to this general policy are carefully limited by the legislation. In the event that parklands should be essential for some temporary military or governmental use, appropriate arrangements would have to be made with the Secretary of the Interior. Similarly, in the event of some natural catastrophe—an earthquake, a hurricane, a flood, or the like—the Secretary could permit the establishment of temporary campgrounds. Before authorizing the use of any parklands for such temporary uses, the Secretary should explore all reasonable alternatives and should secure assurances that such uses will be truly temporary and not for an unduly extended period of time.

Another exception to this general policy relates to the back country camping. By definition, back country camping is located in remote areas where regularly designated campgrounds would be inappropriate and impractical. This legislation does not affect back country camping, but as it has been in the past, it will remain subject to reasonable regulation.

With these exceptions, this legislation, as recommended by our committee, limits camping, overnight occupancy, and the erection of temporary structures to areas: First, which are regularly designated as campgrounds; and, second, which are open to all persons on the same basis.

Because the Congress has the constitutional responsibility to make all rules and regulations respecting the territory and property of the United States, House Joint Resolution 247 attempts to carefully circumscribe the discretionary authority of the Secretary of the Interior. Since it restricts his authority, we cannot expect his enthusiastic endorsement of the measure, but I hasten to add that this administration has indicated—as did the past administration—that it does not object to the enactment of this legislation. Most of the members of the Committee on Interior and Insular Affairs feel that this legislation represents a reasonable measure of control over the property of the people of the United States.

Madam Chairman, House Joint Resolution 247 is one measure which did not originate with some ambitious bureaucrat. Its origin is here in this House. It is the product of a bipartisan group of Members of the House who are intimately familiar with national park matters and who are concerned about the future of these treasured areas. It was cosponsored by 14 Members of the Committee on Interior and Insular Affairs and by two of our former committee colleagues, Mr. MORTON and Mr. WHITE.

To be sure, we feel that more adequate camping facilities should be provided in our national parks and recreation areas. Regularly designated camping areas should be suitably located so as to assure the accommodation, health, and safety of park visitors without impairing the values for which the area was set aside as a part of the park system and without interferring with others wishing to use and enjoy these same outdoor areas.

In conclusion, Madam Chairman, we feel:

First, that House Joint Resolution 247 is a reasonable exercise of legislative control over the property of the United States;

Second, that it is consistent with the constitutional responsibility imposed on the Congress by article IV, section 3;

Third, that it is needed to assure the protection of park values from unnecessary, intensive intrusions; and

Fourth, that it is essential to assure all people that they will have an equal opportunity to use and enjoy their national parklands.

As chairman of the Committee on Interior and Insular Affairs, I feel that this legislation is most important. It protects the future of our parks against abuses. I feel that it merits your support and I recommend its enactment by the House.

Mr. TAYLOR. Madam Chairman, will the gentleman yield for the purpose of my seeking additional information?

Mr. ASPINALL. I yield to the distinguished gentleman from North Carolina, the chairman of the subcommittee which handled this legislation.

Mr. TAYLOR. Would the gentleman explain how this legislation relates to H.R. 1035 which the House passed earlier this year which deals with public lands in the District of Columbia?

Mr. ASPINALL. This legislation is not inconsistent with the bill H.R. 1035 which was approved by the House on June 11. Both bills could, and I believe should, be enacted into law, because they deal with different circumstances. H.R. 1035 abso-

lutely prohibits all camping and overnight occupancy on all Government property located in the District of Columbia—including the National Capital Parks. The legislation now before the House—House Joint Resolution 247—involves all units of the national park system—everywhere in the country—and it restricts camping to those areas designated for that purpose except in specified circumstances. Inasmuch as there are no regularly designated campgrounds in any of the national park areas located in Washington, D.C., House Joint Resolution 247 would have the effect of prohibiting camping and overnight occupancy on these parklands. H.R. 1035 goes one step further in that it prohibits even the designation of regular campgrounds for overnight use on any Government lands in the District of Columbia.

Mr. TAYLOR. If the gentleman will yield further, the gentleman indicated that back country camping would not be subject to the limitations in this legislation. I notice that the report of the Department of Justice suggests that that terminology is not sufficiently definite. Will you tell us precisely what is meant by the term back country camping?

Mr. ASPINALL. I do not believe that this term is vague; it is a term of art commonly understood in the field. It is defined in the "National Park Service Glossary of Commonly Used Terms" as meaning "a part or parts of a park beyond the main developed use areas and generally not accessible to vehicular travel. Back country is characteristically of primitive or wilderness nature, of considerable dimensions, and accessible, if at all, only by horse or foot trails or in some cases by unimproved roads."

I think that this pretty clearly designates the areas which we call back-country areas in our national parks.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. ASPINALL. Madam Chairman, I yield myself 2 additional minutes.

Mr. TAYLOR. Madam Chairman, will the gentleman yield further?

Mr. ASPINALL. I yield further to the gentleman from North Carolina.

Mr. TAYLOR. In reading the dissenting views, I notice that it is suggested that by requiring designated camping areas to be open to all persons, House Joint Resolution 247 might be interpreted to prevent the National Park Service from designating areas for the exclusive use of groups. Would House Joint Resolution 247 have the effect of preventing a Scout group, for example, from using a campground?

Mr. ASPINALL. Madam Chairman, let me say first that most members of the committee do not feel that House Joint Resolution 247, as recommended, interferes with the designation of group camping areas, but the legislation does specify two requisites for campgrounds:

First, they must be regularly designated by the National Park Service as campgrounds; and

Second, they must be open to such use by all persons—that is, by all persons on the same basis.

There was some concern, however, that this language was ambiguous with respect to group campgrounds or campgrounds which are available exclusively for group use. Consequently, after the resolution was ordered reported, the committee reconsidered this specific issue and authorized a clarifying amendment to be offered at the appropriate time.

When offered, that amendment will make it clear that the Secretary may designate areas for group camping only, provided that they are available to all groups on the same basis. The language is carefully drafted to assure that all group camping areas are available for the use of any and all groups. This, of course, will not—and I emphasize this point—will not permit the Secretary to designate a temporary group campground in any unit of the national park system to exclusively accommodate a single group. It will enable him, or those he designates, to reserve a regularly designated group camping area for the use of groups or organizations making application in proper form.

The CHAIRMAN. The time of the gentleman from Colorado has again expired.

Mr. ASPINALL. Madam Chairman, I yield myself 1 additional minute.

Mr. TAYLOR. If the gentleman will yield further, I have one final question.

Throughout your presentation and in the resolution and report, there are references to "regularly designated campgrounds." For the purposes of legislative history, would you explain the meaning of that phrase?

Mr. ASPINALL. Madam Chairman, I would be happy to explain the phrase. When we refer to a "regularly designated campground" we mean an area in a unit of the national park system which is used for camping and overnight occupancy, because it is developed with that use in mind. Such an area would be equipped to provide required sanitary facilities, water, and the like.

The National Park Service publishes a list indicating the areas where campsites are available—these are "regularly designated campgrounds" within the meaning of the legislation. There are presently 83 units of the national park system which have regularly designated campgrounds, according to a 1969 publication entitled "Camping in the National Park System." Within these 83 units, there are approximately 365 group camps and roughly 25,000 camping spaces for public use.

Regularly designated campgrounds certainly are not permanent because circumstances may require that they be moved from time to time in order to preserve the outdoor values of the area, but they most certainly are not temporary. So we must keep this in mind.

Mr. TAYLOR. I thank the gentleman.

The CHAIRMAN. The gentleman from Colorado has consumed 13 minutes.

The gentleman from Iowa (Mr. KYL) is recognized.

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

Madam Chairman, my friend, who is the distinguished chairman of the House Committee on Interior and Insular Affairs, has done an excellent job of explaining what this bill does. It will probably be said by some that it is an unusual bill, that it restricts certain Americans to do things which they might want to do. There may be even more serious charges leveled at the bill.

I rise in support of House Joint Resolution 247, relating to the administration of the national park system.

The purpose of this legislation is to limit the discretion of the Secretary of the Interior to permit camping, overnight occupancy, or the erection of temporary shelters or other structures within the national park system. The legislation provides that the Secretary of the Interior in his administration of our national parks may permit camping and overnight occupancy only in those areas regularly designated for individual or group camping and in other specific instances named in the bill.

There is no question of the need for this legislation. The need was dramatized by the "Resurrection City" or "camp-in" which took place on the Mall here in Washington, D.C., last year. The subject matter of this bill was debated long before that event. Whether or not you or I agree with the objectives or purposes of that event is not important to this legislation. What is important is that it was that event which clearly demonstrated the lack of basic statutory standards with respect to camping or overnight occupancy in the administration of our national park system. It was that event which clearly indicated a threat to the values of our national parks system. The random designation of camping areas in the national park system, can eventually destroy the national park system.

The fact that our national park system can be destroyed by the random designation of camping areas within the system is dramatically demonstrated by the fact that it cost the taxpayers of the United States in excess of $1 million to recover from the issuance of a permit by the Secretary of the Interior to permit camping on the Mall for a period of 6 weeks last year. We cannot permit a similar situation to occur on other lands or property administered by the National Park Service and the Department of the Interior.

The values of our national park system are national assets which belong to all the people of the United States. It is the responsibility of Congress to protect these values for all the people of the United States. House Joint Resolution 247 does exactly this, it assures the preservation and protection of the values of our national park system in accordance with the purposes for which they were originally established.

I urge all of my colleagues to support the passage of this legislation.

Mr. ASPINALL. Madam Chairman, I yield 5 minutes to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Madam Chairman, I rise in opposition to this resolution, and I refer the Members to the dissenting views that several of us who are members of the Interior and Insular Affairs Committee have expressed in opposition to House Joint Resolution 247 as they appear in the report.

In my view, this resolution is unnecessary and unwise and, by infringing upon fundamental freedoms, raises serious constitutional questions.

It is perfectly clear that this resolution is a product of the adverse reaction by the Congress to last year's Resurrection City. Had it not been for Resurrection City, this bill would not be before the House. In its efforts to prevent future Resurrection Cities, Congress should not ignore the constitutional rights of all Americans.

This resoluton is unnecessary. It has not been requested by the Secretary of the Interior or the Director of the National Park Service. As a matter of fact, last year in a letter dated June 15, 1968, commenting upon a similar resolution, the Deputy Attorney General, Warren Christopher, stated, and I quote:

In view of the fact that present statutory authority and regulations appear to be adequate we question the need for adoption of this resolution.

Then this year, this June 11, despite the opposition of some of us, the House did pass the bill, H.R. 1035, which prohibits overnight occupancy or camping on property owned by the U.S. Government or the District of Columbia government in the District of Columbia. That bill was obviously intended to prevent future Resurrection Cities, as this one is. The House has already acted, and I suggest that this resolution is simply legislative overkill.

Furthermore, let us look at the effect of this resolution. It would prevent, for instance, groups such as the Boy Scouts of America from making application to the Department of the Interior for special permission to camp on undesignated areas of our national parks.

The Director of the National Park Service testified before our committee that more than 100 such applications were made to him in 1968 alone. One example was a request from the Boy Scout Council to camp out on the historic battlefield at Yorktown. Why should the Congress pass legislation preventing the Secretary from having the discretion to grant a permit for Boy Scout encampments?

The House ought to approach the problem of regulating the use of our national parks without emotion and without denying to the Secretary of the Interior the flexibility that he needs for the efficient administration of our national parks.

In reality this resolution is an after-the-fact reprimand of the former Secretary of the Interior for granting the permit to use West Potomac Park last year to the the Poor People's Campaign. Its passage would unwisely tie the hands of all future Secretaries of the Interior. Congress ought to have enough confidence in the wisdom of the person who has been designated by the President to be Secretary of the Interior, a Cabinet position, to permit him the flexibility and authority to handle administrative matters which are properly within his province.

Moreover, as I pointed out, this resolution is unduly restrictive of the freedoms guaranteed by our Constitution, and it may impose a prior restraint upon the rights guaranteed in the Bill of Rights.

Congress shall make no law abridging the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Restrictions upon camping and overnight occupancy on national park land in the District of Columbia may well inhibit the exercise of the right to assemble peaceably and to petition for redress of grievances.

Publicly owned land and parks in the Nation's Capital should be available under reasonable regulations for the purpose of peaceable assembly and petitioning the Congress. Those deprived Americans, who cannot afford the luxuries of a Washington hotel or motel which are available to lobbyists for vested interests, should not be forced to forfeit these rights.

All people, rich and poor alike, should have an equal opportunity to lobby for laws which will meet their needs. It has been said that the problems of this Nation can be solved through political channels within the framework of our Government, and I believe that to be true. But I also believe that Congress should not, as this resolution does, block channels for peaceful protest.

This is one of a series of resolutions which have been introduced in the Congress in an attempt to prevent the recurrence of the Poor People's Campaign. Perhaps there may be some fear that, if the spotlight of another Poor People's Campaign or a similar event is thrown upon Congress, it may reveal our failures to deal with the fundamental problems which confront our society, the need to enact meaningful legislation to deal with the problems of want, hunger, poverty, and discrimination.

If Congress really wants to eliminate future Resurrection Cities, then let us eliminate the underlying conditions which have brought so many millions of people in our society to the point of living in despair without hope. This resolution should be defeated.

I include at this point in the RECORD the dissenting views which were filed by Congressman BURTON, of California, Congressman KASTENMEIER, Congresswoman MINK, and myself.

DISSENTING VIEWS

We believe that House Joint Resolution 247 is unnecessary, unwise and raises grave constitutional issues.

This resolution would prohibit camping, overnight occupancy, and the erection of temporary shelters in areas under the jurisdiction of the National Park Service except in those areas which are regularly designated for such purposes.

Legislation has not been requested by the Secretary of the Interior or the Director of the National Park Service. The Department of Justice in a letter commenting upon a similar resolution introduced in the 90th Congress and dated July 15, 1968, from the Deputy Attorney General, Warren Christopher, to the chairman of the Committee on Interior and Insular Affairs stated: "In view of the fact that present statutory authority and regulations appear to be adequate we question the need for adoption of this resolution."

Existing law gives the Secretary of the Interior general authority to issue rules and regulations concerning use and management of park and other areas under the jurisdiction of the National Park Service. In sections 2.5 and 50.27 of title 36 of the Code of Federal Regulations camping is now permitted only in designated locations.

This resolution would take away the flexibility needed by the Secretary of the Interior to administer efficiently the Nation's parks. A statutory prohibition on camping in all areas not regularly designated for such purposes may handicap the Department of the Interior in administering our national park system.

First, it would restrict the educational and recreational use of our national parks by groups such as the Boy Scouts. The Director of the National Park Service testified in 1968 that annually there are between 100 and 150 requests for permission to camp in parts of the national park system that are not regularly designated for camping. An example was a request from the Boy Scouts Council to camp out on the battleground at Yorktown. This resolution would make such a camp out impossible, for it would make it necessary for the Secretary of the Interior to designate the battleground site as a regular camping area and thus raise the prospect of endangering the condition of the site as a historic landmark.

Second, it would prevent the use of nondesignated areas in an emergency situation except an emergency arising out of an act of God. The committee rejected an amendment incorporating language recommended by the Department of the Interior excepting "an emergency as determined by the official of the National Park Service in charge of the area involved." It is apparent that the committee does not intend to permit the Secretary to have any discretion.

Third, by requiring that designated camping areas "be open to such use by all persons," the resolution creates a potential administrative tangle. This is not a nondiscriminatory provision. Existing regulations provide for the use of camping sites on a first-come, first-served basis and only to the extent that the applicant can reasonably be accommodated in the particular area. This is already nondiscriminatory. By the additional language, the resolution would prevent the National Park Service from granting special permits to groups requesting the exclusive use of regularly designated camping areas for a certain period. For instance, it might make it impossible for a Boy Scout troop to be together in a camp site.

This resolution was originally drafted in response to the poor people's campaign of 1968 and, according to its sponsors, with the intent of preventing a future Resurrection City. It is an after the fact reprimand of the former Secretary of the Interior for granting the use of West Potomac Park for Resurrection City.

We believe the Department of the Interior and the National Park Service should be commended for its handling of the poor people's campaign. The use of West Potomac Park was, in fact, a demonstration of the right of the people peaceably to assemble and to petition Congress as guaranteed in the Bill of Rights of the Constitution.

In a period of confrontation politics often marked by violence, it is to the credit of the administration then in office and the leadership of the Poor People's Campaign that a confrontation did not occur.

The impression has been created that this resolution will punish demonstrators or those who might seize and occupy portions of the national park system. It does not. It is directed solely at the Secretary of the Interior, making him a law violator if he grants a permit in an area other than one regularly designated. It would impose a statutory prohibition upon an act which should be a matter within the administrative authority of the Secretary.

It is with the possible encroachment of fundamental freedoms that this resolution raises grave constitutional questions. The first amendment of the Bill of Rights states that "Congress shall make no law * * * abridging * * * the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

The prohibitions upon camping, overnight occupancy, and the erection of a temporary structure may be in effect a prior restraint upon the exercise of first amendment rights, inhibiting expression before the fact. There are already special regulations governing camping in the National Capital parks which provide a permit may be denied if "the event will present a clear and present danger to the public health or safety." (36 CFR 50.19C)

Why should not the public parks in the Nation's Capital be available under reasonable regulations for peaceable assembly and the petitioning of Congress?

This resolution would deprive American citizens of the opportunity to use land acquired and maintained by public funds as a place of assembly. It tells the poor, the deprived and the oppressed, who do not have $15 or $20 per night for an air-conditioned Washington hotel or motel, that they will be restricted in lobbying for laws necessary to meet their needs.

During past summers our Nation has witnessed "civil disorders" involving people for whom America has failed to provide hope of sharing her abundance. And each time, as national leaders decried the violence, they repeated again and again that violence was not the answer to economic and social ills—that there were legitimate means of social protest in our democracy—that functioning mechanisms for redress of grievances exist within the framework of our Government.

House Joint Resolution 247 is only one of a series of resolutions that have been introduced in an attempt to block a recurrence of the poor people's campaign. Perhaps it is feared that, if the poor people's campaign comes back to Washington, it might put the spotlight back on the failures of Congress.

Instead of reacting by infringement upon the Bill of Rights, the Congress should attack the underlying conditions of want and hunger and enact meaningful legislation to eliminate poverty.

WILLIAM F. RYAN.
PHILLIP BURTON.
PATSY T. MINK.
ROBERT W. KASTENMEIER.

Mr. KYL. Madam Chairman, I yield such time as he may require to the gentleman from Pennsylvania (Mr. SAYLOR).

Mr. SAYLOR. Madam Chairman, I rise in support of House Joint Resolution 247, relating to the administration to the national park system.

The purpose of this legislation is to guarantee to the American people that the values of our national park system and other lands over which the National Park Service and the Department of the Interior exercise control will be protected and preserved in accordance with the purpose for which they were originally established.

To accomplish this purpose, House Joint Resolution 247 limits the authority of the Secretary of the Interior to permit camping, overnight occupancy, or the erection of any temporary shelter or other structure for such purpose, to those areas of the national park system which are regularly designated for such purposes and to those areas so designated which are open to use by all persons or all groups.

This legislation seeks to prevent the occurrence of "Resurrection Cities" within the national parks system or areas so administered by limiting the discretionary authority of the Secretary of the Interior to issue camping permits to areas not designated or otherwise suitable for camping or temporary occupancy. Congress must exercise this responsibility to protect these values in light of the fact that it cost the American people in excess of $1 million as a result of the "camp-in" on West Potomac Park on the Mall here in Washington, D.C., for a period of 6 weeks, just last year. Therefore, this limitation on the authority of the Secretary of the Interior is necessary to protect and preserve the values of our national parks and areas so administered.

This legislation is not an attempt to rebuke any individual or group in any way. Nor does it, in my opinion, encroach upon the fundamental right of the people to peaceably assemble and petition the Government for a redress of grievances. House Joint Resolution 247 is responsible and constructive legislation to protect the values and assets of this Nation which belong to all the people. The overriding national interest is what is really involved in this legislation and I urge my colleagues to support its passage.

Mr. ASPINALL. Madam Chairman, I yield 4 minutes to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK. Madam Chairman, House Joint Resolution 247 in my opinion is an unfortunate reaction against the decision made by the past administration to authorize use of certain lands in Washington, D.C., for the purpose of housing the Poor People's Campaign last year.

I believe it is an overreaction prompted by a disagreement with the judgment of the previous administration on this matter.

The issue before this Congress is not whether the White House and the Secretary of the Interior were correct in the exercise of their discretion or whether they were incorrect. The issue before the House in House Joint Resolution 247 is whether, because some disagree with the past judgment of the previous administration, the discretion to exercise that judgment ought to be removed to avoid for all future time all such uses because some may again be criticized.

This bill not only prohibits all overnight uses of all public lands under the jurisdiction of the national parks administration in the District of Columbia which have not previously been designated as campsites, but it also extends this prohibition throughout the country and affects uses of all national parks lands.

It is my view that not only is House Joint Resolution 247 unnecessary to the efficient administration of our national parks, but also it could actually lessen this efficiency. Existing legislation gives the Secretary of the Interior authority to issue rules and regulations, and existing regulations now permit camping only in designated locations except under the conditions of issuance of special permits. Flexibility in administration permits the Department of the Interior to issue special permits for camping in areas not regularly designated.

For example, Boy Scout troops frequently request permission to establish encampments in park areas with special significance for them, because of a current project, but which would not be suitable for designation as a permanent campsite. House Joint Resolution 247 would force the Secretary of the Interior either to refuse permission to the Boy Scouts or other organizations making similar requests, or to designate the area under consideration as a regular campsite,

I believe this resolution is intended as a reprimand to the former Secretary of the Interior for granting the use of West Potomac Park in Washington, D.C., as a campsite for citizens participating in the Poor People's Campaign of 1968. This House Joint Resolution 247 does not punish demonstrators or those who might illegally seize and occupy portions of the national park system. Instead, it is aimed solely and directly at the authority of the Secretary of the Interior. It would make him guilty of violating the law if he grants a permit for camping within an undesignated area. His judgment is no longer trusted. I believe this lack of confidence in a member of the President's Cabinet is unjustified, and I am opposed to the present resolution.

Madam Chairman, the first amendment of the Bill of Rights states:

> Congress shall make no law . . . abridging . . . the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

There are already special regulations governing camping in the National Capital parks which provide a permit may be denied if "the event will present a clear and present danger to the public health or safety."

Why should not the public parks in the Nation's Capital and throughout this country be available under reasonable regulations for peaceable assembly and the petitioning of Congress if the Secretary of the Interior so finds?

Why should not the President of the United States together with his Cabinet officer, the Secretary of the Interior, be charged with the determination of this reasonableness? I believe they should retain this discretion and, therefore, I oppose this resolution.

Mr. ASPINALL. Madam Chairman, I yield 5 minutes to the gentleman from North Carolina (Mr. TAYLOR), the chairman of the subcommittee and the gentleman handling this legislation.

Madam Chairman, will the gentleman yield?

Mr. TAYLOR. I yield to the gentleman from Colorado.

Mr. ASPINALL. Madam Chairman, a statement was made by the previous speaker as to the reason for the introduction of the legislation.

I want it distinctly understood that I was one of the main sponsors of this legislation and one of those who sought that it be drafted, and I asked my colleagues to join in its sponsorship with me. It was not intended to reprimand anyone whatsoever. The fact is the legislation was introduced for the purpose of aiding the Secretary of the Interior in the furtherance of his administrative

obligations, and not to hurt him nor to handicap him nor to reprimand him, but to aid him, so his final authority would be well designated.

Mr. TAYLOR. I thank the gentleman.

Madam Chairman, this legislation was cosponsored by 16 Members of this House—Members representing districts from all parts of the Nation and people with different political beliefs and different backgrounds. No one believes more than we do in the Bill of Rights. We do not feel that this legislation impairs, in any way, the right of free speech, or the right of people peaceably to assemble, or the right to petition the Government for the redress of grievances. Those rights are basic to our system of government and should never be unjustly denied. House Joint Resolution 247 does not restrict those rights; it does not involve those rights; it merely involves parklands and how they should be used with respect to overnight use. It operates just like other regulations affecting parklands in that it has as its objective protecting those areas for the public, for their use and enjoyment, for all time.

This legislation, like a comparable measure introduced during the 90th Congress, was thoroughly considered by the Subcommittee on National Parks and Recreation.

House Joint Resolution 247 seeks to exercise a reasonable measure of legislative control over the use of our national parklands. In essence, this measure provides basic statutory standards with respect to camping, overnight occupancy, and the erection of temporary shelters in units of the national park system.

In establishing these standards, House Joint Resolution 247 says to all people:

First, that camping and overnight occupancy will continue to be permissable in regularly designated campgrounds open to all on the same terms;

Second, that camping may be permitted in the isolated back country, where few people trod, because the regular designation of campgrounds would be impracticable; and

Third, that camping, overnight occupancy, and the construction of temporary shelters may be permitted when such use is essential for governmental or military purposes or when emergencies arising from a natural disaster require the temporary accommodation of dislocated people.

Fourth, an amendment was approved by the Interior Committee after the bill had been reported out with the understanding that the amendment would be presented as a committee amendment on the House floor. This amendment would deal only with designated group camping areas. It makes certain that group camping areas will be continued and that all groups will be treated alike on a first come, first serve basis, just as will individuals. Thirty-three parks in our Nation now have group camping areas which are used by Boy Scout groups and other groups. These areas are usually operated in connection with a regular camping area and are equipped for the parking of a bus and the serving of a group of campers.

In operation, House Joint Resolution 247 will not handicap the administration of our national park lands. It will provide him with the necessary mechanism to deny requests for special permits for extraordinary privileges to camp in areas unsuitable for overnight occupancy or temporary residential use.

Experience has shown us that the broad general authority granted to the Secretary by existing law can result in significant damage to the values in park areas and can disrupt other public uses of such areas. We will not soon forget the costly restoration caused by the special use permit issued for the so-called Resurrection City nor will the public tolerate the administration of the park lands in such a way as to provide special privileges for the few to the detriment of all others. House Joint Resolution 247 cannot undo the physical damage to the Mall nor the psychological and political damage to the cause of conservation that resulted from this imprudent administrative action, but it will preclude the Secretary from issuing permits in the future for camping, overnight occupancy, or for the erection of temporary shelters except in certain specified instances.

As one Member of the House and as chairman of the Subcommittee on National Parks and Recreation, I recommend the enactment of House Joint Resolution 247, as amended.

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

Mr. TAYLOR. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. How much has the Department of the Interior collected from the leaders of the Southern Christian Leadership Conference for the misuse of that land down along the Potomac River and in the Mall area?

Mr. TAYLOR. The gentleman from Colorado may have that information.

Mr. ASPINALL. Madam Chairman, if the gentleman from North Carolina will yield to me, we have not been able to collect anything. There is a forfeited bond in the amount of $5,000, which was credited to the Treasury.

Mr. GROSS. Did the gentleman say the bond was forfeited in this case?

Mr. ASPINALL. It would be expected it would be forfeited.

Mr. GROSS. If it had been effected, it would be forfeited?

Mr. ASPINALL. That is right.

Mr. GROSS. It was my understanding that it cost some $80,000 just to resod the area used by the so-called Resurrection City.

Mr. GRAY. Madam Chairman, will the gentleman yield to me?

Mr. TAYLOR. I am glad to yield to the gentleman from Illinois.

Mr. GRAY. I might be able to shed some light on the question propounded by my friend from Iowa.

A $5,000 bond was forfeited, and the Government recouped a little over $20,000 on the sale of used lumber.

Out of a half million to a million dollars worth of damage, the taxpayers have recouped approximately $25,000.

Mr. GROSS. This resolution is intended to put a stop to the outrage of the taxpayers being left holding the bag with only $25,000 as against the damage of up to $1 million.

That is what this resolution is all about; is it not—to put a stop to this kind of business?

Mr. TAYLOR. The gentleman is exactly correct. I agree with his interpretation of the bill.

Mr. DENNIS. Madam Chairman, will the gentleman yield?

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

Mr. DENNIS. I am conscious of the fact that this was probably covered while I was out of the Chamber by the chairman, but I am a fellow who likes to go camping once in a while in the back country, as they say. As I understand it, right now I could have a campsite permit in the national parks and let them know where I am going in general, but I would not camp in the places marked as campgrounds necessarily but would camp when I got tired. As I understand it, under section 2 of this act my privilege in that regard, as it now exists, is in no wise circumscribed or changed. Is that correct?

Mr. TAYLOR. The gentleman is correct. This legislation does not in any way restrict the present use concerning camping in the back country.

Mr. DENNIS. I thank the gentleman.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the portions of the national park system and miscellaneous area, as defined in section 1(c), title 16, United States Code, that are open to the general public, the Secretary of the Interior shall not permit camping or overnight occupancy or the erection of any temporary shelter or other structure in connection therewith by any person or group of persons except:

(a) in areas that are regularly designated for such purposes and that are open to such use by all persons, or

(b) by military personnel when necessary for national security purposes in accordance with arrangements made with the Secretary of the Interior, or

(c) by employees or officials of the United States or other public agency in the performance of their official duties in accordance with arrangements made with the Secretary of the Interior.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments to section 1.

The Clerk read as follows:

Committee amendments: On page 2, line 9, change the period to a comma and add the word "or"

On page 2, following line 9, add a new subsection as follows:

"(d) in case of an emergency arising out of an act of God."

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: On page 2, line 2, after "or", insert ", in the case of areas designated for group camping only, are open to such use by all groups, or".

Mr. ASPINALL. As was explained earlier, Madam Chairman, subsequent to

the completion of its consideration of House Joint Resolution 247, some concern was expressed with respect to group campgrounds and the effect that this legislation might have on them. As the Members will recall, there are two requirements which must be met before overnight use can be permitted under the terms of this legislation:

First, they must be regularly designated campgrounds; and

Second, they must be open to such use by all persons.

While it was generally felt that this did not interfere with the regular designation of campgrounds for the exclusive use of groups, most Members agreed that any possible ambiguity should be removed. For this reason the committee considered the proposed amendment and authorized it to be offered as a committee amendment.

The thrust of the amendment is to authorize the Secretary to continue to designate campgrounds for the exclusive use of groups so long as:

First, they are regularly designated group campgrounds; and

Second, they are open to all groups on the same basis.

This amendment would not permit the temporary designation of a camping area for the exclusive use of any group, but it does recognize the fact that there are presently some 365 regularly designated group campgrounds in various units of the national park system which are reserved from time to time for group use exclusively. The members of the committee feel that it is appropriate to permit such areas to be exclusively used for a reasonable length of time by groups making application for their use in the usual manner. The approval of this amendment by the House will assure adequate authority for that purpose.

With that explanation, Madam Chairman, I urge the adoption of the amendment.

Mr. SAYLOR. Madam Chairman, the Members on this side of the aisle support the amendment which has been offered by the gentleman from Colorado.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. ASPINALL).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. The provisions of section 1 shall not apply to camping or overnight occupancy incidental to back country use of any portion of the national park system and miscellaneous areas.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mrs. GREEN of Oregon, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H.J. Res. 247) relating to the administration of the national park system, she reported the joint resolution back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

The SPEAKER. The question is on the passage of the joint resolution.

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

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 334, nays 55, not voting 41, as follows:

[Roll No. 164]

YEAS—334

Abbitt
Abernethy
Adair
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Blackburn
Blatnik
Boggs
Boland
Bolling
Bow
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Caffery
Camp
Carey
Carter
Casey
Cederberg
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Coughlin
Cowger
Cramer
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Wis.
de la Garza
Delaney
Denney
Dennis
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Feighan
Findley
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Foreman
Fountain
Frey
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Gibbons
Gilbert
Goldwater
Gonzalez
Goodling
Gray
Green, Oreg.
Griffin
Griffiths
Gross
Grover
Gude
Hagan
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hastings
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Kuykendall
Kyl
Kyros
Landgrebe
Langen
Latta
Lennon
Lloyd
Long, La.
Long, Md.
Lukens
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Macdonald, Mass.
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Melcher
Michel
Miller, Ohio
Mills
Minish
Minshall
Mize
Mizell
Mollohan
Monagan
Montgomery
Morgan
Morse
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
O'Konski
Olsen
O'Neal, Ga.
Passman
Patman
Patten
Pelly
Perkins
Pettis
Philbin
Pike
Pirnie
Poage
Poff
Pollock
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Rhodes
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Rostenkowski
Roth
Ruppe
Ruth
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Ullman
Utt
Vander Jagt
Vanik
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yatron
Zablocki
Zion
Zwach

NAYS—55

Adams
Bingham
Brademas
Brown, Calif.
Burton, Calif.
Celler
Chisholm
Clay
Cohelan
Corman
Culver
Dellenback
Edwards, Calif.
Eilberg
Farbstein
Fish
Ford, William D.
Fraser
Friedel
Green, Pa
Hathaway
Hawkins
Helstoski
Howard
Kastenmeier
Koch
Leggett
Lowenstein
Lujan
McCarthy
Meeds
Mikva
Mink
Moorhead
Moss
Nedzi
Obey
O'Hara
O'Neill, Mass.
Ottinger
Podell
Rees
Reid, N.Y.
Rosenthal
Roybal
Ryan
St Germain
Scheuer
Stokes
Thompson, N.J.
Udall
Van Deerlin
Waldie
Whalen
Yates

NOT VOTING—41

Ashbrook
Ayres
Blanton
Cabell
Cahill
Collins
Conyers
Daddario
Davis, Ga.
Dawson
Diggs
Dwyer
Esch
Fallon
Frelinghuysen
Giaimo
Gubser
Hungate
Kirwan
Landrum
Lipscomb
MacGregor
Meskill
Miller, Calif.
Nix
Pepper
Pickle
Powell
Purcell
Reuss
Rooney, N.Y.
Roudebush
Shriver
Sikes
Smith, Iowa
Talcott
Teague, Tex.
Tiernan
Tunney
Wilson, Charles H.
Young

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Rooney of Pennsylvania with Mr. Cahill.
Mr. Sikes with Mr. Ashbrook.
Mr. Miller of California with Mr. Lipscomb.
Mr. Kirwan with Mr. Ayres.
Mr. Charles H. Wilson with Mr. Gubser.
Mr. Daddario with Mr. Meskill.
Mr. Giaimo with Mr. Nix.
Mr. Fallon with Mr. Frelinghuysen.
Mr. Pickle with Mr. Roudebush.
Mr. Reuss with Mr. Dawson.
Mr. Smith of Iowa with Mrs. Dwyer.
Mr. Davis of Georgia with Mr. Talcott.
Mr. Cabell with Mr. Collins.

Mr. Young with Mr. MacGregor.
Mr. Tiernan with Mr. Diggs.
Mr. Tunney with Mr. Conyers.
Mr. Hungate with Mr. Esch.
Mr. Blanton with Mr. Purcell.
Mr. Pepper with Mr. Shriver.
Mr. Teague of Texas with Mr. Landrum.

Messrs. CELLER and FRIEDEL changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

TO HOLD IN TRUST CERTAIN LANDS FOR THE PUEBLO DE TAOS INDIANS IN NEW MEXICO

Mr. ASPINALL. 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. 471) to amend section 4 of the act of May 31, 1933 (48 Stat. 108).

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

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. 471, with Mrs. GREEN of Oregon 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 Colorado (Mr. ASPINALL) will be recognized for 30 minutes and the gentleman from Pennsylvania (Mr. SAYLOR) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Madam Chairman, I yield myself 13 minutes.

Madam Chairman, this is substantially the same bill that was passed by the House in June 1968. It was debated under a 1-hour rule, and had bipartisan support. There was no opposition to the bill at that time. The bill died in the other body, with the expiration of the 90th Congress. Conditions have not changed, and the Committee on Interior and Insular Affairs recommends that the bill be passed again by the 91st Congress.

The purpose of the bill is to return to the Taos Indians in New Mexico a trust title to 48,000 acres of land that were taken from them in 1906 by mistake. The land was taken, without compensation, by an Executive order that included it in the national forest system. It was mistakenly thought at that time to be public domain, but in fact the land belonged to the Indians.

In 1965 the Taos Indians recovered a judgment in the Indian Claims Commission for the value of these 48,000 acres, plus an additional 82,000 acres, making a total of 130,000 acres. The value of the land has not yet been determined.

The 48,000 acres covered by the bill are particularly important to the Indians, and they want these 48,000 acres to be returned to them rather than be paid for their value. If the land is returned, the judgment which the United States must pay will be reduced accordingly.

The importance of the land to the Indians is not questioned. It is essential to the maintenance of their culture and their religion. In spite of the erroneous taking in 1906, the Indians have never ceased using the land. In fact, one of the reasons for including the land in the national forest was to protect the Indians from intrusion by the white man. Moreover, in 1933 Congress recognized the Indians' need for the land and provided for the issuance to the Indians for a special-use permit for a large part of the area.

The Taos Indians have lived in their present pueblo since the year 1400. They are a sedentary people, and have continually used and occupied a well-defined area surrounding the pueblo for farming, grazing, hunting, gathering, and other purposes. Because of the 7,000-foot elevation and a 100-day growing season, the Indians have relied less on farming than on hunting and gathering. They are a conservative people and are resistant to change. They value their Indian culture, their Indian religion, and their traditional way of life. They insist on preserving them.

When the Spaniards came to this continent in the 16th century, they encroached on some of the lowlands of the Taos Indians along the Rio Grande, but the Spaniards left the Taos Indians relatively undisturbed in their aboriginal use and occupancy area. When the United States acquired sovereignty over New Mexico by the Treaty of Guadalupe Hidalgo on February 2, 1848, the Taos Indians were the owners of all of the lands which they then used and occupied exclusively.

In 1906 the United States took 130,000 acres of the Taos Indians lands for inclusion in the Carson National Forest. The taking was by Executive order of the President. The Indians were not consulted, they were not paid, and they did not agree to the taking. These 130,000 acres include 48,000 acres in the Blue Lake area which are most important to the Indians, particularly from the standpoint of their relgion. It is these 48,000 acres which the Indians want back.

The Indians have been persistent and unrelenting in their efforts to recover their land. In the early days of the national forest, the Indians were given exclusive use of the Blue Lake area when the Forest Service set it aside for grazing by the Indians. The Indians were dissatisfied with this arrangement, and in 1912, the Secretary of the Interior proposed to include the area in an Executive order reservation for the Indians. The Department of Agriculture objected, pointing out that the Indians already had exclusive use of the area.

Under a 1924 statute, a Pueblo Lands Board was established to confirm the titles of non-Indians to certain lands, which are not involved here, which had been occupied in good faith by non-Indians. The Pueblo Lands Board extinguished the Indian title to land appraised at $458,520, but awarded the Indian only $76,128. The Indians offered to waive payment of $297,000 on the understanding that they would be given title to the Blue Lake area, which they so greatly desired. A bill providing for the issuance of a patent to the Indians was introduced in the 72d Congress, but did not pass.

The Indians then sought from the Forest Service a cooperative agreement giving them exclusive use of the area. An agreement was signed in 1927, but it did not give exclusive use.

The Indians were not satisfied, and in 1928 the matter came before Congress. The Forest Service opposed a grant of title to the Indians but recognized the special interest of the Indians in the Blue Lake area. The acting chief forester pointed out that the Indians have a peculiar interest, and, to some degree, equity in the area.

In 1932 another bill was introduced in Congress to patent the lands to the Pueblo, but it also was opposed by the Forest Service. This time there was a compromise and the act of May 31, 1933, was enacted. It provided for issuance to the Indians of a 50-year special-use permit. The special-use permit was intended to safeguard the interests of the Indians by giving them the right to occupy and use the land and resources for their personal use and benefit. The Indians thought their use rights would be exclusive, but the Forest Service thought differently.

Although this act was approved in 1933, a special-use permit was not issued until 1940 because of continuing controversy between the Forest Service and the Indians over its terms, particularly the desire of the Indians for exclusive use. The Indians have never been satisfied with the permit, and friction between them and the Forest Service has continued.

The controversy centers around the need of the Indians to have exclusive use of the area in order to protect their Indian culture and religion. Their religion is based on nature, is secret, and demands complete privacy. For that reason the Indians have insisted that the Forest Service issue no permit to enter the area unless the permit is countersigned by the Pueblo chief. The Forest Service objected and until recently insisted on permitting recreational use of the area by the public. It is this recreational use of the area by the public that threatens the interest of the Indians.

Bills with respect to this area were introduced in 1955, 1957, 1959, 1965, and 1967.

The land can be returned to the Indians without impairing any Federal program. It will continue to be managed for conservation purposes, but administration will be by the Secretary of the Interior instead of the Secretary of Agriculture. The watershed will be fully protected. The land will be maintained in its natural condition and administered in a manner that is consistent with the wilderness which it adjoins. Transfer of the 48,000 acres will not affect the administration of the national forest, which contains 1.5 million acres.

No water rights will be affected by the bill.

Only seven grazing permits are in effect and they are protected by the bill.

The recreational use of the area is

minimal and would continue to be minimal even if this bill were not passed.

Timber harvesting is not permitted or contemplated.

The last administration strongly supported the bill and the present administration strongly supports it. In spite of this strong administration support, the Forest Service has continued to oppose the bill. I believe their objections can be easily answered.

Their first argument in opposition is that the needs of the Indians can be met by a special-use permit, and that a transfer of title to the land is not necessary. This argument is based on a false premise. The Indian needs cannot be met by a special-use permit. We have had more than 60 years of strife and conflict between the Forest Service and the Indians, and the conflict will continue unless the land is restored to the Indians.

This argument works better in reverse. The resources of the land can be adequately conserved and protected by the Secretary of the Interior, if the lands are returned to the Indians, and no Federal or public program will be impaired. So why not let the Indians have back the land which they once owned and have continued to use? Who will be hurt? No one.

Another argument is that the enactment of the bill may set an undesirable precedent and cause other Indian tribes to seek a return of land rather than the payment of money in settlement of their claims. There are several answers to this argument. First, after careful search we have found no other case like the Taos case. It is unique. The land involved is essential to Indian culture and religion; the Indians are actually using the land; and the special need of the Indians has been recognized by the Government throughout the past 63 years. Although the Forest Service says that it believes other tribes might make similar demands, it cites no facts to support its belief.

A second answer is that the committee report expressly states that the committee will not regard the enactment of this bill as a precedent. As a general proposition, the established policy of compensating Indian tribes with money rather than land is sound.

A third answer is that this particular land can be returned to the Indians without prejudicing in any way the administration of the national forest system, and without altering in any way the conservation of the physical resource. Is the Forest Service willing to admit that other forest areas can be similarly handled without damage to the national forest system?

Another objection raised by the Forest Service is that subsection 4(c), which permits the Taos Pueblo to purchase a relinquishment of outstanding grazing permits, would be a recognition that grazing permittees have vested rights that can be bought and sold. This objection was met by a committee amendment stating that the purchase of a relinquishment of a grazing permit shall not be regarded as a recognition of any property right of the permittee in the land or its resources. Moreover, the committee report expressly states that existing law recognizes no real property interest in a grazing permittee, and reaffirms this existing law.

I should also point out that this provision will have no relevance to the question of grazing fee levels, which are now being studied by the administration. As an economic fact, the value of a grazing permit is reflected in the sale price of base ranch property when a ranch is sold. This is undisputed. As a legal fact, it is equally clear that a permittee has no real property interest, and that a permit can be canceled without compensation. Section 4(c) is consistent both with the economic facts and with the legal facts. Let me repeat: the purchase of a relinquishment of a grazing permit by the Taos Indians has nothing to do with the amount of the grazing fee charged. In fact, after the purchase the Indians will pay no grazing fee at all because the land will be theirs.

The issue before us is simple: Do the Indians or the Forest Service have the greater need for this land? The Indian needs have not been met adequately by the special-use permit from the Forest Service. We have had 60 years of conflict and of dissatisfaction. The Forest Service has identified no Federal need that would be prejudiced by the enactment of the bill. From the standpoint of the Government and the public interest, the conservation values of the area can be fully protected by the Secretary of the Interior under Indian ownership, and the bill requires such protection to be maintained. The Forest Service may, in fact, continue to provide conservation services in the form of disease, insect, and fire control.

Simple justice requires that the Indians be given title to the land when their need is great, when no public purpose other than conservation of the resources is involved, and when the resource can be protected and conserved as effectively by the Secretary of the Interior as by the Secretary of Agriculture.

I urge enactment of the bill.

Let me make this statement: To some people the amount of 48,000 acres of land seems to be a tremendous amount of land for religious purposes. But remember that we are talking here about a different kind of culture than most of us recognize, the trees, the rivulets, the plants, and even the rock formations hold religious inspiration to the people of this particular tribe. They have used the area for almost 600 years. They lost it simply in the overenthusiasm of the creation of the national forests. They lost it without any effort on the part of the Government to find out their real title. It would appear to anyone who understands Indians and understands their willingness to meet the equities involved, to take the land in the place of the cash award that was given to them by the judicial procedures, it seems to us that their position is justifiable and more than equitable.

Mr. EDMONDSON. Madam Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the chairman for yielding. I think he has made a splendid and comprehensive argument for the bill. To me the most moving part of his argument were the closing sentences of his remarks, because in them he has recognized the basic argument that is present for this bill and is difficult to convey. He has put it in very fine words indeed.

The report of the Department of the Interior makes it very, very clear that the right of this Indian tribe to exclusive use and possession of this property has been recognized successively by the Government of Spain, by the Government of Mexico, and by the Government of the United States by treaty, very specifically and clearly.

Now we have a court decision reemphasizing and restating that right and title in the Indians. It seems to me we do nothing but honor our own treaty commitments and equity and justice when we enact this bill. I hope it will be enacted overwhelmingly in this body.

Mr. ASPINALL. Madam Chairman, I thank my colleague, the gentleman from Oklahoma, for his statement.

Mr. SAYLOR. Madam Chairman, I rise in opposition to H.R. 471, a bill which conveys approximately 48,000 acres of the Carson National Forest, in the State of New Mexico, in trust for the exclusive use of the Pueblo de Taos Indians of New Mexico.

I oppose this legislation with full knowledge that I supported similar legislation in the 90th Congress. However, after a careful reappraisal of the merits of this legislation, I must oppose its passage and I urge my colleagues to oppose its adoption.

H.R. 471, if enacted, will without question establish some undesirable precedents in settling Indian claims. The bill also raises the issue of double compensation to these Indians, and in my opinion, raises serious questions as to the soundness of the Indian Claims Commission interlocutory order which provides the basis of this legislation.

Since 1880 when Congress allowed the first Indian claim for compensation, there has followed a multitude of Indian claims. On August 13, 1946, Congress established the Indian Claims Commission with a mandate to settle all just and equitable Indian tribal claims against the United States. Five years after the filing deadline, some 370 claims representing approximately 350,000 Indians had been filed, asking for 1.5 billion acres of land or 75 percent of the Nation's total land areas before the admission of the States of Alaska and Hawaii. As early as 1963, the United States has paid approximately $70 million in such claims. Additional claims paid within the last 6 years takes this figure well above the sum of $100 million. One can only speculate as to the total amount to be paid to the Indians from the number of claims filed before the Indian Claims Commission, which is listed in its authority to award only a money judgment.

However, this legislation which will convey lands of the United States in trust to the Pueblo de Taos Indians, is in fact, as these Indians believe, a return or reconveyance of these lands to

the Pueblo de Taos Indians. At the same time, these Indians are also seeking monetary compensation for other lands before the Indian Claims Commission.

Settlement of the Pueblo de Taos Indian land claims is one of the most vexed ancient of Indian land claims. As far as I am able to determine, bills have been introduced in the Congress of the United States at least a dozen times or more to resolve this claim. In the 72d Congress, the act of May 31, 1933, was passed granting to the Pueblo de Taos Indians a 50-year renewable permit to use the lands in question. The granting of this permit, I am advised, was in partial settlement of the Pueblo de Taos land claims. In addition, the act of May 31, 1933, also authorized the appropriation of $84,707.09, for payment of the liability of the United States under the act of June 7, 1924, which also involved lands claimed by the Pueblo de Taos Indians.

The purpose of the act of June 7, 1924, was to quiet title to lands within Pueblo Indian land grants. The Pueblo Lands Board, acting pursuant to its authority under the act of June 7, 1924, found that the total value of the Pueblo grant lands to which title was extinguished was $458,520.61. The Pueblo Land Board awarded $76,128.85. The $84,707.29 awarded by the act of May 31, 1933, made payment to the Pueblo de Taos Indians of $160,835.94, and left a balance of $297,684.67.

I submit that the 73d Congress paid the bill by giving a 50-year permit which was accepted at that time by the Indians as full settlement.

Nobody has appeared before our committee, then or now, and has denied that this was full payment.

Mr. EDMONDSON. Madam Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. My own recollection of the testimony of the Indians on that point was that the use and possession which had been granted under that permit was not a satisfactory settlement because it was not an exclusive use, and that the religion of the Pueblo de Taos Indians required that it be an exclusive use of the sacred areas, and that because they are permitting others to go in—campers, hikers, and so on—they simply have not satisfied the basic and fundamental requirements of the religious practice of this tribe; which it seems to me they have been fairly unanimous in informing our committee is their position.

Mr. SAYLOR. That is correct. The gentleman has reiterated just what I have tried to tell the Members that they settled it once but now the present Indian people say that because of what has happened it was not settled. This is a matter of hindsight.

Mr. HALEY. Madame Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Florida, the chairman of the subcommittee and my distinguished friend, who I might say has probably done more for the American Indians than any other Member of Congress. He and the gentleman from South Dakota, Congressman BERRY, have been two of the outstanding members of this committee and most interested in taking care of the problems of the Indians before our committee. I am glad to yield to the gentleman.

Mr. HALEY. Madam Chairman, I thank my good friend for yielding to me.

Of course, the gentleman from Florida hopes that he can do just a little bit more for the Indians with the passage of this bill, but let me call attention to the fact that practically every treaty entered into between the United States and Indians was supposed to be some part of a final settlement, but here Congress comes along, for the first time in the history of our Nation, and establishes a court—the Congress of the United States establishes a court—to do justice to these early Americans. So the Congress at the time of establishing it did not think all of these claims had been adjudicated.

Mr. SAYLOR. No. I might say to my colleague and good friend that when we established the Indian Claims Commission we certainly did not expect to dig up all of the claims that had never been presented and certainly we expected to give some credence to the fact that Congress in the past had settled some of these claims.

Mr. DINGELL. Madam Chairman, will the gentleman yield to me?

Mr. SAYLOR. I am glad to yield to the gentleman from Michigan.

Mr. DINGELL. I would like to point out that if what my good friend from Florida says is true, this bill will not satisfy the Indians in question, either. I note here that on pages 4 and 5 of the bill the Indians do not get fee title to the land at all. Rather it is set up for purposes compatible with their preservation as a wilderness. In addition to this, it says that the Secretary of the Interior shall be responsible for the establishment and maintenance of conservation measures for these lands, including without limitation protection of forests from fire, disease, insects, or trespass; prevention or elimination of erosion, damaging land use, or stream pollution; and maintenance of stream flow and sanitary conditions; and the Secretary is authorized to contract with the Secretary of Agriculture for any services or materials deemed necessary to institute or carry out any of such measures. So the Indians will not get their land under this. The Indians may think so, but in point of fact they will only get this bill. However, in this bill it will do a number of other things, also, that the Indians are probably not even aware of.

Mr. SAYLOR. The gentleman is absolutely correct. And we do not know whether the Federal Government will take an appeal from the interlocutory decree or not, but the committee has refused to legislate on this basis before.

From the information available to me, the Pueblo de Taos Indians waived their rights to their other land claims in lieu of a patent to the area claimed in this legislation. It was precisely this waiver that precipitated the inclusion of section 4 in the act of May 31, 1933 which granted the issue of a 50-year renewable permit in lieu of the patent requested by the Indians as a final settlement.

In order that the record is clear as to the content of section 4 of the act of May 31, 1933, I insert the same here in my remarks:

SEC. 4. That for the purpose of safeguarding the interests and welfare of the tribe of Indians known as the Pueblo de Taos of New Mexico in the certain lands hereinafter described, upon which lands said Indians depend for water supply, forage for their domestic livestock, wood and timber for their personal use and as the scene of certain of their religious ceremonials, the Secretary of Agriculture may and he hereby is authorized and directed to designate and segregate said lands, which shall not thereafter be subject to entry under the land laws of the United States, and to thereafter grant to said Pueblo de Taos, upon application of the Governor and council thereof, a permit to occupy said lands and use the resources thereof for the personal use and benefit of said tribe of Indians for a period of fifty years, with provision for subsequent renewals if the use and occupancy by said tribe of Indians shall continue, the provisions of the permit are met and the continued protection of the watershed is required by public interest. Such permit shall specifically provide for and safeguard all rights and equities hitherto established and enjoyed by said tribe of Indians under any contracts or agreements hitherto existing, shall authorize the free use of wood, forage, and lands for the personal or tribal needs of said Indians, shall define the conditions under which natural resources under the control of the Department of Agriculture not needed by said Indians shall be made available for commercial use by the Indians or others, and shall establish necessary and proper safeguards for the efficient supervision and operation of the area for national forest purposes and all other purposes hereinstated, the area referred to being described as follows:

Beginning at the northeast corner of the Pueblo de Taos grant, thence northeasterly along the divide between Rio Pueblo de Taos and Rio Lucero and along the divide between Rio Pueblo de Taos and Red River to a point a half mile east of Rio Pueblo de Taos; thence southwesterly on a line half mile east of Rio Pueblo de Taos and parallel thereto to the northwest corner of township 25 north, range 15 east; thence south on the west boundary of township 25 north, range 15 east, to the divide between Rio Pueblo de Taos and Rio Fernandez de Taos; thence westerly along the divide to the east boundary of the Pueblo de Taos grant; thence north to the point of beginning; containing approximately thirty thousand acres, more or less.

I am further advised that it was contemplated in the passage of the act of May 31, 1933, that subsequent renewals of the permit would equal the balance claimed of $297,684.67, and therefore, the claim or debt due the Pueblo de Taos Indians was paid as far as Congress was concerned.

If the granting of the permit by the act of May 31, 1938, was in partial settlement of the Pueblo de Taos land claims, then passage of H.R. 471 would constitute double compensation. On this basis, Madam Chairman, the contention that this legislation involves double compensation to the Pueblo de Taos Indians does merit consideration.

H.R. 471 will, if passed, provide us with at least three undesirable precedents. First, it establishes the precedent of substituting payment in kind or land in lieu

of monetary awards for judgments rendered by the Indian Claims Commission. If Congress had intended this policy to be established then it could and should have provided for this in the legislation creating the Indian Claims Commission. Second, the bill authorizes the Pueblo de Taos Indians to obtain the relinquishment by purchase of non-Indian grazing permits in 16,000 acres not covered by the existing permit. The Forest Service and the Bureau of Land Management of the Department of the Interior have consistently maintained before our committee that grazing permits have no vested rights or value which can be bought and sold. H.R. 471, if passed, will establish this undesirable precedent.

Third, the passage of H.R. 471 will be a precedent for the granting of forest lands or other Federal lands in settlement of their claims or provide a basis for increasing monetary awards of the Indian Claims Commission. I am advised that because of the passage of similar legislation by the House in the last Congress numerous tribes or Pueblos are considering the return of lands on the basis that such lands were subject to their aboriginal use and occupancy and necessary for the fulfillment of their religious practices. Already the newspapers of New Mexico have printed the possibility of such claim by the Santa Clara Indians and the Sandia Pueblo with possible additional claims from the Mescalero Indians and the Navajos. I am also advised that a drafting service has been requested of the Department of the Interior to grant the Havasupai Indians 70,000 acres of the Kaibab National Forest and 110,000 acres of the Grand Canyon National Monument and National Park on the basis of aboriginal use.

The history behind this legislation is too lengthy to attempt any summary of it at this time. However, it is interesting to note that the case made for this legislation is based upon the findings of fact and opinion of the Indian Claims Commission entered on September 8, 1965, in an interlocutory order, in the case of the Pueblo of Taos against the United States of America. The Commission determined that the Pueblo of Taos Indians were entitled to compensation on two separate and distinct claims. The first claim found that the Indians had established aboriginal title on the basis of use and occupancy of 130,000 acres which was extinguished by the United States in 1906. In the second claim, the Commission found that the Indians had recognized title by way of patent to 17,360 acres which was extinguished by the United States in 1933 and compensation in the sum of $297,684.67 was due the Indians less the value of the use permit covering 32,000 acres of the 48,000 acres involved in H.R. 471.

The finding of the Indian Claims Commission that these Indians had aboriginal title to 130,000 acres of land by reason of use and occupancy is most interesting in light of its finding of fact No. 18 in which the Commission found that the Indians "offered little proof other than a general statement that the date of taking was around 1906" as to these aboriginal lands. Certainly the Commission should have required further evidence on this point in light of their additional findings of facts Nos. 9 and 14 which recite the true historical facts as encountered by the Spanish when they entered the Rio Grande Valley in the 16th Century and found the Pueblo Indians to be a sedentary people who lived in villages or fixed communities. Further evidence is also required as to the taking of the 130,000 acres when the historical facts also indicate that the Spaniards adopted the policy of fixing pueblo boundaries to areas comprising approximately 17,712 acres. It is extremely difficult to justify in my own mind such findings of fact by the Commission when the same Commission also concludes in finding No. 17, that in 1850 the total Taos Indian population of approximately 400 people were allegedly using and occupying a total acreage claim in excess of 300,000 acres.

Madam Chairman, these inconsistent findings on the part of the Indian Claims Commission raises serious doubts in my mind as to the soundness of the interlocutory order. Moreover, the Commission also finds that the grant of 17,360 acres to the Pueblo of Taos by Spain is not a limitation on their claim to aboriginal title to the area. Yet the Commission fails to discuss the effect of the Act of December 22, 1958, in which Congress confirmed both town claims and pueblo land claims in the county of Taos, N. Mex., among others.

Madam Chairman, Congress has failed to enact the legislation before this body on numerous occasions in the past for reasons which I have attempted to point out. It is for these reasons that I oppose the passage of H.R. 471.

The CHAIRMAN. The gentleman from Pennsylvania has consumed 20 minutes.

Mr. ASPINALL. Madam Chairman, I yield myself 30 seconds.

Madam Chairman, in response to the argument of the gentleman from Pennsylvania, may I state:

First. The Indian Claims Commission decided by an order dated September 8, 1965, in Docket No. 357 that the Taos Indians had aboriginal Indian title to some 130,000 acres of land, which are described in the Commission's findings of fact. It also decided that the title was extinguished in 1906, and that the Indians have not been paid. The Commission then ordered the case to proceed to a determination of the value of the land in order that a money judgment may be issued, but this has not yet been done.

Second. The 130,000 acres covered by the Commission's order include the 48,000 acres described in H.R. 471. This is shown by plotting on a map the boundaries of the area described in the Commission's findings of fact, and then by plotting on the same map the boundaries of the area described in H.R. 471. The area described in the bill is entirely within the area described by the Commission. Therefore, the Commission has formally and specifically determined that the Indians have not been paid for the 48,000 acres in question.

Third. Incidentally, if H.R. 471 is not enacted, the Commission will in due course enter a judgment against the United States for the value of this land. If the bill is enacted the judgment will be reduced by the value of the 48,000 acres.

Fourth. When the gentleman from Pennsylvania argues that the Indians have been paid for the land, he is in reality arguing that the Commission's finding of fact was wrong. The finding was made almost 4 years ago, and the Department of Justice did not appeal. Moreover, the floor of the House is not the proper place to examine into the correctness of a judicial decision of this kind. Indian claims litigation is highly technical and complicated. If an error is made, the Court of Claims is the proper place to correct it. The Department of Justice did not appeal this decision and apparently was satisfied that the decision was correct.

Insofar as the gentleman's argument is based on an analysis of the Commission's findings of fact, I do not propose to debate that kind of an issue here. I should point out, however, that the issue was not raised last year either in committee or on the floor. It was not raised this year during committee consideration of the bill. The gentleman from Pennsylvania did not disclose to me before this debate the basis for this contention. Nevertheless, when I became aware of his position, I asked the committee counsel for a careful review of the Commission's decision, and I can assure my colleagues that I am completely satisfied that nothing in the decision or in the findings of fact casts any doubt on the correctness of the decision. The Commission's decision is clear and unambiguous. The Taos Indians have been paid for other land that is not involved here, but they have not been paid for this land.

Mr. ASPINALL. Madam Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. DINGELL.)

Mr. DINGELL. Madam Chairman, this is a very difficult bill to oppose. I have great fondness and affection for my good friend, the gentleman from Colorado, the chairman of the distinguished Committee on Interior and Insular Affairs, from which the bill originates.

It is always with a great deal of concern that I oppose legislation that the distinguished gentleman from Colorado has brought before this body.

Madam Chairman, it is very difficult to defend the things that have happened to the Indians over the years in the taking of their lands, and it is also very difficult to defend a number of other actions which this Nation has taken against our Indian people, but the fact of the matter is, as the gentleman from Pennsylvania (Mr. SAYLOR) has so well pointed out, this legislation is going to afford one tribe double compensation. There is, in addition to affording double compensation, a matter which I believe should concern all of us here in that it is going to establish dangerous and bad precedents such as have already been pointed out by my good friend, the gentleman from Pennsylvania, not the least of which will be the precedent that the national forests shall become devices to be disposed of in large blocks for settle-

ments of monetary claims awarded by the Indian Claims Commission.

Madam Chairman, I intend to offer an amendment which I believe will go a long way toward settling or meeting the legitimate and just complaints of the Indians concerned here. It will give them, for all intents and purposes, total, exclusive, and complete use of the area in which they assert religious interest. It will afford protection for watersheds and water rights of persons in the areas, and it will still afford a measure of protection of the land to assure that it will be protected against hazardous fire, insects, and other dangers which would threaten, not only the land and its use, but also the rights and the interests of the Indians therein.

I would point out that this bill, if passed and enacted into law, will be followed very shortly by a number of substantially similar bills giving substantial tracts of national forests and public domain land to the Santa Clara Indians; to give the Navajos Mount Taylor and Navajo Mountain; to give the Mescaleros significant tracts of land, give the Hava Supai Indians some 70,000 acres in Kaibab National Forest, and 110,000 acres in Grand Canyon National Park, and Grand Canyon National Monument.

The Hopis will assert claims for the San Francisco Peaks.

The San Carlos Indians are going to claim minerals in the north end of the Santa Theresa division of the Coronado National Forest.

This matter was adjudicated a long time ago.

In 1906 it was found by the Indian Claims Commission that the Taos Indians were entitled to compensation for two claims: First, Aboriginal title to 130,000 acres. It was found that this was extinguished in 1906; and, the second claim by patent to some 17,360 acres which was extinguished in 1933 and that compensation was due the Indians in the sum of $297,684 less the value of a use permit which is now under discussion in 32,000 acres of the 48,000 acres involved here.

Because of a controversy involving the lands here, a special use permit was issued the Taos Indians for the land in question.

I think it would be well that this body understand what was said by the special attorney for the Taos Indians when he was discussing this matter and informed that the above-mentioned agreement had been approved by the free and voluntary action of the members of the Indian tribe.

He said as follows:

> The agreement meets nearly every reasonable requirement that the Indians can have and yet leaves the administration of the area in the hands of the Forest Office so that they can care for and preserve the same for all time. As I see it, this arrangement is a much better one than if the area had been set aside to the Pueblo by act of Congress, granting, for the purpose of argument, that the latter could have been accomplished, which I very seriously doubt.
>
> There are a few of the Taos Indians that still feel that this land is rightfully theirs and that the same should have been set aside to them without restriction, but I believe that the more intelligent of them realize that this agreement is the most that they could hope for and are satisfied to have it so.

As a matter of fact, the study of the history of the area will indicate that some of the Taos Indians concerned were actually glad to have this set aside as part of the national forest because at the time they felt they could not establish any reasonable and viable claim to the land in question.

Going further, let us listen to the remarks of Mr. Herbert J. Hagerman, special commissioner to negotiate with the Indians. He said this:

> As to the Blue Lake area—I have to say this: The area contains the watershed at the head of both the Indian and non-Indian water supply of the Taos region. The people of Taos do not wish this area patented to the Indians. I see no good reason why it should be. It is now administered effectively as a part of the Carson National Forest. The Indians already have grazing privileges as well as rights to cut firewood, and the effective use of the lake for certain annual ceremonies. A continuation of the present arrangement should be acceptable to everybody.

Madam Chairman, the answer to this legislation is that it is bad legislation. It sets up a bad precedent and opens the national forest to raids by any number of interests, including good faith claims by Indians who wish to redress grievances perpetrated long ago but which were quieted and abated by judicial action and by action of the Indians Claims Settlement Commission.

This legislation should be defeated, or at best it should be substituted for by the amendment which I will offer later by which I am trying to protect the rights of the Indians and yet protect the rights of the people of the United States.

Mr. KYL. Madam Chairman, I yield 5 minutes to the gentleman from South Dakota (Mr. BERRY).

Mr. BERRY. Madam Chairman, I rise in support of the bill, H.R. 471, which is a bill to give trust title to this property, to 48,000 acres to the Pueblo de Taos Indians of New Mexico.

We have had some opposition on the floor today from not only our side of the committee, but also from the other side, giving as their reason that this legislation may establish some sort of precedent. We recognize the voice of Esau and the hand of Jacob in this opposition.

As it has been pointed out by our chairman so ably, the land was taken from these Indian people in 1906 by an Executive order.

Then in 1933, as has been pointed out, Congress attempted to ease its conscience, or the conscience of the Federal Government, by giving to the Indians a 50-year renewable easement. But this was without the consent of the Indians, and I think this is a point that should be clearly understood—without the consent of the Indians—and it has never been approved by the Indians. They have never been satisfied with this permit because they have had considerable interference in their religious practices because of the adverse use of the land. They have constantly sought to have these lands returned so that they can use them without interference from the outside. That is exactly what this bill is all about.

During the hearings on the legislation witnesses were asked to address themselves to the main issue of the legislation; namely, first, Do the Indians have a need for this land? Can their need be met adequately by a continuation of the special-use permit rather than by conveyance of trust titles? Third, is a trust title necessary to meet their needs, and would any public program be impaired by the conveyance of a trust title?

The response to these issues was overwhelmingly in favor of the Taos Indians.

As has been pointed out, in 1965 the Claims Commission made a money determination, but the Indians have asked that they have their land back rather than the money, because this is their religion; this is their church, and I think that their religious beliefs and ceremonies, while they may seem strange to us, by the same token our religious ceremonies and beliefs may seem equally strange to them. We do not go into any other church and build campfires. We do not leave debris in any other church. But this is what the organizations, the Sierra Club and the so-called conservationists, would like to have you believe, that we, the public, are entitled to do, even though they are dealing with the Indian's church and the religion of these people.

Madam Chairman, the argument presented during the hearings that this legislation will set undesirable precedents are spurious. There will be no great change in the administration of these lands by the transfer in trust of these lands. The bill merely substitutes the Department of the Interior for the Department of Agriculture's administration of these lands.

The House Committee on Interior and Insular Affairs, with I think one exception, have determined that the equities in this case are on the side of the Indians, and they have again brought this bill to the floor in order that this Congress may have an opportunity to rectify a wrong that was done originally in 1906. I hope that this Committee and this Congress and this House will support the Committee on Interior and Insular Affairs in its decision to protect the rights of these first Americans.

Mr. ASPINALL. Madam Chairman, I yield 4 minutes to the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Madam Chairman, it grieves me to see a man who has contributed so much to America, my distinguished colleague from Pennsylvania—it grieves me to see him go so wrong. We heard a lot of talk about precedent here this afternoon, and I would suggest that you never set a bad precedent when you do what is right.

Mark Twain once said—and I saw this quotation on someone's wall not too long ago:

> Do what is right. You will please some people and astonish all the rest.

Mr. SAYLOR. Madam Chairman, will the gentleman yield?

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

Mr. SAYLOR. Madam Chairman, I want to say, I did just that. I reversed my position from last year. I finally saw the error of my ways.

Mr. UDALL. I would say to the gentleman from Pennsylvania, I have had some

experience with changing my mind on questions too, so I feel keenly the dilemma in which the gentleman finds himself, but I have always tried to follow the leadership of the gentleman, as frequently as I could, and I was touched and moved as I read this morning the CONGRESSIONAL RECORD from last year, when the gentleman made the speech to which he referred.

Madam Chairman, I just want to refer to a portion of the gentleman's speech again, because the oratory moved me again when I read it. This is what the gentleman from Pennsylvania said last year in this very Chamber when he was supporting this bill. He said he supported the bill "as a matter of simple justice." He also said, and I continue to quote:

> The Pueblo de Taos Indians need this land more than the Forest Service needs it. A conveyance in trust to the Pueblo de Taos Indians will not prejudice sound conservation management of the lands . . . the enactment of this will not set a precedent for compensating the Indians with land instead of money in Indian Claims Commission cases.

The gentleman from Pennsylvania gave the reason for that when he said:

> There is no other claims case like the Taos-Blue Lake case.

The facts today are exactly the same facts as they were a year ago when the House passed this bill by an overwhelming vote, but because the gentleman from Pennsylvania is held in such high regard in this Chamber and he made such a persuasive speech on that occasion, I want to continue to quote him for a minute. This may pain the gentleman somewhat, but it hurts me more than it hurts the gentleman to have these words of wisdom quoted, only to have them rejected by their author. The gentleman from Pennsylvania said:

> I also want to reject the idea that the enactment of this legislation would in some way be regarded as a threat to the integrity of the national forest system. National forest lands are disposed of every year when the disposition is in furtherance of the conservation program. A transfer of the Blue Lake area from a national forest reserve to an Indian reserve, with explicit provisions for conservation management, is in furtherance of the conservation program and at the same time a belated amends for a wrong committed 60 years ago.

These were the words of the gentleman in June of 1968.

Madam Chairman, the facts are the same today as they were then. I certainly believe with the great majority of the members of the Committee on Interior and Insular Affairs that we must do justice in this case, and we must pass the bill once again, as we did last year.

Mr. EDMONDSON. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Madam Chairman, I listened to the gentleman from Arizona read these words of wisdom from the past from the gentleman from Pennsylvania. My heart has been stirred by the eloquence of those words, just as the gentleman's heart was moved. Would the gentleman not agree with me also that on that previous occasion the gentleman from Pennsylvania put a little more heart and a little more really moving spirit into what he had to say then than he did when he was in the well today?

Mr. UDALL. I would have to agree. I have been a student of oratory and I have followed many Members as they speak, and I can testify that the gentleman from Pennsylvania did appear to have more enthusiasm and spirit when he gave the speech a year ago than when he gave the speech today, even though the speech he delivered today was superb.

Mr. SAYLOR. Madam Chairman, will the gentleman yield?

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

Mr. SAYLOR. Madam Chairman, I would like to thank my colleague, the gentleman from Arizona, for having had the courage to remind me of my own remarks, but I would like to remind the gentleman that a year ago in June, when I made that speech, I had a real fight going with the Forest Service. As the result of that speech, the gentleman would be surprised at the change the Forest Service has seen fit to make. So even though I have been seeing the wisdom of changing my views, that speech was so good that it convinced the U.S. Forest Service to change some of its views. So all is not lost even though I have changed my position.

I am delighted to have the House know once again that a year ago I was very persuasive. As I say, I hope I am just as persuasive today.

Mr. UDALL. Madam Chairman, I thank the gentleman from Pennsylvania for his contribution.

I am reminded of one of the eulogies we heard here yesterday of the late Senator from Illinois. He was quoted as saying on one occasion that he was a man of principle and one of his first principles was flexibility. So perhaps that is appropriate to the gentleman from Pennsylvania.

I note in closing that one of the Representatives from the State of New Mexico indicated to me he was going to support this legislation. I think this should have some considerable weight in our deliberations.

Madam Chairman, I urge the support of this bill.

Mr. SAYLOR. Madam Chairman, I yield 5 minutes to the gentleman from South Dakota (Mr. REIFEL).

Mr. REIFEL. Madam Chairman, I thank my good friend for giving me this time. As the ranking minority member of the Interior Subcommittee on Appropriations, with the distinguished chairwoman of our subcommittee, the gentlewoman from Washington (Mrs. HANSEN), I have had frequent conversations with representatives of the people from the Taos Pueblo.

In each of those instances, of course, out of their warm feeling for the consideration of the Members of this body, and this committee, they have expressed their high regard for the chairman of the full Committee on Interior and Insular Affairs, the gentleman from Colorado (Mr. ASPINALL), and the chairman of the Subcommittee on Indian Affairs, the gentleman from Florida (Mr. HALEY), a gentleman who has not a single Indian in his district and yet is one of the champions for Indian welfare and Indian well-being. They have also had the highest words of praise for the fine support which was provided by the ranking minority member of the full Committee on Interior and Insular Affairs, as he was quoted just a few minutes ago by the gentleman from Arizona (Mr. UDALL), because the gentleman from Pennsylvania (Mr. SAYLOR), too, has no Indians in his district but at the same time is one of the champions for what is good for America and what is helpful to Indian Americans.

Of course, much has been said in the course of this debate with respect to precedent. There is a precedent connected with this legislation, which is really the essence of what is attempted to be done; that is, so far as the Taos Pueblo people are concerned they are the beneficiaries of a spiritual relationship with their Maker which is older than that of the Judeo Christian religions to which many of us belong, the formal organizations with their cathedrals and other lesser edifices to provide an opportunity to express their relationship to their Creator. There are few in our land who have this kind of continuous direct relationship with their Creator, and among these are the Taos Pueblos. They look upon their land as the halls of a cathedral in which they may stand, in the valleys looking to the mountains and the skies of that great State of New Mexico, to pray, beseech, and thank their Creator.

That is all that this legislation is attempting to do—not to give a 50-year lease to a piece of land on the basis of which they might in that period have this privilege, but, as this legislation attempts to do, to provide in perpetuity a place where they may stand on their mother soil and pray to their God as they have from time immemorial.

That is all that is being asked here. This is recognized by the chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado (Mr. ASPINALL), and the chairman of the Indian Affairs Subcommittee, the gentleman from Florida (Mr. HALEY), and my colleague, the gentleman from South Dakota (Mr. BERRY), and as it was recognized by the distinguished gentleman from Pennsylvania, even last year.

Madam Chairman, it is interesting to note, just as a piece of side information, that this agency of the Government, the Forest Service, you know, is full of chiefs. There is the Chief Forester and all the rest of them are deputy chiefs. Now, really it would not hurt the chiefs to give a few Indians a little bit of land that is now in the national forest.

Mr. ASPINALL. Madam Chairman, I yield the balance of the time on the majority side to the gentleman from Florida (Mr. HALEY), the chairman of the subcommittee.

Mr. HALEY. Madam Chairman, this bill restores to the Taos Pueblo in New Mexico the trust title to 48,000 acres of land that were taken from them in 1906 by an Executive order which put the lands in a national forest. The Indians did not agree to the taking, they were not paid for the land, and they want their land back. It is only fair that they get it.

Restoration of the land to the Indians will right a wrong in the only manner that is acceptable to the Indians, and it will not affect adversely the conservation program of the United States. Ordinary principles of fairness and equity require this action.

The governor of the Taos Pueblo, a secretary of the Pueblo, and two senior council members appeared before the Subcommittee on Indian Affairs in support of this bill. They are proud descendants of a proud people. The Taos Indians have maintained their pueblo life in the original Taos Pueblo since the year 1400, long before the white man arrived. All of us who heard the four leaders were impressed with their dignity, their sincerity, and the fairness of their request. They are asking only for something which was theirs and which they continue to believe is theirs.

The Pueblo Indians are noted for their peaceful ways. They are friendly. They do not bother others, but in turn they expect others to leave them alone. They value their Pueblo society and they want to preserve it.

They do not have much in the way of wordly goods. They live frugally. They have little cash income.

The Taos Indians are a closely knit group, and religion permeates their communal life. The Blue Lake area is the most holy symbol of their ancient religion, and the symbolism attaches to the entire watershed. The watershed is the source of their life. Although the nature of their religion is secret, it is clear that if the area were extensively used for recreation by the public it would be desecrated in the eyes of the Indians.

In 1933 Congress authorized the Secretary of Agriculture to issue to the Taos Pueblo a special-use permit for approximately 32,000 acres in the Blue Lake area. The Indians thought the special-use permit gave them an exclusive use, and it did insofar as timber and forage were concerned. The admission of non-Indians for recreational use, however, has been a constant source of conflict between the Indians and the Forest Service. The Forest Service administration of the Blue Lake area has exerted a continuing pressure on the religious use of the land of the Pueblo. Religious privacy has been constantly jeopardized.

This bill amends the 1933 act by substituting for the special-use permit on 32,000 acres a trust title to 48,000 acres of land. In other words, the Indians will get a trust title to the land, and the land will become a part of their reservation. The enlargement of the area from 32,000 acres to 48,000 acres describes more accurately the land the Indians actually use and need.

The transfer of the lands from a national forest reservation to an Indian reservation will not affect the management of the land for conservation purposes. The Indians want the land to be retained in its natural condition, and the bill so requires. Except for traditional Indian uses such as religious ceremonials, hunting, fishing, forage, and wood for personal use, the land must be maintained as a wilderness. This is a limitation which the Indians sought because it reflects their intended use and because it should dispel any idea that they want to exploit the natural resources for purposes of private gain. Moreover, the bill requires the land to be administered in accordance with sound conservation practices, and the Secretary of the Interior may enter into an agreement with the Secretary of Agriculture providing for the services of the Forest Service in this respect. The interest of the United States in the conservation of the resource is therefore fully protected.

Seven grazing permits are now outstanding on portions of the land. The annual fees paid for the permits are about $340. The bill provides that the permittees may renew their permits under regulations of the Forest Service to the same extent they could have been renewed prior to enactment of the bill. The Pueblo, however, may purchase relinquishments of the grazing permits. This provision is not intended to recognize the permits as a property interest. They are not property rights. The Indians desire, however, to liquidate the permits in an orderly way, and this provision of the bill authorizes the use of tribal funds for this purpose.

The bill also provides that the Indian Claims Commission will determine the extent to which the value of the interest in the land conveyed should be set off against the claim of the Taos Indians which is still pending. This is a standard setoff provision that is carried in all similar bills. Incidentally, this provision of the bill will result in reducing the financial liability of the United States to the Indians in the claims litigation. This is not, however, a reason for enacting the bill. The bill is fully justified on its merits.

The CHAIRMAN. The time of the gentleman from Florida has expired. All time has expired.

The Clerk will read.

The Clerk read as follows:

H.R. 471

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of May 31, 1933 (48 Stat. 108), providing for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians in New Mexico, be and hereby is amended to read as follows:

"SEC. 4. (a) That, for the purpose of safeguarding the interests and welfare of the tribe of Indians known as the Pueblo de Taos of New Mexico, the following described lands and improvements thereon, upon which said Indians depend and have depended since time immemorial for water supply, forage for their domestic livestock, wood and timber for their personal use, and as the scene of certain religious ceremonials, are hereby declared to be held by the United States in trust for the Pueblo de Taos:

"Beginning at the southeast corner of the Tenorio tract on the north boundary of the Taos Pueblo grant in section 22, township 26 north, range 13 east;

"thence northwesterly and northeasterly along the east boundary of the Tenorio tract to the point where it intersects the boundary of the Lucero de Godoi or Antonio Martinez Grant;

"thence following the boundary of the Lucero de Godoi Grant northeasterly, southeasterly and northerly to station 76 on the east boundary of the survey of the Lucero de Godoi Grant according to the March 1894 survey by United States Deputy Surveyor John H. Walker as approved by the United States Surveyor's Office, Santa Fe, New Mexico, on November 23, 1894;

"thence east 0.85 mile long the south boundary of the Wheeler Peak Wilderness, according to the description dated July 1, 1965, and reported to Congress pursuant to section 3(a)(1) of the Wilderness Act (Public Law 88–577);

"thence northeast approximately 0.25 mile to the top of an unnamed peak (which is approximately 0.38 mile southeasterly from Lew Wallace Peak);

"thence northwesterly 1.63 miles along the ridgetop through Lew Wallace Peak to Old Mike Peak;

"thence easterly and northeasterly along the ridgetop of the divide between the Red River and the Rio Pueblo de Taos to station numbered 109 of said 1894 survey, at the juncture of the divide with the west boundary of the Beaubien and Miranda Grant, New Mexico (commonly known as the Maxwell Grant), according to the official resurvey of said grant executed during July and August 1923 by United States Surveyor Glen Haste and approved by the General Land Office, Washington, District of Columbia, on April 28, 1926;

"thence southeasterly, southwesterly, and southerly along the west boundary of the Maxwell grant to the north line of unsurveyed section 33, township 26 north, range 15 east;

"thence southerly to the north boundary of fractional township 25 north, range 15 east;

"thence southerly and southwesterly through sections 4, 9, 8, and 7, township 25 north, range 15 east to the southwest corner of said section 7;

"thence westerly along the divide between the Rio Pueblo de Taos and Rio Fernandez de Taos to the east boundary of the Taos Pueblo grant;

"thence north to the northeast corner of the Taos Pueblo grant.

"(b) The lands held in trust pursuant to this section shall be a part of the Pueblo de Taos Reservation, and shall be administered under the laws and regulations applicable to other trust Indian lands: *Provided,* That the Pueblo de Taos Indians shall use the lands for traditional purposes only, such as religious ceremonials, hunting and fishing, a source of water, forage for their domestic livestock, and wood, timber, and other natural resources for their personal use, all subject to such regulations or conservation purposes as the Secretary of the Interior may prescribe. Except for such uses, the lands shall remain forever wild and shall be maintained as a wilderness as defined in section 2(c) of the Act of September 3, 1964 (78 Stat. 890). With the consent of the tribe, but not otherwise, nonmembers of the tribe may be permitted to enter the lands for purposes compatible with their preservation as a wilderness. The Secretary of the Interior shall be responsible for the establishment and maintenance of conservation measures for these lands, including, without limitation, protection of forests from fire, disease, insects or trespass; prevention or elimination of erosion, damaging land use, or stream pollution; and maintenance of streamflow and sanitary conditions; and the Secretary is authorized to contract with the Secretary of Agriculture for any services or materials deemed necessary to institute or carry out any of such measures.

"(c) Lessees or permittees of lands described in subsection (a) which are not included in the lands described in the Act of May 31, 1933, shall be given the opportunity to renew their leases or permits under rules and regulations of the Secretary of the Interior to the same extent and in the same manner that such leases or permits could have been renewed if this Act had not been enacted; but the Pueblo de Taos may obtain

the relinquishment of any or all of such leases or permits from the lessees or permittees under such terms and conditions as may be mutually agreeable. The Secretary of the Interior is authorized to disburse, from the tribal funds in the Treasury of the United States to the credit of said tribe, so much thereof as may be necessary to pay for such relinquishments and for the purchase of any rights or improvements on said lands owned by non-Indans.

"(d) The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1049, 1050), the extent to which the value of the interest in land conveyed by this Act should be credited to the United States or should be set off against any claim of the Taos Indians against the United States."

Mr. SAYLOR (during the reading). Madam Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments:

The Clerk read as follows:

Committee amendments:

Page 4, line 2, strike out "Fernandez" and insert "Fernando".

Page 4, line 5, strike out "grant." and insert "grant;".

Page 4, between lines 5 and 6, insert a new paragraph as follows:

"thence west to the point of beginning; containing approximately 48,000 acres, more or less".

Page 4, line 14, strike out "or" and insert "for".

Page 5, line 21, after the period insert a new sentence as follows: "The authority to pay for the relinquishment of a permit pursuant to this subsection shall not be regarded as a recognition of any property right of the permittee in the land or its resources".

Page 6, line 4, strike out "States." and insert "States".

Page 6, after line 4, insert a new subsection (e) as follows:

"(e) Nothing in this section shall impair any vested water right."

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: Strike out all after the enacting clause of H.R. 471 and insert in lieu thereof the following:

"That (a) for the purposes of safeguarding the interests and welfare of the tribe of Indians known as the Pueblo de Taos of New Mexico, the following described lands are hereby designated for addition to and as a part of the Wheeler Peak Wilderness, Carson National Forest, New Mexico:

"Beginning at a point on Old Mike Peak on the southeast boundary of the Wheeler Peak Wilderness; thence easterly along the crest of the ridge dividing Red River from the Rio Pueblo de Taos to its interception with the west boundary of the Beaubien and Miranda Grant (Maxwell Grant);

"thence southeasterly along the west boundary of the aforesaid grant to the crest of the ridge between the Bonita Park drainage and the Rio Pueblo de Taos;

"thence southward along the crest of the aforesaid ridge to the junction of the Witt Park drainage and the Rio Pueblo de Taos;

"thence northwesterly along the crest of the ridge forming the south boundary of the Waterbird Lake drainage to its interception with the crest of the ridge between the Rio Lucero and the Rio Pueblo de Taos;

"thence northerly along the crest of the aforesaid ridge to the point of beginning on Old Mike Peak, containing approximately 4,600 acres, more or less.

"(b) Subject to the provisions of subsection (c) of this section, the area added to the Wheeler Peak Wilderness by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as 'wilderness'.

"(c) The following described portion of the Wheeler Peak Wilderness as enlarged by this Act, containing approximately 1,640 acres, more or less, is hereby segregated for the exclusive use of the Pueblo:

"Beginning at a point where National Forest System Trail Numbered 90 intercepts the crest of the ridge between the Rio Lucero and the Rio Pueblo de Taos south of Old Mike Peak;

"thence easterly along trail Numbered 90 to a point approximately 0.1 mile south of Red Dome;

"thence southeasterly to an unnamed lake approximately 0.5 mile southeast of Red Dome;

"thence southerly along the drain from the aforesaid lake to its junction with the Rio Pueblo de Taos;

"thence southeasterly along the Rio Pueblo de Taos to the nose of the ridge forming the south boundary of the Star Lake drainage;

"thence westerly along the crest of the aforesaid ridge to its interception with the crest of the ridge between the Rio Lucero and Rio Pueblo de Taos;

"thence northerly along the crest of the aforesaid ridge to its interception with the National Forest System Trail Numbered 50;

"thence northerly along aforesaid trail Numbered 50 to its departure to the west from aforesaid ridge; and

"thence northerly along the crest of the aforesaid ridge to its interception with National Forest System Trail Numbered 90 and the point of beginning.

"The Secretary of Agriculture shall (1) administer this portion of the Wheeler Peak Wilderness for the exclusive use of the Pueblo de Taos Indians in connection with their religious ceremonials; (2) remove all structures from the portion and discontinue trail maintenance therein; (3) not authorize persons who are not members of the Pueblo de Taos Tribe to enter the described portion: *Provided*, That the Secretary shall continue to be responsible for protection of the area from fire, insects, and disease, and employees of the Forest Service may enter the area for these purposes: *Provided further*, That law enforcement officers may enter the area in performance of official duties.

"SEC. 2. Section 4 of the Act of May 31, 1933 (48 Stat. 108), providing for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians in New Mexico, is hereby amended by amending the description of the area referred to in that section to read as follows:

"Beginning at the northeast corner of the Taos Pueblo Grant;

"thence west along north boundary of aforesaid Grant to its interception with the southeast corner of the Tenorio Tract;

"then northwesterly and northeasterly along the east boundary of the Tenorio Tract to the point where it intersects the boundary of the Lucero de Godoi or Antonio Martinez Grant;

"thence following the boundary of the Lucero de Godoi Grant northeasterly, southeasterly, and northerly to station 76 on the east boundary of the survey of the Lucero de Godoi Grant according to the March 1894 survey by United States Deputy Surveyor John H. Walker, as approved by the United States Surveyor's Office, Sante Fe, New Mexico, on November 23, 1894;

"thence east .85 mile along the south boundary of the Wheeler Peak Wilderness according to the description dated July 1, 1965, and reported to Congress pursuant to section 3(a)(1) of the Wilderness Act (78 Stat. 891) to intersection with the crest of the ridge between the Rio Lucero and the Rio Pueblo de Taos;

"thence southerly along aforesaid crest to its interception with the ridge forming the south boundary of Waterbird Lake drainage;

"thence southeasterly along aforesaid ridge to junction of Witt Park drain and the Rio Pueblo de Taos;

"thence easterly along the Witt Park drain to a point ½ mile from the Rio Pueblo de Taos;

"thence southwesterly along a line ½ mile east of the Rio Pueblo de Taos and parallel to it to the northeast corner of section 1, township 25 north, range 14 east;

"thence southward along the township line to the east quarter corner of section 13, township 25 north, range 14 east, on crest of ridge dividing the Rio Pueblo de Taos from the Rio Fernando de Taos;

"thence westerly along aforesaid ridge to its interception with the east boundary of the Taos Pueblo Grant;

"thence northerly to the point of beginning containing approximately 34,500 acres, more or less.

"SEC. 3. The Secretary of Agriculture is hereby directed to amend the permit granted to the Pueblo de Taos Indians pursuant to section 4 of the Act of May 31, 1933 (48 Stat. 108), to provide that:

"(a) The description of the area under permit to the Pueblo de Taos shall conform with the description of the area described in section 2 of this Act.

"(b) The Secretary shall make timber, forage, and wood available without charge in the entire permit area as amended by this Act for personal or tribal community needs of the members of the Pueblo or the Pueblo community in such manner that does not impair the watershed.

"(c) Through extension and improvement of the forest and other vegetative cover in the permit area the Secretary shall manage the area in accordance with accepted watershed management principles so as to provide optimum quantities and quality of water from the area for the benefit of the Pueblo de Taos Indians and others dependent on the Rio Pueblo de Taos and Rio Lucerno for water.

"(d) Other provisions of the existing permit shall apply to the entire permit area as amended by this Act.

"SEC. 4. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value to the Pueblo de Taos of the provisions of this Act as well as the value of the Carson National Forest permit pursuant to section 4 of the Act of May 31, 1933 (48 Stat. 108), should be credited to the United States or should be set off against any claim of the Pueblo de Taos against the United States."

Mr. ASPINALL (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. DINGELL. Madam Chairman, this is the amendment I mentioned earlier in my remarks during general debate, and when I said that at the proper time I would offer an amendment which would afford full protection to the religious concern of the Indian people involved here. This is the amendment. What it does is to set up the same kind of protection for the land as does the bill before us. It affords the Indians every right that they would have under the proposed bill except for title, and it does not get into the question of grazing.

It preserves the national forests of our Nation from the establishment of an unwise precedent; that is, giving away title to portions of the great national forests, a treasure which is for the protection, for the enjoyment, and for the opportunity of all of the people, and yet it affords full and complete protection to the Indian people with regard to their religious ceremonies and their opportunities to engage in worship.

It affords protection for the land, protection for the water, protection for persons both Indian and non-Indian, who would use the waters which are generated by precipitation in the area concerned.

I believe it is a good amendment. I think it is a humane amendment. I think it is an amendment which protects the interests of the Indians, and which protects the interests of all of the people in their national forests. It certainly is an amendment which merits careful consideration, particularly in view of the fairly doubtful nature of the claims which have been asserted up to this time. It does avoid the principle and the practice of double compensation to Indians who have already had their claims extinguished by cash awards and by the establishment of grazing rights and other special use rights in the national forests for which they signed in full faith and in the spirit of fair agreement with the Government of this Nation.

It reflects the intentions and the attitudes of the persons who have been involved in this matter, both Indian and non-Indian, that certain protection should be afforded to the Indians. As I have indicated, it avoids giving away our great national forests, something which I have always vigorously opposed, and something which this Congress has always supported.

It is my hope that this body will adopt the amendment. I believe it is humane, I believe it is fair, and I believe it is just.

Madam Chairman, I yield back the balance of my time.

Mr. ASPINALL. Madam Chairman, I rise in opposition to the amendment.

Madam Chairman, what this amendment really does is that it takes the bill of the other body without any study on the part of the committee having jurisdiction in this body, and substitutes the other body's bill for the bill that we have worked upon before the Committee on Internal and Insular Affairs for a considerable length of time.

The amendment enlarges the Wheeler Park Wilderness Area by 4,600 acres; 1,640 acres of this 4,600 acres were segregated for the exclusive use of the Pueblo.

The present special-use permit which the Indians have under the 1933 act is enlarged from 32,000 acres to 34,500 acres. This figure, plus the 1,640 acres of exclusive use, totals 36,140 acres. This compares with 48,000 acres in the House bill.

The major differences between the House bill and the Dingell amendment are:

First, the House bill gives the Indians trust title to 48,000 acres. The Dingell amendment gives them only a special-use permit to 36,140 acres, with exclusive use of only 1,640 acres of the total. This has meant controversy in the past, and undoubtedly it will continue controversy in the future.

Second, the House bill puts administrative authority over the trust title in the Secretary of the Interior. The Dingell amendment would leave complete fee title and administration in—the fee title in the Federal Government just the same as the House bill, but leaves the administration in the Department of Agriculture.

The Dingell amendment will not resolve the longstanding controversy between the Indians and the Forest Service. I made reference to this a minute ago.

It gives the Indians very little more than they have now. It does not recognize the fact, first, that the Indians have a legitimate and demonstrated need for title to the land, and, second, all conservation values, and all Federal program interests, can be protected by the Secretary of the Interior under an Indian trust title as well as they can be protected by the Secretary of Agriculture through the Forest Service.

Madam Chairman, I may as well be honest with my colleagues—undoubtedly, if the other body handles this legislation, they will pass something like the bill that has been introduced by the senior Senator from New Mexico.

This, then, would mean that there would have to be a committee of conference, and at that time, after study, we will be able then to give consideration to what is proposed in this amendment. Until that time, I do not believe that the House is in a position to act favorably on the amendment and I would ask for its defeat.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Michigan (Mr. DINGELL) in the nature of a substitute.

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mrs. GREEN of Oregon, Chairman of the Committee of the Whole House on the State of the Union, reported that that Commitee having had under consideration the bill (H.R. 471) to amend section 4 of the act of May 31, 1933 (48 Stat. 108), pursuant to House Resolution 462, she reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment?

If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

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

The bill was passed.

A motion to reconsider was laid on the table.

AUTHORITY FOR SPEAKER TO DECLARE RECESS TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order at any time tomorrow for the Speaker to declare a recess, subject to the call of the Chair.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand that this is in connection with the funeral services for the late Senator Dirksen?

Mr. ALBERT. That is correct.

Mr. GROSS. That is, in Washington?

Mr. ALBERT. Yes.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 681, ELECTORAL COLLEGE REFORM

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 491 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 491

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the White House on the State of the Union for the consideration of the joint resolution (H.J. Res. 681) proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President. After general debate, which shall be confined to the joint resolution and shall continue not to exceed six hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

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

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the very able and distinguished gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, more than 150 years ago the Founding Fathers of our country

set up a scheme or plan for the election of a President and Vice President. In their wisdom, they saw fit to establish the electoral college. The scheme that these wise men had in mind was to select good men as electors based upon the number of Representatives in the House of Representatives and the number of Senators. These men were to be selected because they would be known to be good, honest and wise men. They would meet in a so-called electoral college and select candidates for President and Vice President. That was before the development of the party system.

After the growth of the party system, that procedure was more or less changed, for the parties would meet in convention, select their candidates, and present their candidates to the country.

However, with the growth of the party system, there arose a wide demand to reform the electoral college system. There is considerable demand to wipe out the electoral college entirely and select the President and the Vice President by a so-called popular or direct vote. In other words, we would elect the President and Vice President as we elect the Members of both branches of the Congress. This system has been advocated for some time. It has great popular appeal. I am not so sure in my own mind that it is the best system, notwithstanding the fact that I know it has popular appeal and I know that most Members of the Congress who have given insufficient thought to some of the possible consequences of the plan are inclined to embrace the popular election theme.

So the Committee on the Judiciary, headed by the very able and distinguished and powerful advocate, the gentleman from New York (Mr. CELLER), has brought out a resolution that would provide for the popular vote election method of electing a President and a Vice President. As I say, I have some reservations about it. I had not intended to talk at this time on the matter, but the situation has arisen which is now such that I have to present the matter.

I understand the President of the United States, I might say to my friends on the left side of the aisle, has endorsed a different plan, one that I believe is popularly known as the proportionate plan.

There are some of us who feel that possibly another plan would be equally as good if not better, and that plan is the one that is advocated now, and as I understand it, was proposed in the Committee on the Judiciary on a bipartisan basis by the gentleman from Texas (Mr. DOWDY) and the gentleman from Virginia (Mr. POFF), as well as the gentleman from Indiana (Mr. DENNIS). They are very able students of the Constitution, who believe, of course, in the American system.

That plan briefly would provide that the electoral college, in effect, would be retained, or the substance of it, and that a candidate for the Presidency would get the electoral vote of the various congressional districts that he carried, and the candidate who got the most votes in the whole State would get the two votes represented by the Members of the other body, the Senators.

In that way we would pretty largely achieve the reform that is needed. I think there is room for some change. So that plan will be presented here by these gentlemen when we get into consideration of the resolution itself. I think it has much merit.

I do not want to get personal, but I see here two able gentlemen, the gentleman from California (Mr. HOLIFIELD), who is a Representative from, I believe, the State with the second largest number of electoral votes, and the gentleman from New York (Mr. CELLER), the author of this bill, who is a Representative from the State of New York which has the greatest number of electoral votes.

Let us consider the effect of this substitute plan in respect to the last election. I do not know what the number was, but we will say for illustration that Mr. Nixon carried 25 of the congressional districts of New York. He would get those 25 electoral votes plus the two senatorial votes, the majority of that State's vote, and therefore would carry the State.

There was a third candidate, Mr. Wallace. If Mr. Wallace had carried two congressional districts in New York he would have gotten two electoral votes.

The same thing, of course, would apply to the great State of California and to the other States of the Union.

We have heard a lot of complaint in the past, and I believe with some justification—again not becoming personal—that the larger States, like the one represented by the gentleman from California (Mr. HOLIFIELD) and the one represented by the gentleman from New York (Mr. CELLER) and the one represented by the gentleman from Texas, and so on, because of the larger electoral vote under the present system were able to control the nominations and the elections.

That is certainly true under the system advocated by the Judiciary Committee, wherein the larger populated States like New York, California, Texas, Massachusetts, and so on would have a popular vote so powerful and numerous that they would be able to control the elections.

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

Mr. COLMER. I am happy to yield to my friend the majority leader.

Mr. ALBERT. Would that not be true under a situation where the winner would take all, more than it would under a situation where every candidate got his share of the popular vote? In other words, he would get the entire New York delegation, and New York would be much more persuasive in its ability to feel its candidates might be elected, with the winner taking the entire State electoral college vote.

Mr. COLMER. If I understand my friend, and I am not quite sure I did, that is one of the evils which is sought to be corrected by this proposed substitute resolution.

Under the present system, in the State of New York, with its great metropolitan center and its great populous vote, if Mr. Humphrey had received 10 more votes or 1 more vote than Mr. Nixon got in that State, then Mr. Humphrey would get all of the electoral votes. I think that is the point my friend was trying to make. In other words, it is a case of winner take all.

Under the substitute plan to be offered here, which is a modification of the one I understand President Nixon has recommended, that would not be true. Each candidate would get the electoral vote that he was entitled to rather than winner taking all.

Now, I do not want to be sectional nor do I want to be anti city or pro rural. However, my State, the State represented, in my judgment, sir, by the able majority leader the gentleman from Oklahoma (Mr. ALBERT), the State represented by the gentleman from South Dakota (Mr. BERRY), and the gentleman from Iowa (Mr. GROSS), and a number of the other smaller States, if I analyze this thing correctly, in my judgment, would suffer as a result of the passage of this so-called popular or direct vote election amendment.

Mr. Speaker, there is another aspect involved here that I want to touch on just briefly; namely, that the advocates of this direct vote election method say they want the people to express their will. Yet they provide in their resolution for a 40-percent figure. The candidate receiving 40 percent of the popular vote would be the man who was elected. If you are going to adopt this plan, then it would seem to me logical and reasonable that you should make it 51 percent or 50 percent plus of those voting. In other words, the man who is elected as President should get a majority of the vote if you are going to follow that scheme.

Now, Mr. Speaker, passing on to another facet of this committee proposal briefly, this is the question of the opportunity for corruption and for contest.

Now, can you imagine what would happen if there became a contest under this so-called popular plan in New York, California, Mississippi, North Carolina, or one or more States where corruption were charged to have occurred in one or more counties or or in one or more precincts, and where that went on in several States?

It seems to me that you are running the risk of having the Presidential election suspended in limbo, as it were there, while all of this investigation into the charges of corruption was made. We could have some serious trouble in this country while we were waiting for these charges of corruption to be decided. There are a number of other things that I could go into here, but I am not going to take any further time on this resolution.

The rule, undoubtedly, will be adopted for the consideration of the resolution amending the Constitution. I am informed and believe—as a matter of fact I have reason to know—that the alternate plan suggested will be germane, will be offered and will be debated. I do not want to array, I repeat, the small States against the large ones. But I do want to say to you gentlemen who are advocating this committee plan that if you really want some reform legislation, if you want to amend the Constitution and if you want to get away from what you cite as the present evils, you had better give careful thought to this matter. I say this, first, because it is going to take a

two-thirds vote here and in the other body to adopt the resolution and then it is going to take three-fourths of your States to ratify it before it becomes a part of the Constitution in order to achieve your objective of some reform.

Mr. Speaker, I am going to predict here and now that even though we pass this resolution by a two-thirds vote in this body, it is going to run into serious trouble over in the other body and that you are going to find those Senators over there representing the smaller States lining up in opposition to this plan of a popular election. But if you survive that hurdle, then you have got to go to your State legislatures and get the three-fourths vote. In other words, I believe it has been figured that if 13 States fail to ratify the amendment, it fails. These small States like Utah, Nevada, Delaware, Alabama, South Carolina, and a substantial number of other States with relatively small populations are not going to give up the advantage they now enjoy to the more populous States with their great metropolitan centers.

The whole philosophy and traditions of this great country are involved. Under the committee plan, the country could well come to be dominated by the big cities.

So I want to repeat, Mr. Speaker, if you want to reform the present system you had better give serious thought to the plan that I mentioned earlier that is to be offered, as I understand it, jointly by the gentleman from Texas (Mr. DOWDY), and the gentleman from Virginia (Mr. POFF), otherwise you may go through here for the next 2 or 3 years and then wind up with no change in your present system.

Mr. Speaker, I know we are all interested in the perpetuation of this young Republic and our system. I know that you want to see something done, something that is practical, and something that has a reasonable chance of becoming the law of the land. So as we go through here in the next 6 hours, after this rule is adopted, of general debate, and then the debate upon the substitute, we had better most seriously consider this matter.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from Mississippi has consumed 27 minutes.

The Chairman now recognizes the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Speaker, I yield myself 15 minutes.

Mr. Speaker, House Resolution 491 provides an open rule with 6 hours of debate for the consideration of House Joint Resolution 681, the presidential election reform measure.

Although the rule does not state anything about germaneness of substitutes and other proposals, it is my understanding, and it was the understanding of the members of the Committee on Rules, that all substitutes which have presently been printed will be germane under this open rule, and that amendments to those substitutes will also be germane.

The purpose of the joint resolution is to amend the Constitution to abolish the electoral college. Substituted for it is a system of direct popular election of the President and Vice President.

The present election system provides that each State appoints a number of electors equal to the total number of Senators and Representatives to which it is entitled. These electors meet in December in their respective States to elect the President and Vice President. If no candidate receives a majority, the House of Representatives, with each State delegation casting one vote, elects the President from the three persons receiving the most votes, and the Senate chooses the Vice President.

Several recent elections, particularly that of last year, have shown that some change in the system may be necessary.

The Judiciary Committee, by a vote of 29 to 6, has reported House Joint Resolution 681, a constitutional amendment providing for: First, elimination of the electoral college; second, substitution of a direct popular election; and, third, a runoff election if no candidate receives at least 40 percent in the first election.

Before the committee were a number of other, alternative proposals; the district, the proportional, and the automatic electoral vote systems. These were all rejected.

The committee believes that only a direct popular election system will remove all the objections and defects in the present system.

Section I provides for the direct election of both the President and Vice President, who will run jointly. The people of the District of Columbia, as well as those of the several States, are eligible to cast votes.

Section 2 provides that electors for President and Vice President in each State shall have the same qualifications as are required for electors of the most numerous branch of the State legislature. Any State may adopt less restrictive residence requirements for voting for President and Vice President, and Congress retains authority to set uniform residence requirements.

Section 3 provides the major change in the manner of election. A system of direct popular election is instituted. Each elector shall cast one vote for one slate of candidates. If one slate receives at least 40 percent of the total popular vote cast, and has more than any other slate, such persons shall be elected. If no slate receives a total of 40 percent of the total vote, a run-off election shall be held between the two slates receiving the most votes.

Section 4 provides that the times, places, and manner of holding a presidential election and any run-off election, and requirements for entitlement of a candidate to inclusion on the ballot shall be set by the several States. But this is not what it seems because Congress reserves the power to, by law, make or alter such regulations adopted by the several States. Congress is also empowered to set the date of the original election and the run-off election which are to be uniform. Congress also retains power to set the manner in which results of the elections shall be ascertained and declared.

Section 5 empowers Congress to provide, by law, for the case of death or withdrawal of a candidate, before the election, and of the President-elect or Vice President-elect.

The amendment is to become effective one year after the 21st day of January following its ratification by three-fourths—38—of the States within 7 years from the date of its submission by the Congress.

The committee report discusses the advisability of providing for election of a slate of candidates with less than 50 percent of the vote, and if a lesser figure is desirable, what percentage should be selected. It notes that by law a simple plurality wins most U.S. elections. However, a figure of at least 40 percent was selected to insure that the elected candidate would have a sufficient mandate. Suggestions of 45 percent and 35 percent were considered and rejected.

The committee also believes that the 40-percent figure will make the likelihood of a runoff election extremely remote, based upon past election history.

While the States retain primary jurisdiction over the ballot, the Congress expressly retains power to deal with any problems which might arise. State laws could be superseded by uniform Federal standards with the provisions of section 4. In many respects, this authority, if exercised, would result in as big a change in our presidential election system as the switch to a direct popular vote.

The committee finds that the stated major objections to the direct election plan—First, a possible aid to the proliferation of political parties; and, second, the possible destruction of our federal system of government—do not outweigh what it is believes is the fundamental opjection to all other possible changes—that each would allow the election as President of a candidate who failed to win the popular vote.

The gentleman from Colorado (Mr. ROGERS) has filed additional views. He believes that the 40-percent provision is too low. He favors increasing it to 45 percent.

The gentleman from New York (Mr. RYAN) has filed additional views. He supports the idea of uniform national standards of voter qualification, covering age and residency in national elections. He also believes that the votes for Vice President should be cast separately, not one joint vote for the two-man slate. Finally, he believes that U.S. citizens in Puerto Rico, Guam, and the Virgin Islands should be allowed to vote.

The gentleman from Illinois (Mr. MCCLORY) has filed additional views. He opposes the 40-percent figure, and supports a lower one—35 percent as less likely to require any runoff elections or permit the rise of third parties. He also suggests that rather than have each State legislature approve the constitutional amendment, each State should elect a convention to ratify it. He believes this would be quicker and insure ratification in time for the 1972 elections.

The gentleman from New Jersey (Mr. SANDMAN) agrees with the gentleman from Illinois (Mr. MCCLORY) in opposing the 40-percent figure; he supports a simple plurality rule.

The gentleman from Virginia (Mr. POFF) has filed separate views. He has a substitute which he may offer as an amendment. It provides for an automatic apportionment of electoral votes in proportion to the popular vote in each State. A majority of the electoral vote would be necessary for election. If no candidate receives a majority of the electoral vote, then, if any candidate received a plurality and at least 40 percent of the popular vote, he would be elected. If no candidate receives at least 40 percent of the popular vote then the Congress would jointly choose the President and Vice President from the top two slates, with each Member having one vote.

The gentleman from Texas (Mr. DOWDY) has filed minority views. He believes this joint resolution proposes a fundamental change in our system of government—one he opposes. He favors the district system embodied in House Joint Resolution 791. He also notes that under the direct popular election system 33 smaller States would lose political power in presidential elections. Some of these will surely oppose the amendment, probably enough to kill the amendment.

The gentleman from Alabama (Mr. FLOWERS) and the gentleman from South Carolina (Mr. MANN) concur in Mr. DOWDY's views objecting to the direct election system. They favor the proportional election plan and want to insure that the States retain control over voter qualifications.

The gentleman from Michigan (Mr. HUTCHINSON) has filed views supporting Mr. POFF's substitute. He points out how fundamentally different the direct popular election system is from that created by the framers of our Constitution—and how far along the road it goes in changing our federal system of government. He opposes this while agreeing that the present election system must be corrected. He believes Mr. POFF's substitute successfully does this.

The gentleman from Indiana (Mr. DENNIS) has filed individual views supporting the position taken by Mr. POFF and Mr. HUTCHINSON concerning the great change the proposal will work on our system of government. He favors either a district plan or an automatic electoral vote plan.

Personally I think we should have some changes in the electoral college system. I will state in all honesty that the hearings, which covered, I believe, 4 days, and at which 10 or 11 learned witnesses testified, were among the most interesting that I have ever participated in, and I must admit that after hearing the sage remarks of these gentlemen, I came to the conclusion that even though we might need some changes, maybe our forefathers did not do so bad when they wrote our Constitution 182 years ago. We would probably live to do something better, but we have gone through all these years and the system has worked, even though we had some frightening experiences when the House selected a couple of Presidents.

At any rate, I have attempted to mention what this bill contains. I would hope that the Members would listen to the debate, which, of course, because of the breakup in the schedule, will be periodical. But I, for one, have found it to be one of the most interesting discussions of any measure I have ever heard in the Rules Committee.

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

Mr. SMITH of California. I yield to the gentleman from Illinois.

Mr. McCLORY. I thank the gentleman for yielding. I want to compliment the gentleman and the committee for allocating 6 hours of general debate on this historic subject. It is my understanding that the full debate which we will have here in the House of Representatives will be the first which has occurred for almost 150 years. Electoral college reform may be the single most important legislative subject which the Congress will consider at this session.

As the gentleman knows, I have two amendments which I will offer which are intended to be in support of the direct election plan as recommended by the committee. These amendments relate to subjects which the gentleman in the well has touched upon in the course of discussing this issue.

First of all, I want to express appreciation to the committee for the generous recommendation of 6 hours for the general debate and also the open rule which will permit opportunity to improve and clarify this constitutional amendment.

May I say briefly that one of my amendments would reduce the minimum requirement for the election of the President in a direct popular election from 40 percent to 35 percent. There are two main reasons for this. One is to avoid the probability of general runoff elections. I have had some computer studies made based upon the existing historical facts which show that a runoff election is very remote if we reduce the minimum required figure to 35 percent, whereas the incidence of a runoff is greatly increased if we hold to the 40-percent requirement.

Also I want to emphasize the other amendment which would provide an alternative method of submitting this constitutional amendment to State conventions instead of to the State legislatures for ratification. Many of those who support the amendment for direct popular election question whether three-fourths of the State legislatures will ever ratify the amendment even though we get two-thirds support in the House and in the Senate. I think there is a real doubt as to whether such requisite support could be obtained. But I wish to point out that the Constitution also authorizes us to submit such constitutional changes to State conventions for ratification.

The State conventions would consist of representatives or delegates selected by the people. In my opinion they would reflect more accurately the popular will with regard to this subject. Anyone who has taken a poll in his district knows, and the professional pollsters also know, that the people overwhelmingly favor a plan for the direct popular election of the President and Vice President. In response to this popular sentiment I am confident that State conventions would ratify such a constitutional change promptly.

May I say that when the 21st amendment was ratified by the State convention method, the job was completed in about 10 months. That is one of the speediest ratifications in history.

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

Mr. SMITH of California. Mr. Speaker, I yield myself 2 additional minutes.

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

Mr. SMITH of California. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, I thank the gentleman from California for yielding me this additional time.

Mr. Speaker, I had wanted to apprise the Members at this time of the proposals which I will make, and I had about completed what I wanted to say. I am communicating with each Member by letter. Also, I invite the attention of the Members to the additional views set forth in the committee report. In the course of the full debate and also when we reach the amending stage, I expect to propose these two amendments for which I urge your most earnest consideration.

Again, I want to emphasize that these are in support of the direct popular election plan. Indeed, I am a sponsor of the constitutional change which the House is going to consider, but I do think that these two technical changes, as perhaps we might refer to them, will increase the chances of ratification and will improve the practical operation of the amendment if passed by both the House and the Senate and ratified by the people.

Mr. Speaker, I thank the gentleman from California for yielding.

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

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

Mr. BERRY. Mr. Speaker, it is my intention to support an amendment to the bill under consideration which would provide a district plan for the election of the President and Vice President of the United States, rather than the proposal to abolish the electoral college and amend the Constitution to provide for the election of the President and Vice President by a direct vote.

Referring to election by direct vote, one Member of the House pointed out that this is not electoral reform, it is merely political transformation. It flies squarely in the face of the most basic precept of the Constitution—a Union of sovereign States. I agree completely.

The district plan is not a new proposal, but in my judgment, it is certainly the best. First, it would preserve the electoral college, but would require that electors be chosen from single congressional districts within each State, with two electors representing the senatorial delegation of the State running at large.

If no candidate received the requisite number of electoral votes, election would be by a joint session of the Senate and the House of Representatives with the Members voting as individuals.

The district plan is patterned along the lines of our congressional districts in which each voter could vote for three electors, the entitlement being the same as his representation in Congress: two Senators and a Representative. Presently the citizen casts his votes for all of the electors on the ballot, and depending

upon the population of his State, he has considerably more "vote power" if he lives in a small State. For example, a South Dakotan casts a vote for four electors while a New Yorker can vote for 43 electors. The district plan equalizes the power of the vote. It is the only plan which will do away with the "winner take all" system while at the same time provide an improved method of contingency election. Another result would be the elimination of the balance of power leverage on large blocks of electoral votes.

The people are as much entitled to choose their representative electors by single-Member districts as they are entitled to choose their Representatives by congressional districts. I know of no way by which people can be represented in proportion to their numbers except by single-Member districts.

Mr. COLMER. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. CELLER).

Mr. Speaker, will the gentleman from New York yield?

Mr. CELLER. I yield to the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, I want personally to apologize to the gentleman from New York for using so much time myself, but I understood the gentleman from New York wanted only 3 minutes. However, if he wishes additional time, I will try to get the gentleman some more time if he wants it.

Mr. CELLER. Mr. Speaker, I thank the gentleman from Mississippi.

Mr. Speaker, Victor Hugo once said:

When the time for an idea has come nothing can stop it.

The time for the idea of changing our method of electing the President and the Vice President has indeed come, and nothing, I can assure Members, can stop it.

The rule will make in order consideration of a proposed constitutional amendment providing for a direct vote of the President and Vice President and will do away with the present electoral college system.

Our present electoral system was born at a time when this country's population was only 4 million, of which 700,000 were Negro slaves and more than 2.3 million were white women and children. Only about 100,000 people lived beyond the Appalachian Mountains. Only five cities had a population in excess of 10,000 souls. Horseback, wagon, stagecoach, boat, and foot were the main modes of transportation. To go from Boston to New York was a journey of from 3 to 6 days, from New York to Philadelphia 2 or more days. Newspapers usually were distributed on a weekly basis and had limited circulation and contained mostly local news.

Small wonder that such an election apparatus applicable to horse and buggy days is ill suited to the present TV jet age. The time for change has indeed come.

The electoral system—we can no longer embalm it from further decay.

I cannot, in the short space of time allotted me, indicate all the evils inherent in the electoral system, but let me point out the following:

Thrice in our history the winner of the popular vote was declared the loser. An unwelcome candidate occupied the White House. This is as unsporting as it is dangerous. All the successful candidate can do is to bite his nails in anger. He is very much like Sancho Panza in Don Quixote. He is presented with a very sumptuous meal, and he is about to relish it, when it is taken away from him.

There has been no major debate on this subject, no full stage debate in this House, since 1826, almost 150 years ago.

The adoption of this rule will usher in, therefore, the very important historical event, an amendment to the Constitution that will permit the Nation to vote directly for President and Vice President with no intervention of the so-called elite electoral college.

This direct election follows the theory and principle of one-man, one-vote.

This amendment has the approval of such disparate organizations as the AFL–CIO and the U.S. Chamber of Commerce, as well as the American Bar Association, the Federal Bar Association, and many other organizations.

I am quite sure after the debate the Members will fall in line and vote, more than two-thirds of this body, for this historic amendment.

Mr. SMITH of California. Mr. Speaker, I have one additional request for time, by the gentleman from Indiana (Mr. DENNIS), and I yield him 3 minutes.

Mr. DENNIS. Mr. Speaker, I merely wish to take this opportunity to advise the membership, as has already been done by mail, that among the amendments to be offered will be a bipartisanly sponsored amendment which will be offered by the gentleman from Texas (Mr. DOWDY) and myself, which basically will present what is known as a district plan type of amendment as a substitute.

We have already communicated with the membership on this matter by mail, enclosing a copy of House Joint Resolution 791, which with one change is the amendment which we will offer. Basically, it is what one might call an automatic district plan which abolishes the elector as a person but retains the electoral vote of each State, assigning two votes to the candidate who carries the State and the others according to the candidate who carries the several electoral districts within the State.

Rather than the present contingency election provision, it provides that if no one receives an electoral majority, the decision will be made by a joint session of the House and Senate voting as individuals.

Mr. Speaker, I ask unanimous consent to insert at the end of my remarks a printed copy of that bill with the necessary changes inserted therein, and I ask the membership to give it their attention prior to the debate.

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

There was no objection.

The matter referred to is as follows:

H.J. RES. 791

Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within seven years after the date of final passage of this joint resolution:

"ARTICLE —

"SECTION 1. In each State and in the District constituting the seat of Government of the United States (hereafter in this article referred to as the 'District') an election shall be held in which the people thereof shall vote for President and Vice President. Each voter shall cast a single vote for two persons (referred to in this article as a 'presidential candidacy') who have consented to the joining of their names as candidates for the offices of President and Vice President. No person may consent that his name appear with that of more than one other person or as a candidate for both offices. Both of the persons comprising a presidential candidacy may not be residents of the same State nor may both of them be residents of the District. No person constitutionally ineligible to the office of President shall be eligible to that of Vice President.

"SEC. 2. Each State shall be entitled to a number of electoral votes for President and Vice President equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. The District shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State. Each State shall establish a number of electoral districts equal to the number of Representatives to which such State is entitled in the Congress. The Congress shall establish in the District a number of electoral districts equal to the number by which the electoral votes of the District exceed two. Electoral districts within each State or the District shall be, insofar as practicable, of compact territory, and shall be of contiguous territory, and shall contain substantially equal numbers of inhabitants. Electoral districts in a State or the District shall be reapportioned following each decennial census, and shall not thereafter be altered until another decennial census of the United States has been taken.

"The presidential candidacy which receives the greatest number of popular votes in a State or in the District shall receive two of the electoral votes of such State or of the District. For each electoral district in which a presidential candidacy receives the greatest number of popular votes, it shall receive one electoral vote.

"SEC. 3. Within forty-five days after the election, the official custodian of the election returns of each State and of the District shall prepare, sign, certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate, a list of all presidential candidacies for which popular votes are cast in such State or in the District, together with the number of popular votes received by each presidential candidacy in such State or in the District and in each electoral district therein.

"SEC. 4. On such day between the 3d day and the 20th day of January following the election as Congress may provide by law, the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the electoral

votes shall then be counted. The persons comprising the presidential candidacy receiving a majority of the electoral votes shall be the President and the Vice President. If no presidential candidacy receives a majority, then from the presidential candidacies having the two highest numbers of electoral votes, the Senate and House of Representatives together, each Member having one vote, shall choose immediately, by ballot, a presidential candidacy. A majority of the whole number of Senators and Representatives shall be necessary to a choice.

"SEC. 5. The place and manner of holding any election under section 1 in a State shall be prescribed by the legislature thereof. The place and manner of holding such an election in the District shall be prescribed by Congress. An election held under section 1 shall be held on a day which is uniform throughout the United States, determined in such manner as the Congress shall by law prescribe.

"SEC. 6. The voters in such elections in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe less restrictive residence qualifications for voting for presidential candidacies. Congress shall prescribe by law the qualifications for voters in the District of Columbia.

"SEC. 7. The Congress shall have power to enforce this article by appropriate legislation. The Congress may by law provide procedures to be followed in case of (1) the death, disability, or withdrawal of a candidate on or before the time of an election under this article, (2) a tie in the popular vote in a State or in the District or in an electoral district which affects the number of electoral votes received by a presidential candidacy, or (3) the death of both the President-elect and the Vice President-elect.

"SEC. 8. This article shall take effect one year after the 21st day of January following its ratification."

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE LATE HONORABLE WILLIAM PATRICK FAY

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

Mr. BURKE of Massachusetts. Mr. Speaker, I rise to voice my shock and sorrow at the sudden and untimely death of the Honorable William Patrick Fay, the very popular and distinguished Irish Ambassador to the United States.

Ambassador Fay will be remembered especially for his hard-working manner as a veteran diplomat, having served as chargé d'affaires in Belgium, Norway, and Sweden, and Ambassador to France and Canada before coming to Washington. Born in Dublin, Mr. Fay received his education at Clongowes Wood College and at the National University of Ireland, where he received his law degree.

It was my happy privilege to meet the Ambassador on several occasions and his friendliness and warmth stands out in my memory. The Republic of Ireland has lost a cultured, highly honored, and gracious diplomat. I consider it a privilege to add my praise to his memory and I offer my heartfelt sympathy to the sorrowing members of his family.

Mr. Speaker, I submit for the RECORD the following biographical news articles on Ambassador Fay:

[From the Washington (D.C.) Star, Sept. 8, 1969]

WILLIAM PATRICK FAY, 60, IRISH AMBASSADOR, DIES

William Patrick Fay, 60, the popular Irish ambassador to the United States, died yesterday in Dublin after surgery. He had returned to Ireland last month on sick leave.

Mr. Fay had been stationed here since 1964, and was known as a courtly host and gracious entertainer. He and his wife, Lilian, presided at numerous parties and dinners at the first embassy residence owned by the Irish government here at 2244 S St. NW.

Mr. Fay was born in Dublin. He was educated at Clongowes Wood College and earned a law degree at the National University of Ireland. He practiced law in Ireland from 1931 to 1937 when he joined the Irish government's Attorney General's Department.

In 1941 he joined the Irish Foreign Service, serving in Dublin, London and Brussels. He held diplomatic posts in Sweden and Norway in 1950, and then became legal adviser to the Irish Department of External Affairs in Dublin.

From 1954 to 1960, Mr. Fay served as Irish ambassador to France, and also headed the Irish delegation to the Organization for European Economic Cooperation in Paris, until he was appointed ambassador to Canada in 1960, a post he held until 1964.

He was a member of the Metropolitan Club and the John Carroll Society and was an honorary member of the Friendly sons of St. Patrick of Washington. Mr. Fay had been awarded the Grand Cross of the Royal Order of the Phoenix by the Greek government and the Grand Cross of the Legion of Honor by the French government.

He is survived by his wife.

A requiem mass will be celebrated at St. Matthew's Cathedral by Patrick Cardinal O'Boyle at 11 a.m. tomorrow.

The Irish chancery, 2234 Massachusetts Ave. NW., will have a condolence book open today through Wednesday from 11 a.m. to 1 p.m. and from 3 p.m. to 5 p.m. daily.

[From the Boston (Mass.) Globe, Sept. 8, 1969]

ERIN'S U.S. ENVOY. W. P. FAY, AT 61

DUBLIN, IRELAND.—William Patrick Fay, the Irish Republic's ambassador to the United States, died Sunday in Dublin. He was 60.

Fay, who had served in Washington since 1964, had returned from Washington for a gall bladder operation.

He was a veteran diplomat, having served as charge d'affaires in Belgium, Norway and Sweden and ambassador to France and Canada before going to Washington.

Born in Dublin, he was educated at the Jesuit College of Clongowes Wood and University College, Dublin, and practiced law before entering the diplomatic service in 1937.

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

WILLIAM P. FAY, AMBASSADOR, DIES IN IRELAND

William Patrick Fay, 60, Ireland's ambassador to the United States, died yesterday in Dublin after surgery. He had returned to Ireland on sick leave several weeks ago.

Mr. Fay, first stationed here in April, 1964, was known as a hard worker, and particularly as a courtly host and gracious entertainer.

Like previous Irish ambassadors, he was accorded certain special privileges, regularly presenting fresh shamrocks to the President on St. Patrick's Day.

He and his wife Lilian decorated their house at 2244 S St. NW as the first embassy residence owned by the Dublin government in Washington.

Mr. Fay was born in Dublin and educated at Clongowes Wood College and at the National University of Ireland, where he earned a law degree.

Called to the Irish bar in 1931, he practiced until 1937 when he joined the Attorney General's department in the Irish government.

In 1941, he joined the Irish foreign service, serving in Dublin, London and Brussels. He was appointed minister plenipotentiary to Sweden and Norway in 1950.

In 1951, he became assistant secretary and legal adviser to the Irish Department of External Affairs in Dublin, and in 1954, he was appointed ambassador to France.

At the same time, Mr. Fay served as head of the permanent Irish delegation to the Organization for European Economic Cooperation, continuing in that post until designated ambassador to Canada.

When he left Paris for Ottawa, he was awarded the Grand Cross of the Legion of Honor by the French government and the Grand Cross of the Royal Order of the Phoenix by the Greek government, for his work with the OEEC.

He was a member of the John Carroll Society and the Metropolitan Club and an honorary member of the Society of the Friendly Sons of St. Patrick of Washington.

He is survived by his wife.

A Requiem Mass at St. Matthew's Cathedral will be celebrated by Patrick Cardinal O'Boyle Tuesday at 11 a.m. A condolence book will be open at the embassy, 2234 Massachusetts Ave. NW, today through Wednesday from 11 a.m. to 1 p.m. and from 3 to 5 p.m.

Mr. McCORMACK. Mr. Speaker, the death on September 7, 1969, of the Honorable William P. Fay, while home in Ireland for medical treatment and surgery, leaves a deep feeling of sorrow and sadness with the people of the country he served so well for many years, but also with countless of thousands of American friends and admirers.

As Ambassador from Ireland to the United States, Ambassador Fay served his country with outstanding ability, with dignity, distinction, grace and courage.

The friendship between Ireland and the United States has always been close. Under Ambassador Fay that friendship has been strengthened.

Ambassador Fay possessed by his Godgiven talents and his years of experience, those qualifications that made him a superb diplomat.

During his period of service as Ambassador for Ireland, there developed between us a friendship that I valued very much, and shall always treasure.

Mrs. McCormack joins with me in expressing and extending to Mrs. Fay our profound sympathy in her bereavement.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BURKE of Massachusetts. Mr. Speaker, I further ask unanimous consent that all Members may have 5 legislative days to extend their remarks with reference to Hon. William Patrick Fay.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE 12TH ANNUAL STEUBEN PARADE

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

Mr. ADDABBO. Mr. Speaker, on September 20, 1969, more than 15,000 Americans will march up Fifth Avenue and participate in the 12th annual Steuben parade.

Public officials, dignitaries, and millions of Americans of German descent will celebrate and pay tribute to those who have contributed so much to our Nation. This year's celebration will be particularly significant because it coincides with the celebration of the 50th anniversary of the Steuben Society and the passage by the House of Representatives on September 4, 1969, of House Joint Resolution 250, sponsored by our distinguished colleague from Ohio, the Honorable MICHAEL A. FEIGHAN, calling upon the President of the United States to proclaim September 17, 1969, General von Steuben Memorial Day.

The tradition of Gen. Friedrick Wilhelm von Steuben has kept the Steuben Society of America strong and dedicated to the highest ideals of freedom and justice for all in this Nation. The history of General von Steuben's deeds following his arrival at our shores on December 1, 1777, is a record for all who love our country to be proud of and to remember. He was heroic in the battle to win independence for America; he joined with Gen. George Washington at Valley Forge to bolster and help organize our fighting men; he distinguished himself in the Battles of Monmouth and Yorktown; he issued regulations for the training of American troops, and he is credited with the proposal to establish the U.S. Military Academy at West Point.

The Steuben parade is organized and sponsored by the German-American Committee of Greater New York which represents approximately 400 societies and organizations through its affiliated Steuben Parade Committee. It is a joint undertaking by all these groups which are dedicated to continuing the memory of General von Steuben, to honoring the scores of German immigrants who have been leaders and statesmen of American history from the battle for our independence down to the present day and to display the pride of our citizens of German descent in that history.

Floats, bands, and entertainers will be on hand as every segment of the German-American community is represented in this stirring celebration. A great deal of work and time has gone into planning this parade and there will also be a companion parade in the city of Chicago.

Among the many honored guests who will review the New York parade will be Staats-sekretaer Prof. Dr. Carl Kastens of Chancellor Kiesinger's office; Gov. Nelson Rockefeller; Mayor John V. Lindsay; Consul General Klaus Curtius, of the Federal Republic of Germany; Dr. Heinrich A. Gleissner, of the Republic of Austria; and New York Supreme Court justice, the Honorable Albert H. Bosch, former national chairman of the Steuben Society, who also serves as general chairman for the golden jubilee of the Steuben Society. Justice Bosch was my distinguished predecessor in the U.S. House of Representatives for the Seventh District of New York.

Grand marshal of the Steuben parade is the Honorable William E. Ringel, an outstanding justice of the criminal court of the city of New York, and this will be his 12th parade in addition to many other worthwhile endeavors. The general chairmen of the parade are Gustave I. Jahr and George Pape and together with the Honorable George J. Balbach, judge in charge of Queens County for the criminal court of the city of New York, have done an outstanding job in coordinating the events for the parade, with Hellmuth G. Dippel as honorary chairman.

Special mention should also be made of the successful efforts of Mr. Ward Lange, national chairman of the Steuben Society and Edward J. Sussmann, national secretary. Under their direction the society organized a drive to obtain recognition from the Congress of General Steuben Memorial Day. This is Mr. Lange's seventh term as national chairman of the society and he has earned the respect of all who know him.

The trademark for the parade will be the blue cornflower which is so common in Germany and a cornflower queen, Miss Evelyn Maier, of Elmhurst, will reign over the parade from atop the Cornflower Queen-Miss German America float. The President of the United States will send a representative to review the parade and the Army, Navy, Air Force, and Coast Guard will be represented by bands, troops, and color guards.

The 12th annual Steuben parade promises to be an exciting and stimulating day and I know that my colleagues in the House join with me in wishing our friends of German descent a successful celebration and in commending them for their outstanding contribution to our society.

DIRECT ELECTION WILL HURT MINORITIES

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

Mr. CLAY. Mr. Speaker, the Rules Committee has reported out a proposed constitutional amendment that would abolish the electoral college and replace it with direct popular election of the President. This radical alteration in our electoral process will occasion harmful ramifications throughout our governmental system and within our society as well. Too little attention has been given to the effect of electoral reform on the public influence of minorities, the groups who need political leverage the most. I hope this report will serve to illustrate both the fundamental and necessary nature of the electoral college and to indicate the dangerous consequences overzealous reform will have on the position of minority groups in American political life.

Minor electoral reform is necessary. While the chances for serious consideration of an alternative plan are slight, I am also submitting my own reform proposal which would preserve the traditional organization of our electoral machinery while eliminating the present loopholes and dangers.

With the advent of George Wallace's American independent movement and the close popular returns of the 1960 and 1968 elections, the electoral college is presently suffering another chronic flurry of abuse from both congressional and private sources. The special commission on election reform of the American Bar Association, for instance, in advocating direct election, declared the electoral college to be, "archaic, undemocratic, complex, ambiguous, indirect, and dangerous." Part of this criticism may be valid, but all of it cannot negate the fact that the electoral college has served the Nation well, and that it has come to be a more fundamental aspect of our political system than many detractors care to realize or to acknowledge.

The college is not an archaic appendix—it cannot be removed without inducing grave problems throughout the entire governmental structure. Much of our system of political balances and alinements has evolved around it, and its sudden removal will create dangerous consequences for all the remaining parts. There is obvious need for reform to insure that the present system is not thwarted by faithless electors and to provide for a better method of contingent election, but a major alteration of the college will not result in an assured advancement of the commonweal and could, to the contrary, cause unexpected realinements of power in our political system. The theoretical advantages of stringent majoritarianism are more than offset by the possibilities of damaging our basic political institutions such as the two-party system.

The contemporary situation must also be considered in proposing electoral reform. The present system maximizes the importance of the urban regions and especially of the high-cohesion minority groups, which have gravitated to our cities and which are able to command attention as the potential "swing vote" in a close election. Considering the immense needs of our cities and the unrest within their black communities, it would seem a foolish and potentially tragic action to institute, under the banner of perfecting democracy, a system that might perceptively diminish urban influence in national politics.

There are four main reform proposals: the automatic, district, and proportional plans, and direct election. The first merely modifies the existing process and entails the automatic operation of the electoral college by abolishing the office of elector. The unit rule would be written into the Constitution. A majority or 40 percent of the electoral votes would be needed to win, contingent election of the President would be by a joint session of Congress, and the President and Vice President would be voted for as a team. Since this proposal modifies and perfects rather than transforms, the existing plan, it is the only one that would not seriously damage the political influence

of the urban minorities. It merely sanctions what is already custom. The district plan would give each congressional district—or special electoral district—one electoral vote. Two electors would also be selected at large from each State. The proportional plan would distribute a State's electoral votes in accordance with the percentage of the popular vote each candidate received, thus eliminating the unit rule. Generally, 40 percent of the electoral votes is considered to be sufficient for election. Direct election would abolish the electoral college altogether. If no candidate received a majority of the popular vote, a runoff between the top two candidates would be held.

Despite the superficial appeal of direct election, it is of dubious value. It would require abolishing a part of a system of balances that has always worked well. Under direct election, we would be, without sufficient cause, setting out upon an untried path that could lead anywhere. The one certain result of direct election would be to lessen the influence of the minorities at a time when their needs are urgent and critical.

Regardless of the endless lamentation over the inefficiency of the college, it has actually been surprisingly accurate. In 45 presidential elections, only in 1888 did the college itself create a minority President, and even in that election the electoral winner was the popular loser by less than 1 percent of the vote. In the elections of 1844, 1848, 1880, 1892, 1916, 1948, 1960, and 1968 the popular vote margin was less than 5 percent, yet in every case the popular winner was the electoral victor. Thus, it is obvious that the possibility of a minority President is stronger in theory than in reality. This, in turn, raises the question of whether the need for reform is truly urgent or worth the risks. As then Senator Kennedy noted in 1956 when defending the traditional unit rule:

> It is not only the unit vote for the Presidency we are talking about, but a whole solar system of governmental power. If it is proposed to change the balance of power of one of the elements of the solar system, it is necessary to consider the others.

This justified fear of deleterious effects throughout the political system and particularly to our two-party system is hopefully adequate to kill the chances for direct election or for any other proposal containing significant alterations of our present system.

Although our political philosophy tends to promote a strong majoritarianism among its adherents, if out of 75 million votes, someone won by only 100,000, it would be difficult to insist that he was truly more representative of the Nation than his opponent. At some point returns can be so large and the differences so small that the popular margin may not be meaningful. It is in a situation like this where microscopic margins have little significance that the college is most likely to elect a "minority" President. So long as the distortions within our system do not persistently or maliciously contradict the popular will, and, in fact, help to insure by the unit rule that someone will receive a majority of the electoral votes, there seems little reason for attacking them. With only three exceptions, 1824, 1876, and 1888, the overall electoral process has functioned as though we already were using direct election.

If the popular vote distortions in our system did nothing but accurately reflect the popular will and aid in producing an electoral majority, then they might, in truth, be superfluous. However, the influence of the college on national politics extends much farther. The present system forces the parties to compete most intensely for the large, urban States where most of the self-conscious ethnic groups have clustered. In a close presidential race it is most likely that the election will be decided in one of these large, heterogeneous States, and at this point solid support from a large minority community, like the blacks, could be decisive. As a result the executive branch usually needs to be very responsive to urban and minority needs. This has caused the major parties to take on a duel character, a presidential one with its base in the liberal urban centers and a congressional one, deriving its support from the less urban, moderate-conservative regions.

The liberal-conservative division between the President and the Congress is enhanced by the basic nature and rules of the legislative branch. While the States have begun reapportionment as a result of Baker against Carr, 1962, there has, of course, been no alteration in the Senate where the rural regions are overly represented. The Senate, in fact, where Alaska and New York have equal membership, belies the argument that our system is predicated on a strict belief in "one man, one vote." This situation, combined with the House seniority and committee systems, gives the Congress, at best, a moderate disposition. Also, some academic circles insist reapportionment has not really aided the liberals since it has given much new power to the more conservative white suburbs. Thus, the President and the Congress generally tend to balance each other, with the Executive acting as the spokesman for urban minority groups.

While large urban States would still be well represented in a direct election, the decisive influence gained through the use of the unit rule, which allows, in effect, every vote in a State to be cast for a single candidate, would disappear, especially since the urban States are well divided between the two major parties. If a State could no longer swing a large bloc of votes, its ethnic minority groups would lose the primary political lever through which they are able to command the attention of the national parties and of the Presidency. This lessening of urban influence would be even greater under the district or proportional reform plans. Without the ability to swing large blocs of votes, a minority even as large as the blacks could be nearly ignored in national politics. In one obtuse stroke, we would be severing the minorities' main connection with the mainstream of American political life. Furthermore, the President would no longer need to be an urban, liberal lobby, giving more influence to the conservative elements in the Congress.

Richard Nixon would seem to be a major flaw in the theory that the President generally acts as a liberal influence, but even he could not abandon entirely the strategy of appealing to the urban regions, and his very narrow victory is a demonstration of just how dangerous any significant deviation from the traditional campaign procedure, generated by the college, is. Also, the 1968 election was exceptional due to the Vietnam issue which transcended normal voting patterns. The greatest difficulty with the present system is the uncertainty that the high population density regions will remain liberal with the ever increasing growth of the white suburbs, which are often politically conservative.

Advocates of direct election note that while the present system awards blacks in the urban areas with significant political leverage, it sacrifices many black votes in the single-party regions of the South. Under direct election these "lost" votes would be added to the national returns, but the problem remains that 10 million black votes in a national election might not have as much effect as swinging New York State's 43 electoral votes does today. Furthermore, the present system may be haltingly forcing the creation of a two-party system in the South under which the blacks there, too, could gain a position of significance. This may occur because while the South retains, under the present system, more leverage than it might have under a direct voting scheme, its power in comparison to the urban, Northern States is now such that it is no longer crucial to the Democrats. Thus, most Democrats have not been willing to compromise on many issues with the southern wing of the party, and this has been a factor in the reappearance of the Republicans in this region. Republican competition, the Voting Rights Act of 1965, and black voter registration drives could eventually put the large black communities in a position to swing or control State and local elections. Recent black victories show this trend has already begun.

A Southern Regional Council report asserts that only the black vote kept Florida, Arkansas, Tennessee, and Virginia from going Republican in 1964. Southern urbanization and industrialization might also tend to promote a more competitive system. Under the district or proportional plans, however, the South would gain greatly in influence, forcing the Democrats to make concessions to the conservatives, and allowing the South to revert back into a single party region. Under the present system southern politics may be undergoing some gradual but basic alterations that conceivably could lead to blacks wielding much more political influence than they have in the North. Even if these changes do not come about, the electoral college still gives the blacks more political leverage than they could expect under any of the reform plans.

Although advocating maintenance of the present system on the basis that it aids minority groups may seem crass, it makes good political sense and fits well into our political philosophy. Ethnic politics has traditionally been a method of forcing and hurrying social accept-

ance of minority groups. Certainly, black social progress is analogous to the use and protection of black political rights and influence. In addition, we want as much of society beyond the majority as possible represented in our political life. The present system does this by allowing the minority groups to bargain with the major parties and thus to feel like an important part of the political system. Insisting on strict application of the "one man, one vote" doctrine under direct election, necessarily negates this and could easily lead to a tyranny of the majority. Only so long as minorities have an influential voice in the major parties will there be little incentive to form separate, racially oriented political groups. Thus the present electoral process works to keep the ethnic groups within the framework of the major parties and thereby benefits the entire political structure.

The present situation is not flawless. There are several modifications of the existing machinery that are generally acknowledged to be necessary to insure the proper functioning of the electoral process. While only nine of over 15,000 electoral votes have been cast in opposition to the will of the people, this in itself argues for the abolition of independent electors in favor of an automatic system. Until this is done, there remains the danger that electors will begin to think for themselves in a tight election. As early as 1826 a Senate committee noted:

> Electors have degenerated into mere agents, in a case which requires no agency, and where the agent must be useless, if he is faithful, and dangerous if he is not.

Removal of the electors would bring the people a big step closer to direct election by eliminating the barrier between the popular vote and the electoral college totals. This step is already implied by the use in over 30 States of the presidential short ballot, which does not even list the names of the candidates for elector. The automatic system would also remove the present right of the State legislatures to appoint all electors or have them chosen in any manner they choose.

Other needed changes include having a joint session of the Congress elect the President and Vice President, selecting both as a team, if no pair receives a certain percentage of the electoral votes. As for objections to putting the unit rule into the Constitution, it should be noted that for most of our history this custom has been a basic aspect of the elective process and that in a democracy there must be a point where the "winner takes all" since the Presidency cannot be shared. The unit rule also works to insure that somebody will receive a majority of the electoral votes by tending to convert a small popular plurality into a significant electoral victory. While the unit rule may allow the majority to "use" the minority's votes and not just to negate them, the present system, with its balances and opportunities for political leverage, offers far more protection from a tyranny of the majority than does unchecked direct election.

The present system has always made it difficult for a splinter party to be successful. With the college all a third party can usually hope to do is to spoil the election for another candidate. Even if the new party polled 25 percent of the vote it might win few or no electoral votes. However, a regionally centered third party, like George Wallace's, might exploit the electoral system by winning enough votes to put the election into the House. This threat could be countered under the present system by lowering the necessary number of electoral votes from a majority to either 45 percent or 40 percent. The failure of any candidates to receive 50 percent of the electoral vote would occur only when there is a third party, and this rule would be effective in limiting third party activity in the first place. Since it would now be nearly impossible to force a contingent election, this provision would act as a harmless brake, and would help to insure some candidate a true majority of the electoral vote. Under the reform systems, however, a 40 percent plurality rule might encourage third parties to campaign seriously, for even a small party could easily garner several electoral votes or a few percent of the popular vote.

There are strong objections to each of the three major reform proposals in contrast to the automatic system. One of the principal arguments against direct election is the possibility that it might produce a plethora of splinter parties. When a candidate loses at a party convention, he usually loses on his issues. Thus, the party platform is contrary to the loser's views. Someone in this position, who feels he might receive a significant portion of the popular vote would be under great pressure to keep fighting. Considering the magnitude of the preconvention campaigns, it would not be impossible for a candidate to extend his private effort into November. Thus, last year there might have been five men running: Nixon, Humphrey, McCarthy, Rockefeller, and Wallace.

The South, with its low voter turnout, holds more power now than it would with direct election, and could be expected to oppose it. Likewise, the 35 smallest States, which enjoy a proportional advantage in the college because of the three-vote minimum allotted to each State, might fear their influence would decline even more under direct election.

The strongest objection to the proportional plan is that the one-party regions would become crucial since the important factor would be the margin of victory in each State rather than the State's electoral vote total. Those States with healthy competitive systems would become the least important, since their electoral votes would be evenly divided between the candidates. If the Democrats were able to reassert themselves in the South, that party would gain a very tight hold on the Presidency. This would occur because a landslide victory in Georgia might be worth more that close victories in New York, California, and Illinois. The lead produced by the South would be nearly impossible for the Republicans, or whoever ultimately lost the one-party areas, to overcome. A national party that could no longer elect a President might not survive, confronting our political system with another kind of threat: the evolution of a one-party system.

The proportional plan does not remedy the inequalities caused by differences in voter turnout, and it appears to be just as vulnerable to a regionally centered third party as the present process. Finally, this plan still does not eliminate the possibility of a minority President.

The Supreme Court reapportionment decision might make the adoption of the district plan more feasible in the future, but the plan is still imperfect. One major problem is that it is not necessarily more responsive to the popular vote than the present system since the use of the unit rule is merely shifted from the State level to the congressional districts. A single-vote win in one district would be just as valuable as a landslide victory in another, and factors such as a voter turnout would still be ignored. Thus, this system too retains the possibility of a minority President.

Another problem is the absence of a tradition of equitable districting of the States. The temptation to create favorable electoral districts would be enormous, and with sufficient ingenuity, Baker against Carr might be circumvented.

Since the urban regions would split their votes between the major candidates, the South and other "safe" areas would become crucial for victory. Minority groups would suffer, for while geographically concentrated communities might win several votes, they would no longer be able to swing a bloc of 30 or 40. This loss in political influence, accompanied by an electoral system that stresses regional community unity, might help to reinforce the geographic-racial separatism already present in our cities. Thus, societal effects of the district plan could become as damaging as the political realinements it would bring about.

The district plan makes it easy for a third party to win electoral votes, and to deadlock the college. This plan also gives the President the same electoral base as the Congress, not only weakening the concept of separation of power, but also threatening to upset the rural-conservative, urban-liberal balance.

In considering these and any plans, the presumption must always be against a basic change unless the common welfare is clearly and safely benefited. This is the case only with the automatic reform proposal; all the others are too sweeping and endanger our traditional political orientations. Those who support radical reform must be prepared for radical consequences. The electoral college needs a minor operation, not vivisection.

America has the oldest written Constitution still in operation. This unprecedented longevity can be attributed to our wise temperance in tampering with basic political institutions, especially after a delicate set of balances and customs have grown up around them. Abolishing the electoral college would be perhaps the most fundamental alteration to the Constitution in its long history.

Previous amendments have merely aimed at perfecting that document; direct election would be the first major step toward restructuring it. Any such change in an elementary institution like the Presidency creates a precedent that threatens the integrity of the entire Constitution as the solid foundation of our law and government. Those who agitate against the academic and theoretical injustices of the electoral college would do better to protest the real, physical injustices in our society. The intense division among the college's critics as to which reform plan should be instituted in its place reveals that none of the sweeping proposals is very suitable. The electoral college harms no one; it helps many to stay within the traditional framework of American political life. Until this situation is reversed, it is in our essental interests to oppose direct election and the other major proposals, and to support in their stead a minimal automatic plan.

A SITUATION AT DISTRICT OF COLUMBIA GENERAL HOSPITAL

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

Mr. ROGERS of Florida. Mr. Speaker, there exists a situation at District of Columbia General Hospital which holds dangerous implications for every member of the Congress and every citizen of this Nation.

It was reported this morning that a group of doctors at District of Columbia General were threatening to "admit every soul who comes to the door" unless certain demands were met.

I am not yet familiar with the demands made by these doctors or the merits of these demands. But I do know that similar situations have already taken place in New York, Boston, Chicago, Philadelphia, and other cities because staff personnel have finally reached the point where they feel the hospital's system of service has about broken down due to a lack of personnel, lack of facilities, lack of finance, lack of attention, and lack of equipment.

I doubt if there is a Member here who is exempt from dire problems of health service in his district.

And I am at a loss to think of a more bitter irony than doctors "threatening" to admit all those who need attention to a hospital unless something is done.

Had I not heard of other such incidents I would be shocked. I am still discouraged that despite the fact that the President, Health, Education, and Welfare Secretary Finch and Dr. Egeberg all recognize the crisis that today exists in the health field. I am discouraged because there is little hope that the administration is mounting a crusade against disease, illness, and inadequate health delivery.

On the contrary, I have seen a report indicating that the administration has decided to lower the priority of health within HEW behind education and welfare.

Yet I am sure that of the people who need help at District of Columbia General and every other hospital in this Nation, there are many who are uneducated and below the poverty level.

Last month I spoke to the national convention of the American Hospital Association and told those in attendance that the hospital is the symbol of health crisis in this Nation today.

The example of District of Columbia General is a vivid example.

Think for a second what has been said of the District of Columbia General situation. People who need help are being turned away. What greater indictment of our health delivery system could be possible?

I would like at this time to call for the administration to re-examine its list of priorities in HEW. I would call upon the administration to set a course of action which would result in a national effort to correct the gross inadequacies and inequities of health service in this Nation today.

One of the doctors said he would not want his wife or child to be treated the way patients are treated at District of Columbia General.

Well, those patients are someone's wife or child or father. And unless we do something about it, similar situations will bring home the message in every district in this Nation.

IS THE UNITED STATES BEING SQUEEZED OUT OF WORLD MARKETS?

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

Mr. MIZE. Mr. Speaker, one of the most serious problems encountered by this administration is the rapid evaporation of our favorable balance of trade. For many years, Americans have depended upon a commercial trade surplus to offset expensive, dollar-draining programs of aid and military assistance throughout the world. As humanitarians, we have promoted programs such as food for peace, the Alliance for Progress, and the Marshall plan.

But now, as each day passes, U.S. opportunities overseas become more limited. The collective security of our allies and ourselves has become a much heavier burden. Programs of industrial development with private capital abroad have become a more serious drain on our economy. All these difficulties are the result, in large part, of the shrinking trade balance which traditionally has offset overseas expenditures by Government and private citizens.

From the early 1960's to the present, our trade surplus has diminished by 80 percent—and the trend has yet to be reversed.

Mr. Speaker, Secretary of Commerce Maurice H. Stans is acutely aware of these difficulties. In an interview published in the September 8 issue of U.S. News & World Report, Mr. Stans outlines his views on the challenges we must face up to in trade. His "open table" policy could be a first step toward reversal of a trend already long underway when this administration took office.

Because of the extreme importance of Mr. Stans' observations, I insert the U.S. News & World Report interview in the RECORD at this point:

INTERVIEW WITH MAURICE H. STANS, SECRETARY OF COMMERCE: "IS UNITED STATES BEING SQUEEZED OUT OF WORLD MARKETS?"

Q. Mr. Secretary, are you worried about what's happening in U.S. foreign trade?

A. Yes, I am. In the early 1960s, this country was going blithely along with a trade balance in its favor of 5 billion to 6 billion dollars a year—that is, the U.S. sold that much more abroad than it bought.

Now, quite abruptly, that favorable balance has almost disappeared. In 1968, it fell to less than a billion dollars, and there is no present sign that it will be any better this year, or even in 1970.

Q. Is that because sales of U.S. goods abroad are lagging?

A. No, that isn't the real problem. Exports have done fairly well in recent years. They have been increasing at a rate of 8 or 9 per cent a year. But imports have been growing far faster than that. Last year, for instance, they rose by 24 percent, while our exports rose only 10 per cent.

Q. Does this have an impact on business and jobs in the United States?

A. Yes. Take the textile industry as an example. Some studies I have seen show that if imports of textiles and apparel continue to grow at the present rate there could be a loss of 100,000 jobs a year in this country. That would be serious, particularly because many of these displaced workers would be from the black minority. So we would face not only economic problems but social problems, too.

Q. Why has the gap been narrowing between what we buy from other countries and what we sell to them?

A. There are several reasons:

One, of course, is the inflation, we have had in the U.S. the past few years. This has made it more attractive to import goods from countries where wage rates—and thus selling prices—are lower.

For another thing, Americans seem to like the idea of buying imported things. There is a little touch of glamour attached to products made abroad.

Also, other countries have modernized their manufacturing capabilities to the point where they can compete with us rather well in world markets.

Q. But aren't U.S. industries modernizing, too?

A. Yes. We are ahead in technology in some areas, but not significantly ahead in such products as radios, TV sets, typewriters and some household appliances.

A great many consumer items, and some industrial products—including machine tools—are made as efficiently and as well in other countries as they are here, and often other countries have the advantage of lower wage costs.

There are only a few industries in which our technology is so far ahead of that of other nations that we can still outdistance them in world trade. Those fields include aircraft, computers, some chemical products. But on the broad range of manufactured goods, exporters in other countries have the edge on us, not only because of lower wages but because of tax and credit advantages.

Q. What about farm products—can we still compete on those?

A. Yes, to a great extent—but competition is getting stiffer. Agricultural products make up approximately 20 per cent of U.S. foreign shipments each year. That is certainly important to our farm population in terms of jobs and income. In recent years, the rate of agricultural exports has not been increasing.

Q. Are we losing our over-all position in world markets?

A. Yes, to some extent. It has been a slow downward drift.

Over the past eight years, the U.S. share of world export trade has fallen from a level of 21 per cent of the total to about 19 per cent.

Q. Does this whole trade problem threaten to get out of hand?

A. No, I don't see it getting to the stage of crisis. But we don't want it to get any worse.

In the Department of Commerce, we are taking steps to restore our trade balance, and we hope that over the next four or five years we can rebuild it significantly.

Q. Will that be done by boosting exports—selling more goods abroad—or by asking Americans to cut down on what they buy overseas?

A. By increasing exports. We do not believe that the answer to the trade gap is to hold back on imports of foreign products into this country, except in highly unusual cases where special factors apply.

We must induce more American companies to realize that there is profit to be made by exporting, and that the feared difficulties of language, foreign exchange and differing trade customs are easily surmounted. The Department of Commerce and the State Department are both able to be of real help in guiding our producers into foreign markets.

Q. Do we have to control inflation as a first step?

A. That is vitally important, of course, but it is only one element in the picture. If we can slow down the inflationary spiral, that will automatically help to keep imports in check, because domestic prices will be more competitive. This would also help to widen our range of exports.

But we need to do much, much more than that. For example, this country needs a better means of financing exports. U.S. exporters today are not at all competitive in the financing terms they can offer buyers in other countries—and it is essential that they should be competitive. In our Department, we are spending a lot of time on this problem, working with Henry Kearns, the president of the Export-Import Bank, and with the Federal Reserve Board.

Q. What are other countries doing to help increase their own foreign trade?

A. Among other things, they are providing larger amounts of credit for their exporters for longer periods of time, and often at lower interest rates than are available to exporters in the U.S.

Q. Does this mean that governments of some countries subsidize exports?

A. Yes, in some cases. There is a tendency aboard to hold down interest rates on money that finances exports, regardless of the movement of money rates in their domestic economy.

In the U.S. we don't do that. Export-financing costs here follow the movement of our interest rates, so at a time like the present, when interest rates are the highest in years, U.S. companies that want to sell abroad are at a deep disadvantage.

Q. Should we follow the pattern set by our competitors and subsidize interest rates for American firms that sell things abroad?

A. I think we have to be competitive with other countries, and if that means subsidizing interest rates, then we should find a way to do it.

Q. Should we also provide tax credits for exporters?

A. That is a matter we are studying. There are several ways in which our Government could help exporters through direct tax credits or tax deductions. Some of these steps could be taken without any new laws; others would require action by Congress. We are not prepared to say yet which might be the most feasible. Before the end of the year, however, we are hoping to find ways in which the tax system can be used to benefit exporters.

HOW BORDER TAXES HURT

Q. Do U.S. exporters run into problems from taxes in foreign countries where they sell goods?

A. Yes. A particular problem is the growth of border taxes abroad—taxes on goods moving into a country. An American company that wants to market its products in a country with a border tax has to pay that levy if it wants to make the sale.

In many European countries, these border taxes are a reflection of value-added taxes, imposed at various stages of the manufacturing process. There are plans now in the Common Market to get those European countries together on a uniform value-added tax on all manufactured goods, at about 15 per cent of the total price of the goods. That tax would apply to citizens of the countries involved. But U.S. exporters who wanted to sell within the Common Market would have to pay the same 15 per cent when their goods entered a member country, even though they already were priced to include our domestic taxes.

The disadvantage faced by an American producer is even more evident in dealing with a third country. A competitor in a country with a 15 per cent border tax receives a refund of that tax from his government on all exports to another country. The American company gets no such refund of the domestic taxes it pays.

All of this is the result of a major difference between tax systems. In the U. S., we collect most of the taxes by direct levies on corporations and individuals. In Europe, a high proportion of revenues is collected on merchandise, and it is these so-called indirect taxes that are reflected in the border-tax rates that are assessed on imports and rebated on exports.

We in the Commerce Department are coming to the conclusion that there should be serious study of a value-added tax in the U. S. as a partial substitute for other types of excises and income taxes.

Q. Have you made such a recommendation?

A. We have not as yet. But we want to study this possibility further with the Treasury Department to be able to make a recommendation, pro or con, at an early date.

OTHER HURDLES FOR UNITED STATES

Q. Besides taxes, are there other things that cut the flow of U. S. goods into foreign countries?

A. Yes, besides tariffs there are a great many kinds of nontariff barriers that restrict trade.

Q. What are some of them?

A. One example is the restrictions other countries put on the purchases of products by their government agencies or by nationalized industries. These tend to effectively shut out American goods.

Then, in addition, many countries put difficult technical requirements on imports for the purpose of regulating health or safety. In some cases, foreign governments actually subsidize exports by one means or another. And there are hundreds of other nontariff barriers that impede our exports.

Q. Do we in the U. S. have some of these nontariff barriers, too?

A. Yes, we have some restrictions on imports that are highly criticized by other nations. The "Buy America" law is one. But this Act specifies very clearly the exact measure of disadvantage a foreign company has in selling to the U.S. Government or its agencies. No other country has the equivalent of this law, and in most countries such transactions are foreclosed to American producers by local administrative procedures.

By and large, we do not have anywhere near the trade restrictions that other countries have, and that makes for a lack or reciprocity in our trading relationships.

Q. In your recent travels abroad trying to get trade barriers lifted, what attitudes have you found?

A. Governments of most countries agree that these bars to trade ought to be eliminated, or at least considerably reduced.

On behalf of the U.S., I have proposed what we call an "open-table policy"—a suggestion that we put all the facts about trade barriers and restrictions out in the open and try to find ways to reduce their number and their impact. In almost every case, this proposal has been welcomed, and steps are under way now to set up meetings at which these things can be explored.

Q. What about the Japanese? Are they cooperating?

A. The Japanese Government has not endorsed the principle as wholeheartedly as some other countries. Japan has more than 120 different quantitative restrictions on imports. Those restrictions are in violation of their commitment under the General Agreement on Tariffs and Trade—the so-called GATT agreement.

On the other hand, our own trade difficulties with Japan have been related in large measure to timing. We have been pressing them for some time to cut trade barriers and to make it easier for our people to invest there. They have set up a timetable, but it is much too slow, particularly since our trade balance with Japan last year was a negative 1.1 billion dollars, and probably will rise to a negative 1.5 billion this year.

On the positive side, for the long term, I believe the Japanese are slowly coming to the conclusion that their position as a major world power requires them to assume a greater degree of international reciprocity, and thus to modify some of their trade restrictions.

Q. Since a major trade worry now centers on textile imports from Japan, are you proposing some special kinds of voluntary import restraints?

A. Yes. We have proposed that an international agreement be negotiated with key exporting countries as a solution of this problem. Our concern over textile imports involves not only Japan but a number of other countries in the Far East and elsewhere. President Nixon and his Administration recognize it as a unique type of problem that requires a special approach. The situation is this:

For certain kinds of textiles and apparel, mostly from synthetic fibers and wool, the U.S. is the only open market in the world. Every other major nation has put restrictions on imports of those items. As a result, the producing countries all are directing their output toward the U.S., and are increasing their capacity at an outstanding rate. This has brought a tidal wave of imports that the domestic industry simply hasn't been able to combat. Just on apparel from synthetic fibers, U.S. imports from Japan were up 51 per cent in the first six months of 1969, compared with the same months last year.

Q. Has this posed a critical problem for textile manufacturers here?

A. Yes. The labor organizations are greatly exercised at the loss of employment and the necessity for closing plants in some communities. And producing companies are finding their profit margins shrinking. Wage rates here are several times as high as those of our large overseas competitors.

Q. What can be done about it?

A. We think it can be handled by an orderly system of marketing. We are telling textile producers in Japan and elsewhere: "We do not ask you to reduce the level of your shipments to the U.S. We are willing to accept the 1968 level and even permit an increase, year by year, as our total market grows. No one in your country need lose a job and no one in the U.S. need be forced out of work."

In other words, we are seeking to hold imports to a moderate rate of growth, rather

than permitting the massive increases that have been taking place in the past few years.

Q. Why not work through GATT and get the countries that have put barriers on imports of textiles across their own borders to reduce those barriers, so the U.S. doesn't have to absorb the whole flood?

A. None of the countries we have talked to is willing to do that. They feel that a degree of protection is necessary for their own industries.

Here, obviously, is a perfect example of the unworkability of an absolute free-trade policy. There is no really free-trade country in the world. Every nation has some barriers to trade, over and above tariff walls, to protect what it considers its long-term interests.

So the U.S. has to face the textile problem on that same basis, and find a way to moderate the rate of imports. This unusual situation does not contradict President Nixon's basic belief in a freer trade policy.

Q. Are there other products besides textiles where manufacturers are demanding protection from foreign imports?

A. Yes. Congress has been getting complaints from producers of shoes, steel, electronics, flat glass and other items. In some of these instances, adjustments to the import problem might be made by the industries concerned. But I believe that we need better legislation than now exists to help companies that are clearly harmed by excessive imports.

Q. Isn't there an "escape clause" in existing law that is supposed to help companies that are being hurt?

A. Yes, but that provision is ineffective. The law is so tightly written that no company up to now has been able to qualify for aid.

Q. What changes do you propose?

A. The President should be given more authority to adjust tariffs in such cases, and access to financial and other assistance should be liberalized for a company and its workers who are clearly being harmed by excessive imports.

Q. More and more American companies are setting up plants in other countries to manufacture goods for the foreign market. Doesn't income from those subsidiaries help offset a falling-off in exports from the U.S.?

A. Yes, to a degree—and this source of income will grow increasingly significant as time goes on.

However, many American companies with subsidiaries overseas that were originally created just to supply foreign markets now are finding it profitable to send some of their merchandise back to the United States. In the future, it may be necessary for more U.S. companies, in their own interest, to move into the low-wage areas of the world and produce for the U.S. market. This is a matter of great concern to us, because it means exporting jobs to other countries.

Q. How much has that meant so far in taking jobs away from American workers?

A. There is really no way to document that or quantify it. We are in an expanding economy with high employment, so it is difficult to measure this kind of loss. But, as a result of more and more U.S. companies moving into the low-wage areas of the word, we do know that we are suffering a definite loss of job opportunities—now and for the future.

WHERE EXPORTS WILL GROW

Q. In what fields of U.S. industry do you foresee the greatest growth of exports in days ahead?

A. We have identified 17 categories of American manufacturing in which we see the greatest opportunity for export growth. At the top of this list is commercial aircraft, in which the U.S. has pre-eminence in the world. Next are computers and high-technology components in electronics. Chemicals are high on the list, and there are others, such as nuclear power plants, telecommunications systems, instrumentation and measuring devices, materials-handling equipment, and so on.

Q. What else is our Government doing, in addition to trying to increase exports, to improve our balance of payments with other countries?

A. The Commerce Department has the responsibility in two other areas which directly affect our payments balance. One has to do with travel, the other with investments by U.S. companies overseas.

In the case of travel, the U.S. presently has a "travel gap" of about 2 billion dollars a year. That is the amount that Americans spend in other countries in excess of what people from other countries spend here.

We are pushing an active campaign to induce more people abroad to visit the United States. We are expanding the program this year to induce travel agencies to offer flat-price package and group tours to foreigners to visit the U.S., and we are trying to get business and professional groups from other countries to hold conventions in this country.

In the case of direct control over foreign investments, we recognize that this is not a desirable long-range program. We want to eliminate it. We are continuing it now only because of the current stringency in the balance of payments.

Under present controls, the amount of American investment that will be permitted overseas in 1969 is about 3.35 billion dollars. That is in terms of actual net investment, which will be augmented, of course, by money that can be raised by American companies in foreign markets.

This limit is not a severe impediment to business in the present economic climate. As soon as the balance-of-payments situation permits, the Administration will want to remove the remaining controls on overseas investment.

Q. In the meantime, should measures be taken to restrict American travel abroad?

A. As you know, the Johnson Administration proposed some restrictive measures, and even taxes on spending by U.S. travelers abroad. President Nixon has decided against any proposals of this type.

We would very much like the American people to see their own country first. But, beyond exhortations of that type, we have no plans to make it more difficult for Americans to travel to other countries.

TRIP TO SOUTHEAST ASIA

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

Mr. DENNIS. Mr. Speaker, I have just completed a trip to Southeast Asia with two of my colleagues, the gentleman from Indiana, EARL LANDGREBE, and the gentleman from Wyoming, JOHN WOLD. We made this trip at our own expense during the congressional recess. We visited South Vietnam, Laos, Taiwan, South Korea, Japan, and Hong Kong.

On our trip we talked with many people, civilian and military, official and unofficial, native and American. We made a conscientious effort to expose ourselves to all points of view.

Within the inevitable limitations of time, opportunity, and language, I believe that we reasonably accomplished this objective.

Without claiming to be any sort of expert I have come, as a result of our trip, to at least some tentative and general conclusions as to our situation in South Vietnam. These conclusions I should like to share with my constituents, my colleagues, and my Government.

First. Our troops have the military situation basically well under control, and any enemy offensive could be, and would be, defeated.

Second. The enemy has suffered heavy casualties, and the unsuccessful Tet offensive also cost him popular support. His present indiscriminate guerrilla attacks are costing him additionally in popular support.

Third. It remains true, nevertheless, that we are faced by an active enemy all over the country. Guerrilla warfare is widespread; large areas remain hostile and unpacified. The areas which are pacified and those which are not pacified still shift from time to time.

Fourth. The ARVN—Army of the Republic of Vietnam—troops are improving. Our military men are unanimous in praise of the 1st ARVN Division, which they say is as good as any American division. Most ARVN divisions are not that good, however. Desertions, lack of motivation, and lack of leadership remain serious ARVN problems.

Fifth. The morale of our own troops in the field is good, and their performance is high. There is some skepticism about what we are actually accomplishing, and about the ability and performance of our allies. There is some dissatisfaction with the restrictive ground rules under which the war is being fought.

Sixth. The present Government of South Vietnam is the most viable government since the days of Diem. President Thieu is a patriot, according to his lights, and is, I believe, making a real effort to establish a stable government. Land reform is underway with some prospect of success. In general, the governmental situation is slowly improving.

Seventh. The Government of Vietnam still has a long way to go. It lacks widespread popular support, partly because the average Vietnamese peasant is basically locally and not nationally minded, and because the average Vietnamese politician is factionally and not nationally oriented.

Thieu has difficulty obtaining a broadly based Cabinet, even when he tries to do so. There are a substantial number of non-Communist political prisoners. Inflation and corruption are serious problems. American foreign aid is at present an absolutely necessary prop to the economy.

Eighth. To date the North Vietnamese have, on balance, shown more drive, cohesiveness, unity, and purpose than the South Vietnamese Government has shown. This is partly due, no doubt, to totalitarian terror. Ho killed many people in the north and the migrations have been to the south, not in the other direction.

This motivation is due also, however, to a more dedicated and convinced leadership based on a mixture of communism and nationalism which has had, and has, considerable strength and appeal.

Ninth. The civilian population has suffered and is suffering severely as a result of the war. There are many refugees, populations have been moved and up-

rooted. Sometimes they have later been repatriated. There have been many civilian casualties, caused by both sides.

Those we have caused have been generally unintentional, an inevitable by-product of waging war. We have found it necessary, for military reasons, to subject wide areas of the South Vietnamese countryside to aerial bombardment.

The enemy, on the other hand, has made, and still makes, many indiscriminate and deliberate terroristic attacks upon civilian centers of population and carries out assassinations of local officials. The city of Hue was in large part destroyed as a result of the enemy's Tet offensive.

Tenth. There are too many Americans in Saigon. Our presence in such numbers has an inflationary effect on the economy, and an unsettling effect upon the social structure.

Eleventh. Most of our official American personnel, both civilian and military, are dedicated, hard-working individuals. They believe that they are performing a worthwhile task, and with a reasonable chance of success. They are not overly optimistic, but they are hopeful. It is a fact that they are engaged in a gargantuan task of waging a war and, at the same time, rebuilding and restructuring a government and an entire society.

There are those—including some non-official Americans on the scene—who think the effort is doomed to failure. This is true particularly as long as we work through and with what they regard as an unpopular and corrupt government.

Many Vietnamese appear to be indifferent; while others give heartening cooperation. The American officials believe that, given time, they have a fighting chance to win through.

Twelfth. In my judgment—given this point in time and circumstance—President Nixon's apparent policy of gradual American withdrawal and gradual Vietnamization of the war is probably the only practical course which we can follow.

An all-out effort for military victory could still be successfully made—but it is not now politically feasible. The question would still remain, What do you have, once you have got it?

Immediate and unilateral withdrawal, on the other hand, would cause a military and political collapse in South Vietnam, followed by chaos. This would probably lead to a Communist takeover with an attendant political bloodbath. All of this would necessarily mean that the blood, lives and treasure expended in Vietnam had been expended in vain.

The gradual withdrawal policy is by no means a happy one in itself, and no one can be sure that it can or will be successful. I believe—as an honest estimate—that this process of gradual withdrawal, even vigorously and single-mindedly pursued, will take from a minimum of 2 years to possibly a period of 4 years to complete with any reasonable prospect of success. Any lower estimate I regard as wishful thinking.

However, I believe further that there is a reasonable chance that, given sufficient time, a viable, friendly, and non-Communist government can be achieved in South Vietnam which can survive and which can be of benefit to its people and to the world. The assistance of American air, logistic, and economic support will be necessary for the foreseeable future, but without the use of American combat ground forces.

I believe that this objective is worth working for. It holds forth a fair prospect for future peaceful progress in Southeast Asia, such as is now apparent in Taipei and in South Korea. This policy is much to be preferred to the defeat and despair which, I believe, would result from an immediate withdrawal and from the Communist takeover which would follow. We cannot base an American policy upon the acceptance of such a prospect.

The American people are faced with a difficult situation; but we can find the strength and wisdom to resolve it, and I think that we must do this.

POSTAL REFORM IS THE ISSUE: WHAT IS BEHIND THE FRANTIC PUSH FOR CORPORATION PLAN?

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

Mr. DULSKI. Mr. Speaker, some 2,000 civic, business, and government leaders from across the country are gathered here in Washington for Postal Forum III.

But it sounds like more of the same.

Part of the gigantic and well-heeled effort to jam one particular postal reform proposal down the throats of Congress and the American people.

Let me make it clear again—as I have tried on repeated occasions in the past year—I believe sincerely that the Nation's postal system needs a massive reorganization. No one can be more convinced of the need for major postal reform than I am, based on my close association with the Department over the past decade.

I am not wearing blinders, however, as the top brass in our new Post Office Department seem to be doing. They are vigorously committeed—and have been since the day they took office beginning last January—that the only solution is to convert the Post Office Department into a public corporation.

They consider this is the great panacea and they are quite reluctant to take into account any shortcomings which have been pointed out in their own proposal.

For myself, I say once again, I am for postal reform.

Over the objections of the Postmaster General, who went to the highest levels of Government to thwart my efforts, I started full-scale public hearings on postal reform before our full Committee on Post Office and Civil Service last April 22.

Those hearings would still be going on if I had waited for the Postmaster General and his staff to give the "go signal."

I missed only 1 of the 35 days of hearings over the period of nearly 4 months and I believe I know a little about the problems of the postal system and what we might do about them.

What is more, I looked at the issue at hand—the need for postal reform.

I did not wear blinders that saw the issue as simply whether or not we should convert to a corporation. That is not the issue. That is simply one of the possible solutions.

I noticed on the postal forum schedule yesterday that Jim Hagerty was moderator for a "panel of experts" to answer questions on postal reform. Did you notice the names of the panelists? Postmaster General Blount, his Deputy, and his Assistant Postmasters General. All on one side of the issue.

So you see the Department recognizes only one solution to the problems of the postal system. Otherwise they would have included some panelists who have other views.

In our committee hearings we heard from all sides while still giving Mr. Blount more time than anyone else.

But when our committee goes into executive session shortly you can rest assurred that we are going to act on the basis of all the testimony.

I have not closed my mind on alternates. I have not closed my mind on details. I introduced my own postal reform bill last January—it was the most comprehensive measure ever presented to the Congress up to that time. But, I also am the first to admit that it is not perfect in ever detail. I offered my bill for consideration on its merits—as it should be.

Indeed I sometimes wonder just what is behind this well-heeled, high-powered effort to create a corporation. Who stands to benefit? Certainly not the individual citizens—they are going to have to carry the burden of a healthy increase in mail rates, on the order of 12 or 15 cents for a first-class letter—maybe more.

There is real reason to wonder why the sponsors of the corporation plan are making this desperate effort to obtain the vigorous backing of top executives around the country to push the corporation plan through the Congress.

I refer specifically to the hard-handed demands for support made upon the airlines. It should be remembered, of course, that the airlines are subject to the whims and the regulations of the administration in connection with their routes and rates.

Indeed, if the corporation plan is such a good approach, why are they pushing the panic button in this all-out lobbying effort? There must be more to this great procorporation concept push than appears on the surface.

As I said a moment ago, I introduced H.R. 4 back in January, which is an alternate way to bring about the same ultimate broad reform of the postal system. Some of my friends suggested that we form a public committee to support H.R. 4—shades of the O'Brien-Morton committee for the postal corporation concept.

But I have refused to be a party to such lobbying. I am letting my bill stand on its merits. That's the way I presented it to our committee and that is the way I want it considered.

Incidentally, I was intrigued at the way in which Postmaster Blount tried to rationalize his campaign Monday with President Nixon's demand for a 75-percent cutback in Government construction work.

While explaining to the postal forum the amount of capital construction and financing that is urgently needed by the postal system, Mr. Blount, made this observation:

> The Post Office building program, of course, will be affected by the President's effort to fight inflation by reducing the amount of government construction. It is another indication of how important it is for us to find a better way of capital financing.

This statement causes a person to wonder further just what is involved. Even the President should wonder—notwithstanding the interesting pow-wow which he had with Mr. Blount and the O'Brien-Morton team in California a few days ago.

OPERATION ENTERPRISE

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

Mr. BUSH. Mr. Speaker, too little has been said about the success that has been achieved by the Small Business Administration in the area of minority entrepreneurship. Instead it has become fashionable to criticize the SBA for its lack of direction or lack of funding to minorities. Too many have failed to realize the importance of the private sector in any effective program and by doing so have shown their lack of faith in the dedication of the American people toward each other. They have also vastly underestimated the catalytic role that a conscientious agency—in spite of limited funding—like the SBA can play in providing initatives and technical experience to the minority small business community.

Clearly the time has come to spotlight this Administration's positive approach in maximizing private sector participation and to illuminate a movement that has developed within SBA over the past year in concert with the thrust of this policy.

I will use as an example a program developed by the Small Business Administration in Houston. By grabbing the initiative and rolling up their sleeves, my constituents, black and white, did something about minority entrepreneurship.

Convinced that the needs of the minority community forms the only real foundation for any effective program, a group of concerned citizens met. Listening and hearing their needs Operation Enterprise was born.

On September 9, 1968, Operation Enterprise was launched as a Houston project with full community endorsement.

To help you visualize the scope of community interest and participation, here are the organizations involved in Operation Enterprise and basically what they are doing to support it:

First, a consortium of 27 major Houston banks: Funds totaling $7,400,000 set aside for soft loans to minority members.

Second, office of the mayor, Business Resource Development Center: Provides SBA with quarters for screening and interviewing applicants and assists in public relations activity relative to Operation Enterprise.

Third, business round table: A racially mixed organization, meeting regularly and sponsored by the Houston Citizens Chamber of Commerce, from whose members the concept of Operation Enterprise developed.

Fourth, Rotary Club of Houston: The formation of RAMP—Rotary Assistance to Management Personnel—volunteer management assistance to minority communities.

Fifth, Houston chapter of Texas Society of CPA's: Conducting seminars and general education session to assist applicants in understanding and preparation of applications for financial assistance.

Sixth, Harvard Business School Alumni Club: Works in conjunction with BRDC in assisting in special management problems of minority businessmen.

The Houston Legal Foundation: Provides facilities for three outreach offices in the target areas for interviewing applicants.

Eight, SCORE—Service Corps of Retired Executives: SBA sponsored management assistance group.

Ninth, SBA: Providing banks with guarantees on loans made through Operation Enterprise.

The point in listing the above organizations is to emphatically present the extent of community involvement. SBA has merely acted as a catalyst and provided direction when needed. The obvious question is, "Has it been successful?"

The project began September 9, 1968. It has been in operation 1 year. Here are the results:

City of Houston only: 81 loans to minority group members approved; value, $1,094,800—77 percent Negro, 23 percent Mexican-American; 71 percent of dollars from banks; 14 percent of dollars for new businesses; 20 percent of dollars for business ownership change; 66 percent of dollars for existing businesses; and 150 new jobs created.

Currently there are 24 applications in the processing stage valued at $537,500.

Now compare this to the preceding year—September 1967 to September 1968. In the 37 county region, including Houston 19 loans to minority group members approved—value $220,700.

The increased performance and impact on Houston's target areas through Operation Enterprise is dramatic.

This is what can be accomplished by total involvement.

Much has been said about lack of funds for SBA—prudent budgeting of available funds was required during this past 12 months' activity of Operation Enterprise, but note the way bankers have rallied to the cause. Too little is being said about the technique of utilizing the private sector's resources.

Much has been said about too few recipients of loans to minorities. Admittedly, much more can and will be accomplished this year, but let us not pretend every member of the minority is a potential entrepreneur—nor is the majority. It takes a special type of individual to be a successful independent businessman. So, let us not play simply with numbers.

Finally, much has been said about a lack of direction within SBA. New programs are not necessarily the answer. Within their existing act there is a multitude of possibilities—a veritable warehouse of ammunition waiting for use. So what is wrong with the field offices? By lifting their sights and applying ingenuity along with some blood, sweat, and tears, field offices should lead the way in creative Federal management, on a local level responsive to local needs.

Here then for the serious consideration of this House are examples providing the much sought-after prototype positive action—moving minority businessmen from economic serfdom to economic dignity.

I cannot in all good conscience permit the blatant rape of a well-conceived and legislated agency to continue without defense. It is time to accent the positive and move with speed and confidence.

THE PROGRAM INFORMATION ACT

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

Mr. ROTH. Mr. Speaker, the lack of meaningful program information is most harmful to those most in need. Facing the current maze of Federal aid programs, and without a single, Government-wide catalog, a large city or heavily endowed college can afford a full-time grantsman—or perhaps even a full staff—to ferret out information on which programs really are funded and which programs really are tailored to a particular need. A small town, a tiny county, or a small State school cannot afford such a luxury. The system now is inequitable. Those who need the money are left out in the cold.

Currently, dozens of Government offices and agencies publish dozens of catalogs, and most of these, to be quite frank, are little more than public relations documents. Occasionally they do more harm than good, for they sometimes advertise programs for which no funding exists. A single Government-wide catalog, updated monthly, with facts, figures, guidelines, and contacts, would enable the small college, the small city, the average person back home to have access to information about all Federal aid programs.

Unfortunately, that situation does not exist now. Time and time again, in sorting through replies to a questionnaire I sent out to administrators across the country, I found statements like the following:

> Full information is now available only to those who already have money enough to hire it searched out. (From a State college in New England.)

> Perhaps worst of all is the fact that local governments must be "in" with Federal department thinking and language to get funds. Most programs are too competitive, meaning the "in" cities get the funds. (From a county planner in Georgia.)

> Our budget simply doesn't allow the best aids, the commercial catalogs. (From a small western college.)

> Perhaps the most helpful tool for all who are involved in Federal assistance on a State or local level would be the publication of a catalog similar to that which Rep. Roth has

inserted in the CONGRESSIONAL RECORD. If this type of catalog could become the "bible," probably substantial savings could be made by ending much of the brochure and catalog production of the various Federal departments and agencies. (From a State planner in Vermont.)

A city has no other way of knowing what assistance is available to it, except to hire a consultant and hope he knows all the programs. (From an official in the District of Columbia.)

Because I could not agree with these people more, Mr. Speaker, I urge my distinguished colleagues to press for adoption of the Program Information Act, H.R. 338, which would require the President to publish an annual catalog of all Federal aid programs and to update the catalog monthly.

I will discuss this subject again tomorrow.

IN MEMORY OF BILL BAGGS

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

Mr. PEPPER. Mr. Speaker, it was my sad duty to call to the attention of our colleagues on April 21 the untimely death of the brilliant editor of the Miami News, William C. Baggs. Recently a memorial service was conducted to honor this dedicated newsman and on that occasion an eloquent tribute was paid to him by his great friend and fellow newspaperman, Mr. Harry S. Ashmore. I wish at this time to call to our colleagues' attention and insert in the RECORD the Miami News account of this memorial service on Sunday, August 10, and the fitting tribute which Mr. Ashmore made to Bill Baggs on that occasion:

PEACE ALTAR DEDICATED TO BAGGS AT MEMORIAL

Hundreds of friends of Bill Baggs—black and white, the high and the humble—gathered yesterday afternoon at a Coconut Grove Negro church to dedicate an altar in his honor.

They heard Harry Ashmore, Baggs' longtime friend and his companion on two peace-seeking missions to Hanoi, recall him as a man who "literally created a worldwide network of friends and supporters by doing what came naturally . . . He acquired personal loyalty on a wholesale basis and he gave it in return."

"I doubt that the case for ending the war in Vietnam ever was made more elequently than he made it in our long private audience with Ho Chi Minh," said Ashmore, "and, in turn, in the inner reaches of the U.S. State Department. Our failures made no dent in his massive stubbornness; for him the effort to damp down the miserable conflict would end only with his death."

Baggs, 48, late editor of The Miami News, died last Jan. 7 after being stricken with flu and pneumonia.

Canon Theodore Gibson, rector of Christ Episcopal Church and one of Baggs' closest friends, arranged yesterday's service at his church on an Episcopalian feast day—The Day of Transfiguration—because "Bill helped to transfigure Miami by bringing blacks and whites together in a spirit of good will and cooperation."

Ashmore, who won a Pulitzer Prize as editor of the Little Rock, Ark., paper during that city's integration crisis, recalled that Baggs "would not suffer the denial of any black man's dignity and condescension was not in him."

Baggs, a native of Georgia, was a long-time leader for civil rights and equality.

Ashmore now is executive director of the Center for the Study of Democratic Institutions, of which Baggs was a director. Ashmore suggested that "whatever tangible things" are done in Baggs' memory should "reflect his abiding concern with justice tempered by love . . . and the most appropriate place to do him honor is among the blacks, who still have a long lonely way to go."

Others participating in the service included The Rt. Rev. bishop of the Episcopal Diocese of South Florida; the Rev. Theodore J. Jones, vicar of St. Christopher's Church; TV newscaster Ralph Renick; Dr. Joseph Narot, spiritual leader of Temple Israel and chief of the area's rabbinical association; Garth Reeves, editor of the weekly Miami Times; and Martin Clark, president of Burdines.

Mrs. Baggs and the Baggs' two sons, Craig and Mahoney, attended the service.

The portable altar was described in the special printed program in these words:

"Despite its profound purpose, the Memorial Altar is simple in appearance, for Bill Baggs is remembered as an outwardly simple person, but one of profound depth. The altar is of African mahogany, wood of rare quality; Bill Baggs' friends knew that he shunned show adornment, that he admired rather plain articles of good quality, and that he considered fine wood to be one of nature's most pleasing gifts.

"The pastor could have selected any number of symbols for the front of the altar. He chose the letters "PX," the symbol used by the early Christians to signify "pax" or peace. His friends believe that Bill Baggs who devoted his greatest skills and energies to the search for peace—peace among the races, peace among the nations—might have made the same selection."

REMARKS BY HARRY S. ASHMORE

About the time the Miami News began pulling itself together to move to the Herald building, Bill Baggs started referring to "our little portable newspaper." He recalled that he had been through all this before, when the staff decamped from the old building on the bayfront, and he made it clear that he regarded portability as a personal imposition.

He complained that he had barely survived the attack of nostalgia brought on by cleaning out his desk the first time around. It was a slow and frequently painful business, sorting through the drawersful of indecipherable notes, forgotten clippings, unprintable photographs, unanswered letters, and obscene objects d'art that served as mementos of an active and untidy life. Now new accretions had formed, and he had to do it all over again.

"Cleaning out a man's desk," he told me, "is an office that ought to be carried out posthumously, by an understanding friend."

In a way this is the office many of us here have been performing in the months since we lost Bill. Miss Myrt Rathner, the stalwart guardian at the editorial gate, has turned to us when she picked up some skein that connected our special interests and his. And Louis Hector, handling the legal end, has discovered how various and wide-ranging those interests were.

A man who had accumulated more honors than money, and had not yet reached fifty, could hardly have been expected to have acquired retainers. But Bill had them—an assortment of the less fortunate who had helped him in some way, or had earned a measure of his capacious pity, and so he had conducted his own eccentric, cut-rate Community Chest, and, characteristically, had said nothing about it.

But the money he gave away was the least part of the bounty he quietly spread around. He functioned in Miami as an ombudsman long before anyone in these parts had heard that now-fashionable word—taking up as a personal cause the individual and collective injustices unearthed by the *News'* reporters, or called to his attention by readers he might never see in person.

Sometimes he responded with the cutting edge of his signed column, or the heavy artillery of the editorial page, and some of those battles made journalistic history with their high charge of moral indignation and their leavening of humor. There were other times when his reaction was a private telephone call to one of the remarkable array of persons in high places who could be counted on to listen to him with affection and respect. There is no record to tell us the full extent of those private interventions, for which neither he nor his newspaper received public credit. To my knowledge they were frequent, and effective, and they went on right up to his final illness.

Most of you are familiar with the triumphs and failures and high style of Bill's career on the *News*. I met him shortly after World War II, when Ralph McGill rescued him from exile in the northern latitudes of Carolina and persuaded Jim Cox to give him a spot where he would at least be in reach of cracker country. It was a natural, and perhaps a necessary affinity. John Popham of the Chattanooga *Times* is an expert on what Bill called Uncle Remus matters, and when he first saw the News' gangling young columnist he grabbed my arm and exclaimed: "My God—that boy's got a real cracker face!" And so he had, and so it remained long after he had set it off with a seersucker suit and made it familiar to heads of state from Washington to Hanoi.

I remember sitting with him at lunch in the roof garden atop the Intercontinental Hotel in Geneva overlooking the palace of the old League of Nations. With us were the editor of Le Monde of Paris, a member of the British House of Lords, a South African bishop, a Pakistani general, a Rumanian ambassador, a princess of royal Loatian blood, and a Polish justice of the International Court at the Hague. Bill peered at the company over those Old Grandad glasses he affected, and said, "Your highness and gentlemen, I can tell you one thing—we're a long way from Colquitt, Georgia."

We were, and we weren't. The mischievous Huck Finn character who plagued his beloved grandparents in the little South Georgia town lived on in the sophisticated journalist who became the lion of the Washington cocktail circuit—at least during the seasons when the Democrats were in power. He accorded respect to those he thought had earned it, but he was without awe. So it was that he treated everyone he met as an equal, the high and the low, even that considerable company of scoundrels and knaves with whom he chose to do public and private battle.

I had as much trouble prying him loose from happy pidgin-English conversations with Cambodian pedicab drivers as I did getting him across a hotel lobby full of United States senators. He could be sharp, he freely and indiscriminately indulged his needling sense of the ridiculous, and I often complained that he had the nerve of a burglar, which led him into outrageous intrusions into the privacy of friends and foes alike. For ten years after I moved to California he never recognized the three hours time difference between Miami and Santa Barbara, and on a thousand mornings I was jerked out of bed before dawn by the telephone, to have my outraged cursing greeted by his delighted laughter.

He was gifted with what can only be described by an old cliche, infectious humor, and it became a tool of his trade, and an invaluable asset in the extracurricular activities in which we became engaged as practitioners of what has been called private diplomacy. He literally created a worldwide

network of friends and supporters by doing what came naturally. Sitting in a bar one day with Ambassador Nugroho, a dignified Indonesian diplomat who, like most of his countrymen, has only one name, Bill leaned over and said, "Mr. Ambassador, you pose a serious problem for me. What do I do when I like a man so much I want to call him by his first name, and he hasn't got one?" The Ambassador beamed and replied, "Just call me Nug!" Bill roared with delight and hugged the Indonesian, who replied in kind. Months later, in Hanoi, where Nug then served as head of his country's mission, our recently-acquired old friend made his embassy's communications facilities available to us to send out North Vietnam's first response to President Johnson's cut-back on the bombing.

He could turn the coin over, and argue a good cause with relentless earnestness. I doubt that the case for ending the war in Vietnam was ever made more eloquently than he made it in our long private audience with Ho Chi Minh, and, in turn, in the inner reaches of the State Department. Our failures made no dent in his massive stubborness; for him, the effort to damp down the miserable conflict would end only with his death.

He acquired personal loyalty on a wholesale basis, and he gave it in return. As a result, he suffered more than most, and his sense of tragedy ran deep. Bill not only considered Jack Kennedy a personal friend, but saw in the late President the embodiment of his own hopes for a gay and enlightened span of national government, and the assassin's bullet in Dallas wounded him grievously. In Hanoi we received the news of the death of another old friend and harbinger of hope, Martin Luther King, and we mourned him together on a bizarre plane flight half way around the world to a Washington closed down by curfew in the wake of race riots. In New York a few weeks later, I saw Bill off to St. Patrick's where he stood midnight vigil by the bier of Robert Kennedy—and this was a deep grief he would take with him to his own grave. Perhaps the most painful of the mortuary offices I have performed for him came when, as he had requested, I went out to Hickory Hill to deliver a single red rose to Ethel Kennedy as she awaited the birth of her slain husband's last child.

He wore his religion lightly, but he never ceased to needle me about my own skeptical ways. A knee I had banged up on our second journey to North Vietnam required surgery, and when I joined him in Chicago for the Democratic Convention last summer I was hobbling on a heavy cane. My condition, I suggested, had obvious utility, since the cane would be useful in fending off the Chicago police, and might earn me safe passage among the militant demonstrators as a man suffering from a peace wound. "They'll never believe it," he said. "You might as well tell them you got the bad knee kneeling in cold churches."

It wouldn't have been too far off the mark, at that. Early one Sunday morning in Hanoi, when the American bombers were still pounding away at the suburbs, he routed me out of bed and insisted that I come with him on a mission of great urgency. It was too early even for our escorts and interpreters, and we walked alone down the deserted streets of the city to a shabby Buddhist temple he had noticed the day before. In Communist North Vietnam religious practice is largely an indulgence of the aged, and the temple was deserted except for a very old woman who scuttled away from the altar. Bill took her place, knelt, and recited a version of the Episcopal liturgy, while a benign Buddha looked down across the flickering candles. Early next morning came word that Lyndon Johnson had cleared the skies of bombers north of the nineteenth parallel.

He had an unfailing interest in children, and these, too, he treated as equals, and they responded in kind. I am sure his sons, Craig and Mahoney, have already found comfort in their memories of long, rambling conversations laced with laughter. But they may not know how proud he was of them, how to young people all over the world he bragged about Craig's growing size and Mahoney's skill at chess. His love for his boys, and for their mother, warmed these anecdotes, and made them a kind of international currency that took him past barriers of language, custom and culture and into the family circle of people who looked upon Americans as beings from another world.

So it was with the blacks. They were his friends, and always had been, even back in the distant South Georgia days when inequality of the races was assumed and segregation was as much a way of life as the summer heat. He would not suffer the denial of any black man's human dignity, and condescension was not in him. So the long struggle for justice for the Negro minority that began here in our familiar Southern precincts, and was destined to spread across the nation and beyond, was for him, as it was for me, not an abstraction but a family affair. Black men were our friends; they shared our past and, in truth, our blood; and if thin-lipped men accused us of the high crime of loving Negroes we were honored to plead guilty.

The great crusade for Negro rights has become a grim contest, but it never seemed so to Bill. As he took part in it there was laughter, and grace, and a sort of instant communion with even the toughest of the new breed of militants. Again, it was a question of equality—not equality ritualized, but equality assumed, bolstered by simple courtesy, and applied in the ordinary affairs of daily life. "We have arrived," he once told an agitated Negro demonstrator, "when we can get mad at each other for reasons that have nothing to do with the color of our skins. That works for you as well as for me." It was, then, no wonder that when racial tensions neared flashpoint here in Dade somebody usually sent for Bill Baggs; the blacks knew he would settle for nothing less than justice, and the whites knew that he wouldn't hesitate to lean on his black friends to remind them that justice is a two-way street.

I hope that whatever tangible things may be done in Bill's memory will reflect his abiding concern with justice tempered by love. This, I think, is what religion meant to him. And the most appropriate place to do him honor is among the blacks, who still have a long, lonely way to go. The walls are coming down now, and there's a new black pride—but, welcome as it is, the new day brings new demands upon both races for compassion and understanding.

Bill already has many monuments, and not the least of them is present here today. I think in many ways the proudest day of his life came when Theodore Gibson was ordained a canon of that one-time white citadel, the Episcopal Diocese of South Florida. And certainly the most moving moment in mine came when I stood outside the cathedral while thousands of Bill's mourners filed away, and heard Canon Gibson say: "I owe Bill Baggs my life—more than that, much more, for he saved my faith. I had become frustrated and bitter. I could find no evidence of that love I had been taught in the name of Jesus, I could see no sign that the people who ran Miami would even recognize the plight of my people. And so I began to hate, to lump white people together and hate them all, and it ate away at me like acid until I thought I had no right to wear the cloth. I was at the point of leaving the church when I met Bill Baggs. It wasn't so much what he did, but the way he was, that showed me that there is still love and grace in the world, and that a man who is not blind or afraid can find it if he looks. He restored my faith, and as long as I live Bill Baggs lives in me."

THE LATE HONORABLE DANIEL J. RONAN

The SPEAKER. Under previous order of the House, the gentleman from Illinois (Mr. ROSTENKOWSKI) is recognized for 60 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, I am deeply grieved as I join with distinguished colleagues who eulogize today the life and accomplishments of a truly great political leader—the Honorable DAN RONAN, Representative from the Sixth District of Illinois. Words alone cannot fully express the omnibus contributions that this man made to his constituents over the past 20 years in all levels of government.

Active in politics since his youth, DAN RONAN commenced his elective political career in 1948, when at the age of 34 years old he won election to the Illinois General Assembly. DAN'S tenure in this body was limited to 3 years because in 1951, he was elected alderman from Chicago's 30th ward. He served in the Chicago City Council from 1951 to 1965. During the 14-year period DAN had the honor of serving as chairman of the traffic and public safety committee and chairman of the important building and zoning committee. As a State representative and alderman, DAN was a champion for the cause of social justice and equality for all persons without regard for their race, color, or creed. He was a leader in the fight for strong laws regulating the sale and distribution of narcotics.

In 1964, DAN RONAN embarked on the road to higher public office when he was elected, overwhelmingly, to the U.S. House of Representatives from the Sixth District of Illinois. In the House he was chosen to serve as a member of the Interstate and Foreign Commerce Committee and its Subcommittee on Transportation and Aeronautics. As a member of this important committee, DAN labored quietly but effectively to promote the best interests of Chicago, the transportation hub of the world; and of Illinois, the center of our Nation's commerce. He was instrumental in having rescinded an arbitrary order of the Federal Aviation Administration prohibiting direct commercial airplane service to our great city and the Midwest from Washington National Airport. During his all-too-brief tenure in the Congress, he was recognized by Democrats and Republicans alike for his careful deliberations and fair decisions which were always rendered in favor of the people he represented.

Essentially, DAN RONAN was a private man. He willingly worked in the background lending his considerable efforts and talents to others without expecting, in fact preferring not to share in the legislative limelight. His capacity to listen to all sides of a question or problem and his quiet manner in asserting his own views won DAN a legion of friends. It was these attributes that gained him his wide popularity as a political leader and contributed greatly to his effectiveness as a public official.

My heart goes out to his wonderful mother and his two sisters. But, in addition to their great loss, his constituents have lost a dedicated public servant, the country has lost an able Congressman, and I have lost a close personal friend.

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

Mr. ROSTENKOWSKI. I yield to my distinguished colleague, the gentleman from Illinois (Mr. ANNUNZIO).

Mr. ANNUNZIO. I thank the gentleman for yielding.

Mr. Speaker, I rise today to pay tribute to the late Honorable DANIEL J. RONAN, who represented the Sixth District of Illinois in the Congress of the United States during the 89th, 90th, and 91th Congresses. DAN RONAN was not only my colleague, but a dear friend for over 25 years.

DAN RONAN died unexpectedly on August 13, 1969. His loss is a tremendous loss personally for me and my family, and for hundreds and thousands of Chicagoans who knew him, and who respected and admired his outstanding record of dedicated public service.

As secretary-treasurer of the Illinois CIO Political Action Committee, I met DAN RONAN in 1948 during his first try for public office. He was elected then, and again in 1950, as a member of the house of representatives in the Illinois State Legislature.

From that day to this, he was like a member of my own family. The people of his community elected him as their alderman from 1951 to 1965 and ward committeeman for the 30th ward from 1959 to 1969. As an alderman in the City Council of Chicago, he served as chairman of the powerful committee on building and zoning, and in this capacity, he did an outstanding job in protecting the rights of our citizens under the zoning laws of the city of Chicago.

During the 5 years he served in the U.S. Congress, he was a member of the Interstate and Foreign Commerce Committee and led the successful fight by the Chicago congressional delegation against an order by the Federal Aviation Administration halting nonstop plane service between Chicago and Washington's National Airport.

When he was only 4 years old, DAN RONAN's father died. Despite this tragic loss, DAN, in the best of American traditions, assumed responsibility, worked hard, and grew up to become one of the most respected members of his community and a powerful voice in the Congress of the United States.

He was a graduate of St. Ignatius High School and Loyola University where he earned a B.A. degree in economics and political history. He also had done postgraduate work at Loyola University from 1939 to 1941 and again from 1947 to 1948.

During World War II, he served 42 months with the U.S. Air Force as a cryptographer in the China-Burma-India Theater.

Three of our outstanding veterans organizations, the American Legion, the AMVETS, and the Veterans of Foreign Wars, were proud to list DAN RONAN as one of their members.

Congressman RONAN was also affiliated with the Knights of Columbus and with other civic organizations.

DAN RONAN was a quiet and unassuming man, who had great insight and a profound understanding of the American political scene. He had a ready smile, and a quip that fitted every circumstance. This unique faculty was appreciated by all who knew him, for when seriousness prevailed in a room, he knew how to get everyone smiling again.

As a legislator in the House of Representatives, DAN firmly believed that it was the duty of political officials and elected representatives of Government to alleviate the plight and suffering of the poor and disadvantaged through enactment of far-reaching legislation to provide better housing, better education, more jobs, and more opportunities for all of our people. He was a genuine American in every sense of the word who stanchly supported the democratic principles established by our Founding Fathers.

DAN RONAN's death leaves a void in our community which will be difficult to fill, but his family and his friends can be proud of the tremendous contribution he made on behalf of the little people of America.

I have lost a real pal and a genuine friend, and his family has lost a dedicated son and brother. DAN is survived by his mother, Mrs. Justina Ronan, his two sisters, Mrs. Betty Dlouhy and Mrs. Eileen Burke, two nephews and a niece.

Those of us who had the privilege of knowing DAN RONAN as a friend and colleague for so many years deeply mourn his passing, and our hearts go out to his bereaved family.

Mrs. Annunzio joins me in extending our heartfelt sympathy to the members of DAN RONAN's family on their great loss.

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

Mr. ROSTENKOWSKI. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I join my colleagues from Illinois and other Members of the House in associating myself with the tribute which my friend, the gentleman from Illinois (Mr. ROSTENKOWSKI) has made to the life and service of a wonderful man and friend, DAN RONAN. DAN quickly endeared himself to all the Members of the House. His service here, though relatively brief, was outstanding. He served on the Committee on Interstate and Foreign Commerce. He worked quietly but effectively and has made an imprint on the House and on every Member of the House that will long endure. He was one of the most cooperative colleagues I have ever known.

I am happy to say that DANNY was my friend. He was as kind and considerate, as gentlemanly and as compassionate as any man I have ever known. I shall miss this wonderful friend, this able legislator, this great human being.

My heart goes out to his mother and sisters and to his friends who must be numbered in legions. May the Heavenly Father be with them in their sorrow.

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

Mr. ROSTENKOWSKI. I yield to our distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, while I have already expressed my words of deep sympathy in the passing of our late colleague and friend, Congressman DANIEL J. RONAN, I want to join with my friend, the gentleman from Illinois (Mr. ROSTENKOWSKI), and the other Members of the Illinois delegation, in again expressing my keen regrets and to say how deeply I feel in his passing.

DAN RONAN, as has been stated—and in which I thoroughly concur—enjoyed the complete respect and confidence of his colleagues, whether they were Democrat or Republican. He was a very effective Member of the House, taking his work in committee seriously and taking the deliberations on the floor of the House equally seriously. He was one who wielded a powerful imprint by his wisdom and his advice and by his sound judgment, particularly in connection with the consideration of bills that came before one of the most prominent committees of the House, of which he was a member, the Committee on Interstate and Foreign Commerce.

DAN RONAN possessed unusual qualifications. His outlook on life was noble, uplifting and inspiring. His was a very attractive personality—always pleasant—and always with a smile on his face, that made a powerful impression upon his colleagues.

When I received word of his death, I was shocked, and I know my colleagues are shocked, as well as countless of thousands of his friends both in and outside of his congressional district were shocked.

I immediately made a telephone call to one of his sisters to convey to his mother and his sisters not only my shock but Mrs. McCormack's as well.

DAN RONAN had a very fine and refreshing outlook—not only on life—but as a legislator. He was always found supporting progressive legislation that was in the best interest of the people of our country and particularly in the interest of the little fellow, if I might refer to some people in that way, and those who might be forgotten.

DAN RONAN thought of the sick and the afflicted and the underprivileged. He thought of those who were persecuted. He thought of those whose economic outlook on life was an adverse one and he was always trying, by and through voting for progressive legislation to bring hope and confidence in the minds of people through such progressive legislation. One could enumerate so many bills.

His years of service in this body—cut short by death—were productive and constructive. And while they were not many years in terms of service to this body, he did make his marked imprint upon the legislative history of this body.

The people of his district are justified in feeling proud of the service that DAN RONAN rendered for them as well as for the people of the State of Illinois. He always reflected great credit upon them.

Mrs. McCormack joins with me in expressing and extending to his dear mother and to his two sisters our deep sympathy in their great loss and sorrow.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield to the gentleman from Illinois (Mr. PRICE).

Mr. PRICE of Illinois. Mr. Speaker, the passing of DAN RONAN came as a great shock to me. Only the day before he and others of our colleagues were gathered in the House restaurant as we were wont to do frequently during an afternoon session.

DAN RONAN was an effective Member of the House of Representatives. He was an effective member of the great committee to which he was assigned, the Committee on Interstate and Foreign Commerce. He enjoyed his work on that committee. He had a quick and a pleasant wit about him. He could bring a laugh at the proper moment to relieve many a tense situation.

He was well trained for his position here in the House as a former member of the Illinois General Assembly and as a member of the city council of the great city of Chicago. His political philosophy was progressive, and he indicated this in the great compassion that he showed for his fellow man.

His voting record was one that showed that uppermost in his mind was, as the great Speaker of this House, the gentleman from Massachusetts (Mr. MCCORMACK), just stated, his interest in the underprivileged and those who needed help most. He was a great legislator, an able legislator, and those of us who were close to him shall miss him greatly.

Mrs. Price joins me in extending our deepest sympathy to his mother and to his two sisters.

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

Mr. ROSTENKOWSKI. I yield to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. I join with the gentleman in the well and my colleagues in paying tribute to our late colleague, Congressman DAN RONAN. There is no question that he was a very compassionate friend, a great legislator, an honest political leader, and a dedicated son. We were all inspired to witness the deep devotion he had for his ailing mother, and to note the times he would leave here on weekends to fly back home to be with her as she was trying to recuperate from her illness.

We marveled and admired his quiet counsel here in this Chamber. President Nixon could very well have been speaking of DAN RONAN today when he delivered that beautiful eulogy about a "politician" in the rotunda in relation to another one of our colleagues. The President said that work in a committee does not necessarily provide headlines, but provides great legislation.

DAN RONAN was a quiet Member in this Chamber. He did not participate frequently in debate, but he was a dedicated Member. He spent a great deal of time in his committee, and he was a well informed Member because he spent a great deal of time here in this Chamber listening to debate. You could always find out from DAN RONAN the complex structure of issues that come before this House because he did his homework well. He studied the reports. He was an impressive and effective political leader in one of the finest political organizations in Chicago, the 30th ward. He was a committeeman. He took on that difficult job of providing political leadership.

Too often we tend to malign those who take on such great responsibility, forgetting that, without political leaders, this democracy could not very long survive as a free nation. Someone has to do the job, and DAN RONAN was willing to do that job as a leader. We are going to miss him.

As my colleague from southern Illinois said a little while ago, DAN was an effective member of the Interstate and Foreign Commerce Committee. I had occasion to discuss with him many of the problems that confront our city—the jet noise at O'Hare Field, the heavy traffic at O'Hare Field, the heavy traffic into our docks, the problems the St. Lawrence Seaway is now encountering, the state of our harbor facilities. DAN RONAN was a quiet man, but, as you sat and discussed with him these various big issues, you could not help but be impressed and amazed about how well he knew his subject and how well informed he was. He was a giant among legislators.

This House is going to miss him. The people of Chicago are going to miss him. The people of Illinois are going to miss him, and the people of his district are going to miss him.

Mrs. Pucinski joins me in extending our deepest condolences to his mother and his family on his untimely death. It is a great loss to all of us.

Mr. DAWSON. Mr. Speaker, it is with a feeling of deep emotion that I rise today to join my colleagues in paying tribute to the outstanding life of public service of our late fellow-Chicagoan, Hon. DANIEL J. RONAN.

In such a brief span of years, DAN RONAN has served the city of his birth, his State, his beloved country, and his God with honor and distinction; and he has suddenly departed this life leaving us, his friends and admirers, saddened of heart but enriched by having known him.

Long before this day, the people of Illinois, particularly the citizens of Chicago and Cook County, had paid tribute to DAN RONAN. He was their choice as representative in the Illinois General Assembly for 3 years; as city alderman for 13 years; and as Sixth District Representative in the U.S. Congress for 3 consecutive terms.

DAN RONAN'S was a life of public service, spanning a quarter century, devoted to the cause of justice and dignity for all mankind. It seems fitting, therefore, to recall words from that immortal address delivered more than a century ago by another devoted public servant from Illinois:

> The world will little note, nor long remember what we say here, but it can never forget what they did here.

And a little later, Lincoln said:

> It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced.

To the members of the Ronan family, I extend deep and sincere sympathy and I share their great loss.

Mr. KLUCZYNSKI. Mr. Speaker, the untimely death of Representative DANIEL J. RONAN has left his friends and colleagues with hearts bowed in deepest sorrow.

As a dedicated public servant, DAN pursued his career with a firm faith, an unwavering hope for a better world, and unflinching courage.

As a fellow citizen of the great State of Illinois, I was privileged to know, DAN better than most. He was an intensely proud man yet his pride was tempered by humility. He was proud of his participation as a crytographer in World War II, yet humble because his life had been spared in that great conflict, which was fought for freedom and the dignity of man.

He was proud of his public service as an Illinois State Representative and as alderman of Chicago, yet humble before the people who gave him their trust and support.

He was proud to be a Member of the House of Representatives and of his seat on the important Committee on Interstate and Foreign Commerce, yet grateful and humble in the knowledge that he had been given the opportunity to serve his country and State.

From his record it will be seen that Representative RONAN was an active, earnest, and zealous worker. But his labors in behalf of better government and the institutions of democracy, which he loved so well, were not limited to the faithful performance of official duties.

He went out of his way to help those less fortunate than himself. He was generous with his time and talent. With an open heart and hand, he was a constant source of comfort and ministration to those in need of assistance.

DANIEL RONAN was a man who did his own thinking. Forming his own opinions only after careful investigation, he was firm and fearless in defending his conclusions when once they were formed. When he felt called upon to defend what he believed to be right, or to expose what seemed to him wrong, he did so with all the power of his great intellect, regardless of the consequences to himself.

My dear friend DAN RONAN was a splendid example of that noblest work of God—an honest man. He was honest in his public and private obligations, honest and sincere in his convictions, honest and faithful in the performance of every duty.

Let us who survive him emulate his virtues and profit by the bright example which he has left us.

Mr. YATES. Mr. Speaker, Congressman DANIEL J. RONAN was a friend of mine. We spent many hours together as fellow Members of the House, and I will always look back on those occasions with keen pleasure, with great nostalgia. That he was taken so unexpectedly from his family, his friends, his colleagues here in the House, and the Nation which he served is a great tragedy.

DAN RONAN was a warm, generous dedicated man whose compassion and sense of justice won for him the respect of all who knew him. Though his term of service in the House spanned only 5 years, he had already established a reputation for fairness and candor in handling his official duties.

DAN RONAN was a Representative who provided forward looking, progressive leadership to his district and his Nation. Before his election to the Congress he

was an alderman for 13 years and served in that office in an exceptionally able fashion.

When he died, he was still a young man with much to offer and our country will be poorer because he is gone.

Personally, I feel his loss very deeply. I will not forget his ready smile and his hearty handshake, his understanding and his sense of humor. DAN RONAN was a good man, a man who cared about people and about his country. I will miss him very much.

Mr. ERLENBORN. Mr. Speaker, it is with sadness that I speak of the death of my Illinois colleague, Representative DANIEL J. RONAN, of Chicago.

It is difficult, sometimes, for people to understand how legislators can have friends among the opposition; but these are people who have not known DAN RONAN. He was a quiet, hard-working Member of Congress who enjoyed the respect of those who knew him—those on both sides of the aisle.

His sudden passing came as a shock. It grieves me to realize that we shall see him no more.

Mr. STAGGERS. Mr. Speaker, an extraordinarily honorable and useful career in public service was brought to an untimely end on August 13, 1969, with the death of DAN RONAN. The House was shocked by the news of his passing just after it had recessed for the summer intermission. In all humility we offer this belated expression of deep sympathy to his sorrowing mother, to his legion of admiring friends, and to his constituents in the great city of Chicago, who had been so capably and brilliantly served by him in a number of prominent posts. They will all miss him, as all of us do in this legislative assembly of the Nation.

Like many of his colleagues in the House of Representatives, DAN RONAN began his public service in the Armed Forces of the United States during World War II—specifically in the Air Force, which attracted so many of the gifted youth of our country in that unfortunate episode of human vanity and arrogance brought into being by the enemies of freedom across the seas. As an expert cryptographer, he filled a delicate and responsible position in the Asian theater during most of the war.

Returning to civil life, he was almost immediately called upon to serve his district in the State Legislature of Illinois. In 1951 he was elected alderman in Chicago, and in that position he busied himself with the problems of the big city for 13 years. Having established a reputation as an indefatigable and selfless worker for the general good, it was only natural that his people should ask him to represent them in Washington, where he came at the opening of the 89th Congress.

The Interstate and Foreign Commerce Committee was fortunate in having Congressman RONAN take a seat on the committee. His intimate and extensive knowledge of the problems of urban transportation and communication were peculiarly usefu' in the numerous legislative proposals for their solution. What might be termed a hobby with him was an attempt to work out some practical answer to the vital need for mass transportation in a crowded city such as Chicago. Other areas in which he provided useful information to the committee included the improvement of railway facilities, passenger safety, and improved television reception. With other Members, he took the lead in the attempt to bar transcontinental air flights from National Airport in Washington.

We shall sadly miss his genial and friendly disposition as well as his wise counsel. His associates unite in ascribing to him "strength without arrogance, courage without ferocity, the virtues of a man without his vices." And we shall carry with us throughout the coming years "that best portion of a good man's life; his little, nameless, unremembered acts of kindness and of love."

Mr. O'NEILL of Massachusetts. Mr. Speaker, I join my colleagues in mourning for DANIEL RONAN. We, in the House, the people of his district, and all of the Nation have lost a responsible and dedicated Representative.

DAN RONAN was always interested in government. He served on the local level as a State representative and alderman. As a Congressman, he constantly strove for better living and working conditions for the people living in Chicago's west side. He sought to lighten their daily burdens and, at the same time, sought long-range solutions to complex urban problems. The people in these areas knew that they had a friend in DAN RONAN.

Appropriately, he spent much time delving into transportation problems, not only to help Chicago, but the entire country. These problems were not just part of his job, but real problems which deeply concerned him personally.

With our big cities in such turmoil today, our Nation certainly could not afford to lose his talent. I offer my sympathy to his family and friends. We all miss him and his contributions to our work.

Mrs. REID of Illinois. Mr. Speaker, those of us from the State of Illinois were particularly saddened to learn of the passing on August 13 of our colleague, DANIEL J. RONAN.

DAN RONAN was serving his third term in the House of Representatives and he had earned the respect, friendship, and admiration of all who knew him. He was highly regarded for his work on the Subcommittee on Transportation and Aeronautics of the House Committee on Interstate and Foreign Commerce. Prior to his election to the Congress he had served for 13 years as an alderman, city of Chicago, and as a State representative. To the people of his district, State, and Nation he was, in the best sense, a public servant; and his loss will be deeply felt.

DANIEL RONAN was the kind of man who gave himself unsparingly to his work and yet always had an equal amount of devotion for his friends and colleagues. We mourn him and shall miss him. I extend my sincere sympathy to his family.

Mr. MIKVA. Mr. Speaker, DAN RONAN was a gentle soul. His smile and his greeting were always easy. There was almost a shyness about him, a surprising quality for one who had been as successful in the political arena as had DAN RONAN. In fact, the easygoing nature was a part of his political reputation. Nobody disliked DAN RONAN; he never gave anyone any cause.

DAN RONAN served at every level of government—State, local, and Federal. His views were formed in those crucibles, and he was an urban Congressman in the best sense of the word. He was aware that the big cities of our country could not make it alone. He was aware that State government had limited wherewithal to help solve urban problems. The sprawling constituency, city and suburban, that DAN RONAN represented was fortunate to have his wise voice in the councils of this Congress.

I had special reason to be grateful to DAN RONAN. As the next most junior member of our delegation, he seemed especially conscious and aware of the adjustment problems of a freshman Congressman. His encouragement and kindness were muchly appreciated in these early days of my first term, and will be sorely missed.

The gentle Congressman from the Sixth District of Illinois is no longer with us, and we are all the poorer for losing him.

Mr. HANLEY. Mr. Speaker, like most of my colleagues, I was shocked and deeply saddened to learn of the sudden death of my good friend, DAN RONAN, of Illinois, last month. A gentle, witty, and generous person, he was at the same time a skilled and humane legislator.

DAN and I came to Congress together in January of 1965, and in the intervening years we become good friends. He was always conscious of his role not only as a Member of Congress but more importantly as a human being who had an obligation to other human beings. He was one of the kindest men it has been my pleasure to know.

Death, as we are told, comes like a thief in the night. But when it strikes one close to us, one who is in the prime of his life and career, it carries with it a certain added element of shock and disbelief. Such, of course, was the reaction to DAN RONAN'S passing.

I join with my colleagues and his legion of friends and admirers in extending my prayers and sympathy to his beloved mother and family.

Mr. RAILSBACK. Mr. Speaker, I am most proud to be able to say that I was associated with DANIEL RONAN. He was a very humble and unassuming man who was held in high esteem by me and all of his colleagues who knew him. He was attentive and industrious so far as his legislative work was concerned, and the State of Illinois and our country will sorely miss his fine talents.

Mr. MURPHY of New York. Mr. Speaker, the people of Chicago and the Nation lost an unusually fine legislator with the untimely death of DAN RONAN. He was my friend and my colleague on the House Interstate and Foreign Commerce Committee. As you have said, Mr. Speaker, he was "one of the most dedicated Members of the House." DAN RONAN, suddenly taken from us at the early age of 55, was the kind of man who was never too busy to work with the people and to sit down with them and discuss their problems. He was a truly dedicated public servant and his death is a great personal loss to me. Mr. Speaker, I in-

clude the following Community Publications editorial on the death of DAN RONAN:

CONGRESSMAN RONAN—FRIEND TO ALL

In the untimely death of Cong. Daniel J. Ronan of the sixth district of the West Side has lost one of its most popular, effective and conscientious public officials of the post-World War II era.

We at Community Publications feel the loss deeply because we worked closely with him on many public projects, particularly when he was alderman of the 30th ward. He was always eager to lend his considerable effort to a worthy project suggested by someone else and by the same token others, including this newspaper, had no trouble whipping up enthusiasm for a project he proposed because it was always in the public interest and deserving of everyone's support.

Though he could handle himself well as a public speaker when the occasion demanded, Cong. Ronan was not one who attempted to sway Congress, the City council or the General Assembly—all of whose hallowed halls in which he served—by mere oratory.

While others talked, Cong. Ronan was digging up facts and figures, consulting with individuals on a personal, man-to-man basis or calmly taking part in a committee discussion of issues.

His willingness to listen to all sides of all questions and his quiet manner in making his own views felt won Cong. Ronan a legion of friends. It was in this area that he gained his wide popularity as a political leader and his effectiveness as a public official.

This was particularly evident in his home ward, the 30th, where in recent years he had demonstrated his ability to deal fairly with both races. He earned and received the respect of everyone and it was no accident that his ward escaped most of the conflict that broke out in other wards of the city with a similar makeup.

It is a tragedy, indeed, that Cong. Ronan was struck down at the comparatively young age of 55. For while he had risen to a considerable height in the political field, there are many who feel that his skill in the art of government would have carried him even further. We are among those who share this view. Certainly he was on the threshold of his career in Congress, where he was just gaining the seniority necessary to earn the important committee assignments.

In his 14 years as 30th ward alderman, Cong. Ronan was responsible for a virtual face-lifting of the ward. It was during this time that installation of a modern sewer system was completed, extensive street lighting installed, streets resurfaced, and several small parks created. He was most active in his support of youth programs, a fact which caused the Lexon league to name their baseball park in his honor.

Cong. Ronan's death will come as a heavy blow to his aged mother, to whom he had been devoted. To her and other members of the family we extend our deepest sympathy.

We hope the residents of the 30th ward, the 30th Ward Democratic organization, of which he was committeeman, and the Sixth district will do as well in picking his successor as they did when they selected him as their leader. Cong. Ronan's will be hard shoes to fill.

Mr. RODINO. Mr. Speaker, it is with a deep sense of loss that I join today in mourning the untimely passing of our distinguished colleague, the Honorable DANIEL J. RONAN.

I was privileged to know DAN as a warm friend, whose counsel I valued greatly. He was a man of outstanding ability, deep compassion, and courage. It was these qualities that stamped his service in the House, and endeared him to his constituency. Throughout his tenure, DAN gave completely of himself in order to try to bring fulfillment to the high ideals which motivated him, and earned the respect and admiration of all who had the good fortune of working with him. In knowing DAN RONAN, all our lives were made more meaningful.

Mr. SPRINGER. Mr. Speaker, our late colleague DAN RONAN, whose untimely death occurred during the August recess, served his country well in war and peace. He had 4 years in active duty with the Army Air Corps in World War II. His political career began in 1948 with his election as State representative and he subsequently served as a Chicago alderman before his first election to Congress in 1964.

I came to know DAN well during our service together on the Interstate and Foreign Commerce Committee. We belonged to different parties, but our political preferences never affected our cordial personal relationship. DAN's passing is a great loss to our committee and to the Illinois delegation.

Mr. COLLIER. Mr. Speaker, I wish to join my colleagues in expressing my sorrow and condolences to the family of my good friend DANIEL J. RONAN, who passed away on August 13.

The contributions which DAN made in his active and very successful political career have been well documented by others who have spoken before me today. It is a record of which his family and many friends and associates can be justifiably proud. But I shall personally cherish his memory in terms of the quiet sense of dedication in which he pursued his duties and responsibilities in public life.

DAN RONAN was as fine a gentleman as any man I have met in my lifetime, either in or outside of the political arena. He was a man of compassion, yet one who never compromised his convictions. He was particularly interested in youth and did much to help young people through his personal efforts and financial contributions to various recreational and educational activities.

I shall miss DAN as an esteemed colleague in the U.S. House of Representatives and as a friend for whom I held the highest regard from the time it was my privilege and pleasure to know him.

Mr. MURPHY of Illinois. Mr. Speaker, I rise to join with my colleagues in paying tribute to the memory of DANIEL J. RONAN, who represented the Sixth District of Illinois in the U.S. House of Representatives.

DANIEL RONAN was born in the city of Chicago and educated in its parochial schools. During World War II, he served his country as a cryptographer in the China-Burma-India theater with the Army Air Force. Upon his return from service, he did postgraduate work at Loyola University and in 1948 was elected representative to the Illinois State Assembly. As a State assemblyman, he distinguished himself by working to promote stronger laws on narcotics and gun control.

Congressman RONAN and I became friends while we served together in the Chicago City Council. He was elected to the council in 1951 and was appointed to the committee on planning and housing of which I was chairman. He served as my vice chairman and I also appointed him chairman of a special subcommittee on housing. In 1964, after 14 years on the city council, DANIEL RONAN was elected to the U.S. Congress. He was reelected in 1966 and again in 1968. For a number of years, we also represented our respective wards on the Cook County Democratic Central Committee. Throughout my many years of association with DANIEL RONAN, I developed a deep and abiding respect for his talents and legislative abilities.

Mr. Speaker, Mrs. Murphy joins me in extending condolences to his mother and two sisters on the loss of this great American.

Mr. FINDLEY. Mr. Speaker, a good friend and colleague has departed from us. DAN RONAN, a distinguished Representative from my own State of Illinois, is no longer with us. He will be sorely missed, not only by his constituents in the Sixth District, whom he so ably served, but also by those of us in the House of Representatives who were privileged to serve with him.

Although DAN RONAN was not of the same political party as I, nevertheless we were both members of the same team from the State of Illinois. DAN was an especially valuable friend and counselor to the members of the delegation. In the few years that he was with us, he was always alert to serve the needs of the people who elected him.

He had dedicated his whole life to public service. Like many of us, he was a veteran of World War II. Later, he gained a keen knowledge of local administration and urban problems from his service with the city of Chicago. Beginning in 1965, he continued his distinguished career of public service in this body.

The city of Chicago, the people of Illinois, and all Americans have lost a truly dedicated public servant.

Mr. McCLORY. Mr. Speaker, it is my privilege to join in respectful tribute to our late colleague, DANIEL J. RONAN. He and I shared many things in common as well as our service in the 89th, 90th, and 91st Congresses.

Our earliest association was in the Illinois General Assembly where we served together from 1951 to 1952. During this term he was elected to the Chicago City Council and did not return to the general assembly.

During my service as chairman of the State senate's committee on highways and traffic regulations, he was chairman of the Chicago City Council's Committee on Traffic and Public Safety. Our interests remained congenial and we had reason to work together for the public benefit.

DAN RONAN came to the 89th Congress one term after I had been elected to the 88th. We were fortunate enough to be reelected so that we came to this 91st Congress at the same time. Outside the walls of this Chamber, we met frequently and discussed our mutual interest in crime prevention, stronger laws on nar-

cotics and gun control, transportation regulations, and improved airline service between Washington and the State of Illinois. We had long been interested in urban and regional planning—he as a member of the Chicago Plan Commission and I as a supporter of the Northeastern Illinois Metropolitan Area Planning Commission. And so we talked about our home communities for whose betterment we were working.

Mr. Speaker, DAN RONAN left his work, his thinking and planning suddenly. He left to those of us who knew him well the legacy of conscientious application to his responsibilities as a citizen and a public official—in the Chicago City Council, the Illinois General Assembly, and the Congress of the United States.

Family and friends from Illinois and around the Nation mourn the passing of Congressman DANIEL J. RONAN. To his bereaved mother and beloved sisters, I extend my sympathy and affection.

Mr. FRIEDEL. Mr. Speaker, it is with deep sorrow that I join my colleagues in the House today in paying tribute to the late Congressman DANIEL J. RONAN, from the Sixth District of Illinois. It is a tragedy that DAN RONAN was struck down at the comparatively young age of 55.

He was elected at age 34 to represent the district of the Chicago West Side in the Illinois General Assembly. This post he held until 1951, when he was elected alderman from the 30th ward to the Chicago City Council. He served with distinction in that body for 14 years. As an alderman, he was one of the most popular, effective, and conscientious public officials of the post World War II era.

Upon his election to the 89th Congress in 1964, he was assigned to the House Committee on Interstate and Foreign Commerce, and in turn to the Subcommittee on Transportation and Aeronautics, of which I have the honor of being chairman. In committee work we have the opportunity to know and evaluate each other. More often than not, I found DAN RONAN quietly digging up facts and figures, and at all times willing to listen to all sides of all questions, before making up his mind.

It is true that he had risen to a considerable height in the political field, but many felt that his skill in the legislative field would have carried him even further. Certainly he was on the threshold of his career in Congress, where he was just gaining the seniority necessary to earn important committee assignments.

Congressman RONAN'S death came as a great shock to all of us who served with him. Mrs. Friedel and I extend our deepest sympathy to his mother and other members of his family.

Mr. BOGGS. Mr. Speaker, permit me to join my colleagues on both sides of the aisle in honoring the memory of our good friend and colleague, Congressman DANIEL RONAN, of Illinois.

The State of Illinois—and indeed the United States—lost a devoted and able leader with the tragic and untimely passing of Congressman DAN RONAN.

I was in DAN RONAN'S home city of Chicago when the sad news of his death reached me, and I was a witness to the great sense of loss which swept over that great city.

A great loss it was, for DAN RONAN had devoted most of his adult life in the able service of his city, his State, and his Nation, and the people of Chicago knew it.

As a member of the armed services during World War II, as an Illinois State representative, as an alderman of the city of Chicago, and finally as the Congressman of the Sixth District of Illinois, DAN RONAN gave generously of his rich resources of leadership.

I think it appropriate that we remember DAN RONAN for what he was: a gifted and compassionate human being who devoted his life to the service of his fellow man, a public official who dedicated his life to the precept that American institutions can and will work, if people care enough.

DAN RONAN was a gifted leader who cared about people and for this reason his loss is especially grievous. This Nation can never have enough DAN RONAN'S.

Mrs. Boggs joins me in mourning the loss of a good friend and a remarkable man.

Mr. RANDALL. Mr. Speaker, for some reason I did not learn of the special order of yesterday, Tuesday September 9, when our colleagues eulogized our dear departed friend from Illinois, DANIEL J. RONAN. I regret I was not on the floor to join in paying tribute to his life and accomplishments. However, it is not too late to express my words of tribute to my friend, who was a distinguished Member of the House of Representatives and enjoyed a wide popularity among his fellow Members.

Although DAN at the time of his passing had served for only a few years, he made an imprint upon the minds and hearts of those who knew him. I say this is true because he possessed that rare quality of peace of mind which showed through into a continuously pleasant and cheerful disposition.

It was not my privilege to serve with him upon any of his committee assignments. I only knew him as a Member with whom I enjoyed visiting while sitting on the floor of the House. I can truthfully report in every instance after a conversation with DAN, I came away feeling better and with a more optimistic outlook. So frequently one of our fellow colleagues will say to us when we are engaged in thought over a serious matter and with a frown on our face, "cheer up. It just cannot be that bad." It was that kind of a statement DAN so frequently made to his colleagues. I think this attitude best reflects his great heart and spirit of optimism.

He was burdened with all the cares of office that the rest of us have. He had to make the same decisions as each of us. His headaches, I am sure, were as great as any of ours. But I shall remember DAN RONAN with a pleasant memory of one who refused to take himself so seriously as to indulge in a pessimistic attitude toward his problems or the problems of his office.

Because of DAN'S outlook on life and the counsel that he so frequently gave to those of us with whom he talked, he will be missed more than we now realize. His departure from our midst will be a loss to all of us. I am sure I am right in this appraisal because he seemed to be able to pass on to those around him his own peace of mind.

Now, that he is gone those of us who survive him should find it worthwhile to emulate his virtue of optimism and to try to follow the example he provided for us. I join with my colleagues in extending sympathy to his dear mother and family.

Mr. ANDERSON of Illinois. Mr. Speaker, recently, I lost a dear friend and a colleague, a valued member of the Illinois congressional delegation, the Honorable DANIEL J. RONAN. DAN came to Congress in 1965, after a long and distinguished career in the government of our home State of Illinois. He served first for two terms as a State representative and then as an alderman for the city of Chicago from 1951 until 1954. Here in the Congress DAN proved an able and effective member of the House Committee on Interstate and Foreign Commerce.

His sudden and untimely death sincerely saddened all of us who had worked with him and who had grown to respect him over the past 5 years. To his mother, Mrs. Justina Ronan, go my personal and deepest sympathies.

Mr. DANIELS of New Jersey. Mr. Speaker, I wish to join my colleagues in expressing my sorrow over the passing of our friend DAN RONAN of Illinois.

DAN was a quiet man. He worked studiously representing the interests of his constituents in Washington. He had been active in politics most of his working life as an alderman and as a representative in his State legislature. He understood the rigors and responsibilities of a political career.

He had been with us in the House only 3 years. We knew him as a friendly man, eager to learn when he first joined us and eager to help in the difficult work after he learned the ropes. His main concern always, was to represent his people as effectively as he could.

DAN RONAN was a good legislator. We need such men and we shall miss him very much.

Mrs. Daniels and I extend to the members of the family of the late DAN RONAN our sincere condolences.

Mr. ROONEY of New York. Mr. Speaker, it was a profound shock to learn of the untimely death of the Honorable DANIEL J. RONAN who for the past 5 years so ably represented the people of the Sixth Congressional District of Illinois. Although DAN RONAN was just midway through his third term in this body he had devoted his lifetime to public service. At 34, in 1948, he was elected to the Illinois General Assembly where he served 3 years until he was elected alderman in the city of Chicago. He spent the next 14 years serving in that municipal capacity until he was elected to this House of Representatives. DAN was a quiet and unassuming man with an infectious sense of humor and wit that will be missed. We shall all miss him. To his loving mother and sisters and family I extend our deepest sympathy and prayers in their great loss.

GENERAL LEAVE TO EXTEND

Mr. ROSTENKOWSKI. 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.

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

There was no objection.

AMERICAN BANKERS ASSOCIATION HOLDS STUDENTS HOSTAGE IN ORDER TO INCREASE INTEREST RATES—BIG BANKERS BONUS BILL PROPOSED INSTEAD OF SOURCES OF AVAILABLE CAPITAL AT LOWER INTEREST RATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, the Committee on Education and Labor, under the distinguished chairman, the gentleman from Kentucky (Mr. PERKINS) has done an admirable job in trying to make certain that loans are available for higher education purposes. It is because of the many hours that the committee has devoted to this problem that I find it is with great reluctance that I must oppose H.R. 13194. This legislation is presently scheduled to come before the House next Monday under suspension of the rules.

Quite clearly, the Congress must act to help students obtain funds for higher education but the legislative vehicle before this body on Monday is not the answer nor is the procedure under which the House is being asked to consider the legislation.

I am opposed to H.R. 13194 for a number of reasons:

First. Banks are making record profits and therefore do not need any interest subsidy.

Second. Instead of fighting for higher interest, we should be fighting for additional sources of capital that could do the job at lower interest rates.

Third. If this bill passes, it will be the first time Congress has authorized the payment of 10 percent interest on a Government-guaranteed obligation. The Government will guarantee the payments and the banks will collect the interest.

Fourth. Because most colleges are now in session and students have arranged financing, for at least the first semester, there is no emergency and the legislation should be reconsidered under a realistic time frame.

Fifth. The Department of Health, Education, and Welfare has not sought alternative methods for running this program other than raising interest rates. There are sources of enormous capital that could be used.

Sixth. The costs of this program, which could amount to $126 million in slightly more than 2 years, could be reduced by exploring alternative methods.

Seventh. An establishment of a 10-percent guaranteed interest rate would force banks to increase interest rates on other loans or refuse to make any loans for necessary items such as housing at less than a 10-percent rate.

Eighth. The legislation should not be retroactive to July 1 of this year nor should the interest subsidy be paid more than once on any individual loan.

Ninth. The gag rule under which this bill will be brought before the House does not permit amendment.

Tenth. If we vote for this bill under the gag rule as proposed, we will date the interest payments back to July 1, 1969, in order to carry out a promise to the big bankers' lobby.

BANKS MAKE RECORD PROFITS

In the simplest terms, it has been argued that this legislation is necessary so that banks can "at least break even" on the student loans, which presently have legislative ceiling of 7 percent interest. It is thus contended that the banks are losing money on the student loans. But I ask the Members of this body, if the banks are losing as much money on these loans as they contend, why is it that bank profits are up from 20 to 30 percent over last year with some banks recording profit increases as much as 60 percent?

In short, what the banks are trying to do is to refuse to make student loans so that Congress will give them more money with which to line their pockets.

BIG BANKERS BONUS BILL

Mr. Speaker, ever since the student guarantee loan program was put into operation, the banks have used the program as a lever to personal gain. It must be remembered that last year the American Bankers Association told Congress unless they received a placement fee of $35 for each loan, there would be no more college loans. Rather than going along with the placement fee, Congress raised the statutory rate on these loans 1 percent. Now, only a year later, the bankers are back with open wallets. Once again we are told in no uncertain terms "give us more money or we cut off student loans." It is bad enough that we are being blackmailed by the bankers but it is even worse that the administration is playing right into the bankers' hands by waiting until the final minute to rush the legislation to Congress. Unless this legislation is enacted, we are told between 150,000 to 200,000 students will be denied loans.

IS THERE AN EMERGENCY?

I do not believe that the problem is that grave and while there may be many students who are having difficulty obtaining loans, I strongly question the 150,000 to 200,000 figure. It would also seem that now that colleges have begun their fall semester, there is no need to rush this legislation through but rather it is time that the administration in general and the Department of Health, Education, and Welfare in particular seek alternative ways to run the loan program without having to depend upon individuals who are not satisfied with making a normal profit.

On two separate occasions, in testimony before the Education and Labor Committee, I have suggested that HEW should consider arrangements with the numerous pension plans throughout the country to interest them in the student loan program. This idea was endorsed by Commissioner Howe last year when he appeared before the House Education and Labor Committee. However, HEW has done little, if anything, in this area, and from their past efforts, it would appear that they do not plan to work to interest pension plans in the program.

Mr. Speaker, there may well be a submerged reason why HEW is so strongly supporting the bankers' plan for an interest subsidy for student loans. In the Insured Loans Branch of the Office of Education, at least three of the major sections or departments are headed by bankers and it is also my understanding that a number of bankers are being hired for various other positions within the Branch. These bankers are being brought into the agency with no experience and given jobs that should properly go to career employees of the Department. Perhaps the reason that the career employees are not getting the jobs is that they are more interested in the students' welfare than the banks' welfare.

COULD COST TAXPAYERS MILLIONS

If this legislation is hastily enacted, it could cost the taxpayers many extra millions of dollars. According to the committee report on the legislation, if the full 3-percent market adjustment rate is used, by the end of fiscal year 1972, it will have cost more than $126 million to pay the bank subsidy. Of course, it will be argued that the 3-percent subsidy is a maximum. However, this legislation should be considered as if the full 3 percent will be paid because that is exactly what is going to happen. True, HEW may start out with only a 1- or 1½-percent subsidy payment to the banks but it will not be long before the American Bankers Association puts on its guns and masks and tells HEW that unless the banks receive the full 3-percent subsidy, there will be no more student loans. If we can expect to pay out more than $126 million in bank subsidies by 1972, what will those figures be after that date? Thus, if it takes 10 years to repay a college loan, the Government will be paying out a 3-percent subsidy every year, which means at the end of the loan, the banker will receive not only the original principal amount back but 100 percent in interest charges. Why should the banks receive a multiyear subsidy after a loan has been made? For instance, if a bank lends a student $1,000 in his freshman year, and a 3-percent subsidy payment is made, the bank will receive a 10-percent yield on that loan until it has been repaid. Since repayment does not begin until after the student graduates, or in some cases even later, it can easily be seen the huge amount of interest that must be paid, even though the bank had only a one-time cost for this loan. If it is the will of this Congress that the banks should be subsidized to higher profits, the subsidy should be limited solely to the first year of the loan. This would severely limit the possibility of the banks manipulating maturities in order to gain more in the way of market adjustment payments.

The enactment of H.R. 13194 could also have a damaging effect on all inter-

est rates since it would provide banks with a guaranteed 10-percent source of income. What will happen to mortgage loans and other worthwhile loans that now carry an interest rate below 10 percent? The banks can use the argument that these loans must be increased to 10 percent in order to provide them with the profit return that they would make on student loans. We may be helping a few students get loans but at the same time cause irreparable damage to all other types of loans. The Members of this body should consider that carefully before voting on this legislation on Monday.

BANKS COULD SUBVERT BILL'S INTENT

There are also several other basic financial problems with this legislation. For instance, it provides that the market adjustment payments will be made for loans that are outstanding at the end of each 3-month period. It will be quite easy for the banks to cram all their lending activities into the final few days of the quarter and thus qualify for a subsidy based on a 3-month period, when in actuality, the loans were on the books for only a few days.

Also, objectionable is the retroactive feature of this legislation. Officials of HEW and the administration are runing around telling bankers that this legislation will be passed retroactive to July 1, 1969. This body should not be held accountable for promises made by the executive branch which are made to force the Congress to pass this legislation. The effective date of the legislation should not be July 1, 1969, but rather the date that the bill is signed by the President. Because of these promises or predictions which certain administration officials have been making, we are still faced with the problem of not being able to find out whether or not the 7-percent rate is adequate. It may very well be that the 7-percent rate is adequate. We will never know if we pass this legislation. We may, in fact, be handing out hundreds of millions of dollars where such a handout is not necessary.

If this legislation were not to be brought up under suspension, I had intended to offer several amendments designed to truly help the college student and once and for all put an end to the yearly problem of blackmail by the banking industry. There is a simple answer to the problem. The U.S. Government maintains huge interest-free deposits in our Nation's commercial banking system. These deposits reach approximately $10 billion a year. It was my plan to attach an amendment to this legislation, in the form of a substitute, that would have required commercial banks to place a certain percentage of their lendable funds in student loans. This plan would not cost the Government a penny and since the banks do not want to give up their free deposits, they would rapidly begin to make the student and small business loans.

But because I will be prohibited from offering amendments, my only course is to ask that the bill be defeated.

Mr. Speaker, I want to make it clear that my remarks do not reflect upon the members of the Education and Labor Committee. Under the guidance of Chairman PERKINS and the Special Education Subcommittee chairlady, the gentlewoman from Oregon (Mrs. GREEN), the committee has strived to bring some order to the problem of student loans. Unfortunately, the committee has not had all the tools available with which to tackle the problem. Given these handicaps, the committee has done an outstanding job. I would only ask that the committee now take time, when there is no emergency, to work this problem out with HEW so that we will not be faced with the same problem next year when the banks want to increase the market adjustment rate from 3 percent to 5 or 6 percent.

AMERICAN MARIGOLD: OUR NATIONAL FLOWER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCDONALD) is recognized for 5 minutes.

Mr. MCDONALD of Michigan. Mr. Speaker, the great voice is stilled, but his toil in behalf of his country made such a record of achievement that he became a legend in life.

It is not my purpose today to recall the great career of Senator Everett McKinley Dirksen, a man loved and respected by all on both sides of the aisles of Congress.

I wish to take these few minutes to pay homage to his memory by calling upon Congress to grant him that wish in death which he failed to see fulfilled in life.

As we all know, Senator Dirksen sought over a period of years to have the American marigold designated our national flower.

He noted that among its virtues was an appearance representing not just beauty but a rugged humility of character. This latter aspect certainly is in the tradition of one of the virtues that made a great nation out of a bleak wilderness.

The marigold is native to the United States, first blossoming in New Mexico as a wild weed. It grew also in a number of countries south of the border before being taken to Africa and France for development.

In recent years, the marigold has undergone a remarkable transformation with the development of a hybrid bearing immense flowers of as much as 5 and 6 inches.

Dr. H. M. Cathey, head of ornamental investigations for the Department of Agriculture, advises me that in his opinion this hybrid is one of the major developments in garden flowers in a quarter of a century.

It bears such names as "Toreador," "First Lady," "Doubloon," and "Double Eagle."

Mr. Speaker, I can think of no more beautiful way to honor the memory of Senator Dirksen than by designating such a magnificent creation as the national flower of the United States.

In the hope that other Members of this House and of the Senate join in these sentiments, I am today offering a joint resolution calling for designation of the American marigold as our national flower, the text of which follows:

H.J. RES. 891

Joint resolution designating the American marigold (Tagetes erecta) as the national flower emblem of the United States

Whereas the peoples of the world have from time immemorial adopted emblems—flags, birds, flowers—for their countries, representative of their national virtues; and

Whereas the people of the United States have similarly adopted emblems—the American flag and the American eagle—to represent the virtues of this country; and

Whereas each of the fifty sovereign States of the United States, in addition to its State flag has a floral emblem which it cherishes as its own; and

Whereas the United States is the only major country in the world without a floral emblem; and

Whereas the American marigold represents the character of the United States more appropriately as an emblem than does any other flower in that it is an American native; grown in abundance in the home gardens of every State in the Union yet not the floral emblem of any State in the Union; grown easily and quickly from seed; already acknowledged as a symbol of religious faith; and a flower in its very appearance representing not just beauty but a rugged humility of character: Therefore be it

Resolved by the House of Representatives and Senate of the United States of America in Congress assembled, That the flower commonly known as the American marigold is hereby designated and adopted as the national floral emblem of the United States, and the President is requested to declare such fact by proclamation.

ONE WAY TO SAVE MONEY—JUST REPAIR AND RESTORE THE WEST FRONT OF THE CAPITOL RATHER THAN EXTENDING IT

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and include extraneous matter.)

Mr. STRATTON. Mr. Speaker, the old familiar drive to extend the west front of the Capitol—a project that would add 4½ acres of additional area to the Capitol structure, would cover up the last remaining portion of the original historic Capitol Building, largely destroy the historic architecture of the west front, and add to the Capitol Building two restaurants, two movie theaters, additional committee rooms, an escalator and a couple of dozen hideaway offices for favored Members of Congress—all at a cost of no less than $45 million—is on once again.

Older Members of the House will recall that this proposal, first unveiled in 1966, was vigorously opposed by myself and others at the time. A national Sunday supplement magazine attacked the idea and a National Committee To Preserve the U.S. Capitol was formed in opposition. As a result the plan was shelved and the House leadership assured us it would not be revived until after the Vietnam war had ended and the resulting budgetary situation has eased.

Nevertheless, something has suddenly changed. The Commission for the Extension of the Capitol has now recommended the expenditure of $2 million in the current budget to finance full working plans for the construction of this extension project. The Speaker himself urged the Appropriations Committee to reopen its legislative hearings and to

take action on this proposal, in spite of the fact that the Vietnam war is still on, the budgetary and inflationary situations are even more critical now than they were in 1966, and the President had just ordered a 75-percent cutback in Federal construction projects. The Subcommittee on Legislative Appropriations held a new hearing on this request on Monday and I testified in opposition to the proposal, just as I opposed it in 1966.

Nevertheless, the subcommittee voted unanimously to appropriate the additional $2 million, and the legislative bill incorporating this item is expected to come to the floor of this House for action next week.

At that time I intend to offer an amendment to the committee bill to delete the $2 million for detailed studies of the proposed expansion plan and substitute for it $100,000 to pay for a study of what needs to be done to repair the Capitol, keep it from crumbling, and restore it as much as possible to its original condition, together with an estimate of the cost of this kind of job.

Incredible as it may seem, the Congress has never had any careful, competent study made of what would be necessary to repair the Capitol and how much it would cost. All we have available to us is a study that would expand the Capitol in a very massive way, in the way I have already referred to, and we are being told that this is the only possible way to keep the Capitol from crumbling around our heads. Now, obviously we do not need an escalator to keep the building from crumbling, and we do not need two extra restaurants to do that job. So there must be a simpler and cheaper way of saving the west front than the elaborate expansion project recommended by the Capitol Architect and the Commission for the Extension of the Capitol. I say we ought to spend the money to find out just how that simple repair job can best be done. If by spending $100,000 now we can save $5 or $10 million in ultimate construction costs, it will be well worth it.

Oh, we will be told that we must approve the expansion project because of the dangerous cracks developing in the west wall and the danger that the Capitol might collapse. Yet the interesting thing is that even if the House approves the $2 million appropriation recommended by the subcommittee it will be another year or more before a single brick is moved or a single step is taken to keep anything from crumbling, because the $2 million is just for plans, and plans do not represent construction work. Therefore, if we have a year or so available to us to draw up plans, we certainly have 6 or 8 months to consider the alternate possibility of saving the Capitol by some more reasonable and less extravagant means.

Not everybody may be interested in the niceties of architectural beauty, I realize, but I am sure everyone is well aware of the desirability of avoiding all unnecessary spending at a time of serious governmental inflation. I believe we can save the west front more cheaply than the elaborate expansion scheme would do. And the American Institute of Architects, which includes about 80 percent of the members of the architectural profession, also believes the same thing. Does not it make sense for us to take a look at this proposal before we take the first step down the road to what could very well result in the expenditure of $60 to $70 million of taxpayers money at a time when we can ill afford to spend such sums?

They do not start a new weapons system over in the Pentagon without considering several "options," and trying to select the one that is most effective at the least cost. Should we in the Congress do anything less in connection with structural repairs on our own Capitol?

I do hope that Members of this House will study this issue and support my amendment when the time comes. To provide further background on this important controversy, I am including at this point in the RECORD my full testimony before the legislative Appropriations Subcommittee, including an important letter from the American Institute of Architects, and also a copy of a recent newsletter of mine on this same subject.

The items referred to follow:

STATEMENT OF CONGRESSMAN SAMUEL S. STRATTON IN OPPOSITION TO PROPOSED EXTENSION OF WEST FRONT OF THE CAPITOL BEFORE LEGISLATIVE APPROPRIATIONS SUBCOMMITTEE, SEPTEMBER 8, 1969

Mr. Chairman, I appear here this morning in opposition to what I understand is a request this Committee has received from the Commission for the Extension of the Capitol for $2 million to finance complete planning for the projected extension of the West Front as proposed by the Architect and the firm of Thompson & Lichtner, Engineers.

This request and the action of this subcommittee in scheduling this hearing come to me as something of a surprise in view of the assurances that were given to me and to the House some time ago that nothing would be done on the West Front until after the Vietnam war. But the war is still on, and our budgetary and inflationary pictures are even far more serious now than when that commitment was originally made. In fact the President of the United States has only recently curtailed Federal construction projects by 75 percent in an effort to stem inflation.

My opposition to the West Front Extension is, of course, no secret to members of this subcommittee. Let me summarize my position briefly, however. I oppose the extension for three reasons:

First, because it would cover up for all time the last remaining portion of the original historic Capitol building, and would also seriously alter the basic architecture of the original West Front in a way that the extension of the East Front never did. I believe we have an obligation to do everything possible to maintain the basic structure of this building as a national shrine, and ought not to destroy it, hide it, or alter it other than what is absolutely necessary to preserve it from deteriorating or collapsing.

Second, I do not believe we ought to add on any additional spaces within the present Capitol, however desirable those spaces might be in themselves. It may be more convenient not to have to walk over from the Rayburn Building, but I do not believe the Capitol should be expected to provide any more office spaces or restaurant spaces now that we have the Rayburn Building; and I certainly do not think the Capitol should be expected to include a visitors' center when we are already in the process of creating such a center in the old Union Station.

Third, I believe the west front extension scheme espoused by the Architect is just too costly for our needs. When it was first proposed in 1966 the estimate was $34 million. Mr. Stewart has now advised this subcommittee that the same project today will cost $45 million. On the basis of his advance estimates of the costs of the east front and the Rayburn Building, however, I would think a reasonable estimate of the final cost would run close to $70–$80 million. That is just too much to spend in the light of all our other priority needs.

The argument is being made today, however, and I assume it underlines the sudden request made to this subcommittee that fresh cracks are now developing in the west front and that unless this familiar extension project is begun without further delay the building will shortly collapse about us. Let me make it clear that I do not dispute the fact that the west front is in need of repair. Indeed I appeared before this subcommittee two years ago to urge that funds be appropriated to make some needed repairs on the building. Although my request was not approved by the subcommittee, I was pleased to see last year that the Architect finally did get around to cleaning up the West Front, removing the bird droppings, and at last repainting the sandstone.

But the nub of my own position, Mr. Chairman, and the most incredible part of the whole west front extension story, is that no one has ever seriously studied what would be the minimum amount we would need to do to repair the west front, restore it to safe condition, and just how much that job would cost.

Instead we have only one plan which calls for a vast 4½ acre extension of the west front to include two restaurants and two theaters, several other rooms and additional offices, and even an escalator. And we are being told that the only possible way in which we can prevent the west front from collapsing is to implement in full all this elaborate expansion scheme.

But this is nonsense. Obviously no one can seriously suggest it would be impossible to prevent the west front from collapsing unless we install escalators or additional resturants inside it. Of course the firm that developed the expansion plan claims that theirs is the only way the Capitol can be saved, but they have an obvious interest in their own project. We need the truth.

Over in the Pentagon they have a system known as cost-effectiveness. I am sure it is not a completely fool-proof system, but it does have an element of good business sense. Before they embark on developing a new weapon, they take a look at the weapon and then at alternative ways of dealing with the same problem, and then they compare the different alternatives both as to their relative cost and their relative effectiveness. This ends up by presenting our Pentagon planners with several "options," and from these options they can then select the best one in terms of greatest effectiveness and lowest cost.

This is what I think we ought to have over here on this side of the river too, Mr. Chairman. Before we take the first $2 million step down the long road toward an ultimate expenditure of $60 to $70 million, doesn't it make sense for us to pause for just a moment to take a careful look at all the other options? Isn't there any other way we can repair and restore the Capitol without spending as much money as this 4½ acre restaurant cum escalator expansion project would involve? Isn't there some way we can keep the Capitol from falling down around the heads of Members of Congress without destroying its basic architecture or hiding the last remaining section of a very historical structure? Isn't it possible that we can repair the Capitol at a lesser cost than what we would have to pay to transform it into a giant Howard Johnson?

The blunt fact is, Mr. Chairman, that no one has paused to look into this simple question. I think we should look into it and therefore I urge this subcommittee not to appropriate the $2 million to start down the road on a $70 million dollar project, but rather to appropriate $100,000 for an independent, competent engineering study of exactly what is the minimum we need to do to prevent the West Front from collapsing, and what is the reliable cost for such a project.

I am, of course, not an architect myself, but the American Institute of Architects says that they are convinced that this restoration job can be done more cheaply than the expansion project, and they are convinced that a reliable survey can be completed in a reasonable amount of time at a cost not to exceed $100,000. After all, we have already spent $447,835 in preliminary surveys of this expansion project and the elaborate model associated with it which is now enshrined in Statuary Hall. Surely it makes sense to spend another $100,000 if the end result will be to save us, let us say $10 or $15 million and at the same time preserve a historic building relatively intact.

Last year, the late Senator Bob Bartlett of Alaska wrote to the American Institute of Architects to ask them for certain comments on an address made by Mr. Mario Campioli, Assistant Architect of the Capitol, before a convention of the American Registered Architects. Mr. Campioli was defending the thesis that the only way to prevent the collapse of the West Front was to get the restaurant-escalator expansion project rolling. Senator Bartlett wrote the AIA to ask them to comment on Mr. Campioli's statements. As the closing part of my remarks, I would like to read and include in the RECORD the letter which the AIA had prepared for Senator Bartlett, but which, because of his untimely death, they sent instead to me.

The letter follows:

"THE AMERICAN INSTITUTE OF ARCHITECTS,

"St. Louis, Mo., February 17, 1969.

"Hon. SAMUEL S. STRATTON,
"U.S. House of Representatives,
"Washington, D.C.

"DEAR CONGRESSMAN STRATTON: This is my belated reply to the late Senator E. L. Bartlett's letter of November 25, 1968, (enclosed), in which he asked the American Institute of Architects to comment on a speech given by Mario E. Campioli, Assistant Architect of the Capitol, before the Convention of American Registered Architects. Since you have long been interested in plans for correcting the condition of the West Front of the Capitol, I am directing my reply to you.

"The American Institute of Architects believes that the West Front of the Capitol can and should be restored in its present location using existing sandstone where possible or new sandstone where necessary. Like any prudent owner, Congress should commission an impartial structural engineer to study all aspects of restoration and to recommend a program for restoration complete with cost and risk evaluations and detailing any disruption of Capitol activities. Only then will Congress be able to make an effective comparison between restoration and extension.

"The questions which Senator Bartlett asked illuminate one glaring fact: no one knows exactly what restoration will entail.

"The engineering report prepared in 1964 by Thompson and Lichtner (which was commissioned by the Architect of the Capitol) is devoted solely to the feasibility of extension—nowhere does it state that restoration is impossible. This report professionally justifies extension but does not professionally analyze the expected risk, cost and disruption factors which would be encountered in restoration.

"Without the benefit of a feasibility study we and the members of Congress can do no better than to make educated guesses about the risk, cost, and the extent of restoration needed. Yet, we are certain that restoration is possible. On this basis, then we answer Senator Bartlett's questions which were prompted by the picture of horribles painted by Mr. Campioli.

"Will restoration of the existing structure entail vacating the entire West Front 'for a period of five to ten years'?

"By using modern technological developments, the entire West Front would not have to be vacated 'for a period of five to ten years.' Only those spaces immediately adjacent to active restoration would have to be vacated.

"Is it true that there would be no limit on risk or cost, if the West Front were restored rather than extended?

"Of course, there would be a limit to cost and risk of restoration. We firmly believe restoration will prove much less costly than extension (much structural repair must be done in either event). A feasibility study would provide Congress with cost information.

"Does the structural preservation of the Capitol indicate an extension of the building to the West?

"The structural preservation of the Capitol does not necessarily indicate an extension to the West. Structural preservation can be accomplished by several means, including either restoration *or* extension. We strongly urge Congress to choose restoration.

"Senator Bartlett also asks: 'Am I mistaken in believing that nothing of the original Capitol building will remain if the West Front were extended?' The Senator was not mistaken: the West Front is the last remaining exterior portion of the original Capitol building. And for this very reason, we argue that Congress should restore the West Front.

"As you know, the West Front of the original Capitol building is substantially unchanged from its appearance in 1825. In that year, Charles Bulfinch completed the West Front of the Capitol, slightly modifying William Thornton's prize-winning design of 1793. In 1800, under the direction of James Hoban, the north wing of the original Capitol—Congress House—was completed and the legislators moved in. In 1807, the south wing was finished under the charge of Benjamin Latrobe. Bulfinch then completed Thornton's conception of the Capitol by construction of the central portion, including its West Front. For reasons of economy, President George Washington chose sandstone as the building material.

"In 1851, Thomas Walter began to add the present House and Senate chamber to the north and south wings. At this time, too he designed the present steel dome to replace Bulfinch's low brass dome which was dwarfed by the new wings.

"No further changes were made in the Capitol until the late 1950's when the Associate Architects, commissioned by the Architect of the Capitol, J. George Stewart, extended the original East Front 32½ feet in order to eliminate the impression that the huge dome overhung the original central portico. In so doing, Mr. Stewart also replaced the sandstone of the East Front with marble. Thus, even though the original East Front was preserved as an interior wall, it has disappeared from view.

"Now the Architect of the Capitol and Speaker McCormack want to extend the West Front in the same manner: replacing sandstone with marble and preserving the West Front as an interior wall. If this is done, all vestiges of the original Capitol will be buried beneath marble.

"Since 1800, parts of the West Front have witnessed the unfolding of the story of the United States as a Nation. Surely, now when Americans are beginning to appreciate the heritage of their past, we can afford to restore the West Front in its original place for historical reasons.

"Thus, we urge restoration in order to bequeath to the future a reliable representation of an original portion of the Capitol in the place where it was built. Restoring the wall in its present position is important to preserve a position in time without change: a position in time which will be credible to generations of Americans now and in the future. Certainly in our hierarchy of buildings there is none more important to our Nation than the Capitol. If a small portion of it is not worth restoring, what is?

"Finally, Senator Bartlett inquired about The Institute's consistency in supporting restoration of the West Front. Once again he points to the AIA MEMO (see enclosed article) of January, 1958, which stated in part: 'It is believed that the space requirements could be better filled—and at far less cost—by leaving the East Front alone and instead developing a proposed scheme for expansion of the West side of the building.' The above quotation was contained in an article reporting the activities of the Committee on the Preservation of the Capitol which was not an AIA committee, but composed of a group of architects (some AIA members), architectural historians, as well as other prominent citizens outside the profession, to rally support against the proposed extension of the East Front of the Capitol. This quotation is entirely out of context and misrepresents The Institute's long-standing position in favor of restoration. The American Institute of Architects has never officially or unofficially espoused any proposal for extending the West Front of the Capitol. While opposing destruction of the historic East Front, and reporting activities of that nature, The Institute has been cast by proponents of a West Front extension, in the position of recommending extension of the West Front.

"In 1958, we urged restoration of the East Front for historical reasons. Now, extension of the East Front makes stronger our historical argument in favor of preserving the West Front as the last remaining exterior portion of the original Capitol. Only Congress can and should make the decision to restore the West Front. In so doing, Congress should not let its current and future space needs (which can and should be accommodated elsewhere) dictate; rather it should consider what our Capitol means to Americans now and will mean to future generations of Americans.

"I feel that the controversy over restoration or extension of the West Front of the Capitol poignantly emphasizes the need for a professional commission to plan the comprehensive development of Capitol Hill. I hope that legislation such as S.J. Res. 74, which passed the Senate last year, will be reintroduced this session and enacted into law. Only then will there be an orderly resolution of controversies such as this.

"I appreciate the opportunity to express once again The Institute's position on this most important matter.

"Sincerely yours,

"GEORGE F. KASSABAUM,
"President."

SAVE THE NATIONAL CAPITOL

(Congressman STRATTON's weekly report from Washington)

The drive is on again to destroy the historic West Front of the U.S. Capitol—something even the British couldn't do in 1814—and replace it with a new structure embodying two super Howard Johnsons and a movie theater. I intend to do all I can to stop it, and I need your help.

The plan is an old one, first unveiled 3½ years ago with a price tag of $34 million. But public indignation, including an article in a national Sunday supplement and formation of a Committee of One Million to Preserve

the United States Capitol, finally shelved the scheme. House leaders assured us nothing would be done to provide funds for this monstrosity until after the Viet Nam war. A week before Congress left on its August recess a ranking Appropriations Committee member told me no move would be made this year on the West Front extension.

But something happened last week, and the Appropriations Committee opens hearings Monday on a plan to spend $2 million to get the scheme rolling again even though the war is still on and President Nixon just ordered a massive cutback in Federal construction. What happened, I hear, is that Speaker McCormack sent a letter to the committee urging them to get going on the West Front. So despite all the assurances, the hearings are on and I am scheduled to testify strongly in opposition.

I'm against the plan for two reasons. First is the cost. To cover up the last remaining portion of the original historic Capitol and add on two big restaurants, a movie theater, and a couple dozen hideaway offices for favored Congressmen was estimated at $34 million back in 1966. The Capitol architect (who isn't really an architect) now says the cost has jumped to $45 million. Knowing his track record on cost estimates I'd guess the final tab would be a lot closer to $70 or $80 million. We just can't afford that kind of extravagance today.

An argument is made that such an expenditure is urgent because otherwise the Capitol dome might come crashing down around our heads any day. The American Institute of Architects tells us this just ain't so. To be sure, there has been some deterioration in the Capitol's external walls, as happens in any 169-year-old building. I'm much in favor of doing whatever needs to be done to fix those crumbling portions. *But the incredible part of the West Front extension story is that in all these years no one has ever spent a dime to find out how much it would cost to just repair it instead of expanding it.*

Let's repair it, yes! But let's not destroy it, hide it, extend it, or transform it. That, basically, is what the argument is all about.

ATLANTIC-PACIFIC INTEROCEANIC CANAL STUDY COMMISSION—FIFTH ANNUAL REPORT COMMENTARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, on August 6, 1969, the President transmitted to the Congress the fifth annual report of the Atlantic-Pacific Interoceanic Canal Study Commission covering the period July 1, 1968, to June 30, 1969, stating that this body will render its final report not later than December 1, 1970.

On previous occasions after transmission to the Congress of the first four annual reports by this study group, I commented at length on each of them in statements in the CONGRESSIONAL RECORD as follows: August 25, 1965, page 21855; September 27, 1966, page 24061; August 15, 1967, page 22730; and October 11, 1968, page H9934, temporary. In line with past practices, I shall do so again on the fifth annual report.

The current sea-level canal inquiry is being conducted pursuant to Public Law 88–609, 88th Congress, approved September 22, 1964, as amended, which law provides for a full and complete investigation to determine the feasibility of and the best site for the construction of an interoceanic canal of so-called sea level design. The 1964 statute does not authorize the study of any other design.

It will be noted from the report that the indicated inquiry is not of an independent character but one rooted in the executive branch of our Government. Its activities have been directed toward advancing the age-old dream of a canal at sea level. The so-called Study Commission is not an independent body, appointed by the President by and with the advice and consent of the Senate, but merely a part-time consulting board hired by the executive branch of our Government. Moreover, its chairman is the Honorable Robert B. Anderson, who was also the chief negotiator for the discredited 1967 proposed giveaway treaties with Panama.

While the report presents a picture of the supposedly comprehensive nature of the canal studies, it certainly is not a disinterested study, but one directed toward justifying the predetermined objective of a canal at sea level under a statute prepared and enacted under the direction of sea level advocates and which precluded the study of any other type of canal other than the so-called sea level design.

As I have stated on other occasions, much of the work of the Study Commission has been a waste of the taxpayers' money in knocking over "straw" proposals such as the Atro-Truando route in Colombia, which were included in the investigations as potential sea level projects. The report also serves to confuse the real issues in the problem of increased transit capacity by emphasizing detailed studies of various proposals other than the solution that applies—the completion of the improved third locks project, on which more than $75 million has been expended. Nor does it even specifically mention this project for the major increase of capacity and operational improvement other than as a vague allusion.

One of the major developments during the past year was the publication in the January 1969 issue of Bio Science, with the support of the National Science Foundation, of an article by Dr. John C. Briggs, respected professor and chairman of the department of zoology of the University of South Florida, of an article on "The Sea Level Panama Canal: Potential Biological Catastrophe." In this article, Dr. Briggs concludes that because of invasions through a sea level waterway by 6,000 marine species from the Atlantic into the Eastern Pacific, and 4,000 species from the Pacific into the Western Atlantic, there would be large-scale extinction of marine life, involving international complications with nations depending upon the sea as a source of food, such as fish and other sea animates.

In the April issue of Bio Science, is an exchange of letters between the executive director of the sea level canal study group, Col. John P. Sheffey, and the author of the article. The director took exception to the conclusions of the article and Dr. Briggs ably refuted the counterarguments of Colonel Sheffey, concluding with a call for biologists of the Nation to support a canal plan that would retain a fresh water barrier between the Atlantic and Pacific Oceans. Legislation for such plan in the form of bills for the Panama Canal Modernization Act, introduced and now pending in both Houses of the Congress, have gained strong support among independent engineers, geologists, nuclear experts, navigators, biologists, and others.

A reading of the fifth annual report will disclose that it is significant not so much for what it says, but for what it fails to state. In order to facilitate its examination, I have prepared a commentary on some of its highlights, which will be quoted later. The page numbers used in the commentary are those of the study commission's print and my comments aim at both clarification and amplification.

The whole effort of the current study group from first to last has been directed at determining all the questions involved in the canal situation by administrative processes and not by those of congressional character. The goals toward which the group strives, if achieved, would not only drive the United States from the isthmus but would lead to a Communist takeover of Panama, sparking like takeovers in other Latin American countries.

The report makes no reference to the critical posture of the world at large, with war clouds all around the horizon. It absolutely ignores the crucial conditions now obtaining at home and abroad and appears ready not only to acquiesce in giving away what we now own but also any new canal that we may construct, both in violation of the U.S. Constitution—article IV, section 3, clause 2. Nothing could be better calculated to destroy the influence of the United States in the Western Hemisphere than the adoption of the plans that the current study group is striving to have the President and the Congress approve.

In these connections, the recent announcement of the pending nomination of Robert M. Sayre as U.S. Ambassador to Panama is most significant, for he was an active participant with Walter W. Rostow in the formulation of the three proposed new canal treaties that would surrender the jugular vein of the Americas.

Mr. Speaker, I would urge all Members of the Congress to read the entire fifth annual report, which has been distributed; also my evaluations of previous reports. My Comments on some of the highlights of the current report follow:

COMMENTARY

Page 1, par. 4, first sentence:

"The report on the technical feasibility and cost of both sea-level and lock canals on Route 8, generally along the border between Nicaragua and Costa Rica, has been completed in draft."

Comment. From this statement it would appear that there is a sensible choice at Nicaragua as to the type of canal that should be constructed there. Is this a fact or an assumption? Every competent study of the Nicaragua Canal has utilized the fresh water Lake Nicaragua about 105 feet above mean sea level as part of the project, which requires locks near each end; and which, therefore, is not a sea level project but a lake-lock type.

In this connection, attention is invited to Ho. Doc No. 139, 72d Congress, which con-

tains the report of the 1929–31 survey by Lt. Col. Dan I. Sultan. That report concluded that a lock and lake type canal at Nicaragua is feasible. It did not recommend construction of any sea level type there.

Page 3, lines 1–3:

". . . the cost of a lock canal through Lake Nicaragua would be more than the cost of a sea-level canal on Route 10 or Route 14. (Canal Zone or Chorrera)."

Comment. Regardless of the truth or falsity of this statement, cost is only one of the factors involved. It would be more appropriate if a competent comparison were made between the lake-lock type canal at Nicaragua and the so-called sea-level design at that site from the operating as well as engineering viewpoints.

Page 3, par. 2, first sentence:

"The investigation thus far on Route 10, some five miles outside the westerly border of the Canal Zone, indicates that conventional construction of a sea-level canal along this route is technically feasible."

Comment. The plan currently contemplated for such project would consist of three sections in Panamanian territory each about 15 miles in length, the center section having two separate channels, with the sections divided by two tidal locks. Experienced navigators oppose this plan for reasons of operations. Moreover, it would require a new treaty with Panama with a huge indemnity that would have to be added to the costs of acquiring the right of way and of construction. Moreover, there would be no protecting frame as now obtains with reference to the present canal; and without such frame such proposal, if adopted, would be a failure in maintenance, operation, sanitation and protection.

Page 3, par. 2, last sentence:

"The major advantage of Route 10 is that construction on it would not interfere with the continued operation of the present Panama Canal."

Comment. It would appear from this statement that the objective of the current study group is to have two canals close together, one in the Canal Zone (present canal) and the other in Panama. Such duplication of facilities would be impossible to justify.

Page 3, par. 3, lines 5–6:

"A sea-level canal near the present canal would involve the minimum costs for new supporting installations. . . ."

Comment. With the exception of its two ends, such canal in the Canal Zone Territory would be a new canal. Its adoption would involve the negotiation of a new treaty with Panama to determine the specific conditions for its construction, slide dangers, and "heavy maintenance problems (perhaps insuperable)" that would develop because of "higher banks through a longer distance". (See E. S. Randolph, "An Engineer's Evaluation of Isthmian Canal Policy", U.S. Naval Institute Proceedings, April, 1956, pp. 395–99.)

Page 3, par. 3, lines 7–8:

". . . but construction on Route 14 (Canal Zone) could create problems in maintaining the high-level lock canal in operation during the construction period."

Comment. This assertion minimizes the dangers involved. The 1960 report of the Board of Consultants, Isthmian Canal Studies, makes the following significant statements:

"16. We are doubtful if any reasonable plan to construct a sea level canal in the Canal Zone could be carried through without serious danger of a long interruption to traffic at the time of cutover from the present lock canal.

"* * * We are extremely doubtful of the stability of the slopes (proposed in the 1947 report), during the very short period of unwatering the present lakes. In our opinion, slides of the first magnitude could easily result from the use of such slopes, in the short period of unwatering." (Ho. Rept. No. 1960, 86th Congress, 2d Session, p. 5).

Page 5, par. 2, second sentence:

"Both the Stevens Institute of Technology and the Naval Ship Research and Development Center are conducting studies and model tests for the Commission to determine the relationships of ship characteristics, channel design, and currents."

Comment. Extensive tests in this field were made during 1946–48 at the Taylor Model Basin, Carderock, Md. The use of Panama Canal pilots in conducting them provided a higher degree of practicality than usually obtains in theoretical tests. (See *Transactions* of the American Society of Civil Engineers, Vol. 114 (1949), pp. 685–733, for a summary of the results.)

Page 5, par. 2, third sentence:

"While it obviously would be desirable to reduce or eliminate tidal currents, conclusions as to the necessity for tidal controls in a sea-level canal have not as yet been reached."

Comment. Regardless of whether the present canal study group has reached its conclusions on this point, all competently prepared plans for a sea level type of canal in the Canal Zone have provided for such controls in the form of tidal locks or navigation passes. In this connection, it should be noted that the Suez Canal has a record of accidents in which vessels ground at both ends, with the bow on one bank and the stern on the other.

The proposed Panama Sea Level Project (Route 10 or 14) would not provide a fresh water barrier, regardless of the number of locks required.

Page 5, last par., first sentence:

"The opening of an unobstructed channel between the oceans would allow a far greater exchange of marine life between the oceans than take place through the Panama Canal."

Comment. This may be true. Recent studies predict that in such a waterway 6,000 Atlantic species would invade the Eastern Pacific and 4,000 Pacific species would invade the Western Atlantic, with large scale extinction and international consequences. In fact, Dr. John C. Briggs, Professor and Chairman of the Department of Zoology of the University of South Florida, on August 11, 1969, wrote me that "the sea-level canal project poses one of the most important, if not *the* most important, conservation problem of our time." (Italic by author).

Page 5, last par., third sentence:

"The Commission has now requested the National Academy of Sciences to propose a program of long-term ecological studies to be conducted if the decision is made to construct a sea-level isthmian canal."

Comment. A recent article of basic importance on this subject by Dr. John C. Briggs, with the support of the National Science Foundation, supplies much information on the ecological subject. In a subsequent discussion, Dr. Briggs ably refutes the counter argument of the Executive Director of the Sea Level Canal Study Commission. (See John C. Briggs, "The Sea-Level Panama Canal: Potential Biological Catastrophe", *Bio Science,* January, 1969, pp. 44–47; and Sheffey-Briggs exchange of letters, *Bio Science,* April, 1969, pp 300–301.)

Page 7, par. 2, second sentence:

"Should the past twenty years' growth rate of all traffic continue unabated, the demand for transits would be approaching the capacity of the present Panama Canal around 1985."

Comment. For many years, Panama Canal authorities estimated that increased capacity would be needed by 1970, and, to meet this need, had planned to construct a third set of locks. Such project was authorized without adequate inquiry in 1939 at an estimated cost of $277,000,000. Construction was started in 1940 and pushed vigorously until suspended in May, 1942. Total expenditures on this project were $76,357,405, with substantial completion of lock site excavations at Gatun on the Atlantic side and Miraflores on the Pacific. No excavation was accomplished at Pedro Miguel.

In addition, the current program for the enlargement of Gaillard Cut is due for completion in 1970 at an estimated cost of $81,257,097. These two projects together represent a total expenditure of more than $157 million for the major modernization of the existing Panama Canal.

Such modernization should meet traffic needs "for the next 75 years or more" and legislation for it has been introduced in both House and Senate, and is now pending. This legislation would provide for a set of larger locks for larger ships, but not for ships designed to escape tolls and which are already plying around Cape Horn and Cape of Good Hope, the latter the alternative to the closed Suez Canal.

Page 7, par. 2, last sentence:

"Another factor to be considered is the constraint of the ship size limitation of the present Panama Canal on the movement of raw materials in bulk carriers."

Comment. This statement ignores important facts. The huge bulk carriers now being constructed are so designed to avoid passage through any type of canal for the reason that it is more economical to route them around Cape Horn or the Cape of Good Hope than to pay transit tolls.

Page 7, last par., third sentence:

"A canal large enough to transit all U.S. Navy aircraft carriers would add speed and flexibility to deployment of naval forces."

Comment. This statement also ignores important facts. Our Naval planners long ago eliminated transit of the Panama Canal as a military characteristic in the design of our largest war vessels for the reason that any type of canal is vulnerable to destruction by nuclear attack. Moreover, we have a two ocean Navy.

Page 7, last par., last sentence:

"A sea-level canal's lesser vulnerability to all forms of attack, short of complete closure by nuclear weapons, has been found to give it marked defense advantage in comparison with a high-level lock canal."

Comment. Because the principal arguments for a so-called sea-level canal historically have been those of relative vulnerability, I wish to elaborate. In 1905–06, the main contention of sea-level advocates was the "threat of naval gunfire"; in 1939, it was the fear of possible "enemy bombing attack"; in 1945–47, it was hysteria over the "atomic bomb and other new weapon dangers"; in 1964, it was "sabotage" with "two sticks of dynamite"; and in 1969, it is defense against "surprise attack", as well as "sabotage". No doubt we can expect new bugbears as new weapon systems are developed.

As I have stated on many occasions, the true criteria for deciding upon the question of type is not one of "inherent resistance" to attack as may be embodied in design, but what is best for operations and navigation. Where our statesmen have based their decisions on what is best for these two factors, they have been right and their work has stood the test of time. Where they have not, they have erred, at times with tragic consequences, for example, the 1939 Third Locks Project.

Moreover, the simple facts are that any canal is vulnerable to nuclear attack unless fully protected therefrom. We have gone through four great wars without injury to the Canal. In the future as in the past, we must protect the canal by active measures and not by passive design features. Therefore, the argument as to vulnerability of the present canal is specious and insincere.

Page 9, par. 2:

"In November 1968, the Government of Panama created its own Canal Study Commission, giving it the mission of studying the problems related to a canal through Panamanian territory. Its functions include that of evaluating the data made available from the U.S. Commission's site surveys in Panama."

Comment. In view of the limited resources of the Republic of Panama, its long record of revolutionary violence and political instability, and failure in such simple matters as sanitation, it is hardly realistic to expect anything productive to eventuate from such study in relation to a project of the magnitude of an interoceanic canal. Moreover, under provisions of the 1903 Treaty, the United States exercises all the rights, power and authority over the U.S. owned Canal Zone territory and Panama Canal to the entire exclusion of the exercise by Panama of any such rights, power and authority.

Page 9, last par.:

As a result of the changes of government in Panama since June 1967, action has been suspended on the proposed new treaties with Panama completed in draft at that time. The treaty terms for the construction, operation, and defense of a new sea-level canal will be of major importance in the determination of the feasibility of its construction by the United States. Therefore, for each of the routes under consideration, the Commission will take cognizance of possible treaty terms in formulating its final recommendations.

Comment. The texts of the three proposed canal treaties were published in statements to the Senate by Senator Thurmond in the *Congressional Records* of July 17, 21 and 27, 1967. In both Panama and the United States, they aroused strong opposition, with some 150 members of the House introducing resolutions in opposition.

Chairman Robert B. Anderson of the Canal Study was also chairman of U.S. negotiating team. It is noted that the Fifth Annual Report does not make any recommendations adverse to the three proposed treaties, which provide for the eventual surrender to Panama without compensation not only of the existing canal but also of any new canal that the United States may construct at the expense of our taxpayers.

As evidence of Panamanian instability attention is invited to my statement in the *Congressional Record* of August 7, 1969, entitled "Panama: Land of Endemic Revolution Requires Objective Evaluation."

Page 1–1, top par.:

Public law 88–609, 88th Congress, S. 2701, September 22, 1964, 78 Stat. 990, as amended by: Public Law 89–453, 89th Congress, S. 2469, June 17, 1966, 80 Stat. 203; Public Law 90–244, 90th Congress, S. 1566, January 2, 1968, 81 Stat. 781; and, Public Law 90–359, 90th Congress, H.R. 15190, June 22, 1968, 82 Stat. 249.

Comment. This attempt at legislative history is far from adequate. As to Public Law 88–609, in the Senate, it was passed by voice vote without debate; in the House, I appeared before the Committee on Merchant Marine and Fisheries and strongly opposed it. Despite my efforts, the House hearings were never printed and it was called upon to enact this important statute without the benefit of published hearings.

For additional information, attention is invited to two of my addresses in the House on April 1 and July 29, 1965, on "Interoceanic Canal Problem: Inquiry or Cover Up?", which will be found on pages 428–52 and 454–16 of my volume on *Isthmian Canal Policy Questions* published as H. Doc. No. 474, 89th Congress.

Page 2–1, numbered par. 3:

"The period of July 1, 1970 to December 1, 1970 will be used to coordinate the draft of the final report with other Federal agencies *prior to its being printed for presentation to the President not later than December 1, 1970.*" (Emphasis supplied.)

Comment. This statement suggests the intention of securing the publication of the report of the current sea level canal study before it is transmitted to the Congress. Under the law, the final report is required to be submitted to the President for transmittal to the Congress not later than December 1, 1970. Publication by the Government Printing Office requires the authorization of the Congress.

In the case of the 1947 report, its basic fallacies were so glaring that the Congress never authorized its printing. So far there are no indications that the report of the current study will be any more palatable to informed members of the Congress than the 1947 report. In fact, informed officials in our government do not expect anything of common sense to result.

Page 7–2, numbered par. 1, third sentence:

"Modernization of the present Panama Canal, including new locks, is also being examined to obtain a comparison between sea-level canal alternatives and an improved lock canal."

Comment. Public Law 88–609, approved September 22, 1964, provides for an investigation and study to determine the feasibility of, and most suitable site for a sea-level canal. The inclusion by the current canal panel of a study for the major modernization of the present Panama Canal is usurption of authority, probably subject to court action.

Page 7–2, numbered par. 3:

"3. The following alternatives are being considered in the engineering study:

"a. Constructing a sea-level canal by conventional excavation methods.

"b. Constructing a sea-level canal by a combination of nuclear and conventional excavation methods.

"c. Modernizing the present Panama Canal to increase the transit capacity for anticipated future intercoastal and interoceanic ship traffic."

Comment. As regards subparagraph b, attention is invited to the book, *The Constructive Uses of Nuclear Explosives,* by Teller, Talley, Higgins and Johnson, published by McGraw-Hill in 1968. This volume makes available essential information for independent engineers and geologists in evaluating or refuting the claims of sea level advocates.

In respect to subparagraph c, this is not clearly stated. Does it mean simply the repair and improvement of the existing canal structures, or does it contemplate the elimination of the Pedro Miguel Locks with the consolidation of all Pacific Locks south of Miraflores?

Legislation introduced in the present Congress, House and Senate, deals with the problem of Panama Canal Modernization in a realistic manner. Any proposal that fails to eliminate the locks at Pedro Miguel is fatally inadequate.

For additional information as regards the needed modernization, attention is invited to my statement in the Congressional Record of February 19, 1969, on "Panama Canal Modernization: Time for Action Has Come", which includes the text of the proposed modernization legislation. The report fails to make any reference thereto and by ignoring such proposed legislation, its authors evidently hope to avoid proper consideration by the Congress of the grave questions involved.

HURRICANE CAMILLE RESTORATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. STAGGERS) is recognized for 15 minutes.

Mr. STAGGERS. Mr. Speaker, it has been most gratifying to note the speed with which the Federal Government, as well as State and private agencies, has moved into the areas overwhelmed by the wind and flood connected with Hurricane Camille. After devastating the gulf areas of our Southern States, the hurricane seemed to lose much of its force as it moved northward. Unexpectedly during the night it turned sharply eastward and passed over West Virginia and Virginia on its way to the Atlantic Coast, leaving a recordbreaking flood of rain in its wake. The damage to property as well as to human life in its path can hardly be believed.

In my own Second District of West Virginia, the southern tier of counties caught the brunt of the storm. Without warning torrents of water rushed down the valleys, carrying away people asleep in their homes. The picture of destruction has been pretty well publicized.

It is with a thankful heart that I report the prompt action of the Federal departments in bringing help. HUD immediately arranged to bring in a number of temporary shelters to provide housing not otherwise available. A large sum from the President's disaster relief fund was provided. Other agencies of a semi-public or private nature rushed men and materials to the scene. Mr. Speaker, I wish publicly to thank all these agencies and organizations for their efforts to bring relief to a stricken portion of the Nation. While it is the normal reaction of Americans to desperate need, one cannot fail to be impressed by the speed with which it was brought to bear on the situation.

It might be noted that Federal contributions to relief in disaster situations have been made possible through the foresight of Congress in setting up relief organizations and funds. Both the Congress and the administration should share in the credit for what has been done.

So far as I know, all areas affected by the storm were given similar treatment. It is a magnificent tribute to the benevolence and good will of this great Nation.

Notwithstanding the generosity already shown, the need is still very great. Whole towns and villages have been swept away. The number of missing persons is still great. Survivors have lost everything they possessed. With these thoughts in mind, I have introduced H.R. 13612, which would appropriate a special fund for the help of victims of Hurricane Camille. It is my understanding that several of my colleagues have proposed similar measures. I trust that the Congress will respond favorably to this appeal.

CLEAN WATER RESTORATION ACT

(Mr. DINGELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DINGELL. Mr. Speaker, I wish to place in the RECORD at this point additional correspondence from Governors and State agencies regarding the necessity of fully funding the Clean Water Restoration Act. This correspondence was generated by a letter I sent to State Governors June 6, 1969. I inserted replies from some 30 Governors in the RECORD on July 10, 1969, on pages 19102 to 19121, and additional letters on July 28, 1969, on pages 20924 to 20926.

The correspondence today reveals that the New England Governors' Conference urges full appropriation of $1

billion for fiscal 1970 authorized in the Clean Water Restoration Act; the Governors of Florida and Georgia regard the situation in their States as crucial; the Governor of Indiana says construction in his State barely keeps up with the population increase; the Governor of Idaho foresees a slowdown, and so on. The correspondence demonstrates a truly national need, and a growing national recognition of the need.

I also include a recent press release, which I hope all will find informative:

NOTICE

DEPARTMENT OF NATURAL RESOURCES,
Lansing, Mich., August 18, 1969.

The Natural Resources Commission of the State of Michigan unanimously approved the enclosed resolution pertaining to the Federal sewage treatment works grant program authorized by the Clean Water Restoration Act of 1966, at the August 15, 1969, meeting held at the Holiday Inn, Marquette, Michigan.

The Chairman of the Commission has instructed me to bring this matter to your attention for your kind consideration.

Sincerely,

SAMUEL A. MILSTEIN,
Executive Assistant.

RESOLUTION ON SEWAGE TREATMENT WORKS GRANT PROGRAM

(Adopted by the Natural Resources Commismission, August 15, 1969, Marquette, Mich.)

Whereas the $335 million Clean Water Bonding Program approved by the voters of Michigan in November of 1968 was directly based on the level of funds authorized for the Federal sewage treatment works grant program by the Clean Water Restoration Act of 1966; and

Whereas appropriations for the Federal grant program have fallen far short of the level originally authorized resulting in delays in the construction of needed sewage treatment works and a reduction of the ultimate impact of the Michigan Clean Water Bonding Program; and

Whereas adequate financing is essential for an effective pollution control program: Now, therefore, be it

Resolved, That the Michigan Natural Resources Commission hereby respectfully urges the Michigan Congressional delegation and other organizations to support full funding of the sewage treatment works grant program in fiscal year 1970 to the level originally authorized by the Clean Water Restoration Act.

AUGUST SCHOLLE,
Chairman.
CARL T. JOHNSON,
Member.
E. M. LAITALA,
Member.
ROBERT C. MCLAUGHLIN,
Member.
HARRY H. WHITELEY,
Member.

It was moved by Mr. Johnson, supported by Mr. Whiteley, that the above resolution be approved. The question being stated by the Chair, the motion prevailed.

IOWA STATE DEPARTMENT OF HEALTH,
Des Moines, Iowa, August 12, 1969.

The Honorable JOHN D. DINGELL,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN DINGELL: Governor Ray has asked that I reply to your letter of June 6, 1969 regarding the effect of funding of the construction grant program on the water pollution control program in the State of Iowa.

During the early years of the grants program subsequent to 1956 the State of Iowa was receiving only approximately $700,000 annually as compared with the $3,200,000 allocation now received under the $214 million national appropriation. Priorities for grant funds were given to communities with the greatest water pollution control need but approximately one third of the communities proceeded without Federal assistance during the early years of the program. Likewise, many communities received much less than 30% grant due to early limitations on maximum grants.

Construction grant funds under the $214 million appropriation have been ample to fund all Iowa projects on a 30% basis. The State of Iowa has approached 100% treatment of the municipal sewered population for a number of years and a major share of the federal funds are utilized in expansion of treatment plants in the larger cities. The state has averaged construction of 30 to 50 treatment plant projects annually and Federal funding has been ample during recent years to support our water pollution control program, although for the current year priorities have again become necessary.

Legislation to establish a program of 25% state aid to municipalities for sewage treatment plant construction failed to pass during the last Iowa legislative session. In the event this state aid program should be adopted, there would be a need for increased federal assistance to fund the 50% federal share for which the state would be eligible.

I hope this information will be helpful to you and we will be glad to furnish additional information.

Very truly yours,

R. J. SCHLIEKELMAN,
Director, Water Pollution Division.

STATE OF IDAHO,
Boise, Idaho, August 13, 1969.

Hon. JOHN D. DINGELL,
Member of Congress, Rayburn House Office Building, Washington, D.C.

DEAR REPRESENTATIVE DINGELL: I share your interest and concern over the fact that construction grant appropriations under the Federal Clean Water Restoration Act have been grossly short of the authorizations contained in the Act.

Although the grant level of such appropriations has not been a major handicap in the construction program in the State of Idaho up to the present time, we do anticipate that failure to appropriate at a significantly higher level in the next few years will certainly slow down our clean-up program. We are also aware that the present funding level has severely handicapped the clean-up programs of some of our neighboring states.

Sincerely,

DON SAMUELSON,
Governor.

STATE OF INDIANA,
Indianapolis, Ind., August 19, 1969.

Hon. JOHN D. DINGELL,
Member of Congress, House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN DINGELL: Reference is made to your letter of June 6, 1969, relative to the effect of past federal funding on Indiana's water pollution abatement program. The lack of adequate federal grant funds has been the major deterrent to our program. This has become acute in the past few years.

Each year since the grant program was initiated in 1956 we have received applications for more funds than were available. In the earlier days of the program the requests usually amounted to from two to three times the amount of money available. Following the enactment of the 1966 amendments which increase the authorization and provided for an increase in the federal grant from 30% to 50% if the state gave a 25% grant, the 1967 Indiana Legislature appropriated $8.6 million for state grants for the 1967–69 biennium. This appropriation was sufficient to match Indiana's federal allotment from a $300 million appropriation for 1967–68 and $400 million for 1968–69.

In 1967–68 we received 57 applications for $17.2 million in federal funds, on a 50% basis. However, only $4.9 million were allotted to Indiana. In 1968–69 we received 93 applications for $31.5 million federal funds. Only $5.2 million were received. As a result a considerable portion of the $8.6 million state funds which were available reverted to the state general fund.

The 1969 Indiana Legislature appropriated $3.0 million for 1969–70 which is sufficient to match our allotment from a $250 million federal appropriation. It appropriated $3.5 for 1960–71. The experiences of the previous biennium were a major factor in determining the amount of state funds appropriated for the current biennium.

The 1969–70 applications for federal and state funds are now on file. There are 135 applications for $44.3 million in federal funds. Priorities have been established by the Stream Pollution Control Board. A copy of the priority list is attached hereto. Since Indiana receives only $5 million from a $214 million appropriation a glance at the table will show we can satisfy only the first four applications.

It is obvious the lack of federal grant funds has slowed our program. In fact, our rate of construction for the past two years, and our apparent rate for this year, is barely keeping pace with population expansion.

The Indiana Constitution does not permit bonding of the state. Consequently we cannot raise the money to pre-finance the federal grant as New York and a few other states have done.

Sincerely,

EDGAR D. WHITCOMB,
Governor of Indiana.

EXECUTIVE DEPARTMENT,
Atlanta, Ga., August 12, 1969.

The Honorable JOHN D. DINGELL,
Member of Congress,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: Your letter dated July 21, 1969, in reference to my views on the impact of present funding for the construction grant program under the Clean Water Restoration Act, was greatly appreciated.

The Georgia State Water Quality Board in its letter dated July 21, 1969, and the Georgia Department of Public Health in its letter dated July 29, 1969, have provided you with details of the effects of present funding. On behalf of the people of Georgia, I urge you to press for increased funds for the construction grant program. Without this help, we and other states face a frightening future in our fight against water pollution.

If I can be of further assistance to you, please do not hesitate calling.

With kindest personal regards, I am

Sincerely,

LESTER MADDOX,
Governor.

STATE OF FLORIDA,
August 20, 1969.

Honorable JOHN D. DINGELL,
U.S. Congress,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: Florida for the past several years has required at least twice the amount of federal funds available from the Clean Water Restoration Act. In fiscal year 1968–69, the State could have used more than three times the amount allocated. Florida's allocation in FY 1968–69 was $5,695,400. There was an additional sum of some $4,000,000 available from previous years from municipalities whose grant applications could not be approved for one reason or another. There will be no surplus this year.

Some 75 grant applications totaling more than $17,000,000 were received during this fiscal year which is ending. The State has been able to recommend funding on only 26 of these. An additional 18 applications have been certified to the Federal Water Pollution Control Administration as reimbursable. Because of the squeeze on funds, the State had to set a limit of funds for any individual project of no higher than 25 percent of the federal allocation. Florida's water quality standards require all sources of municipal and industrial waste attain a treatment efficiency of 90 percent or better no later than January 1, 1973. This early deadline is expected to increase the pressures in this State for more federal funds to aid in sewage treatment plant expansion and improvement. Other sources of funds, such as bonds, are becoming increasingly hard to obtain, especially for the smaller communities in the State. The cost of money has risen sharply and is still climbing.

This brief outline shows that the situation regarding availability of federal funds for water pollution control and abatement shortly is critical in Florida. The State has not taken up the slack left by the under-funding at the Federal level. It is my hope that we will move more vigorously at the State level. A strong presentation will be made to the Legislature next April for a State grant program. However, even this will not serve to lessen the need for Federal funds to carry on this important battle. Let me assure you of support from this office in your attempts to secure full funding for the Clean Water Restoration Act for Fiscal year 1970.

Sincerely,

CLAUDE R. KIRK, Jr.,
Governor.

STATE OF MAINE,
Augusta, Maine, August 19, 1969.

Hon. JOHN D. DINGELL,
Member of Congress, Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN DINGELL: Recently, an article in the Conservation Foundation Newsletter was brought to my attention in which it was stated that you and six other Congressmen were pushing a drive for the full $1 billion authorization for waste treatment plant construction. My letter to you of June 19th detailed Maine's deep interest in having the full authorization funded.

Subsequently, a resolution was introduced by me and unanimously passed by the New England Governor's Conference, of which I am Chairman, calling upon the New England Congressional Delegation to support efforts for further Federal funding and specifically, to work for the full authorization of $1 billion. I am enclosing a copy of the resolution for you.

Any suggestions you might have as to how we could be helpful to you in your effort would be appreciated.

Sincerely yours,

KENNETH M. CURTIS,
Governor.

RESOLUTION

Whereas, the continued pollution of our region's lakes, rivers, estuaries, and coastline is a serious threat to the economic vitality, environment and public health of our six States; and

Whereas, each New England State has demonstrated leadership and determination in attempting to resolve these critical water quality problems through the development of water quality standards on interstate and intrastate waters; through regional cooperative action and the establishment of one of the Nation's first interstate water pollution compacts and also one of the first river basins commissions; through substantial State aid to local communities for the construction of waste treatment facilities and prefinancing of the Federal share of these facilities; and

Whereas, the Federal Government after enactment of strong water pollution control legislation has not appropriated the funds authorized under that legislation required to assist in the task of restoring the quality of this region's polluted water; and

Whereas, the National fiscal gap over the past five years between the appropriations and authorizations under that legislation amounts to a total of one billion five hundred twelve million dollars;

Now therefore be it resolved, that, the Governors of the New England States call upon the members of the New England Congressional Delegation to support all reasonable methods designed to resolve this crucial financial problem. Specifically, we urge Congress to fund the full authorization under the existing program and that we oppose any move to reduce the current 50 to 55 percent level of Federal support to individual projects as now established under the Water Pollution Control Act.

Be it further resolved that, we urge that the Congress seriously consider long term financing of the Federal share of the cost of water pollution control facilities in order to extend Federal assistance to the maximum number of projects within allocated funds if these allocated funds remain significantly below the authorization; provided that, the Federal obligations incurred as a result of State pre-financing of the Federal share are assumed by the Federal Government.

MORE THAN THIRD OF CONGRESSMEN JOIN REPRESENTATIVE DINGELL'S CLEAN WATER CAMPAIGN

The number of Congressmen signing up to vote for full $1 billion funding of the Clean Water Restoration Act is certain to grow when the House of Representatives resumes sessions this week, Rep. John D. Dingell, Democrat, of Michigan's 16th Congressional District, predicted today.

"This is truly a national campaign we have going," Rep. Dingell said. "We have more than 160 members—more than a third of the House—enlisted now. They come from all parts of the country and represent all shades of opinion.

"I am particularly pleased that 40 Republicans already have joined our drive. We are making a bipartisan appeal for a bipartisan cause.

"What we are saying is that all Americans want their water supplies restored to decent purity, and we believe that the country can afford the cost."

Rep. Dingell spoke for a bipartisan group of seven Congressmen who, on June 2, launched a drive for $1 billion in Federal aid for State and local water purification projects. The $1 billion was authorized for 1970 in the Clean Water Restoration Act passed in 1966, and throughout the land, States and cities have gone ahead with construction plans on the assumption that Congress would make the money available.

But Congress appropriated only $214 million of $700 million scheduled for this year, and the Budget Bureau is asking only $214 million instead of the $1 billion scheduled for 1970. Meanwhile, a backlog of more than 4500 State and local water treatments projects calling for $2.3 billion Federal aid is piling up.

The $200 million water treatment modernization program of the City of Detroit system has fallen two years behind schedule, partly for lack of Federal funds. Modernization programs of Trenton, Riverview, Grosse Ile, South Rockwood and other cities not served by the Detroit system will be delayed if money is not forthcoming soon.

The State of Michigan, so far, has avoided delay by advancing the expected Federal share of its $540 million program. But if Federal money is not provided, Michigan will be able to complete only half of its present water purification plans.

Rep. Dingell's group plans to propose an amendment appropriating the $1 billion when the annual Public Works appropriation bill comes to the House floor for passage. Besides Rep. Dingell, they are: Reps. John A. Blatnik, D., Minn.; John P. Saylor, R., Pa.; Michael A. Feighan, D., Ohio; Paul N. McCloskey, R., Calif.; Henry D. Reuss, D., Wis.; and Jim Wright, D., Texas.

THE ARTS AND POLITICAL CRAFTS

(Mr. MORSE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORSE. Mr. Speaker, I could not have been more delighted at President Nixon's appointment of Nancy Hanks to be the new Chairman of the National Council on the Arts. In Nancy Hanks, the President has found a person uniquely qualified to direct the Government's effort in this area.

Miss Hanks has had extensive experience in Washington, especially in the White House during the Eisenhower administration. Her credentials in the arts are widely recognized. She served as head of the Associated Council of the Arts, a private organization which supports the arts. Most recently, she was associated with the Rockefeller brothers special projects funds where she was primarily responsible for turning out a comprehensive report on financing the performing arts.

In the Washington Post for Sunday, September 7, there appeared the following editorial regarding Miss Hanks' appointment and I include it at this point in the RECORD:

THE ARTS AND POLITICAL CRAFTS

Miss Nancy Hanks is a neat catch as chairman of the National Council on the Arts, the fledgling agency that steers federal money into culture. Her role in producing the comprehensive Rockefeller Fund report on financing the performing arts, and her most recent post as head of the main private national organization that supports the arts, comprise fine credentials. For her charm as well as her savvy, she has the respect of the pros in the field. The Nixon administration had erred gratuitously by dismissing Miss Hanks' predecessor, Roger Stevens, six months ago simply because he was a Democrat. In the interim, the staff at the council began to disintegrate and planning for the current year was paralyzed. But the appointment of Miss Hanks makes for a good recovery.

In nominating her, President Nixon said: "One of the important goals of my administration is the further advance in the cultural development of our nation." To honor these words, he will have to do much more than name an attractive arts council chairman. At once, he will have to remove the $1 million lid which his Budget Bureau is reported to have placed on the council's budget, for which the House has already approved $4.25 million. A President who removes most of the council's money can scarcely pretend to be "advancing" culture. Moreover, with Miss Hanks' counsel, the President must take the opportunity, which arises next year when the council's authority runs out, to put federal support of the national culture life on a solid foundation. We would like to believe that without a presidential commitment to do these things, a person of Miss Hanks' stature would not have signed up.

NIXON ADMINISTRATION FOREIGN POLICY

(Mr. MORSE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORSE. Mr. Speaker, last week the distinguished Under Secretary of State, Elliot L. Richardson, spoke before the International Studies Association in New York City. Under Secretary Richardson provided a comprehensive review of the foreign policy of the Nixon administration, with particular emphasis on its objectives and strategies. I think our colleagues will be most interested in Mr. Richardson's remarks.

The Under Secretary points out that President Nixon has begun to forge a distinct and fundamental change in the course of American foreign policy with long-range goals within the framework of which immediate decisions can be more rationally made. Recognizing that changing environments require changing policies, the Nixon administration seeks to preserve an important degree of flexibility with which to meet new circumstances and new situations.

We have already seen some indications of the new policy Mr. Richardson speaks of. During his visit to Asia, President Nixon took care to point out that, while the United States would retain its interest in the Pacific and would continue to play a role there, the nature of that role and that interest would be updated to fit the requirements of the present.

The hallmark of this new policy is that the United States will limit its commitments abroad to those which it can "prudently and realistically keep."

I include, Mr. Speaker, Under Secretary Richardson's remarks at this point in the RECORD, and I commend it to our colleagues' attention:

ADDRESS BY THE HONORABLE ELLIOT L. RICHARDSON, UNDER SECRETARY OF STATE, BEFORE THE INTERNATIONAL STUDIES ASSOCIATION, BILTMORE HOTEL, NEW YORK CITY, SEPTEMBER 5, 1969

I would like to discuss with you today the foreign policy of the Nixon administration. It has been taking shape for seven or eight months now, a sufficient and appropriate time to make some observations on its overall strategies and objectives.

The policies of every administration reflect the interaction between the philosophy and temperament of the man who is President, and the mood, pressures and requirements of the moment in history in which he leads the nation. In the case of this administration, and in international affairs particularly, the views and experience of the President and the needs of the moment represent a particularly beneficial blending.

I think this is true for several reasons: For one, President Nixon is a highly trained and sophisticated foreign affairs expert, whose professional experience goes back for a quarter of a century. He served, for example, on the Herter Committee which developed the Marshall Plan. In the sixteen years before his assuming the Presidency—eight as Vice President and eight as a private citizen—he traveled extensively and became intimately familiar with many world leaders and their problems. The President's political support, moreover, so representative of the broad middle body of American thought, gives him a degree of flexibility in his dealings with other nations that would be denied to someone who represented either political extreme.

Mr. Nixon himself recently observed that one of the weaknesses of American foreign policy has been that "too often we react rather precipitously to events as they occur. We fail to have the perspective and the long range view that is essential for a policy that will be viable." The President's reinvigoration of the National Security Council system has helped to insure that our policies will not lack these attributes. On this score, incidentally, I am obliged to disappoint those journalists who delight in fomenting feuds: relations between the NSC staff and State are vigorous and constructive, and the objective of taking into account all the national interests in foreign policy making is being achieved.

Finally, like people in many other lands, Americans are disillusioned by rhetoric, bored with false drama, and tired of exaggerated hopes and overblown undertakings. They are looking for stability, not adventurism. Not himself given to flamboyance, the President has sensed and responded to their mood.

The general nature of the policy that has emerged from this blending of the President's views, experience, and temperament with the exigencies of the period has often been characterized by observers in the press, academic community, and elsewhere as pragmatic and flexible. So far as it goes, this is a fair enough assessment. Certainly there has been no unfolding of elaborate schemes for their own sake, no flourish of simplistic slogans, no promulgation of a "grand design." In this time of rapidly shifting events, when each region, country and situation poses different problems and presents different requirements, any foreign policy *not* capable of flexible and pragmatic adjustment is in trouble almost by definition.

What seems to have become somewhat overshadowed in this concentration on pragmatism, however, is the fact that under this administration American foreign policy has entered upon a distinct new era, one marked by some quite fundamental changes in course, emphasis, and direction. Definite long range goals are being set against which the wisdom of shorter range decisions can be judged. Flexibility, in other words, must not be confused with drift. Under the President's direction a cohesive and dynamic new policy is being crafted to fit the requirements of changed circumstances.

To make clearer where we are going, let's take a quick backward look at where we have been.

Having added, at Hiroshima and Nagasaki, a new dimension to war in World War II, the United States could not in its aftermath escape a new dimension of responsibility for peace. During the decade of the fifties, therefore, we extended the protection afforded by our capacity for massive retaliation over most of the free world, organizing in the process a number of regional alliances.

On the whole the system has worked—and is still working—to deter massive or blatant aggression. By the end of the fifties, however, it began to be apparent that the capacity for massive retaliation was not an answer to small, conventional wars; it followed that wars of insurgency, abetted by Communist organizers and aided by Communist arms, could become instruments of Communist aggression. There was good reason, moreover, to doubt that our allies and friends could defend themselves against such wars by themselves; without the threat of American military intervention there was a risk that they would fall under Communist domination. And so in the early sixties we moved to close this "loophole" in our security system. Vietnam was a logical, if not inevitable, product of this policy.

Now that the sixties are ending, we have come to see in sharper focus the hard realities which affect American capacity to help our friends and allies combat insurgency, whether or not externally assisted. Fortunately, at the same time, other circumstances have so changed as to restrict the kinds of help that are needed. Both of these factors have important implications for U.S. policy, as Mr. Nixon himself, writing in the October 1967 issue of Foreign Affairs, was among the first to point out.

The Vietnam experience has made clear the difficulties involved in applying a policy of American intervention in insurgency wars. It has demonstrated that the effectiveness of any government, even with our help, in controlling insurgency is depedent on the broad-based support of its own people. And this in turn has underlined the importance for any such government of domestic programs responsive to the social demands upon which insurgency feeds. We cannot, it now seems clear, do the job of fighting insurgency for someone else. We cannot provide the indigenous will and resolution, or the toughness and durability that are needed if this kind of warfare is to be waged successfully.

Foremost, meanwhile, among the developments making dependency on American help less necessary has been the growth in strength and confidence of the newly independent nations, particularly those of Asia. Since emerging from colonialism, these nations have shown a growing capacity to protect their independence. Despite troubling growing pains, population problems, and economic difficulties, their demonstrated nationalist ardor, regardless of their particular ideology or form of government, makes outside domination difficult to accomplish and harder to maintain.

In the light of these developments, the President has made clear that the nature of our assistance to nations threatened by internal subversion will hereafter depend on the realities of each separate situation. In some cases assistance in economic and political development may be enough. In other cases aid in the form of training and equipment may be necessary. But the job of countering insurgency in the field is one which must be conducted by the government concerned, making use of its popular support, its resources, and its men. Large-scale intervention from abroad is, of course, something else again and must be considered against the backdrop of the total obligations and interests of the American people.

This, in essence, was the message the President carried to the nations of Asia. It was a message of support and encouragement of their new strength and nascent regional awakening and cooperation. It was a reassurance that United States commitments in Asia remain unchanged. It was a reminder that we will continue to play a role as a Pacific power. But it was also a declaration that the character of our participation is being updated.

As he said in Bangkok:

"Our determination to honor our commitments is fully consistent with our conviction that the nations of Asia can and must increasingly shoulder the responsibility for achieving peace and progress in the area.

"The challenge to our wisdom is to support the Asian countries' efforts to defend and develop themselves, without attempting to take from them the responsibilities which should be theirs.

"For if domination by the aggressor can destroy the freedom of a nation, too much dependence on a protector can eventually erode its dignity."

The new developments and changed circumstances to which the President addressed himself in Asia have their counterparts, of course, throughout the world. Among these, the most important, perhaps, is the tendency on the part of developed and underdeveloped countries alike to focus increasing attention on internal problems. The goals of economic growth, technological development, expansion of educational opportunity, and easing of urban pressures absorb their minds and energies. Their student populations reflect and reinforce those preoccupa-

tions. Among the by-products are waning ideological fervor and, in the developed countries at least, growing impatience with the diversion of limited resources into "nonproductive" military uses. This inward focus, nevertheless, cannot shut out the outside world, which is reflected back by every significant economic and technological undertaking. Indeed, it may well turn out that the most important by-product of national introspection is an awareness of global interdependence.

Neither the U.S. nor the USSR has been immune from these developments. On our country, their impact is felt in the pressing demands of neglected domestic problems, which have become powerful competitors with the claims of external security. In the USSR, efforts to cope with agricultural deficiencies and to meet growing consumer demands are undoubtedly having some effect on Soviet society. Most Soviet young people the New York Times reported on Tuesday, seem almost burgeois in their desire for more and better material things. They work by day and study by night, saving for vacations, clothes and better apartments.

It would be dangerous, however, to gamble on the proposition that the material aspirations of these young people have fundamentally altered the nature or objectives of the Soviet state. Its actions in Czechoslovakia and its repression of its own intelligentsia bear melancholy witness to the contrary. But the Soviets also have good reason to seek some relief from the enormous and ever-increasing costs of modern strategic weapons systems. With their massive nuclear stockpile, they may now share our own realization that overkill multiplied by overkill still equals overkill.

This, at any rate, is important among the factors which have led President Nixon to open the door to an "era of negotiation." In heading into this era, we are prepared to "take risks for peace—but calculated risks not foolish risks." We shall not bargain away our security for vague improvements in the "international atmosphere." Progress in East-West relations can only come out of hard bargaining on real issues. A detent that exists only in "atmosphere" without being related to substantive improvements in the relationship between the powers is worse than no improvement at all. It tempts us to lower our readiness, while providing no really concrete basis for a reduction in tensions.

If tensions are to be *genuinely* lowered, progress will have to be made in the solution of outstanding issues of a concrete nature—issues such as access to Berlin and European security; a Middle East settlement; a permanent resolution of the Vietnam conflict; or in the strategic arms limitation talks. This is the reason also that we and our NATO allies have insisted that a European Security Conference might be useful only after specific items to be negotiated have been nailed down. The final communique of the NATO Foreign Ministers issued at their April meeting made this point very explicitly. It said: "The allies propose, while remaining in close consultation, to explore with the Soviet Union and the other countries of Eastern Europe which concrete issues best lend themselves to fruitful negotiation and an early resolution."

The manner in which the Soviet Union reacts to our specific proposals on specific issues will afford a test of its basic intentions. If their responses seem reasonable and their approach to the conduct of negotiations appears to be in good faith, then grounds will have been established to move forward. But no single step ahead can in itself bring an end to East-West tensions. Identifying, negotiating, and resolving disputed situations must be a continuing process, one that will take time, patience and ingenuity. Genuine progress will be achieved only if both sides are satisfied at each step along the way that their security has not been jeopardized.

Whatever, at any rate, may be the progress of our negotiations with the Soviet Union, we shall, in the meanwhile, continue to pursue two parallel objectives. One—closely related to the fulfillment of our treaty obligations—is to strengthen our relations with our friends. This was one of the objectives of the President's trips to Europe and Asia. His European trip, for example, assured our NATO allies that we view the alliance as an evolving partnership, one which is capable of growing to meet changed needs. In the President's words, we see it not as "the temporary pooling of selfish interests" but "a continuing process of cooperation." The full and genuine consultation he promised has reinvigorated our relationships in Europe and brought forth greater frankness and trust on both sides.

The other objective is to improve our relations with countries not aligned with us, including those that are hostile. This, of course, was the purpose of the President's visit to Romania, and the overwhelming reception given him there was a graphic indication of the warmth many Eastern Europeans feel toward America.

In the case of Communist China, long-run improvement in our relations is in our own national interest. We do not seek to exploit for our own advantage the hostility between the Soviet Union and the Peoples Republic. Ideological differences between the two Communist giants are not our affair. We could not fail to be deeply concerned, however, with an escalation of this quarrel into a massive breach of international peace and security.

Our national security would in the long run be prejudiced by associating ourselves with either side against the other. Each is highly sensitive about American efforts to improve relations with the other. We intend, nevertheless, to pursue a long term course of progressively developing better relations with both. We are not, in other words, going to let Communist Chinese invective deter us from seeking agreements with the Soviet Union where those are in our interest. Conversely, we are not going to let Soviet apprehensions prevent us from attempting to bring China out of its angry, alienated shell.

Firmness toward our commitments, realism toward change, and respect for other nations can be seen in varying combinations in all of this Administration's approaches to the problems of foreign policy. Although the United States no longer has the overwhelmingly onesided margin of strength that was ours in the shattered postwar world, we are still a great power, and we have a vital stake in international peace and stability. We cannot shrink from the responsibilities that this fact and the nature of our worldwide interests bring to us. As President Nixon told the Governors on Monday, "The new strategy for the seventies . . . means maintaining defense forces strong enough to keep the peace—while not allowing wasteful expenditures to drain away resources we need for progress. It means limiting our commitments abroad to those we can prudently and realistically keep. It means helping other free nations maintain their own security but not rushing in to do for them what they can and should do for themselves."

These, in broad profile, are the directions the foreign policy of this Administration are now taking. The unfolding international situation presents us with difficult choices and makes exacting demands. But it also holds before us unparalleled opportunity to achieve the peace which, in the words of the President's inaugural address, "is not victory over any other people, but the peace that comes with healing in its wings; with compassion for those who have opposed us; with the opportunity for all the peoples of this earth to choose their own destiny."

KEEP COOL WITH COAL

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SAYLOR. Mr. Speaker, I wish to extend to those colleagues who are residents of our Atlantic megalopolis my congratulations upon enjoying a cool summer. My congratulations are occasioned by the temperature tantrums thrown by the electric utilities in recent weeks. One major cause of the inadequacies of these utility companies has been their overoptimistic reliance upon the availability of nuclear generating capacity to meet the high electrical power demands of consumers.

Every time the temperature reached a high level, the request to cut down on the use of electricity went out to consumers. At the very time when fans and air conditioners were needed most, we were asked to forgo their use. The consumer—and by this I mean not only the individual citizen, but business and Government as well—has been victimized by the electric power industry's fascination with nuclear energy.

The time may come when the technology for nuclear power generation has become reliable enough and safe enough to make a meaningful contribution to our expanding requirements for electricity. That time is not yet in sight, however.

A 640,000-kilowatt nuclear generating plant at Oyster Creek, N.J., was expected to be on line but delays have now put that project more than 2 years behind schedule.

Similarly, a new nuclear facility at Indian Point in Buchanan, N.Y., was to be delivered to Consolidated Edison earlier this year, but will not be available for about 2 more years due to construction problems and a lack of skilled workers.

In other instances, delays and cost increases have contributed to an overall deterioration of the power situation. In the face of growing power demands and the lack of expected nuclear generating capacity, older conventional equipment has been increasingly subject to breakdowns.

What nuclear energy has generated in abundance is not power, but problems.

Those in the utility industry who have locked their development planning to the emergence of nuclear technology now find themselves in a very uncomfortable position. Being human, they have cast about and found a scapegoat—the conservationist.

Dr. Seaborg, Chairman of the Atomic Energy Commission, has characterized those who have historically been concerned with environmental factors as guilty of "irrational thinking and activity based on misinformation and unfounded fears."

Con Ed's Charles F. Luce has heroically shifted the blame for the shortage of electric power to conservationists, stating:

> We're not constructing a single plant that someone is not objecting to.

He added "the pendulum has swung too far" in favoring protectors of the environment, but—

> There's no reason why we can't have power and not louse up the environment.

His latter point has been dramatically proved by those in the power industry who have maintained a flexible attitude toward energy sources.

In Pennsylvania the Keystone operations of the Pennsylvania Electric Co. utilize the tremendous energy available in coal to generate electricity which is then distributed throughout the Eastern United States. Penelec too, had considered use of atomic energy, but wisely decided that the day of the useful atom had not arrived, and that wish power would not run an air conditioner or light a lamp.

Power company executives are finding that if consumer demands for electricity are to be met in the next few years, there is a need to return to the available technology and abundant energy source which are characteristic of coal.

My colleagues may wish to reverse the usual situation by writing a letter to their constituents—at least those in the electric power industry—and in that letter pass along this refreshing thought—"Keep cool with coal."

GUN CONTROL—PENNSYLVANIA ASSEMBLYMAN'S VIEW

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I have often directed our colleagues' attention to matters dealing with the drive for gun confiscation in America, and I will continue to do so until the gun control lobby finally admits that their attempts to infringe upon the rights of the individual is not the way to solve the problem of firearms violence in America. Today, I feel honored to bring to the attention of our colleagues an article on the subject of gun control, which was written by a close friend in the Pennsylvania House of Representatives.

Representative George W. Alexander of Clarion County, Pa., has been a leader in the battle against the gun controllers in the Pennsylvania house since 1962. He writes a regular newspaper column which appears in the Oil City Derrick. A current article expresses his and my anger and disgust with the recent report and recommendations of the National Commission on the Causes and Prevention of Violence. It is a pleasure to recommend this article to our colleagues:

[From the Oil City (Pa.) Derrick, Aug. 13, 1969]

FROM THE STATE HOUSE—NEW GUN LAW IGNORED IN SEVERAL COURT CASES

(By George Alexander)

Years ago it was taught to me not to do certain things when you are angry. At least to try to refrain from certain things when your blood pressure is up. Things like fighting, arguing, writing or reporting, you should lay off when seeing red. The reason given (especially for fighting) was that when you are angry you lose. Over the years this teaching, while not always heeded, has proven correct in most cases.

But right now I'm breaking the rules, disregarding the teaching and writing with admitted anger, plus disgust. And although the anger is mixed with disgust, the anger remains undiluted.

I'm admitting being fed up, completely fed up, with the ever-recurring attempts, both federal and State, to legislate on so-called gun control measures. If I figured myself a criminal I imagine I would be the opposite of angry; meaning happy. Happy to know any so-called gun control registration, or confiscation would be right smack up my criminal alley. But because I figure myself just an average citizen, minus criminal tendencies, but certainly concerned about criminals and their actions, I am far from happy, just plain angry. To put it bluntly and to the point, I wonder what the hell is going on.

Within recent months we of the Pennsylvania General Assembly passed legislation, and the Governor signed it into law, whereby any criminal committing certain crimes with the use of any kind of gun, was to be given stronger sentences by the courts. Mandated sentenced. What happened? In numerous cases, since this law became law, courts have ignored and by-passed this new law. Criminals using guns will get light sentences or parole.

Just a few days ago, July 28th, the National Commission on the Causes and Prevention of Violence issued a statement on firearms and violence. This statement went on to propose legislation which would restrict the use and possession of handguns (revolvers and pistols). They recommended the confiscation, by States, of 90 per cent of the handguns in private ownership. The next day, July 29, 34 bi-partisan members of the House, including this one, introduced a resolution (H.R. 128). The resolution was worded in part as follows:

"Handguns are widely used for sporting purposes. The citizens of the United States of America possess the constitutional rights to bear arms; therefore be it resolved, that the General Assembly of the Commonwealth of Pennsylvania express its opposition to the statement issued July 28, 1969 by the National Commission on the Causes and Prevention of Violence; and be it further resolved that copies of this resolution be transmitted to the members of said Commission and to each Senator and Representative from Pennsylvania in the Congress of the United States of America".

It just so happens I am one of many who use a handgun for hunting purposes. My .357 Magnum has performed well. However, while this method of hunting is important and enjoyable to me and many others, that is not really the important issue. The issue is why try to take any gun from, or make it awfully hard to own, for thousands of law-abiding citizens?

I repeat, I'm angry. Completely fed up with the "do-gooder, big-brother" stuff that is so prevalent in 1969 legislation, national or State.

Because thousands of people are killed yearly in cars, should you as the owner of a car be forced to turn in your car and buy a horse and buggy? Or walk? Because criminals, who will get guns no matter what the laws are, and use them unlawfully, should the thousands of law-abiding gun owners be penalized?

Guns, by themselves, don't break laws or kill people, it's the criminal using a gun unlawfully. Let's aim at him. And if criminals knew beforehand they would be aimed at literally, fewer crimes would be committed.

Concern has been expressed by the beforementioned Commission, and other sources, over the increase in the sale of handguns in the United States recently. To any law abiding citizen seeing, hearing about, and experiencing present day lawlessness in the form of rioting, burning, rape, and just plain trouble making, this increased sale is certainly understandable.

The increase in sales is because of needed, desired, and rightful protection. A person caught in the middle needs and has the right of protection. A handgun is not only protection, it could often prove to be a deterrent. A fly swatter won't do the job.

Let's cease attempting to destroy, alter or lessen the long-standing right of law-abiding citizens to bear arms. We built quite a country respecting such rights.

I've already admitted present angriness. If some day in the future, for some reason, an agent, or an officer, or some type of bureaucrat came to confiscate the guns I own, for no other reason than ownership, the anger I now feel might be rated bush league.

On a wall in front of my desk is a well-worded Pennsylvania Fish Commission poster. It reads:—

"Bless Your Heart—Relax—Go Fishing."

Perhaps today I should have heeded the poster.

H.R. 13694, A BILL TO CREATE THE HOME OWNERS MORTGAGE LOAN CORPORATION FOR DIRECT FEDERAL LOANS TO MODERATE INCOME FAMILIES

(Mrs. SULLIVAN asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. SULLIVAN. Mr. Speaker, I have today introduced H.R. 13694, a bill to create the Home Owners Mortgage Loan Corporation, an independent agency authorized to make direct loans to creditworthy families in the middle-income range who cannot otherwise obtain home financing at reasonable rates of interest.

As the ranking Member of the Subcommittee on Housing of the House Committee on Banking and Currency, and as a member of the National Commission To Study Mortgage Interest Rates created by Public Law 90–301, I have become convinced that our many programs to assure a decent home for every American family cannot succeed in their objectives during periods of tight money, such as the present, without the ready availability of new sources of mortgage funds at reasonable rates.

It appears obvious that the only avenue for assuring the availability of such funds is the Federal Government. This bill says, in effect, that if private lenders cannot provide adequate mortgage funds at reasonable rates, the Government must do so, and will do so.

COSPONSORED BY HOUSING SUBCOMMITTEE CHAIRMAN BARRETT

Joining me in introducing this far-reaching measure—a drastic but absolutely necessary cure for today's unconscionably high mortgage rates—is the distinguished gentleman from Pennsylvania, the Honorable WILLIAM A. BARRETT, chairman of the Subcommittee on Housing of the House Committee on Banking and Currency.

Congressman BARRETT's cosponsorship of this bill is indeed heartening to me and assures that this measure will be seriously considered in the Housing Subcommittee. It is not intended as a "gimmick" to "jawbone" present high interest rates down on the threat that we might act; it is put forward as both an immediate and long-range solution for recurring crises in home financing. It is a permanent solution, not a temporary expedient, for tight money as it affects homeownership.

HOLC SAVED HOMES; HOMLC CAN PROVIDE NEW ONES

The Home Owners Loan Corporation, launched in the early days of the Roosevelt New Deal, enabled millions of Depression-era American families to remain homeowners, by providing them with direct loans for refinancing so that they could avoid eviction and save their existing homes from foreclosure. The Home Owners Mortgage Loan Corporation can enable millions of today's middle-income families to achieve homeownership, not otherwise available to them in periods like the present, through direct loans on terms they can afford.

The HOMLC, although an independent agency with its own board of directors, will operate through existing Federal Housing Administration offices, so it will have no elaborate administrative structure. It will function only during periods when private mortgage lenders are unable or unwilling to provide housing loans to the average family at reasonable rates.

We must bring interest rates down, and hold them, to a level the average family can afford, so that it no longer costs them more to finance a home than to build it.

FLEXIBLE MAXIMUM INCOME CEILINGS, INTEREST RATES

The bill defines "moderate income" eligible families as those with incomes of $12,000 or less, a figure which could later be raised or lowered by the proposed Home Owners Mortgage Loan Corporation. The maximum interest rate to be charged by the Federal Government would be 6½ percent, or less. Loans as high as $24,000 for up to 30 years could be included under the program.

The Sullivan-Barrett bill would authorize appropriations of $2 billion a year for 5 years to establish a basic capitalization of $10 billion.

Thereafter, if repayments on outstanding loans or investment income did not provide a loan pool of at least $2 billion a year, additional appropriations would be authorized.

The proposed HOMLC would have a board of directors of nine members, including the Commissioner of FHA. The board would set all policies. At least five of the nine board members would be private citizens who would be paid on a per diem basis only when actually engaged in board business. The officers of the Corporation would be drawn from among the public members.

MEETING THE NEEDS OF MIDDLE-INCOME FAMILIES

Mr. Speaker, we have numerous programs for assisting our lowest income families to obtain good housing through subsidized rentals or subsidized mortgages. The average family—above the public housing income level—is dependent entirely upon the free market for its housing. This group is completely at the mercy of the current tight money squeeze. There is no existing avenue of help. This bill would prove help to that family, without subsidy, by utilizing the Government's vast borrowing power to obtain loans at reasonable rates.

The National Commission To Study Mortgage Interest Rates, which was created by Congress last year to recommend policies to assure an "adequate supply of mortgage credit at rates of interest the American family can afford," made no effective proposals for bringing down interest rates, and as Congressman WRIGHT PATMAN and I said in our dissenting views in that Commission, it gave the Federal Government "no alternative but to become the mortgage banker of last resort." This bill establishes the machinery for carrying out that judgment.

The preamble, or statement of policy of H.R. 13694, the proposed Home Owners Mortgage Loan Corporation Act, expresses its purpose in these words:

FINDINGS AND PURPOSE

SEC. 2. The Congress finds that the many programs of Government, intended to assure good housing for the American family at prices it can afford, are incapable of achieving their goals during recurring periods of tight money and high interest rates. Many credit-worthy families are being and have been denied mortgage financing on reasonable terms, not because of their inability to repay the obligation but because private funds needed for home financing have been diverted into other investment avenues. Such funds as are available for home mortgages are frequently offered only at unconscionable rates of interest. It is therefore the policy of the Congress and the purpose of this Act to stabilize mortgage availability and establish machinery for assuring moderate income families access to mortgage financing within their means, and thus to enable the average family to achieve its goal of home ownership, by providing direct housing loans through a Federal instrumentality to individuals in those instances where private enterprise cannot or will not extend loans at reasonable rates to credit-worthy applicants.

THE FIGHT FOR PURE WATER

(Mr. McCARTHY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCARTHY. Mr. Speaker, when Congress passed the Clean Water Restoration Act of 1966, we authorized a strong program to clean up the water resources in this country. Federal law requires the States to adopt water quality standards to be implemented by State and local governments within certain prescribed time limits. Millions of local dollars have been invested in waste treatment facilities, on the understanding that matching Federal funds would be available. But Congress has failed to honor the promise made in the Clean Water Restoration Act. For fiscal 1967 we appropriated the $150 million authorized in this act, but for fiscal 1968 we voted only $203 million of the $450 million authorized. Last year only $214 million of the authorized $700 million was approved. And for fiscal 1970 the administration request remains at $214 million against an authorized $1 billion.

Mr. Speaker, this governmental spectacle reminds me of the show "Promises, Promises." I share the view of the New York Times that it is hypocritical to enact grandiose programs and then undermine them by slashing appropriations vital to their fulfillment. I also believe that it is very unfair of the Federal Government to encourage States to embark on sound programs to clean up their waters and then oblige them to reduce the scope of those projects when we do not fulfill our part of the bargain.

The importance of full funding of the Clean Water Act is recognized throughout the country, and there is a good deal of support here in the House for an appropriation of $1 billion for fiscal 1970. To say that it has bipartisan support is to understate the situation, for support comes not only from the more liberal Members of both parties, but also from individuals and groups who generally favor reduced Government spending on all levels. Governor Reagan, of California, certainly one of our more fiscally conservative State leaders, has indicated his support for efforts to secure full funding.

I would like to insert in the RECORD at this time two editorials from the New York Times—dated August 25, 1969, and September 8, 1969—which urge the administration to revise upward the budget request of $214 million and urge the Congress to approve the full $1 billion authorized by the Clean Water Act:

[From the New York Times, Aug. 25, 1969]

THE FIGHT FOR PURE WATER

One of the few hopeful aspects of the presently vacationing Congress is its increased awareness that purifying the nation's water will take more money and speedier action than the Administration seems prepared to devote to that great objective. Urged on by a Citizens Crusade for Clean Waters, 162 Representatives are pledged to vote for an appropriation for sewage facilities that equals the sums authorized by Congress when it passed a major anti-pollution act three years ago.

That measure to provide matching grants to state and local governments for building waste treatment plants, called for an outlay of $450 million the first year, $700 million in the second and $1-billion for the current year. When it came to actual appropriations, however, only $417-million was voted for the first two years combined, and only $214 million is allotted in the current Administration budget. One result is that states that embarked on sound programs to clean up their lakes and rivers are forced to reduce the scope of those projects when what is desperately needed is their expansion.

The revolt in the House of Representatives, which has enrolled five committee chairmen, the majority whip, and a number of fiscal conservatives, is doubly significant. It rejects the hypocritical Congressional practice of passing grandiose programs only to undermine them later by quietly slashing the appropriations that are vital to their fulfillment. And more far-reaching, it is a sign that on Capitol Hill, as elsewhere, men are coming to understand that if they do not plan for a future of pure air and water, they need not plan for a future at all.

[From the New York Times, Sept. 8, 1969]

HALF-WAY STEP

The Department of the Interior has announced a commendable reversal in the Government's handling of those who pollute the country's waters. The department intends to return now to those abatement hearings which it abandoned last spring as mere "yelling and screaming" sessions.

This time, however, there will be something behind the abatement process that promises better results than either fruitless yelling or cozy talks. If an individual or company is found guilty of violations which it fails to correct in 180 days, the Interior Department itself will sue for a mandatory court injunction instead of leaving that recourse, as formerly, to the doubtful initiative of the state.

We are relieved by this evidence that the "New Federalism" has not wiped out a lively awareness in Washington that state govern-

ment can be sluggish and local government impotent, on this front at least. That comfort would be more substantial, however, if the Administration likewise reversed its decision to seek only $214 million from Congress to support the Federal grant program for the construction of waste treatment plants instead of the $1 billion which Congress itself originally authorized for fiscal 1970. Governors and mayors from Delaware to Hawaii have already protested this glaringly false economy, including the financially prudent Ronald Reagan of California.

If cities are prevented, for lack of Federal help, from meeting the anti-pollution requirements of the law, it will be difficult to say the least, for Federal agencies to keep private industries in line. Why, they will be all too ready to ask, should they be penalized for adding pollutants to rivers which are already turgid with municipal waste? A fair question, we think, for the Administration.

LABOR DAY SPEECH BY W. A. "TONY" BOYLE

(Mr. WAMPLER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAMPLER. Mr. Speaker, I was recently honored to participate in a Labor Day celebration on September 1 at Elkhorn City, Ky., with Mr. W. A. "Tony" Boyle. Mr. Boyle is the president of the United Mine Workers of America, and he is one of the most respected and courageous labor leaders in our country.

Approximately 15,000 coal miners and their families were at Elkhorn City for this celebration, which was sponsored by districts 28 and 30 of the United Mine Workers of America. These two districts are composed of the membership of 50 locals in southwest Virginia and about 70 locals in eastern Kentucky.

Mr. Carson Hibbitts, of Norton, Va., is president of districts 28 and 30, and he introduced Mr. Boyle. As the representative of the Ninth Congressional District of Virginia, I have the privilege of representing the counties where district 28 of the UMW of A is located.

Prior to the Elkhorn City celebration, Mr. Boyle spoke at Logan, W. Va. I insert in the CONGRESSIONAL RECORD the remarks made by Mr. Boyle in these two coal mining areas:

W. A. BOYLE'S 1969 LABOR DAY ADDRESS DELIVERED SEPTEMBER 1, 1969 AT LOGAN, W. VA. AND ELKHORN CITY, KY.

Fellow mineworkers and friends: In Labor Day's Hall of Fame the members of the United Mine Workers of America, both past and present, stand the tallest.

Ours is a proud heritage.

The real spirit that is Labor Day was born right here in the coal fields long, long years before the day was formally declared a national holiday for the working man by the United States Congress in 1894. It was born of the sweat and blood and danger-filled days of those thousands of coal miners who preceded us and welded together our great union, the United Mine Workers of America. We have learned over the years—sometimes the hard way—that without our union we are less than serfs in this free Nation.

On this Labor Day, 1969—let us remember that lesson.

As we relax and enjoy ourselves this day, let us not forget the hard struggles of the past that have brought us to this moment in our history. Once again we are faced with troubled times.

We are faced today with an administration in Washington that is conservative and business minded. We of labor—the United Mine Workers and other unions—can expect little favor from that administration. Whatever we get in the years ahead will come only as a result of our own efforts.

This is an administration that has already been proved a master at juggling words and at stalling. Its attitude is well-expressed in the occupational safety message recently sent by the President to Congress. Stripped bare of verbiage, the President's message again calls upon the Congress to enact a law that would, in effect, turn over the problem to the States.

We coal miners have lived with inadequate state laws too long and we are sick of them. We serve notice now that we will not continue to live with this kind of law. If this administration fails to approve for the coal industry a Federal law that produces dust-free and safe mines, we will take action in our collective bargaining agreement. We serve notice now that dust-free and safe mines is our number one objective. We inform both the Congress and the administration that we will wait no longer.

We serve notice upon the coal operators here and now that we will begin new discussions on the intent and meaning of the mine safety clause in our present contract. We will wait no longer for the industry to move against the needless hazards and terrors of the mines. I am calling a union-industry conference in Washington, D.C. within the next few weeks. What the operators agree to at that conference will determine our future course.

We warn the coal operators here and now that if we have to close unsafe mines, as permitted under our present contract, we will do so! We warn the operators that as far as we are concerned a mine having excessive dust or gas is an unsafe mine. We intend to win a Federal law limiting dust to no more than three milligrams, and we will not permit such a law to become a dead letter. We will train our safety committees in their rights under the law. We will see to it that the law is enforced to the very letter.

We will mount a huge lobbying effort to show Congress that we mean business. We will bring hundreds of miners to Washington to lobby for the Federal law.

The United Mine Workers will soon expand the activities of our safety division to work even more closely with our rank and file safety committees. We are beginning a training session for our safety committees in district 31, and we intend to expand this training program throughout the union.

We have established a department of occupational health in our union. You will be hearing lots about that department and its work. We know you will like what you hear.

Two weeks ago I sent a letter to an official of Consolidation Coal Company informing the industry that unless it works with the union to insure safe and healthful mine working conditions, it will face a confrontation with our union. This letter was sent after learning that the operators are worried because of their inability to recruit 50,000 new coal miners over the next five years.

The industry's answer to this tremendous manpower problem has been to show glamor movies even to kids in the third grade. We have informed Consolidation Coal and we now take this occasion to inform all other operators, that all the glamor movies in the world won't solve the coming manpower crunch in coal.

The children of today's coal miners are leaving the mining areas. They have seen their fathers face death beneath the ground. They have seen too many of their elders cough out their lives with black lung. They know too many who are sick, or maimed or who have been left fatherless by mine accidents.

It will do the coal operators little good to sit on their unmined piles of black gold five or ten years hence. There are no profits in unmined coal. Sound economics alone should induce the mine operators to make mining a safe and healthful occupation.

While coal mine health and safety is of major concern, we of the United Mine Workers share other concerns with the working people of this Nation. We know from past experience that the lash of unemployment has been used to drive us into the coal pits and to prevent escape by our children, on this Labor Day 1969 we would be less than true to ourselves if we were not disturbed by the recessionary policies being followed by the Nixon administration.

Interest rates in this Nation have reached an all-time high. With the blessing of the administration, the Federal Reserve Board is making it impossible for the average worker to buy a home. Public construction—badly needed in the mining regions—is being cut back. The administration is fighting to reduce the Federal allotment for public education—something urgently needed in the coal mining areas.

This high interest rate policy has not stabilized prices. Although we are no longer forced to buy at the company store, the prices we now pay in the supermarket make yesterdays company-store gouging look quaint. Prices go up month by month, and miners' wives feel the burden every time they buy groceries. High interest rates, which are reflected in every price transaction, adds to inflationary pressures.

There is no question that if these high-interest policies of the administration are carried far enough, we will have a recession. The United Mine Workers, therefore, will join with all unions in fighting these policies. We believe that we can have stable prices without unemployment, and we will fight for policies that will produce this result. We will have to put first things first—education before space exploration for example.

The recent moon-landing was indeed a wonder of American technology. And it proved we can do almost anything we choose to commit our resources to achieve. Now that we have gone to the moon, let us lower our sights to the earth below. We just cannot spend eight billion dollars a year to reach Mars. Let's treat the space program as a science program, as so many leading scientists have advised, and put it back in its proper perspective. While it won't have the drama of a moon-shot, it will permit us to divert important resources to the earth's problems.

We need new resources right here in Appalachia, in the coal country. The Appalachian program has constructed highways, but the tourists just travel through. Many of you knew this country as children; it was beautiful then, and it can be beautiful again.

Miners—both working and retired—should not be forced to live with smoldering culm heaps and polluted streams. We need to fill up and seal the abandoned mines. We need re-forestation and the restoration of clean waters. If our children are to remain at home, we must make this land fit for their habitation.

We can bring in tourism to these mountains if we develop programs that restore all the beauty that God put here. The United Mine Workers believes that it will do God's work by fighting to restore this area. We will mount a legislative drive for a Federal program of restoration and for funds to carry it out.

I have had the privilege of serving as the president of the United Mine Workers of America for the past six years. During that period, our union has negotiated three new industry-wide contracts with the coal operators. Despite the vilification now heaped upon us by our critics, we have in this period developed an arms-length relationship with the coal industry. We have shown in negotiations that there are two sides to the bargaining table—theirs and ours. If anybody thinks otherwise, let them ask the coal operators!

There are two aspects to our relationship with the coal industry, on the one hand, we

have an adversary relationship in our battle to win a fair and just share of the fruits of this industry for the coal miners. On the other hand, we have a common interest with the employers in research, marketing and the maintenance of an expanding industry—provided, of course, that such expansion benefits the miner and does not take place at his expense.

A look at the wage contracts negotiated in the past six years is the best proof that we have conducted our negotiations at arms-length. Our wages today range from $28 to $33 per day. One month from today each working bituminous miner will receive an increase of $2 per day. And by the time this present contract terminates in 1971, we will have a wage of $37 per day.

Your union increased the number of paid holidays, gained extended vacations with pay for thousands of working miners, improved our seniority, won pay for jury duty, made the coal operators agree to provide and pay for wash houses and won many, many other improvements.

Yes, we have worked with the operators to combat the encroachments in America on the use of deadly atomic energy for power plants. We did so both for the preservation of the coal industry and our jobs, and because America does not know what horrors it faces from the disposal of radioactive wastes from these plants.

Yes, we cooperated with the operators for more efficient coal product research. We even cooperated with the operators for more efficient marketing arrangements. We cooperated because these things are good for coal miners.

And if that kind of cooperation be treason, let our critics make the most of it! A prominent political figure in American life once said "Let's look at the record." The record of our union on wages and other benefits for its members speaks for itself. At the risk of being charged with being political at this Labor day celebration, I would like to quote a certain officer of this union who shall remain unnamed, here is what that officer had to say at our last constitutional convention, and I quote: "There have been two contracts negotiated under the great leadership of our distinguished president, and I say this without fear of contradiction from anyone; there is more bread and butter, there are more pork chops and potatoes in those contracts in that short period of time than any negotiator in the country has ever negotiated."

While that's fulsome praise indeed, the argument isn't whether or not this union administration merits such praise, but if that's a sweetheart deal, let this same officer and our other critics explain away both the words of the speaker and the outcry and complaint of the mine operators *because* of our gains.

But the past is meaningless unless it is prelude to the future, to a tomorrow. I place the coal industry on notice now that we are getting ready for that tomorrow! The United Mine Workers, despite past gains, has tremendous catching up to to do to lead this Nation once again in wages and working conditions. We intend to do *just that* because we merit *just that*. Our contract terminates two years from now and two years from now there better be a real concession on the part of the operators or there will be a confrontation with a determined membership of this union!

The productivity of the coal miner is possibly the highest in the Nation. Our industry employed more than 600,000 miners in 1950. Automation and mechanization has reduced the work force to 150,000 working miners. This reduced work force today produces far more black gold than the big 1950 work force. The coal industry, in general, has become prosperous and highly profitable. The demand for bituminous coal grows and grows as this Nation requires ever-more electric power, steel and chemical products directly dependent upon coal, while coal may no longer be the sole fuel, its domain extends farther than ever. American coal is produced so efficiently that we can and do export coal throughout the world.

The United Mine Workers of America on this Labor Lay 1969 notifies this Nation that its wage goal for the men who dig its coal is $50 per day. This is not an excessive goal. We intend to achieve it by the end of our next contract if not before. If a doctor, a psychiatrist, a lawyer, an actor or other professional is worth $50 an hour or more, the men who risk their lives in the highly skilled work in coal mines are worth far more than $50 per day.

But the $50 daily wage is only a start. With the kind of productivity being achieved in the mines, this coal industry can afford now to pay a guaranteed annual wage. We promise now that we will win this goal in 1971, hopefully in peaceful negotiations but otherwise if the operators so choose.

While your union achieved better seniority in the 1968 contract, we still have an important distance to go. We will move in that direction in the coming contract. We intend to make it clear that seniority shall permit a mine worker to take any job in any classification for which he is qualified or can become qualified through training at company expense.

If we win the kind of strong mine-safety law we want, we intend to write miners' rights to enforce the law in our next contract. If, for any reason, we fail to win the kind of Federal law we want, we intend to write our objectives for mine health and safety into the next contract. This is a striking issue. We will not take less than the maximum possible health and safety in the mines.

The mine workers' welfare fund has provided highly important benefits to the Nation's miners, but the basic 40 cents per ton royalty has remained unchanged since 1952, the time has come for improvement.

I became a trustee of the fund only recently following the death of our beloved John L. Lewis. In that position, I called for and won a pension increase of $35 monthly. Incidentally, the operators' trustee was fired after the increase was won.

I intend to seek and develop an actuarially sound pension and welfare fund that will accomplish the following:

(1) Increase the pension to $200 monthly.

(2) Provide hospital, medical care and wage payments to injured miners as long as they cannot work.

(3) Provide pension benefits as well as medical care for miners physically unable to work because of black lung, regardless of their age.

(4) Provide widows of coal miners with pension benefits for life or unitl they remarry.

(5) Provide dental care as part of the fund's medical program.

Because of the hazards of their occupation, miners are ineligible for group health and accident insurance benefits. Unlike other industrial workers in major industries, they are not covered by hospitalization, surgical and major medical plans. Nor are there provisions for sick pay such as are commonly enjoyed in other mass industries. Yet, the miner needs this kind of help most because of the hazards he faces.

The mine workers' welfare fund was created to fill the gap, and, up to now, has been able to do an important part of the job. More than two and one-half billion dollars has been paid to fund beneficiaries since 1946. Last year, the pension fund paid out $101 million in pensions, and $50 million to clinics, hospitals and doctors for medical care. It was not enough, but more than 100,000 received benefits.

Our ultimate goal must be the equivalent of the health, medical and lost-wage benefits paid in other industries, as well as pensions that rise with improved living standards and higher living costs. We will make a new beginning in 1971 in the next contract. If it is necessary to double the present royalty to the welfare fund to achieve the five points outlined here, the UMWA will fight to win that amount of royalty increase.

There has been much propaganda about the welfare fund and fat salaries it is supposed to pay. Yet, our doctors and lawyers are not paid even as much as they might earn in similar positions elsewhere, and when all is counted up, total administrative costs for the fund amounted to only 3 percent of disbursements last year.

We have been criticized for our ownership position in the National Bank of Washington, but that position has permitted us to operate this union without increasing dues, or assessing our members. It has been a good investment for our union and its members, and it has given us the financial strength needed to stand up to the coal operators.

New situations and changing circumstances require new solutions and innovation, the time has come in our union to begin to invest part of our resources consistent with safeguarding your union's assets and the assets of the welfare fund, for the direct welfare of miners.

The United Mine Workers of America intends to develop low and moderate income housing for working and retired miners. We intend to use every Government program available to that end. We know that we shall not end inadequate miners' housing overnight, but we shall make a beginning. We intend to consult with other unions that have undertaken such programs and with housing experts.

We will put up seed money to start housing programs where seed money alone will do the job. We will provide mortgage money at the best possible rates where that is required. We will work with Government agencies where matching money is needed.

The present structure and operation of the United Mine Workers Union has served us well under yesterday's conditions. We have inherited that structure from our predecessors but it is inadequate to meet the needs of today and tomorrow. The time has come for major change leading to greater membership participation in all union affairs and at all union levels. We must determine what structural changes would best serve our membership.

These problems will not be easily resolved. I propose therefore to name a commission of UMWA officers, together with rank and file members from each district and qualified staff experts, to examine the problem and to make recommendations for change at our next convention, if outside consultants are required to find solutions, the commission would be provided with their services. I propose also, that the recommendations of the commission be published and a copy made available to every member. There would be but one objective—make the United Mine Workers an effective democratic servant of its members.

I propose also that the United Mine Workers re-examine its jurisdiction. The commission should seek better to define that jurisdiction. The time may well have arrived for this union to change its name to "United Mine and Allied Workers of America." We would not seek to raid any organized plant, but we would organize the unorganized in plants which use coal for production and product purposes. We want no more district 50's, but we want to aid workers in the coal-consuming industries with our strength, and to aid miners with the strength of those whose work depends upon coal.

Let us begin now with active organizing campaigns in the unorganized sector of our industry and the other areas of mining and industry which are closely allied. That will require new manpower and new kinds of planning. This matter will be brought before the international executive board in the near future. We have made a start in the department of organization that was created

during my tenure. We have begun to view the workers in plants producing synthetic gas and oil from coal as part of the mining industry. We have some such workers under UMWA contract now. We cannot stand still. We must provide the manpower to sustain a never-ending organizing drive.

The United Mine Workers must help to develop new leadership from its ranks to work in the locals, in the districts and as representatives and officers of our union. We need trained officers on the job. Local officers—especially our new generation—require training. We will need organizers and international representatives able to cope with today's emerging problems.

I propose that we establish a department of education and manpower development to conduct an education and development program. As part of its activity, I propose that the department operate a mine workers' study center. Such a center would include accommodations for away-from-home study, for courses that run up to two weeks in length. Study courses would deal with such matters as labor and UMWA history, legislation, union structure and operation, grievance procedure, mine safety, contract analysis, contract negotiation and the like.

In the future our union will need many kinds of trained staff members, and I, for one, believe that most can be developed from our union's membership and their children. The department of education, in the course of its activities, will discover much of the talent we need. Through the study center and through on-the-job training, we can and will meet our union's needs from our own union family.

From here on, I intend to spend as much time as possible in the field. Knowing myself, I am certain that I will do much talking. But I plan to listen, and listen hard. There will be many new ideas to build our union and to improve the lot of the United Mine Workers membership. You will find me receptive to ideas and to your answers to our needs.

Whatever happens in the months and years ahead, we must guard with all our might the unity of the Mine Workers' Union. While some may express a passing interest in your welfare, your strength and your hope lies in the great organization we have forged over these many years. We will need change, but change must be constructive.

We face great challenges from changing technology, new social forces and changing values. I have faith that the problems that we will face in the time ahead can and will be met and overcome by the unity of purpose of the Nation's coal miners.

We have overcome adversity for all our lives.

We shall overcome in the world of today.

We shall, united, overcome the challenges of tomorrow.

Thank you very much.

STRANGLING TAX REFORM IN ITS CRADLE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, last month the House, in response to the outcry of millions of taxpayers, passed and sent to the Senate a major tax reform measure. This bill, acclaimed by so many knowledgeable citizens, would appreciably alleviate unfair burdens now being borne by lower and middle-income taxpayers. Loopholes were narrowed or closed entirely. A fairer share of the tax burden was shifted to where it belongs; on major corporate and wealthy interests, many of whom have been escaping taxation entirely, to the outrage of the Nation at large. Eagerly an expectant country awaited the administration's position on this bill, hoping for positive support which would have guaranteed tax relief to so many who so desperately yearn for it. We have waited in vain.

For the administration strode forward, leaned over the cradle of tax reform and placed a pillow of vested interest over its face in an attempt to strangle it. Showing its true proprivilege colors the administration wants to alter the bill in favor of the rich and corporations at expense of staggering lower and middle-income taxpayers, particularly the latter. This is an appallingly brazen coup, ignoring human needs, tax justice and a coast-to-coast outcry demanding reform. It is a deliberate effort to ruin our best work, handing back to the rich almost all we have at last succeeded in beginning to take away from them. The gentle labors of Jehovah pale before the destruction this proposal would wreak.

First, the President wants to actually reduce the corporate tax rate by 2 percent, beginning in 1971 and completing the gift by 1972. Should he succeed, corporate tax payments would be lowered by $1.6 billion by then. Simultaneously, the average taxpayer would lose $2.5 billion in benefits granted by the House-passed bill. These proposals are an open book, filled with blank pages.

Tax-free municipal bonds would remain untaxed under the President's plan. This would continue to allow multimillionaires to obtain huge incomes from such sources, while completely evading Federal income tax. How about that sweet little plum? Stricter tax treatment of capital gains would be eliminated. A low-income allowance aimed at assisting those with earnings under $11,000 is revised and reduced. A large increase in the standard deduction, benefiting those who do not own their own homes, is reduced. So our hard-pressed apartment dweller will end up by receiving nothing, another example of this administration's contempt for cities and those who live in them. Tax relief for single persons over 35 is lowered by one-third. Wealthy Americans who feared the House bill would trim their profit-filled sails can rest easy, for the President is very solicitous of their good life. He has proposed a 50-percent ceiling on earned income, so they may keep their integrity, bacon, and profits intact.

Figures and counterproposals will now fill the air for weeks. Average citizens will shake their heads in confusion, only vaguely aware of what is transpiring from within. I would not blame them for being confused. Anyone would be. Yet there is one basic conclusion emerging from all this. After the House passed a bill which would measurably help people now being taxed most, the President decided to support a series of changes which deprive them of tax relief. Instead, he wants to aid the wealthy and major business enterprises. Does this make sense? Then so will the Archbishop of Canterbury run off tonight and become a circus acrobat.

Is it not touching to see our administration worry so much about those poor little waifs on Wall Street? Poor, barefooted stock brokers plodding through the snow, clutching tattered rags around their poor shivering bodies, have moved the President to the quick. After all, $75,000 a year is not an awful lot to struggle by on, is it? It costs wheelbarrows of money to support a yacht, buy emeralds and sables and take lengthy cruises. How can millions of middle-income Americans who make those big $7,500 to $15,000 salaries begrudge a millionaire his profits? So the President will rescue those persecuted coupon clippers and slam the door in the face of the slavering wolf of tax reform. Poor tax reform. Always a bridesmaid, and never a bride. President Nixon will aim his bouquet at a far more eminent member of the wedding.

Mr. Speaker, I fervently hope the public is aware of what is being done to it by these proposals. Let its voice be heard. The present Government of our country is obsessed with 19th century economics, and is bringing economic ruin upon the Nation. Prosperity deteriorates before our eyes. Men are losing their jobs. Homes and other necessities are increasingly out of the reach of millions. All the while, the administration is worrying about how to better help out the rich. Heaven help us if this is the logic governing the reasoning of our elected leaders. They are carrying on a holy war against working people and horsesense.

TALES OF ARABIAN NIGHTS: SYRIAN PIRATES AND IRAQI ASSASSINS

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, just as there are individuals who by their acts become outlaws, so there are nations which, by their policies and actions, violate all accepted norms of international behavior. The truth of these accusations is amply illustrated by recent events in the Middle East. It is one thing to observe these happenings. It is quite another to allow them to go unpunished.

On August 29, a U.S.-flag aircraft owned and operated by Trans World Airlines en route from Rome to Tel Aviv, was hijacked by Arab terrorists and forced to fly to Syria. It carried 113 passengers and crew, among them six citizens of Israel; four women and two men. After a terror-ridden flight, ending in detonation and destruction of the plane, the Israelis began their inevitable ordeal. After 60 hours of detention, the Israeli women were released. As of this moment, the two Israeli men are still in Syrian custody, tender as it must be. This of course is a complete violation of all formal and unwritten codes of accepted international behavior. I am astounded that our Government has allowed this pirate state, run by a bloodthirsty coterie of Communist stooges, to insult and defy our Nation, flag, and international conventions we are a party to.

This is the very same Syrian regime which is inexorably persecuting the 4,000 remaining Jews within its borders to the ultimate degree. The same regime which races through the most menacing powder keg since the Balkans in 1914; uttering loud childish shouts, waving torches and throwing lighted matches around. This is the regime which acts as a Soviet satellite, allowing them to utilize Aleppo as a

naval base. Now it blandly contravenes basic international conventions and dares the United States to do something about it. Much credit is due the International Federation of Airline Pilots' Associations for their prompt, no-nonsense stand on behalf of international law. The United States can do no less than follow their example and demand Syria's adherence to these conventions.

From Syrian pirates we move to the bleak darkness inhabited by Iraqi murderers. Some 2,500 Jews survive in Iraq, living in the shadow of the gallows which so aptly symbolizes the essence of that unhappy country's present regime.

About 80 of Iraq's hostage Jewish population are already believed to be in prison. The rest live in terror of further orgies of public executions which have already sickened the world. Torture and discrimination are their daily lot, combined with censorship, economic discrimination, constant surveillance, and denunciation by informers. Of 51 people already executed by this coterie of sadistic killers, 11 were Jews. In addition, it is reliably stated that at least seven other Iraqi Jews have been tortured to death in Baghdad jails.

While such atrocities are being perpetrated, at least 1,500 Egyptian Jews are suffering similar fates under the heavy hand of an increasingly desperate Nasser regime.

What is the response of the United Nations to all this accumulated evidence of Arab brutality and nationally focused hatred? It yields to Arab refusals to permit investigation of the plight of Jews in Arab lands. A U.N. Commission has toured the Middle East, investigating the condition of Arabs in areas administered by Israel, lending a solemn ear and aura of respectability to the most fanciful fevered imaginings and distorted accusations the Arab mentality can conjure up. Except for Adolph Eichmann, not a single death sentence has been passed in Israel. Israeli conduct is an open, fair book to thousands of impartial observers, including innumerable journalists.

So here we have some of the more memorable modern tales of the Arabian Nights. Instead of genies, incense, gardens of the night, and fabulous treasures of the east, we recoil in distaste from assassins, jingoism, torments, and hatreds let loose by these modern demons. It is an old story of persecution in a new setting, and the world beats its breast from afar as the torment of innocents proceeds apace. Is there justice? Is there fairness? Not for the Jews of Arab lands. Not at the hands of the United Nations. Not, it seems, from the United States, either.

LOGAN COUNTY CAN HEAR AND COMPARE BOTH JOSEPH YABLONSKI AND W. A. BOYLE

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, Logan County annually ranks at the top or right near the top among all counties in the United States in its production of coal. It is entirely fitting that both candidates for president of the United Mine Workers of America should come personally to Logan to be seen, heard, and judged by all the people of this coal-rich county. Since Mr. Boyle was in Logan on Labor Day, the people of the entire county will have an equal opportunity to come and hear Mr. Joseph Yablonski, also a candidate for president of the United Mine Workers of America when he appears at Midelburg Island Stadium at 3:30 p.m. on Sunday afternoon, September 14.

It is my understanding that several of the leaders in the West Virginia black lung movement, including Dr. Donald Rasmussen and Dr. H. A. Wells—who pioneered in directing the searchlight of attention on the need for new health and safety legislation to protect coal miners—will also be present and speak at next Sunday's meeting. It is also possible that Dr. I. E. Buff may be present, depending on his plans for a foreign trip to inspect coal mines in other countries.

The legislation which is now pending in Congress designed to strengthen the coal mine health and safety protection of the coal miners cannot be fully effective without two important factors: First, effective enforcement; and second, a strong and aggressive United Mine Workers of America to insure that the rules and regulations pertaining to health and safety are interpreted and enforced to the fullest degree throughout the coal industry, and in such a way as to provide the best protection for every individual coal miner.

The only way that all those concerned with improved coal mine health and safety can get to size up those who will be responsible officers of the UMWA is to attend meetings like the Labor Day meeting, and next Sunday's meeting at Logan High School at 3:30 p.m.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COLLINS (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. PRICE of Texas (at the request of Mr. GERALD R. FORD), for September 11, and 12, 1969, on account of official business.

Mr. SAYLOR (at the request of Mr. GERALD R. FORD), for September 10, 1969, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 15 minutes, today, to revise and extend his remarks and to include extraneous matter.

Mr. MCDONALD of Michigan (at the request of Mr. DENNIS), for 5 minutes, on September 9, to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. ANDERSON of California) and to revise and extend their remarks and include extraneous matter:)

Mr. DENT, for 10 minutes, today.
Mr. FLOOD, for 30 minutes, today.
Mr. ADDABBO, for 15 minutes, today.
Mr. STAGGERS, for 15 minutes, today.
Mr. GONZALEZ, for 10 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. RYAN and to include extraneous matter during his remarks in general debate on House Joint Resolution 247.

Mr. BERRY immediately following Mr. SMITH of California during consideration of House Resolution 491.

(The following Members (at the request of Mr. DENNIS) and to include extraneous matter:)

Mr. KEITH in three instances.
Mr. WYATT.
Mr. MIZE.
Mr. SNYDER in 10 instances.
Mr. DERWINSKI in three instances.
Mr. WYMAN in two instances.
Mr. TALCOTT in three instances.
Mr. MAILLIARD.
Mr. STEIGER of Wisconsin in two instances.
Mr. SCOTT.

(The following Members (at the request of Mr. ANDERSON of California) and to include extraneous matter:)

Mr. MONAGAN in two instances.
Mr. FISHER in four instances.
Mr. FRASER.
Mr. ADDABBO in two instances.
Mr. FLOOD in three instances.
Mr. RARICK in four instances.
Mr. CORMAN.
Mr. HECHLER of West Virginia in two instances.
Mr. KASTENMEIER in two instances.
Mr. DINGELL in two instances.
Mr. ASHLEY in two instances.
Mr. MIKVA in two instances.
Mr. GONZALEZ in two instances.
Mr. PICKLE.
Mr. MURPHY of New York in two instances.
Mr. O'NEILL of Massachusetts in two instances.
Mr. MINISH in two instances.
Mr. BINGHAM.
Mr. BROWN of California.

BILL PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 7206. An act to adjust the salaries of the Vice President of the United States and certain officers of the Congress.

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 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:

1124. A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report of agreements signed under Public Law 480 in July and August 1969, for foreign currencies, pursuant to the provisions of Public Law 85–128; to the Committee on Agriculture.

1125. A letter from the Comptroller General of the United States, transmitting a report on the potential for savings by reduction of aircraft engine procurement, Department of the Navy and Department of the Air Force; to the Committee on Government Operations.

1126. A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to modify the boundaries of the Santa Fe, Cibola, and Carson National Forests in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

1127. A letter from the Assistant Secretary for Administration, Department of Commerce, transmitting the report of the Department on commissary activities outside the continental United States for fiscal year 1969, pursuant to the provisions of 5 U.S.C. 596a; to the Committee on Interstate and Foreign Commerce.

1128. A letter from the Attorney General, transmitting a report on the administration of the Foreign Agents Registration Act for calendar year 1968, pursuant to the provisions of that act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DULSKI: Committee on Post Office and Civil Service. H.R. 13000. A bill to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes; with an amendment (Rept. No. 91–480). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG: House Resolution 534. A resolution providing for the consideration of H.R. 474. Committee on Rules. An act to establish a Commission on Government Procurement. (Rept. No. 91–481). Referred to the House Calendar.

Mr. DELANEY: House Resolution 535. A resolution providing for the consideration of H.R. 13300. Committee on Rules. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to provide for the extension of supplemental annuities and the mandatory retirement of employees, and for other purposes. (Rept. No. 91–482). Referred to the House Calendar.

Mr. MADDEN: House Resolution 536. A resolution providing for the consideration of H.R. 8449. Committee on Rules. A bill to amend the act entitled "An Act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907. (Rept. No. 91–483). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BUSH:

H.R. 13682. A bill to amend the Federal Meat Inspection Act; to the Committee on Agriculture.

By Mr. CLARK:

H.R. 13683. 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.

H.R. 13684. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. DELLENBACK:

H.R. 13685. A bill to amend the Gun Control Act of 1968 to provide that certain records of the sale or delivery of firearms and ammunition shall be maintained for a period of only one year and shall thereafter be destroyed; to the Committee on the Judiciary.

By Mr. GALLAGHER (for himself, Mr. BARING, Mr. BIAGGI, Mr. BRASCO, Mr. BURKE of Florida, Mr. BUTTON, Mr. BYRNE of Pennsylvania, Mr. CHAPPELL, Mr. CLARK, Mr. COLLINS, Mr. DANIELS of New Jersey, Mr. DUNCAN, Mr. FARBSTEIN, Mr. FREY, Mr. FRIEDEL, Mr. FULTON of Tennessee, Mr. GRIFFIN, Mr. HAYS, Mr. HELSTOSKI, Mr. HORTON, Mr. MCKNEALLY, Mr. NIX, Mr. O'NEAL of Georgia, and Mr. PETTIS):

H.R. 13686. A bill to amend the Internal Revenue Code of 1954 to increase the penalties for the unlawful transportation of narcotic drugs and make it unlawful to solicit the assistance of or use a person under the age of 18 in the unlawful trafficking of any such drug; to the Committee on Ways and Means.

By Mr. GALLAGHER (for himself, Mr. PODELL, Mr. POWELL, Mr. RODINO, Mr. SANDMAN, Mr. SCHNEEBELI, Mr. SLACK, Mr. STEED, Mr. THOMSON of Wisconsin, Mr. WAGGONNER, Mr. WHITEHURST, Mr. WYDLER, and Mr. ZION):

H.R. 13687. A bill to amend the Internal Revenue Code of 1954 to increase the penalties for the unlawful transportation of narcotic drugs and to make it unlawful to solicit the assistance of or use a person under the age of 18 in the unlawful trafficking of any such drug; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 13688. A bill to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title; to the Committee on Veterans' Affairs.

By Mr. McMILLAN (for himself, Mr. ABERNETHY, and Mr. DOWDY):

H.R. 13689. A bill to reorganize the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr McMILLAN (for himself, Mr. ABERNETHY, and Mr. DOWDY):

H.R. 13690. A bill to amend the District of Columbia Bail Agency Act to increase the effectiveness of the Bail Agency, and for other purposes; to the Committee on the District of Columbia.

By Mr. MATSUNAGA:

H.R. 13691. A bill to establish a national program of assistance to the States with the goal of achieving equalized excellence in schools throughout the Nation over a 10-year period; to the Committee on Education and Labor.

By Mr. MONTGOMERY:

H.R. 13692. A bill to amend title 38 of the United States Code to provide insurance for any veteran receiving a specially adapted housing grant which will pay, upon the death of the veteran, the remaining balance on any of certain obligations assumed with respect to such housing; to the Committee on Veterans' Affairs.

By Mr. SISK:

H.R. 13693. A bill to provide for the orderly expansion of trade in manufactured products; to the Committee on Ways and Means.

By Mrs. SULLIVAN (for herself, and Mr. BARRETT):

H.R. 13694. A bill to assist in meeting the housing goals of the American people by creating the Home Owners Mortgage Loan Corporation; to the Committee on Banking and Currency.

By Mr. ZION:

H.R. 13695. A bill to amend the Social Security Act to permit payment to title 19 recipients for certain medical and dental services; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 13696. A bill to amend the Military Personnel and Civilian Employees' Claims Act of 1964, as amended, with respect to the settlement of claims against the United States by civilian officers and employees for damage to, or loss of, personal property incident to their services; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 13697. A bill to amend chapters 31, 34, and 35 of title 38, United States Code, in order to increase the rates of vocational rehabilitation, educational assistance and special training allowance paid to eligible veterans and persons under such chapters; to the Committee on Veterans' Affairs.

By Mr. FISHER (for himself, Mr. CASEY, Mr. WHITE, and Mr. WOLD):

H.R. 13698. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 13699. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 13700. A bill to amend chapter 17 of title 11 of the District of Columbia Code to revise the provisions relating to the retirement of the judges of the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. MINISH:

H.R. 13701. A bill to amend the Foreign Assistance Act, as amended, to authorize the Secretary of State to participate in the development of a large prototype desalting plant in Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MOLLOHAN:

H.R. 13702. A bill to provide for the orderly marketing of flat glass imported into the United States by affording foreign supplying nations a fair share of the growth or change in the U.S. flat glass market; to the Committee on Ways and Means.

By Mr. MURPHY of Illinois:

H.R. 13703. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. NICHOLS:

H.R. 13704. A bill to amend the Packers and Stockyards Act of 1921, as amended, so as to more adequately cover the egg industry, and for other purposes; to the Committee on Agriculture.

By Mr. ROYBAL:

H.R. 13705. A bill to amend title 5, United States Code, to include as creditable service for civil service retirement purposes service as an enrollee of the Civilian Conservation Corps, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCOTT:

H.R. 13706. A bill to amend title 38 of the United States Code to extend by one year the period in which certain guaranty and insurance entitlement may be used by World War II veterans; to the Committee on Veterans' Affairs.

By Mr. ULLMAN:

H.R. 13707. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. WHITEHURST:

H.R. 13708. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. CLAY:

H.J. Res. 890. A resolution proposing an amendment to the Constitution of the United States providing for the election of the President and the Vice President; to the Committee on the Judiciary.

By Mr. McDONALD of Michigan:

H.J. Res. 891. A resolution designating the American marigold (*Tagetes erecta*) as the national floral emblem of the United States; to the Committee on House Administration.

By Mr. ABBITT:

H. Con. Res. 327. A resolution protesting the treatment of American servicemen held prisoner by the Government of North Vietnam and backing the administration in its efforts on behalf of these servicemen held captive by the North Vietnamese Government; to the Committee on Foreign Affairs.

By Mr. CLARK:

H. Con. Res. 328. A resolution expressing the sense of Congress relating to films and broadcasts which defame, stereotype, ridicule, demean, or degrade ethnic, racial, and religious groups; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H. Res. 537. A resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DADDARIO:

H.R. 13709. A bill for the relief of Francine Zimmerman; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 13710. A bill for the relief of Salvatore Taormina; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 13711. A bill for the relief of Dr. Ernesto Tanguilig; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.R. 13712. A bill for the relief of Vincenzo Pellicano; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

230. By Mr. COUGHLIN: Petition of resolution of the council of the city of Philadelphia regarding right of farm workers to bargain collectively; to the Committee on Education and Labor.

231. By Mr. COUGHLIN: Petition of resolution of Township of Lower Merion, Montgomery County, Pa., regarding tax status of municipal bonds; to the Committee on Ways and Means.

232. By the SPEAKER: Petition of Allan Feinblum, New York, N.Y., relative to observation of the birthday of M. K. Gandhi; to the Committee on the Judiciary.

233. By the SPEAKER: Petition of the Marshall Chamber of Commerce, Marshall, Tex., et al., relative to the unsolicited mailing of pornographic literature; to the Committee on Post Office and Civil Service.

EXTENSIONS OF REMARKS

TELEPHONE CONSUMERS NEED ADVOCATE

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, September 9, 1969

Mr. METCALF. Mr. President, Florida consumers are dissatisfied with the General Telephone Co. of Florida. The Florida Public Service Commission is holding hearings regarding the company's rates and service, and the public is responding in large numbers to voice its complaints on the subject. But, as the St. Petersburg Independent aptly points out, there exists no public advocate to represent the interests of the people:

Only one side has attorneys. Only one side has access to the records. Only one side is able to produce reams of statistics to back up its arguments.

The utility has a built-in advantage for its side of the case. Having just participated in hearings on S. 607, a measure which would provide for the service of a Utility Consumers' Counsel in just such an instance, I ask unanimous consent to have printed in the RECORD this pertinent editorial from the St. Petersburg Independent of July 31.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GENTEL REAPS HARVEST OF ILL WILL

We hope General Telephone Co. of Florida and the Public Service Commission (PSC) are learning the lessons being taught at a series of public hearings in the Tampa Bay area.

The lessons are being driven home with the authority of a schoolmaster with a long ruler in his hand.

The lesson for General Telephone is that inadequate service, unkept promises and high rates are the basic ingredients for a revolt of telephone users.

Both in Tampa and St. Petersburg, large crowds have turned out to tell of the problems they have had with phone service. These people were only those who had detailed information of what they considered inadequate services and who were anxious to tell the PSC about it. How many more people are dissatisfied but simply could or would not attend the hearings is not known.

The lessons for the PSC is that there is indeed a general dissatisfaction with telephone service in Tampa and St. Petersburg, and that the people, given a fair opportunity to air their complaints, are only too happy to tell commissioners what is wrong.

Such large crowds have turned out for these hearings and so many people are anxious to be heard that it is conceivable the commissioners may never be able to complete the hearings if the present format of allowing the public to be heard first is continued.

The hearings have not been noted for their decorum and formality. At times they have resembled ancient Roman circuses with the audience cheering and clapping each time a witness made a thrust at the company.

This points up the need for a public advocate. The rules of the commission for such hearings are the same as those of the Circuit Court.

But only one side has attorneys. Only one side has access to the records. Only one side is able to produce reams of statistics to back up its arguments.

Attorneys for GenTel will have the opportunity to cross examine opposing witnesses, which will create a hardship on many of them since they will have to miss another day's work in order to appear. But who will have the opportunity to cross examine telephone company executives? Does every member of the complaining public have this right?

A public advocate could do a great deal to simplify the proceedings by screening witnesses and vigorously contesting evidence presented by the utility.

It must now be evident to both GenTel and the PSC that telephone subscribers in this area are angry and dissatisfied.

They know they are paying high prices for service inferior to that in almost all areas of the country.

Time simply has caught up with General Telephone Co. of Florida. The people who are forced to buy their service have had enough.

In 1971, the St. Petersburg freeholders will vote on renewing the company's franchise in the city. Company officials must now be looking forward to that date with concern for it is obvious the opposition is beginning to jell.

The company must stand on its record. It may be too late for GenTel to build a record that will meet public acceptance.

The public, at last, is getting the message across.

EMERGENCY MEDICAL SERVICE GETS HIGH PRIORITY IN JACKSONVILLE

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1969

Mr. BENNETT. Mr. Speaker, John M. Waters, Jr., director of public safety, Jacksonville, Fla., recently addressed the third International Congress on Medical and Related Aspects of Motor Vehicle Accidents, and his address was reported in the August 1969 edition of Traffic Safety. This dedicated public official has in his remarks set out the realistic program which Jacksonville has inaugurated to provide quick, efficient services for sick and injured. The program may well serve as a model for other large cities; and therefore, I include here the article as it appeared in Traffic Safety:

EMERGENCY MEDICAL SERVICE GETS HIGH PRIORITY IN JACKSONVILLE

Providing emergency medical services is a growing problem in all areas of the world in which the use of the automobile is increasing. It is a complicated problem in the large cities, where heavy traffic often impedes the transfer of the injured from the scene of the accident to a treatment center.