

Second, Mr. President, I intend to propose an amendment to the Water Pollution Control Act, directing the Federal Water Pollution Control Administration to set standards for emulsifiers and dispersants. At the present time, it is problematical whether the Water Pollution Control Administration will develop any firm standards. I think we should obviate that, and that information should be made available to State and local authorities so the various States will have a very clear idea as to the most effective measures that they could take in a given kind of situation, and the various State authorities would then be able to be equipped with various kinds of emulsifiers, to assure at least that the problem could be handled expeditiously.

So I intend to offer, in due course, such an amendment to the Water Pollution Control Act.

Mr. President, I certainly hope, in spite of the extraordinary efforts which I know are underway at this very moment by the Corps of Engineers, the Coast Guard, and various other Federal agencies, that we can establish at least some centralized emergency task force—within, perhaps, the Corps of Engineers, which has an extensive responsibility in this area, on perhaps within the Department of Interior.

This concept is sufficiently flexible so that under it a community or State would be able to make one call to one authority and receive the latest information, the best kind of assistance, and the most expeditious kind of action that

could be taken to meet the peculiar fact situation that a community faces, instead of relying upon Members of Congress to do it.

I had the opportunity this afternoon to call the Secretary of Transportation, the Secretary of the Interior, and various other agency representatives who would be interested in this matter to try to alert them. They acted quickly, but it does seem to me that we could have a group of officials which could fly to the immediate scene of an oil spill, with the latest information and techniques at their fingertips. We have a similar technique for aircraft accidents, and we should have the same for oil spill disasters.

We have learned a great deal in the recent past, and we have a great deal of knowhow and technology in this area. That information should be made available to any of the communities involved.

I am hopeful that the administration—and I am sure they will—will give this matter the first priority. We are in desperate need there of this kind of help and assistance. And there is every indication that this will be a priority item.

I wanted to draw this matter to the attention of the Members of the Senate this evening, because I feel that once again we have suffered a considerable tragedy in our coastal areas. And no matter how much we know or how skilled we are—the oil is spreading, now, over beaches, boats, and wildlife. And much of the damage will be permanent.

ADJOURNMENT

Mr. KENNEDY. Mr. President, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 54 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, September 17, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate September 16, 1969:

EXECUTIVE DIRECTOR, INTER-AMERICAN DEVELOPMENT BANK

Henry J. Costanzo, of the District of Columbia, to be Executive Director of the Inter-American Development Bank for a term of 3 years and until his successor has been appointed.

U.S. ATTORNEY

Bert C. Hurn, of Missouri, to be U.S. attorney for the western district of Missouri for the term of 4 years, vice Calvin K. Hamilton.

U.S. MARSHAL

John T. Pierpont, Jr., of Missouri, to be U.S. marshal for the western district of Missouri for the term of 4 years, vice Francis M. Wilson, term expired.

IN THE AIR FORCE

Judge Advocate General

Brig. Gen. James S. Cheney, SSAN [redacted] to be the Judge Advocate General, U.S. Air Force, and appointment to the temporary and permanent grade of major general under the provisions of section 8072 and chapter 839, title 10 of the United States Code.

HOUSE OF REPRESENTATIVES—Tuesday, September 16, 1969

The House met at 12 o'clock noon.

Rev. James H. Weber, St. Joseph Church, Oil City, Pa., offered the following prayer:

Almighty God, bless our Nation and keep it faithful to the ideas of freedom, justice, and brotherhood for all which make it great. Lord, You claim that if You are lifted up, You will draw all men to Yourself. Our astronauts have demonstrated literally and successfully this principle. Be close to our President and our Congress. Give them vision and courage as they ponder decisions affecting peace and the future of the world. Give all of us the wisdom to listen and to understand and not to judge. Keep us compassionate toward our fellow citizens who are struggling for an identity. Help us Americans humbly to be aware not just of our human limitations and weaknesses but also of our extraordinary potential. Reawaken personal confidence in ourselves as individuals and in our beloved country. Make this great land and all its peoples know clearly Thy will so that we live vigorously, courageously, and uprightly. Amen.

THE JOURNAL

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

RECESS

The SPEAKER. The Chair declares a recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 3 minutes p.m.) the House stood in recess subject to the call of the Chair.

JOINT MEETING OF THE TWO HOUSES OF CONGRESS TO RECEIVE THE APOLLO 11 ASTRONAUTS

The SPEAKER of the House presided. At 12 o'clock and 19 minutes p.m., the Doorkeeper (William M. Miller) announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort our distinguished visitors into the Chamber the gentleman from Oklahoma, Mr. ALBERT; the gentleman from Louisiana, Mr. BOGGS; the gentleman from Louisiana, Mr. HÉBERT; the gentleman from California, Mr. MILLER; the gentleman from New Jersey, Mr. RODINO; the gentleman from Michigan, Mr. GERALD R. FORD; the gentleman from Illinois, Mr. ARENDS; the gentleman from Pennsylvania, Mr. FULTON; and the gentleman from Ohio, Mr. McCULLOCH.

The VICE PRESIDENT. On behalf of the Senate the Vice President appoints the following Senators to escort our distinguished astronauts into the Chamber:

Senator RICHARD RUSSELL, of Georgia; Senator MIKE MANSFIELD, of Montana; Senator CLINTON ANDERSON, of New Mexico; Senator EDWARD M. KENNEDY, of Massachusetts; Senator ROBERT C. BYRD, of West Virginia; Senator HUGH SCOTT, of Pennsylvania; Senator MARGARET CHASE SMITH, of Maine; Senator MILTON R. YOUNG, of North Dakota; and Senator GORDON ALLOTT, of Colorado.

The Doorkeeper announced the ambassadors, ministers, and chargés d'affaires of foreign governments.

The ambassadors, ministers, and chargés d'affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 12 o'clock and 34 minutes p.m., the Doorkeeper announced the Apollo 11 astronauts.

Mr. Neil A. Armstrong; Lt. Col. Michael Collins, U.S. Air Force; and Col. Edwin E. Aldrin, Jr., U.S. Air Force, accompanied by the committee of the escort, entered the Chamber and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. My distinguished colleagues of the Congress, we are honoring today three men who represent the

best in America and whose coordinated skill, fantastic daring, and visionary drive have made history that constitutes a turning point of paramount importance in the journey of mankind. I have the high honor and official and personal pleasure of presenting to you the crew of Apollo 11, who successfully made the historic journey to the moon, Neil A. Armstrong, Col. Edwin E. Aldrin, Jr., and Lt. Col. Michael Collins.

The Chair recognizes Mr. Armstrong.

Mr. ARMSTRONG. Mr. Speaker, Mr. President, Members of Congress, distinguished guests, we are greatly honored that you have invited us here today. Only now have we completed our journey to land on and explore the moon, and return. It was here in these Halls that our venture really began. Here the Space Act of 1958 was framed, the chartering document of the National Aeronautics and Space Administration. And here in the years that followed the key decisions that permitted the successive steps of Mercury and Gemini and Apollo were permitted.

Your policies and the marvels of modern communication have permitted people around the world to share the excitement of our exploration. And, although you have been informed of the results of the Apollo 11, we are particularly pleased to have this opportunity to complete our work by reporting to you and through you to the American people. My colleagues share the honor of presenting this report. First, it is my pleasure to present Col. Edwin Aldrin.

Colonel ALDRIN. Distinguished ladies and gentlemen, it is with a great sense of pride as an American and with humility as a human being that I say to you today what no men have been privileged to say before: "We walked on the moon." But the footprints at Tranquillity Base belong to more than the crew of Apollo 11. They were put there by hundreds of thousands of people across this country, people in Government, industry, and universities, the teams and crews that preceded us, all who strived throughout the years with Mercury, Gemini, and Apollo. Those footprints belong to the American people and you, their representatives, who accepted and supported the inevitable challenge of the moon. And, since we came in peace for all mankind those footprints belong also to all people of the world. As the moon shines impartially on all those looking up from our spinning earth so do we hope the benefits of space exploration will be spread equally with a harmonizing influence to all mankind.

Scientific exploration implies investigating the unknown. The result can never be wholly anticipated. Charles Lindbergh said, "Scientific accomplishment is a path, not an end; a path leading to and disappearing in mystery."

Our steps in space have been a symbol of this country's way of life as we open our doors and windows to the world to view our successes and failures and as we share with all nations our discovery. The Saturn, Columbia, and Eagle, and the extravehicular mobility unit have proved to Neil, Mike, and me that this Nation can produce equipment of the highest quality and dependability. This should give all of us hope and inspiration to overcome some of the more dif-

icult problems here on earth. The Apollo lesson is that national goals can be met where there is a strong enough will to do so.

The first step on the moon was a step toward our sister planets and ultimately toward the stars. "A small step for a man," was a statement of fact, "a giant leap for mankind," is a hope for the future.

What this country does with the lessons of Apollo apply to domestic problems, and what we do in further space exploration programs will determine just how giant a leap we have taken.

Thank you.

Mr. ARMSTRONG. Now I should like to present Col. Michael Collins.

Colonel COLLINS. Mr. President, Members of Congress, and distinguished guests: One of the many things I have very much enjoyed about working for the Space Agency, and for the Air Force, is that they have always given me free rein, even to the extent of addressing this most august assemblage without coaching, without putting any words in my mouth. Therefore, my brief remarks are simply those of a free citizen living in a free country and expressing free thoughts that are purely my own.

Many years before there was a space program my father had a favorite quotation: "He who would bring back the wealth of the Indies must take the wealth of the Indies with him." This we have done. We have taken to the moon the wealth of this Nation, the vision of its political leaders, the intelligence of its scientists, the dedication of its engineers, the careful craftsmanship of its workers, and the enthusiastic support of its people. We have brought back rocks. And I think it is a fair trade. For just as the Rosetta stone revealed the language of ancient Egypt, so may these rocks unlock the mystery of the origin of the moon, of our earth, and even of our solar system.

During the flight of Apollo 11, in the constant sunlight between the earth and the moon, it was necessary for us to control the temperature of our spacecraft by a slow rotation not unlike that of a chicken on a barbecue spit. As we turned, the earth and the moon alternately appeared in our windows. We had our choice. We could look toward the Moon, toward Mars, toward our future in space—toward the new Indies—or we could look back toward the Earth, our home, with its problems spawned over more than a millennium of human occupancy.

We looked both ways. We saw both, and I think that is what our Nation must do.

We can ignore neither the wealth of the Indies nor the realities of the immediate needs of our cities, our citizens, or our civics. We cannot launch our planetary probes from a springboard of poverty, discrimination, or unrest. But neither can we wait until each and every terrestrial problem has been solved. Such logic 200 years ago would have prevented expansion westward past the Appalachian Mountains, for assuredly the eastern seaboard was beset by problems of great urgency then, as it is today.

Man has always gone where he has

been able to go. It is that simple. He will continue pushing back his frontier, no matter how far it may carry him from his homeland.

Someday in the not-too-distant future, when I listen to an earthling step out onto the surface of Mars or some other planet, just as I listened to Neil step out onto the surface of the Moon, I hope I hear him say: "I come from the United States of America."

Mr. ARMSTRONG. We landed on the Sea of Tranquillity, in the cool of the early lunar morning, when the long shadows would aid our perception.

The sun was only 10° above the horizon. While the earth turned through nearly a full day during our stay, the sun at Tranquillity Base rose barely 11°—a small fraction of the month-long lunar day. There was a peculiar sensation of the duality of time—the swift rush of events that characterizes all our lives—and the ponderous parade which marks the aging of the universe.

Both kinds of time were evident—the first by the routine events of the flight, whose planning and execution were detailed to fractions of a second—the latter by rocks around us, unchanged throughout the history of man—whose 3-billion-year-old secrets made them the treasure we sought.

The plaque on the Eagle which summarized our hopes bears this message:

Here men from the planet earth first set foot upon the moon July 1969 A.D.

We came in peace for all mankind. Those nineteen hundred and sixty-nine years had constituted the majority of the age of Pisces, a 12th of the great year. That is measured by the thousand generations the precession of the earth's axis requires to scribe a giant circle in the heavens.

In the next 20 centuries, the age of Aquarius of the great year, the age for which our young people have such high hopes, humanity may begin to understand its most baffling mystery—where are we going?

The earth is, in fact, traveling many thousands of miles per hour in the direction of the constellation Hercules—to some unknown destination in the cosmos. Man must understand his universe in order to understand his destiny.

Mystery however is a very necessary ingredient in our lives. Mystery creates wonder and wonder is the basis for man's desire to understand. Who knows what mysteries will be solved in our lifetime, and what new riddles will become the challenge of the new generations?

Science has not mastered prophesy. We predict too much for next year yet far too little for the next 10. Responding to challenge is one of democracy's great strengths. Our successes in space lead us to hope that this strength can be used in the next decade in the solution of many of our planet's problems. Several weeks ago I enjoyed the warmth of reflection on the true meanings of the spirit of Apollo.

I stood in the highlands of this Nation, near the Continental Divide, introducing to my sons the wonders of nature, and pleasures of looking for deer and for elk.

In their enthusiasm for the view they

frequently stumbled on the rocky trails, but when they looked only to their footing, they did not see the elk. To those of you who have advocated looking high we owe our sincere gratitude, for you have granted us the opportunity to see some of the grandest views of the Creator.

To those of you who have been our honest critics, we also thank, for you have reminded us that we dare not forget to watch the trail. We carried on Apollo 11 two flags of this Union that had flown over the Capitol, one over the House of Representatives, one over the Senate. It is our privilege to return them now in these Halls which exemplify man's highest purpose—to serve one's fellow man.

We thank you, on behalf of all the men of Apollo, for giving us the privilege of joining you in serving—for all mankind.

[Applause, the Members rising.]

(Thereupon, the flags were presented to the Speaker and to the Vice President.)

The SPEAKER. I think we would be remiss on this occasion if we did not, in paying the highest honor that the Congress can pay to any person—to invite them and receive them in joint meeting—also honor what might be termed the unseen astronauts, the wives of our distinguished friends. I am going to ask the wives of the astronauts to rise: Mrs. Armstrong, Mrs. Collins, Mrs. Aldrin.

[Applause, the Members rising.]

The VICE PRESIDENT. On behalf of the Members of the Senate, we are very grateful for the presentation of this flag. We watched with great interest the Apollo program proceed and are conscious of the thrust of the need, in the words of the gentleman who spoke here this morning, the primary need being balance and the need to meet the problems of our society wherever they arise.

I can assure you that this memento will not fall into that category but will be kept and appreciated with the dignity that it deserves.

Thank you very much.

The SPEAKER. On behalf of the House of Representatives I want to express our sincere thanks to the members of the Apollo 11 for the thought and for the action in carrying this flag, presented to the House, to the moon and flying it on the moon. These two flags are probably two of the most precious flags, not only of our own country, but of any other country. We extend to you the deep thanks of the Members of the House of Representatives and assure you that every care and caution will be taken, because this will be forever one of the most treasured possessions of this great Chamber.

[Applause, the Members rising.]

At 12 o'clock and 59 minutes p.m., Mr. Neil A. Armstrong, Lt. Col. Michael Collins, U.S. Air Force, Col. Edwin E. Aldrin, Jr., U.S. Air Force, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet.

The ambassadors, ministers, and chargés d'affaires of foreign governments.

JOINT MEETING DISSOLVED

The SPEAKER. The Chair declares the joint meeting of both branches of Congress hereby dissolved.

Accordingly (at 1 o'clock and 2 minutes p.m.) the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will continue in recess until 2:30 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 30 minutes p.m.

MESSAGE FROM THE SENATE

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

H.J. Res. 775. Joint resolution to authorize the President to award, in the name of Congress, Congressional Space Medals of Honor to those astronauts whose particular efforts and contributions to the welfare of the Nation and of mankind have been exceptionally meritorious.

PRINTING OF PROCEEDINGS HAD DURING THE RECESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the Record.

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

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN 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.

THE 29TH ANNIVERSARY OF ELECTION OF THE HONORABLE SAM RAYBURN AS SPEAKER

Mr. ALBERT. Mr. Speaker, 29 years ago today, on September 16, 1940, the late Honorable Sam Rayburn was elected Speaker of the House of Representatives for the first time. This is an important anniversary although one which might have been overlooked in the rush of business. It is good occasionally to look back and at such times to thank providence for our good fortune in having had the leadership of great and able men during critical periods of our history. Speaker Rayburn's lifetime spanned an era of

great transformations, great decisions, great achievements and great ordeals. He served in 25 Congresses, more than a quarter of the total number of Congresses in our Nation's history. He served with eight Presidents, from Woodrow Wilson through John F. Kennedy. As Congressman, leader, and Speaker, his service in this House stands as one of the pinnacles of history. He served as Speaker longer than any other man; no man ever served better.

Mr. Rayburn once said:

It is a dangerous world we live in, more dangerous to the civilization we know and love than people ever sought to exist in.

He understood the dangers and he set a legislative course to guide America safely through the many crises and challenges which occurred in his time. He believed and stated that we would come through "in a fashion that would make us all proud."

The judgment of history will confirm and document what we now know—that the principles of liberal democracy which San Rayburn held dear beyond price, were expanded and preserved by his great legislative genius. The programs secured by his leadership benefited the United States and the entire free world.

"Mr. Sam" truly made the world a better and less dangerous place in which to live.

EXTENDING FOR 3 MONTHS AUTHORITY TO LIMIT RATES OF INTEREST OR DIVIDENDS PAYABLE ON TIME AND SAVINGS DEPOSITS AND ACCOUNTS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the Senate joint resolution (S.J. Res. 149) to extend for 3 months the authority to limit rates of interest or dividends payable on time and savings deposits and accounts, and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, to what does this apply? Is this a broad-scale proposition?

Mr. PATMAN. No, it is not. It is to give us a little time. It was unanimously passed by our committee this morning, upon motion made by the gentleman from New Jersey (Mr. WIDNALL).

This joint resolution would extend for 3 months the authority to limit the rates of interest or dividends payable on time and savings deposits and accounts.

This law—Public Law 89-597, of the 89th Congress—expires September 21 of this year, in just a few days. Unless this resolution is agreed to, the authority granted by this act to the various financial regulatory agencies will terminate.

Your Committee on Banking and Currency will be considering this legislation in the immediate future, as will our counterpart committee in the Senate.

I trust the resolution will be agreed to. Mr. GROSS. May I ask the gentleman if this was unanimously agreed to?

Mr. PATMAN. Yes. It was unanimously

agreed to by 35 Members of the Banking and Currency Committee.

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

The SPEAKER. Is there objection to the request of the gentleman from Texas (Mr. PATMAN)?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 149

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of September 21, 1966, as amended (Public Law 89-597), is amended by striking out "September" and inserting in lieu thereof "December".

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE 140TH BIRTHDAY OF THE SYRACUSE POST STANDARD

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HANLEY. Mr. Speaker, this is a historic day in my congressional district, for we are celebrating the 140th birthday of one of our oldest and finest institutions, the Syracuse Post Standard. Long a family tradition in our area, the Post Standard is one of the most respected opinion makers in upstate New York.

Over the years, Mr. Speaker, the Post Standard and I have, on occasion, had differences of opinion. But the essence of good journalism, as indeed the essence of the democratic process itself, is the fair, objective discussion of vital issues.

It has been my distinct pleasure and privilege to meet and know personally almost every member of the Post Standard staff. I am particularly proud of my friendship with J. Leonard Gorman, the paper's distinguished and highly esteemed editor.

Len Gorman is a mild, soft-spoken gentleman whose manner belies the tough sense of fairplay, indignation, inquisitiveness, and direction which boils up inside him and every other good newspaperman. He has steered the Post Standard with the skill and precision of a riverboat captain.

Mr. Speaker, I know all my colleagues here in the House join with me in extending a warm congratulations to the Post Standard and in wishing them at least another 140 years of success.

HURRICANE CAMILLE

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

Mr. CONTE. Mr. Speaker, we are all aware of the death and destruction caused last month by Hurricane Camille as it roared through the gulf coast of Mississippi and Louisiana and other sections in the South. Of those who survived, many were left homeless and all faced overwhelming hardship. However, in times of tragedy the American people

always respond. I rise today to relate to this body one such example of help from Berkshire County in my First District of Massachusetts.

In a superb example of public service, radio station WBEC in Pittsfield earlier this month donated 1 full day of broadcasting for a telethon appeal to Berkshire County residents. From 6:30 a.m. to 6:15 p.m., the station dropped all its normal programming, including commercials, and devoted its resources and its staff toward aiding the Berkshire County chapter of the Red Cross raise funds for those hit by the storm.

The station's operations manager, Huck Hodgkins, and general manager, Ronald Stratton, emceed the program. When it was over, the telethon had raised \$10,803.

Mr. Speaker, more is involved here than simply the raising of money. The important factor is the spirit of cooperation and generosity evident in this effort. I extend my most sincere congratulations to Richard S. Jackson, president and owner of WBEC, Inc.; William Furey, chairman of the county's Red Cross chapter, and to all who took part in this noble exercise in charity.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

JOHN VINCENT AMIRAULT

The Clerk called the bill (H.R. 2552) for the relief of John Vincent Amiraault.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

REFERENCE OF CLAIM OF JESUS J. RODRIGUEZ

The Clerk called the resolution (H. Res. 86), referring the bill (H.R. 1691) to the Chief Commissioner of the Court of Claims.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

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

There was no objection.

MRS. BEATRICE JAFFE

The Clerk called the bill (H.R. 1865) for the relief of Mrs. Beatrice Jaffe.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

AMALIA P. MONTERO

The Clerk called the bill (H.R. 6375) for the relief of Amalia P. Montero.

Mr. DUNCAN. Mr. Speaker, I ask

unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

VISITACION ENRIQUEZ MAYPA

The Clerk called the bill (H.R. 6389) for the relief of Visitacion Enriquez Maypa.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

YAU MING CHINN (GON MING LOO)

The Clerk called the bill (S. 1438) for the relief of Yau Ming Chinn (Gon Ming Loo).

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

CAPT. MELVIN A. KAYE

The Clerk called the bill (H.R. 1453) for the relief of Capt. Melvin A. Kaye.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

ROBERT G. SMITH

The Clerk called the bill (H.R. 3723) for the relief of Robert G. Smith.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

MRS. RUTH BRUNNER

The Clerk called the bill (H.R. 9488) for the relief of Mrs. Ruth Brunner.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

TO INCORPORATE THE PARALYZED VETERANS OF AMERICA

The Clerk called the bill (H.R. 1783) to incorporate the Paralyzed Veterans of America.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

DR. JAGIR SINGH RANDHAWA

The Clerk called the bill (S. 85) for the relief of Dr. Jagir Singh Randhawa.

There being no objection, the Clerk read the bill, as follows:

S. 85

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jagir S. Randhawa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 4, 1957.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHENG-HUAI LI

The Clerk called the bill (S. 348) for the relief of Cheng-huai Li.

There being no objection, the Clerk read the bill, as follows:

S. 348

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Cheng-huai Li shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 7, 1962.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. IRENE G. QUEJA

The Clerk called the bill (S. 564) for the relief of Mrs. Irene G. Queja.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

FAVORING THE SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The Clerk called the concurrent resolution (S. Con. Res. 33) favoring the suspension of deportation of certain aliens.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this concurrent resolution be passed over without prejudice.

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

There was no objection.

ALFREDO CAPRARA

The Clerk called the bill (H.R. 1695) for the relief of Alfredo Caprara.

There being no objection, the Clerk read the bill, as follows:

H.R. 1695

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a) (4) of the Immigration and Nationality Act, Alfredo Caprara may be issued a visa and admitted to the United States for permanent

residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act: *Provided further,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DELILAH AURORA GAMATERO

The Clerk called the bill (H.R. 2817) for the relief of Delilah Aurora Gamatero.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

MRS. SABINA RIGGI FARINA

The Clerk called the bill (H.R. 3629) for the relief of Mrs. Sabina Riggi Farina.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

PLACIDO VITERBO

The Clerk called the bill (H.R. 3955) for the relief of Placido Viterbo.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

WILLIAM PATRICK MAGEE

The Clerk called the bill (H.R. 9001) for the relief of William Patrick Magee.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

CERTAIN CIVILIAN EMPLOYEES AND FORMER CIVILIAN EMPLOYEES OF THE BUREAU OF RECLAMATION

The Clerk called the bill (S. 83) for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each of the following employees, former employees, and estates of deceased employees of the Bureau of Reclamation who received

the overpayment of compensation listed opposite his name for the period from March 30, 1952, through August 13, 1966, inclusive, or any portion or portions of such period, which overpayment resulted from administrative error, is hereby relieved of all liability to refund to the United States the amount of such overpayment:

Name	Overpayment
Adriance, Mary S.....	\$40.00
Albee, Stanley.....	10.96
Anderson, E. L.....	15.99
Chavex, Nicolas.....	15.08
Emmett, Wyllis L.....	9.62
Fife, Rowland W.....	1,324.62
Gallegos, Joseph M.....	50.60
Gallman, W. Brooks.....	10.96
Guerra, Ciro.....	14.34
Gulterrez, Ely E.....	19.65
Johnson, C. P.....	401.60
Marmon, Walter.....	14.42
Moss, R. A.....	12.80
Peavy, Patrick.....	1.44
Sanchez, Ernest G.....	1,534.77
Torres, Sinesio.....	429.60

Each such employee or former employee who has at any time made any repayment to the United States on account of any such overpayments made to him (or, in the event of his death, the person who would be entitled thereto under the first section of the Act of August 3, 1950 (5 U.S.C. 5583)), shall be entitled to have an amount equal to all such repayments made by him refunded if application is made within two years after the date of enactment of this Act.

(b) For purposes of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954, each overpayment for which liability is relieved by subsection (a) of this section shall be deemed to have been a valid payment.

SEC. 2. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for any amounts for which liability is relieved by the first section of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAPT. RICHARD L. SCHUMAKER, U.S. ARMY

The Clerk called the bill (S. 728) for the relief of Capt. Richard L. Schumaker, U.S. Army.

There being no objection, the Clerk read the bill, as follows:

S. 728

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain Richard L. Schumaker, United States Army, is hereby relieved of all liability for repayment to the United States of the sum of \$2,268.48, representing the amount of overpayments of basic pay and allowances received by the said Captain Richard L. Schumaker for the period from May 21, 1966, through July 31, 1967, as the result of administrative error in determining his years of service for pay purposes. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Captain Richard L. Schumaker the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

(b) No part of any amount appropriated in this section shall be paid or delivered to or

received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YVONNE DAVIS

The Clerk called the bill (S. 757) for the relief of Yvonne Davis.

There being no objection, the Clerk read the bill, as follows:

S. 757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, to Yvonne Davis of Old Town, Maine, the sum of \$536.05. Such sum represents the amount of hospital and medical expenses incurred by the said Yvonne Davis in connection with an ear operation performed on her in a civilian hospital in Bangor, Maine, after having been erroneously advised by medical personnel at Dow Air Force Base, Maine, that she was, as a dependent parent of a member of the Armed Forces, entitled to hospital and medical care in civilian facilities at the expense of the United States.

With the following committee amendment:

On page 2, line 4, insert:

"No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM D. PENDER

The Clerk called the bill (S. 901) for the relief of William D. Pender.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

MRS. ROSE THOMAS

The Clerk called the bill (H.R. 2302) for the relief of Mrs. Rose Thomas.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

MILOYE M. SOKITCH

The Clerk called the bill (H.R. 3571) for the relief of Miloye M. Sokitch.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

CAPT. JOHN T. LAWLOR (RETIRED)

The Clerk called the bill (H.R. 8694) for the relief of Capt. John T. Lawlor (retired).

There being no objection, the Clerk read the bill, as follows:

H.R. 8694

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain John T. Lawlor (United States Army, retired) of Lake Charles, Louisiana, is relieved of liability to the United States in the amount of \$4,705.84, representing overpayments of retired pay received by him for the period beginning May 26, 1958, and ending August 31, 1967, as the result of an administrative error and through no fault of his own. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

Sec. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John T. Lawlor an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 2, line 9, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAUL ANTHONY KELLY

The Clerk called the bill (H.R. 8904) for the relief of Paul Anthony Kelly.

There being no objection, the Clerk read the bill, as follows:

H.R. 8904

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the time limitations of section 2733(b)(1) of title 10 of the United States Code, or of any other statute of limitations, the claim of Paul Anthony Kelly, a minor, of Troy, North Carolina, for physical injuries he suffered on or about February 1, 1964, as the result of the explosion of a

device left after an Army maneuver in the Uwharrie National Forest which was filed on or about July 7, 1966, shall be held and considered to have been timely filed and the claim of said Paul Anthony Kelly shall be considered and, if found meritorious, settled and paid in accordance with otherwise applicable provisions of law.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HANNIBAL B. TAYLOR

The Clerk called the bill (H.R. 9910) for the relief of Hannibal B. Taylor.

There being no objection, the Clerk read the bill, as follows:

H.R. 9910

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hannibal B. Taylor of New Haven, Missouri, the sum of \$964.93 in full settlement of all his claims against the United States arising out of the failure of the United States Air Force to compute his retirement pay for the period October 1, 1949 to September 23, 1958 at the rate to which he was entitled as a second lieutenant who served in the United States Army during World War I.

Sec. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 9, strike "September 23, 1958" and insert "September 22, 1958".

Page 2, line 2, strike "in excess of 10 per centum thereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONFERRING JURISDICTION UPON THE U.S. COURT OF CLAIMS IN RE CLAIM OF PHILIP J. FICHMAN

The Clerk called the bill (H.R. 10658) conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Philip J. Fichman.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

LT. COL. SAMUEL J. COLE, U.S. ARMY (RETIRED)

The Clerk called the bill (S. 267) for the relief of Lt. Col. Samuel J. Cole, U.S. Army (retired).

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

LUDDER J. COSSETTE

The Clerk called the bill (S. 499) for the relief of Ludder J. Cossette.

There being no objection, the Clerk read the bill, as follows:

S. 499

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ludder J. Cossette, of Gonic, New Hampshire; a retired employee of the Post Office Department, the sum of \$84.96, in full satisfaction of all claims of the said Ludder J. Cossette for additional compensation for emergency services performed by him for such Department at its request, payment heretofore received by him for such services having been limited, by reason of his retired status, to the difference between the amount earned and the amount payable to him for the same period as retirement annuity: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 2, line 4, strike "in excess of 10 per centum thereof".

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RICHARD VIGIL

The Clerk called the bill (S. 620) for the relief of Richard Vigil.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

RAYMOND C. MELVIN

The Clerk called the bill (S. 632) for the relief of Raymond C. Melvin.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

CAPT. WILLIAM O. HANLE

The Clerk called the bill (S. 882) for the relief of Capt. William O. Hanle.

Mr. DUNCAN. Mr. Speaker, I ask

unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

REFERENCE OF CLAIMS OF BRANKA MARDESSICH AND SONIA S. SILVANI

The Clerk called House Resolution 498, to refer the bill (H.R. 4498) entitled "A bill for the relief of Branka Mardessich and Sonia S. Silvani" to the chief commissioner of the Court of Claims pursuant to sections 1491 and 2509 of title 28, United States Code.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

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

There was no objection.

REFERENCE CLAIM OF EMMA ZIMMERLI

The Clerk called the bill (H.R. 2260) to confer jurisdiction on the U.S. District Court for the Western District of Wisconsin to hear, determine, and render judgment on the claim of Emma Zimmerli against the United States.

There being no objection, the Clerk read the bill, as follows:

H.R. 2260

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the United States District Court for the Western District of Wisconsin to hear, determine, and render judgment on the claim of Emma Zimmerli of Monroe, Wisconsin, against the United States arising out of injuries she sustained on April 24, 1964, allegedly as a result of her falling over a parcel placed by a postal employee inside her premises on steps leading to her kitchen.

Sec. 2. Suit upon the claims referred to in the first section of this Act may be instituted at any time within the one-year period which begins on the date of enactment of this Act, and all defenses of the United States based on laches, lapse of time, or any statute of limitations are hereby waived. Proceedings (including settlement by compromise or otherwise) for the determination of such claims, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in actions brought under chapter 171 of title 28 of the United States Code, over which the court has jurisdiction pursuant to section 1346(b) of such title. Nothing in this Act shall be construed as an admission of liability on the part of the United States.

With the following committee amendment:

Page 1, line 7: After "on" insert "or about."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELBERT C. MOORE

The Clerk called the bill (H.R. 2407) for the relief of Elbert C. Moore.

There being no objection, the Clerk read the bill, as follows:

H.R. 2407

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elbert C. Moore, of Clearwater, Florida, the sum of \$24,910 in full settlement of all his claims against the United States for his expenses arising from the salvaging on April 24, 1963, in the Gulf of Mexico of an Air Force Ryan Firebee drone: Provided, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike "\$24,910" and insert "\$1,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK J. ENRIGHT

The Clerk called the bill (H.R. 2458) for the relief of Frank J. Enright.

There being no objection, the Clerk read the bill, as follows:

H.R. 2458

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank J. Enright of Stockton, California, the sum of \$100 in full settlement of his claim against the United States for not paying, by reason of lapse of time, a \$100 United States postal money order held by him, numbered 65041, dated February 15, 1944. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMDR. JOHN N. GREEN, U.S. NAVY

The Clerk called the bill (H.R. 2477) for the relief of Comdr. John N. Green, U.S. Navy.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

MRS. BARBARA K. DIAMOND

The Clerk called the bill (H.R. 2963) for the relief of Mrs. Barbara K. Diamond.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

LAWRENCE BRINK AND VIOLET NITSCHKE

The Clerk called the bill (H.R. 4634), for the relief of Lawrence Brink and Violet Nitschke.

There being no objection, the Clerk read the bill, as follows:

H.R. 4634

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) except as otherwise provided in subsection (b) of this Act, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Violet Nitschke the sum of \$6,700 in full settlement of all her claims against the United States and against Lawrence Brink arising out of an accident which occurred in the vicinity of Pierre, South Dakota, in 1959 when the said Lawrence Brink was operating a Government motor vehicle in the course of his duties as an employee of the Corps of Engineers, Department of the Army, and in full satisfaction of the judgment and costs entered against the said Lawrence Brink in the courts of South Dakota.

(b) Such sum of \$6,700 shall be reduced by the amount of any payments made by the said Lawrence Brink to the said Violet Nitschke on account of the judgment and costs entered against the said Lawrence Brink in the courts of South Dakota.

(c) No part of the amount appropriated in this section in excess of 25 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claims and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Sec. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Lawrence Brink the sum of any amounts paid by the said Lawrence Brink to the said Violet Nitschke on account of the judgment and costs referred to in the first section of this Act. Such payment shall be in full satisfaction of all claims of the said Lawrence Brink against the United States for reimbursement of amounts paid by him to the said Violet Nitschke on account of the judgment and costs referred to in the first section of this Act.

(b) No part of the amount appropriated in this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PEDRO IRIZARRY GUIDO

The Clerk called the bill (H.R. 5000) for the relief of Pedro Irizarry Guido.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

BERT N. ADAMS AND EMMA ADAMS

The Clerk called the bill (H.R. 7567) for the relief of Bert N. Adams and Emma Adams.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

MRS. IRIS O. HICKS

The Clerk called the bill (H.R. 10356) for the relief of Mrs. Iris O. Hicks.

There being no objection, the Clerk read the bill, as follows:

H.R. 10356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the survivor annuity of Mrs. Iris O. Hicks (formerly Mrs. Iris O. Brosky), Jacksonville, Florida, which was paid to her commencing January 1, 1956, from the Civil Service retirement and disability fund as the widow of Robert H. Brosky and which was terminated by reason of her remarriage on November 5, 1968, is hereby restored to her, effective as of the effective date of the termination of such annuity. Such remarriage was entered into by her in good faith on the basis of erroneous information given to her by Government authority prior to her remarriage that such annuity would not be terminated by reason of the remarriage.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

VICTOR L. ASHLEY

The Clerk called the bill (H.R. 11060) for the relief of Victor L. Ashley.

There being no objection, the Clerk read the bill as follows:

H.R. 11060

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Victor L. Ashley, of Green Cove Springs, Florida, is relieved of liability to the United States in the amount of \$2,717.76, representing an overpayment of compensation from January 27, 1957, through October 1, 1961, received by him while employed with the Florida group, Atlantic Reserve Fleet, Green Cove Springs, Florida. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

Sec. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Victor L. Ashley an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the

United States specified in the first section of this Act: *Provided, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

With the following committee amendment:

Page 1, line 6, strike "October 1, 1964" and insert "June 30, 1960".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WYLO PLEASANT, DOING BUSINESS AS PLEASANT WESTERN LUMBER CO. (NOW KNOWN AS PLEASANT'S LOGGING & MILLING, INC.)

The Clerk called the bill (H.R. 11503) for the relief of Wylo Pleasant, doing business as Pleasant Western Lumber Company (now known as Pleasant's Logging and Milling, Incorporated).

There being no objection, the Clerk read the bill, as follows:

H.R. 11503

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wylo Pleasant, doing business as Pleasant Western Lumber Company (now known as Pleasant's Logging and Milling, Incorporated), the sum of \$12,000 in full satisfaction of his claim against the United States for losses sustained in performing sales contract numbered 12-11-092-29, dated November 17, 1959, with the Forest Service, by reason of performing work elsewhere at the urging of Government personnel.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. JOHN F. FUENTES

The Clerk called the bill (H.R. 11500) for the relief of Mr. and Mrs. John F. Fuentes.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

ROSE MINUTILLO

The Clerk called the bill (H.R. 12089) for the relief of Rose Minutillo.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

**T. SGT. PETER ELIAS GIANUTSOS,
U.S. AIR FORCE (RETIRED)**

The Clerk called the bill (H.R. 11890) for the relief of T. Sgt. Peter Elias Gianutsos, U.S. Air Force (retired).

There being no objection, the Clerk read the bill, as follows:

H.R. 11890

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Technical Sergeant Peter Elias Gianutsos, United States Air Force (retired) (XXXXXXXXXX), of Cincinnati, Ohio, is relieved of liability to the United States in the amount of \$291.91, representing overpayments through administrative error of active duty pay and leave allowances as a member of the United States Air Force in the years 1951 through 1964. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to the said Technical Sergeant Peter Elias Gianutsos (retired) an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike "\$291.91" and insert "\$390.65".

Page 2, line 11, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**MAJ. LOUIS A. DEERING,
U.S. ARMY**

The Clerk called the bill (H.R. 11968) for the relief of Maj. Louis A. Deering, U.S. Army.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

**IRVING M. SOBIN CO., INC., AND/OR
IRVING M. SOBIN CHEMICAL CO.,
INC.**

The Clerk called the bill (H.R. 1782) for the relief of Irving M. Sobin Co., Inc., and/or Irving M. Sobin Chemical Co., Inc.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

**OPPOSING THE GRANTING OF PER-
MANENT RESIDENCE IN THE
UNITED STATES TO CERTAIN
ALIENS**

The Clerk called House Resolution 422, opposing the granting of permanent residence in the United States to certain aliens.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

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

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

BERNARD L. COULTER

Mr. DONOHUE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4658) for the relief of Bernard L. Coulter, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 2, line 4, strike out "Cooke" and insert "Cook".

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

SUPPORT OF STUDENT LOANS

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

Mr. BURLISON of Missouri. Mr. Speaker, yesterday the House passed under suspension of the rules the bill H.R. 13194, to amend the Higher Education Act of 1965 to authorize Federal incentive payments to lenders with respect to insured student loans. As was clearly exposed in yesterday's discussion, the suspension of the rules procedure was followed for the purpose of preventing amendment to the bill. The prospective amendment which most troubled the legislative committee chairman was one to prevent Government subsidy of student rioters. There was much opposition to the procedure expressed in yesterday's debate. It is ironic to note many of those then proceeded to vote for the suspension. Apparently, this paradox is explained by the fear of those Members that a "no" vote would be distorted and cited to show their opposition to education.

It was brought out clearly in the debate by the Rules Committee chairman that a rule could be readily obtained and the bill reported back to the floor within the matter of just a few days. This very brief

delay could not conceivably impair the program.

Mr. Speaker, I find reprehensible both the procedure here used and the lack of courage of the Members in disapproving the procedure but then proceeding to vote for it.

Had the bill been reported under an open rule, the bill also could have been amended to lower the interest rate authorized for the student loans. The prime interest rate in the past few months has spiraled upward by 36 percent to 8½ percent. The bill passed would authorize an interest rate of 10 percent, another bonanza for the banks.

Mr. Speaker, I want this RECORD to show my support of Government subsidy of interest on student loans as contained in H.R. 13194. At the same time it should be made clear that I vigorously oppose student rioters receiving Government subsidy. I also oppose needlessly and unnecessarily inviting further increases in our present unconscionable interest rates.

**SOVIET UNION PURCHASES WHEAT
FROM CANADA**

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remark.)

Mr. EDWARDS of Alabama. Mr. Speaker, it has now come to light that the Soviet Union has defaulted on its contract with Canada for the purchase of some \$700 million worth of wheat. The Canadians stand to lose as much as \$200 to \$300 million as a result.

A number of years ago, when the question of U.S. wheat sales to Russia was being considered, I argued that such an arrangement would be a hazardous undertaking since in the past the Soviets only kept their word when it suited their purposes. It seems that this prediction has come true. The Russians have not changed a bit. Fortunately more enlightened minds prevailed then, and this country has been spared another embarrassment at the hands of the Soviet Union. But today we are hearing another proposal from the "bridgebuilders to the East." They are saying, "If only we would deescalate our defense procurement, the Soviets would surely do likewise. All we have to do is show that we trust them." Well, the Canadians trusted the Soviets' written word and all they have to show for it is 135 million undelivered bushels of wheat and a worthless contract. How safe could we consider ourselves to be if we followed the advice of these bridgebuilders and trusted the mere anticipation of Soviet words and deeds?

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 171]

Abbutt	Dorn	Price, Tex.
Anderson,	Fascell	Purcell
Tenn.	Fulton, Tenn.	Rivers
Ashley	Gettys	Rostenkowski
Aspinall	Griffiths	Roybal
Baring	Hollfield	Scheuer
Blanton	Hosmer	Sisk
Bolling	Kirwan	Staggers
Bow	Landgrebe	Steiger, Wis.
Brademas	Lipscomb	Teague, Calif.
Brown, Calif.	Lukens	Teague, Tex.
Byrnes, Wis.	Moorhead	Tiernan
Cahill	Murphy, N.Y.	Udall
Carey	Nix	Weicker
Clark	Obey	Whalley
Clay	O'Konski	White
Culver	Ottinger	
de la Garza	Pollock	
Dickinson	Powell	

The SPEAKER. On this rollcall, 377 Members have answered to their names, a quorum.

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

DIRECT POPULAR ELECTION OF THE PRESIDENT AND VICE PRESIDENT

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further 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.

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 further consideration of the joint resolution (H.J. Res. 681) with Mr. MILLS in the chair.

The Clerk read the title of the joint resolution.

The CHAIRMAN. When the Committee rose on yesterday, there was pending an amendment in the nature of a substitute offered by the gentleman from Texas (Mr. Dowdy).

For what purpose does the gentleman from Michigan (Mr. GERALD R. FORD) rise?

Mr. GERALD R. FORD. Mr. Chairman, I move to strike out the last word. (Mr. GERALD R. FORD asked and was given permission to proceed for 5 additional minutes.)

Mr. Chairman, there is a very high degree of unanimity, although it is not completely unanimous—that we should do away with what I label as the archaic, outdated, outmoded method that we have been using for the last 180 years or thereabouts for electing the President of the United States.

Although there is this high degree of unanimity, there are differences of opinion—honest differences, between Members on both sides of the aisle as to which of three, basically three, methods we should turn to in selecting our President in the future.

I happen to believe, based on polls, and based on sentiment, that I have analyzed, that if the House in the final analysis has to vote "yes" or "no" on the direct or popular vote method of selecting the President, there will be more

than two-thirds of the Members voting for this change in the Constitution.

I have some doubt that if we end up, in the final analysis, with the district plan or the proportionate method of selecting the President, there will be an adequate number, two-thirds of those present and voting, for this change in the Constitution. This possibility causes me some concern.

I should say at this time that I strongly favor the direct method of choosing the President of the United States. I support the committee bill.

But I should add this postscript: If we come down to the final vote and we have either the district or the proportionate plan as the alternative in place of what we now have in the Constitution, I likewise will vote for either one of those propositions.

Mr. Chairman, my interest in the method of selecting a President goes back to 1950 when we had a vote on this issue. But more recently, in 1967, I became very concerned about the possible constitutional crisis this country might face in 1968 with the emergence of a third party of some strength. The concern I had was that under the present method of selecting the President of this country, the world at large might well have been faced with the prospect of ourselves not knowing who the next President of the United States would be from November to January 20. This uncertainty, in my judgment, would have been harmful to the United States and detrimental to the world at large.

I made a speech before the Republican Governors in Florida on December 9, 1967, and pointed out at that time the possibility of the constitutional crisis in the 1968 presidential election. As we all know, that crisis almost arose. Fortunately, it did not. But in the process of studying the problem I went to the Library of Congress, read a good bit of the history of previous presidential elections, and I got the Library of Congress to take some of the important excerpts from historical works telling what had happened in this Chamber in 1800 and 1824, when the House of Representatives was called upon to make the choice for President.

As has been stated before in this debate, in 1800 there was a tie between Thomas Jefferson and Aaron Burr, and, I say parenthetically, both running on the then Republican ticket. The vote was 73 to 73. So the House of Representatives met in February of 1801, and between February 11 and February 17 35 ballots were taken by Members of the House of Representatives without reaching a decision. Finally, after much conniving, and I say with deference probably skulduggery, on the 36th ballot the decision was made. The person who really tipped the scales, according to history, was Alexander Hamilton. In reading the history I ran into a comment made by Alexander Hamilton which might be somewhat enlightening. He in effect was the leader of the Federalist Party. According to this historian, this is what Hamilton decided and tipped the scale for Thomas Jefferson:

But Hamilton, in the unhappy role of choosing between two men he thoroughly disliked, differed with his party colleagues. There was for him but one choice. Burr was the "Catiline of America," a man devoid of scruples and possessed an inordinate ambition and the "boldness and daring necessary to give success to the Jacobin system." Jefferson at least had "pretensions to character" though he was unscrupulous, not very mindful of the truth, and was a contemptible hypocrite.

That is what Alexander Hamilton said. Yet he voted for Thomas Jefferson, and how fortunate this decision was. But leaving that aside, the fact is the present system we are using today and have used from the day of the first presidential election is unsound. It takes away from the people the right to make the choice and turns the role over to the politicians if there is no majority in the electoral college.

In 1824 we had another crisis. This time Andrew Jackson had 152,899 popular votes, John Quincy Adams had 105,321, William Crawford had 47,265, and Henry Clay had 47,087. Jackson was the person with the plurality. He did not have enough electoral votes. On this occasion again the decision came to the House of Representatives. On this occasion the politicians did not take 36 ballots to make the choice. They got together at the outset. I do not understand and history does not record precisely how they made the decision, but on the first vote John Quincy Adams, who finished second in the electoral votes and second in the popular votes, became President.

It is interesting if we go back to history again. Apparently the New York delegation was the key and apparently, according to history, Van Buren was the man who was most in favor of the deal that put Adams over the top. But let me read from one of the history books on the situation:

Van Buren's weak point in New York proved to be General Stephen Van Rensselaer . . . As the vote was about to be taken (in the House of Representatives) Van Rensselaer bowed his head in prayer, seeking divine guidance. It came at once. On the floor in front of him was a ticket someone had dropped with the name of John Quincy Adams written on it. His startled eyes rested on the bit of paper. A few minutes later it was in the ballot box: New York had cast eighteen of its thirty-seven votes for Adams, and the New Englander was elected President by thirteen of the twenty-four states.

Any system that relies on this kind of decisionmaking in this kind of constitutional crisis is wrong. It ought to be changed.

Now, starting from there, I think we ought to take a look at the alternatives. As I said initially, on the basis of the merit, on the basis of the substance, I am for the direct election. Furthermore, I think it is politically the right thing to do.

In 1950 those of us who were here at that time had a choice whether to vote for the proportionate method. It was called the Lodge-Gossett proposition. It had passed the other body by the necessary two-thirds vote, and it came to this body, where we had a debate. Unfor-

tunately we did not get the two-thirds vote. Regrettably the method of choosing the President was not changed at that time.

I voted for the proportionate system in 1950. When this matter came up on the public agenda again in 1968, it was discussed and it was written about, and my initial sympathies were for the proportionate method. Since then I switched to the direct method.

The American Bar Association, through a very outstanding committee, came forth with this analysis and its recommendation for the direct method of selecting the President. I have a copy of it in my hand. It is a very persuasive document. It is well reasoned. I think it is completely sound and in my honest opinion it is the format we should use in writing this change in the Constitution.

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

(By unanimous consent, Mr. GERALD R. FORD was allowed to proceed for 5 additional minutes.)

Mr. GERALD R. FORD. Mr. Chairman, I hope all Members have taken the time to read this document. It was an outstanding group that worked on it. They represented the political spectrum from the far left to the far right.

In my judgment, it is a sound recommendation that we should follow.

The Committee on the Judiciary of the House, by an overwhelming vote, has in effect adopted the plan recommended by the American Bar Association study group.

We are also familiar with the wide range of organizations from all over the land that have endorsed the committee recommendation.

The question has been raised by some: What does the President of the United States recommend? I have in my hand the President's message that came to the Congress February 20, 1969. Let me quote from that message if I might.

The President says:

I have not abandoned my personal feeling, stated in October and November 1968, that the candidate who wins the most popular vote should become President.

The President goes on to say, and again I quote:

I have in the past supported the proportional plan of electoral reform. Under this plan the electoral vote of a State would be distributed among the candidates for President in proportion to the popular vote cast. But I am not wedded to the details of this plan or any other specific plan. I will support any plan that moves toward the following objectives: first, the abolition of individual electors; second, allocation to Presidential candidates of the electoral votes of each State and the District of Columbia in a manner that may more closely approximate the popular vote than does the present system; third, making a 40 percent electoral vote plurality sufficient to choose a President.

Then he goes on, and again I quote:

Next, I consider it necessary to make specific provisions for the eventuality that no presidential slate receives 40% or more of the electoral vote in the regular election. Such a situation, I believe, is best met by providing that a run-off election between the top two candidates shall be held within a specified time after the general election, victory going to the candidate who receives the largest popular vote.

The net result is, in my judgment, the President of the United States endorses substantially—substantially—the recommendation of this committee of the House.

Let me make one other observation. I know there are some of the most conservative Members of this body on both sides of the aisle who are apprehensive about the direct election procedure. For the benefit of those who feel that way, who served in this body with Ed Gossett, they know very well he was one of the most able, and probably one of the most conservative, Members in the House of Representatives during his many terms of office. He was highly respected by Members on my side of the aisle, and I believe equally by those on the other side, whether they were conservative or liberal. Ed Gossett, who is now a practicing lawyer in Texas, was one of the members of the American Bar Association study group that recommended the ABA plan, which is the direct method of selecting the President of the United States. Any conservative can follow Ed Gossett's recommendation.

Some Members in this body are apprehensive about the situation confronting the small State, the small State in population. One of the distinguished members of this ABA task force was the Governor of a State with a relatively small population, Oklahoma. Gov. Henry Bellmon was on this group, and Gov. Henry Bellmon wholeheartedly endorses the American Bar Association plan, which is the direct method of electing the President of the United States.

No one can challenge Henry Bellmon's dedication to Oklahoma or States of that size. Henry Bellmon believes after thorough analysis that this plan is in the best interests of the United States and does no harm to small States.

Now, Mr. Chairman, it seems to me that we are down to the final effort, because shortly we will vote as between the district plan and the direct election plan. It is my judgment that this is the real contest and the real ball game.

Mr. Chairman, the allegation is made that the other body will not accept a direct method of selecting a President. I cannot prejudge that. In the Senate there is strong sentiment for direct election, and there are views that are contrary. The allegation is made that the State legislatures will not approve the direct method or that there will be a sufficient number that will block ratification. I cannot judge that, either, although I think the evidence that has been accumulated, the polls, clearly points out that State legislatures could very well ratify the direct method of selecting the President. Senator ROBERT GRIFFIN, for one, conducted a survey which convinces me it is possible. I understand that the magazine *The Nation's Business* conducted a survey of State legislatures and their judgment is based on this survey; namely, that a sufficient number of State legislatures will approve the direct method of selecting a President.

Mr. Chairman, let me conclude with this observation: We have a responsibility ourselves to do what at least two-thirds of the Members of this body believe is forward movement, constructive movement, and meritorious change.

When you put on the scales the present system and each of the three alternatives, in my honest opinion, the scales weigh most heavily for the direct method.

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

(Mr. GERALD R. FORD asked and was given permission to proceed for 3 additional minutes.)

Mr. GERALD R. FORD. I think everybody agrees, based on the Gallup poll and based on individual questionnaires sent out by Members on this side and on that side, that the public, when they are given the choice between the present system and the three alternatives, in every instance I have seen has overwhelmingly voted for the direct method of selecting a President. In some of the most conservative districts in this country represented by bona fide, legitimate, and dedicated conservatives, the polls show that the people, the people, want the direct method of selecting the President of the United States. I have yet to see a questionnaire to the contrary.

Now, my final point is this: I believe that we ought to pass the direct method of selecting the President of the United States. If we do not, it is my honest opinion that the people will be let down. If ratification fails, either by action in this body or in the other body or by action of the State legislatures, the people will be let down. I hope that the House of Representatives, which I think is the people's House, the people's House will face up to the issue and will vote in accord with what the American people by every poll have indicated they want. The people's House has even a greater responsibility than the other body or the respective State legislatures. So when the vote comes today on the district vis-a-vis the direct method or on the motion to recommit, which I suspect will be the district plan, I hope that we reject others and support in the final analysis the direct method of selecting the President of the United States.

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

Mr. GERALD R. FORD. I shall be glad to yield to the distinguished chairman.

Mr. CELLER. With reference to what the gentleman so very eloquently quoted concerning the attitude of the smaller States, there has just come off the press a magazine called *Nation's Business*, an official organ of the U.S. Chamber of Commerce. It has this to say with reference to the attitude of the smaller States in regard to the resolution now pending before the committee and the provision dealing with the direct popular vote for President:

Nearly 120 men of the men who serve in the States as Speakers of lower houses, Presidents of Senate or majority or minority leaders voted 6-1 in the survey for a change in the presidential election system. At least one leader from every State participated. Any change has to be an improvement.

They indicated that more than two-thirds of those advocating a different system endorsed the popular direct vote:

THE POPULAR VOTE IS POPULAR

An overwhelming majority of the leaders of state legislatures favor a change in the method of choosing a President, with direct popular election the favorite choice by far.

Those are key findings of a *Nation's Busi-*

ness survey to determine the thinking of influential figures at the state level, where the final decision will be made, on the various proposals for a constitutional amendment to change the method of selecting the nation's Chief Executive.

While the spotlight remains on continuing deliberations in Congress, a vital question is whether any amendment sent to the states could gain ratification in 38 legislatures.

Nearly 120 of the men who serve in the states as speakers of lower houses, presidents of Senates or majority or minority leaders voted 6 to 1 in the survey for a change in the Presidential election system. At least one leader from every state participated.

"Any change has to be an improvement," one commented with an air of desperation. More than two thirds of those advocating a different system endorsed the direct popular vote.

Slightly over 20 per cent supported the district plan, in which one elector would be chosen from each Congressional district and two at-large in each state. Their electoral votes would go to the candidate who won the popular vote in their district or state.

The balance of sentiment in the poll favored:

The proportional plan, in which the electoral vote would be divided in the same ratio as a state's popular vote.

Retaining the present "winner-take-all" electoral system but requiring electors to reflect the popular vote and, in case no candidate gets an electoral majority, giving each House member, instead of each state's delegation in the House, one vote.

No change at all.

Both the district and proportional plans would retain the present allocation of electoral strength—each state with a number of electors equal to the total number of Representatives and Senators it has in Congress.

The extra voting strength smaller states derive from automatically having two electors corresponding to their two Senators regardless of population has been a particular target of the direct vote partisans.

The example most frequently cited is that of Alaska, where each Presidential elector represents 85,000 residents, and California, which has one elector for every 500,000 citizens.

But other critics of the Electoral College argue that giving a candidate all of a big state's electoral votes, no matter how close the popular count, works against smaller states.

CITE COLLEAGUES' SENTIMENT

Of the legislative leaders favoring the popular vote system, 75 per cent indicated they felt their respective houses of the legislature would approve, although some conditioned their optimism and said it would take an all-out campaign.

Their strong support for choosing the President by popular vote reflects the broad, grass roots backing for the change evident in various opinion surveys.

An upsurge of interest and concern was generated during the 1968 Presidential campaign. It appeared then that the "constitutional time bomb," as one critic has called the present electoral system, was going to go off and the choice of a President become bogged down in wrangling and dealing in the Electoral College or the House.

The close call was enough to get Congress moving early in this session on legislation to change the system.

The House Judiciary Committee had approved a resolution calling for a constitutional amendment that would put Presidential elections on a direct, popular vote basis and the Senate Judiciary Committee is expected to follow suit.

Despite the high level of interest in change, particularly in the direct vote plan, it is by no means certain such an amendment will be adopted quickly, easily—or at all.

SMALL STATE ISSUE SHRINKS

The Nation's Business poll demonstrated that one of the thorniest problems confronting the framers of the Constitution, protecting small-state interests, has faded in some smaller states, but not in others.

Howard F. McKissick Jr., speaker of the Nevada Assembly, gave one of the most succinct endorsements to the direct vote system: "It is the fairest. It is the most popular and best understood."

Gordon McGowan, president pro tempore of the Montana State Senate, was more eloquent in a hand-written reply on a letterhead bearing the legend, "The Big Sky Country":

"The person receiving the largest number of votes should be the winner. . . . In our American life a team or an individual that scores the most points, as long as it is accomplished within the rules, is the winner. This process is as American as apple pie and I believe the system favored by the majority of voters."

George C. Herring III, speaker of the House in Delaware, one of the smallest states, called for "straight election by popular vote because democratic rule is founded on expression by majority vote."

But Thomas B. Avery, majority floor leader of the Tennessee House, said in endorsing the district system that it would "preserve the additional weight allowed small states by the Constitution."

"States and regions need to retain some autonomy," said John D. Vanderhoof, speaker of the Colorado House, who also called for the district plan.

Concern over protecting regional interests is by no means limited to smaller states. Speaker Bob Monagan of the California Assembly expressed "reservations about the wisdom of direct popular election because of the emphasis it puts on a simple majority without regard to a balancing of the various regional interests in the nation."

He added: "Neither a strong majority nor strong regional interests can be ignored if we are to achieve some degree of national harmony and unity and the present electoral system strikes a balance."

And Earl W. Brydges, temporary president of the New York Senate, commented that "the present system, while it has imperfections, has worked well and also preserves the influence of the larger states."

APPENDAGE REMOVAL

But Jess Unruh, now minority leader of the California Assembly, viewed electoral reform this way:

"No modern politician who values his profession dares to argue that the American electorate is incompetent to elect the President of the United States. If this is so, all rational argument against popular Presidential election disappears. The Electoral College is a useless and occasionally dangerous appendage on our body politic. It must be removed."

O. J. Goodwyn, president of the Alabama Senate, said direct election would be "the most democratic way and, in my opinion, would eliminate the division of the nation into minority groups."

Brad Phillips, Alaska Senate president, said the general feeling in his state was that "the present electoral system has the potential of frustrating the popular vote."

Robert F. Smith, speaker of the Oregon House, asserted that "the present system has outlived its usefulness. The only viable alternative which has been proposed, and one which the electorate would easily understand, is the direct popular election of the President."

"It is much more sensible to have an election settled on the basis of the popular vote, regardless of the margin, than to turn an election over to the House of Representatives and kick the door open to the possibility that a candidate not receiving the highest number of votes is elected President."

CITY MACHINES SUSPECTED

On the other side, Dexter H. Gunderson, speaker of the South Dakota House, was emphatic in rejecting the popular vote plan: "The giant city machines seem to vote in peculiar patterns, leading one to believe that these election outcomes could be rigged."

Marshall W. Cobleigh, speaker of the New Hampshire House, said a direct election system involves many pitfalls, including the prospect of an outcome so close a nationwide recount is needed.

William L. Sullivan, temporary president of the Kentucky Senate, said direct popular election "ignores the rights of the states of more sparsely settled areas. I feel that our forefathers meant for such rights to be protected."

While leaders in such larger states as Michigan and Illinois endorsed direct popular voting themselves, they expressed doubt over whether their legislatures would ratify such a change.

"Unfortunately, the development of a new system is not as easy as criticizing the present," wrote W. Russell Arrington, temporary president of the Illinois Senate.

Nevertheless, the issue appears to be shaping up as one between a direct popular vote or no change at all. Capitol Hill sources close to the situation say it would be difficult to rally the two-thirds vote needed in each house for the popular vote plan but altogether impossible to win that much backing for the district or proportional plans, or lesser modifications.

And gaining approval of three fourths of the states is no easy matter, even with issues far less controversial than that of how a President should be elected, the Congressional experts say.

The most recent constitutional amendment, Article XXV on Presidential Disability and Succession, had little opposition when it was submitted to the states in July, 1965. But it was February, 1967, before it finally was ratified.

That type of delay is a reason why backers of the direct vote amendment are planning to keep the pressure on to get it to the states as soon as possible. They know that, despite the heavy support from many of the legislative leaders, there may be hard going among rank-and-file lawmakers in some states.

(Backers of the popular vote plan were greatly encouraged, however, when a poll of nearly 4,000 legislators in 27 states showed almost two thirds of those responding favored that method of choosing a President. The survey was made by Sen. Robert P. Griffin (R.-Mich.), who said he was now convinced the direct vote method stood a better chance of gaining state approval than either the proportional or district plans. He had favored the proportional system.)

The various efforts to determine sentiment throughout the country are thus continuing to show that support for a popular vote amendment is far more extensive than had been generally realized.

One reason may be that offered by Montana's Gordon McGowan: "Most people find it hard to believe that the candidate with the largest popular vote might not be President."

Mr. GERALD R. FORD. I thank the distinguished chairman.

Now, I promised earlier to yield to the distinguished gentleman from Texas.

Mr. DOWDY. I thank the gentleman for yielding.

I know that the gentleman would not want to mislead the members of the committee and I know the gentleman thinks he is right. But Mr. Gossett, who serves on this American Bar Association committee that approved this bill, is not Ed Gossett. Ed Gossett is a district judge in Dallas. I talked to him during the

recess. He is bitterly opposed to this bill that has been brought out here by the committee for a 40-percent election. I talked to him—well, it was during the recess in August, and it is not Ed Gossett that approved it. There is another Gossett, and I think the gentleman from Michigan ought to know it and that the members of the committee should know it.

Mr. GERALD R. FORD. My understanding is that Ed Gossett, a former Member of the House from Texas, was on the ABA study group.

Mr. DOWDY. He was at one time, but this is a different Gossett.

Mr. GERALD R. FORD. That is William Gossett, who was formerly general counsel for the Ford Motor Co., and he is also listed. But in this ABA pamphlet it lists Ed Gossett of Texas, as a member.

Mr. DOWDY. But you stated that Ed Gossett is for this resolution. He is not. I talked to him directly about it, and he is opposed to it.

Mr. GERALD R. FORD. He is for the ABA plan, which, in effect, is the same thing. At least Ed Gossett did not file a dissent on minority views.

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

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

Mr. WAGGONNER. I thank my distinguished friend from Michigan for yielding.

The gentleman from Michigan has made a statement and similar statements have been made by a number of others during the 4 days we have been considering this legislation, and that is that some 80 or 81 percent of the people, at least an overwhelming majority of the people across the country, support the plan which calls for the direct election of the President.

The gentleman is not going to say, is he, that a survey has been made wherein the people were asked the question: "Would you support the direct election plan for the high office of President, if a man could be elected with a plurality of 40 percent of the votes," is he?

Mr. GERALD R. FORD. I cannot remember precisely how the question was phrased in the Gallup poll. However, I have carefully scrutinized every poll that has been taken by a Member that the Member sent out to his own district, and if my recollection is accurate those individual congressional questionnaires, in the main, presented the alternatives very accurately, and very fairly. When the results came back, the results in every instance were overwhelmingly for the direct method of electing the President.

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

(By unanimous consent (at the request of Mr. WAGGONNER) Mr. GERALD R. FORD, was allowed to proceed for 2 additional minutes.)

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield further?

Mr. GERALD R. FORD. Surely.

Mr. WAGGONNER. I believe it needs to be said that the questions which have been propounded as to whether or not people will support the direct election plan or not have been very general, and

people have been led to believe that the direct election plan would require a majority vote. With this misunderstanding, I have had a number of people tell me that they thought they supported the direct election plan until they found out it did not require a majority vote. They said they felt it was inconsistent to supposedly advocate following a democratic process and letting the people elect the President and, then, on the other hand say that the election would not require a majority of the votes of the people, and in my opinion, too, this is misleading.

Mr. GERALD R. FORD. Mr. Chairman, I can recall some of the questionnaires that included the entire recommendation in summary form of the Committee on the Judiciary, and on those questionnaires the answer was still overwhelming.

Mr. WAGGONNER. But if the gentleman will yield further, the chamber of commerce poll that the gentleman has referred to did not so state.

Mr. GERALD R. FORD. Well, I am not relying exclusively on that poll.

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

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

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

I think that the point the gentleman from Michigan, the distinguished minority leader, is making is well taken, and that is, it is only under the direct, popular-election plan that the person receiving the highest number of votes is always going to be the winner. Under the district plan, the proportional plan, and the existing plan, the popular winner could be the loser. That is one of the evils we want to overcome in writing a constitutional amendment.

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

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

Mr. BELCHER. Mr. Chairman, before we get too carried away with polls, I recall in 1948 that the bettors on Wall Street were betting \$50 to \$1 that Dewey would be the next President of the United States. I also know that every poll in the United States, big or little, showed Dewey to win the Presidency.

I also recall in the last election the polls, before the campaign started, showed Nixon overwhelmingly a winner of the Presidency, and after the campaign started and the issues were drawn and the people found out what it was all about he just barely got in by a fraction of 1 percent.

Now, it may be possible that when you sent out these questionnaires some of the opinions have not been pointed out on these various proposals. I know that a lot of the legislators in the 35 States which are going to have to go back and face their people do not want to say "I voted away the strength that we had in this State to New York and Chicago." I know legislators well enough to know that they are not going to stand by this, because they answered some Congressman's questionnaire by saying that they approved it.

Mr. GERALD R. FORD. Mr. Chairman,

I can simply say this in response to the comments made by my beloved friend, the gentleman from Oklahoma (Mr. BELCHER), that I think the polls are accurate in this situation involving the method of selecting the President. But even if they are not, on the basis of substance and on the basis of merit, the direct popular method for selecting the President, in my judgment, is the best.

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

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

Mr. MacGREGOR. Mr. Chairman, I thank the gentleman for yielding. I would like to add, when you talk about the polls and about the 40-percent minimum requirement, that I do not remember that there was any hue and cry raised against Harry S. Truman or John F. Kennedy or, more recently, Richard M. Nixon because they were not majority-vote Presidents but only plurality Presidents.

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

Mr. COLMER. Mr. Chairman, I move to strike the requisite number of words.

(By unanimous consent, Mr. COLMER was allowed to proceed for 5 additional minutes.)

The CHAIRMAN. The gentleman from Mississippi is recognized for 10 minutes.

Mr. COLMER. Mr. Chairman, I have listened with great interest to the minority leader, my good friend, the gentleman from Michigan* (Mr. GERALD R. FORD) and I have listened to most of this debate, and I should first like to congratulate the Members upon the high tone of the debate up to this point, and I certainly would not endeavor to change that tone.

Mr. Chairman, we often hear it said that this issue, whatever it may be, is the most important issue that will come before this Congress. I do not think there is any question about it. This is the most important question—the most important matter to be settled by this Congress.

When you realize that the man who will be elected the President under any change, or for that matter under the present system, that you are electing the man to lead the destiny of the greatest and the most powerful nation in the world. Therefore, we should approach this matter with the greatest interest, with the greatest devotion, and with the greatest patriotism of which we may be capable.

As one who has occupied one of these coveted seats here in this House for a number of years, and as one whose political future is largely in the past, I think I can truthfully say that the prime objective I have in the consideration of this important matter is what is for the best interest of the United States of America in the election to this important office.

For over 170 years or so—and I have not checked on it—this system we have heard criticized here for the past several days has functioned pretty well. There were a couple of times when it failed to elect a President on the first ballot. Under that system we have enjoyed the greatest degree of freedom that any peo-

ple have ever enjoyed. This country has prospered as no other country in the history of the world has prospered.

In other words, we have the best country in the world today and I want to keep it that way. I want to keep it that way for my children and for my grandchildren.

Now do not misunderstand me. I do not say that there is not room for reform. There is. I think that this Congress should adopt the necessary reform. But I cannot agree—I cannot bring myself to agree—with the majority of the Committee on the Judiciary who reported this bill.

Sure there is room for reform. Incidentally, this may not be politically wise to say it—but I am going to say what everyone of you know to be the truth—if it had not been for a man down in Alabama seeking the Presidency, we would not be debating this bill today.

Now I am not holding any belief for the candidate from Alabama. I am just making a statement of fact. You know, we have a way here in this Congress, and I have seen it over the past 37 years—that something happens—we get a few letters from home, and then we get into a spirit of hysteria and we legislate under a condition of emergency.

This is no exception. I repeat. We have done pretty well under the old system. But I am not only willing but ready to go along with some reform, some change. I want to repeat what I said to a few of you here the other day. I do not want to spin my wheels. I do not want to see the Congress spin its wheels merely because someone thinks there is popular appeal in the proposed measure. I admit there is. I admit that to those who have not studied this question the popular appeal is there. So if you are thinking about that aspect of the question, I would have to say I think possibly the thing for you to do is to go ahead and vote for the committee resolution.

But I do not think it is the best bill. As has been pointed out repeatedly here in the colloquy between the gentleman from Michigan and other gentlemen on this side as well as on the other side, polls are not the most accurate gage of public opinion, and certainly they are not the criteria of what is the best course for this country to take.

My good friend from Michigan—and that is not merely something pleasant to say; I do regard him as my good friend—has spoken. Frankly, I was a little surprised, as I said to him privately, that he would run off at a tangent from the sentiment that his President has expressed, and that was that he favored the proportionate plan. I would accept the proportionate plan, but I think the district plan is the better one.

But my friend here is carrying the ball in a different direction. I think if there is anything clear from the statements he has read and from those we have read on the present issue, it is that the President favored the proportionate plan, although he would take one of the other plans. But it is not up to me. I am not the leader of the minority in the administration designated to carry the ball for the President. I am only quoting the

facts. I know the gentleman is very popular. I know he is a strong leader over on the other side as well as an affable gentleman. But I do not think that under these circumstances, with the statement of the leader of the party of record, you other Republicans over there have to follow him in his leadership on this occasion.

Now, why do I favor the district plan? Maybe I am one of those conservatives of whom my friend speaks. Maybe I do not believe in radical changes and emergency legislation in amending the Constitution, undoubtedly, the finest document of human liberty ever devised.

The CHAIRMAN. The time of the gentleman from Mississippi has expired. (By unanimous consent, Mr. COLMER was allowed to proceed for 5 additional minutes.)

Mr. COLMER. Mr. Chairman, I hope I shall not take all of that time. If you are going to pursue that method, then why do you not go "whole hog," as they say in my State, and go for the "50 percent plus one" plan rather than stopping with 40 percent? You are talking about splinter parties, and that is what you really will create. You are going to have more splinter parties under the committee's proposal than you have ever had under the old system, because a candidate has to get only 40-percent plurality in order to be elected president. You are going to find splinter parties coming up in every direction.

I think if this system had been in effect the last election, we would have had many splinter parties. We might have had several of them. We know several gentlemen who were candidates for the Presidency had substantial following.

So if we are going to go this route, then why do we not go all the way and say that in order to be elected the President of the United States, a candidate must receive 50 percent or more of the vote?

Now there is another angle of this thing that disturbs me. The Founding Fathers, jealous of the rights of the States, said we are going to have a Federal-State system where the States will select the electors who will elect the President. We are going to do away with all that now, which is another step in the centralization of the power of Government over the governed in the Federal system. We are going to do away with and abolish the rights of the States.

As to the practicality of the matter, we say we want reform. Everybody seems to be for reform and they want some revision. As the able gentleman from Virginia (Mr. PORR) said here the other day, whether the small States have an advantage or not, they think they do. I think they do. So if we get by now with two-thirds vote in this House—and that is two-thirds of the Membership, a quorum being present and voting, remember—then the proposal has to run the gauntlet on the other side of the Capitol, where there are more than 13 of the so-called smaller States who think they enjoy some advantage here, and I doubt very seriously if they will pass the committee resolution. But, assuming they do, then we have to run the gauntlet of the ratification by three-fourths of the States, and again these practical poli-

ticians in the States are going to be slow to give up what they regard as an advantage under the present system.

So my plea is if Members want to change the present system, if Members really want to accomplish something instead of trying to appease the pollsters and to verify their opinion, then Members had better pass the district plan, which retains at least a part of the present system and will not deprive the smaller States of the advantage they enjoy.

Just one final word. I had a gentleman from my congressional district here a couple of months ago, a judge, a man who is far from the average, I would say, in intelligence and knowledge. He was a very knowledgeable person. He came in to see me. The gentleman from Texas (Mr. DOWDY), one of the sponsors of the district proposal, was coming down to see me to discuss his measure. I asked my friend, the judge, to remain with me for a few moments, since he might be interested in the discussion. He said, "you are not opposed to the popular or direct election, are you?" I told him I was, that I preferred the district system. And he said, "I am amazed that you would take that position." He stayed there. We discussed the legislation for 30 or 40 minutes. He thanked me for permitting him to get into this discussion, and he went back home a strong believer in the district plan.

Why do I say that? It is because here was a man, although learned in the law, who had never given serious thought to this matter, just as most of our constituents back home have not. But they are relying upon you and me to do the job for them. This man now has changed his position.

Mr. Chairman, I doubt that I have added anything to the debate. I doubt it very seriously. But I have said what is in my heart and what is in my mind for the best interests of the continuation and perpetuation of the most perfect embodiment of human government ever conceived by the minds of men.

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

(On request of Mr. DOWDY, and by unanimous consent, Mr. COLMER was allowed to proceed for 1 additional minute.)

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

Mr. COLMER. I yield to the gentleman from Texas.

Mr. DOWDY. I feel I would be derelict in my duty to a friend if I did not call the attention of this House to the fact that Mr. Ed Gossett would not want any intimation in the mind of anyone he is for the direct election plan here.

Mr. COLMER. That is my understanding.

Mr. DOWDY. I talked with him during the recess in Dallas in his office. He is a district judge in Dallas. I would not want anyone to disabuse his mind of any statement to the contrary. He is completely opposed to the direct election.

Mr. COLMER. I thank the gentleman.

Mr. MacGREGOR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me say at the out-

set that I am sure the distinguished chairman of the Committee on Rules meant no offense when he looked to the Republican side of the aisle and referred to ordinary fellows. I should like the distinguished chairman of the Committee on Rules to know that with the exception of the gentleman from Minnesota now in the well there are no ordinary Members on my side of the aisle. There may be differing degrees of extraordinary capacity and ability, but there are no ordinary Members.

I am sure, Mr. Chairman, that not only our most distinguished leader, the gentleman from Michigan (Mr. GERALD R. FORD), but also each of the Members on our side of the aisle does his own individual thinking and has reached his own individual conclusion on this measure.

I was particularly interested in the assertions by the chairman of the Committee on Rules that it was only those people who have not really studied this issue and given a lot of thought to the various proposals for reform who are in favor of the direct popular election. On the contrary, I say to my good friend from Mississippi, a number of the members of the Committee on the Judiciary on both side of the political aisle entered into our deliberations and hearings this year convinced that the proportional plan or the district plan were the optimum reform proposals. After a most exhaustive and careful study, they changed their minds, and they are now advocates of the direct popular vote plan.

I heard the chairman of the Committee on Rules refer to this proposal of 80 percent of the members on the Committee on the Judiciary as "radical" or "emergency." He suggested that we are here debating in a mood of hysteria and emotion.

No, this is no sometime thing or sudden development.

As the distinguished minority leader (Mr. FORD) indicated, he has been speaking out about the need to amend the Constitution and provide for direct popular election of the President for a period of approximately 2 years. Others of us on the Committee on the Judiciary and others in this Chamber have been speaking out on the need for reform along the lines that we now recommend for a period of more than a year and a half. It was about a year and a half ago when I took the floor of this Chamber every day for a week to urge that we give consideration in the spring of 1968 to the direct popular election of the President of the United States.

No. I think those who attended the hearings of the Committee on the Judiciary, as did the distinguished columnist David Broder, reached many of the same conclusions he did when he wrote in the Washington Post on September 9, as follows:

The committee recognized no change as fundamental as it proposed is without its uncertainties, but the overwhelming weight of the testimony of legal scholars and political scientists and practiced politicians who came before the Judiciary Committee was that direct election of the President would strengthen, not weaken, the two-party system and would reduce, not increase, the hazard of fraud and error in the vote count.

No, Mr. Chairman, 80 percent of the Republicans and of the Democrats on the House Committee on the Judiciary do not believe that our direct popular vote proposal will produce splinter parties. Our conviction is to the contrary.

Finally let me say to the gentleman from Mississippi when he asserted with probably great accuracy that we would not be here today if it were not for George Wallace, it does not prove we should not be here today amending the Constitution of the United States to provide for direct popular election of the President. This proposal is right on its merits, whether we ever have a third or a fourth party challenge again as we had in 1968.

When you say that this issue is important for the United States, let me amend that to say that this issue is of primary importance for the people of the United States as well as for each and every one of their elected representatives in this body.

I urge you to vote down the Dowdy amendment and to vote approval of the direct popular plan for electing the President.

Mr. BOGGS. Mr. Chairman, I rise in opposition to the substitute.

Mr. BELCHER. Mr. Chairman, will the gentleman yield for a unanimous consent request?

Mr. BOGGS. I yield for a unanimous consent request.

Mr. Chairman, I rise in support of House Joint Resolution 681 and in opposition to the substitute.

This matter, in my judgment, is by far the most important subject that we will consider in this Congress. And, in the words of the great French writer, Victor Hugo, "This is an idea whose time has come."

It has been a long time coming. We have had three elections thrown into the House of Representatives, all three of which created national crises.

We have had 20 elections that could have been thrown into the House of Representatives.

At the same time, we have seen men use this device, this anachronistic device, of the electoral college to attempt to deny the will of the people, particularly in my part of the country.

They have sought first, to tamper with the electoral college—they really believe that the faithless elector in North Carolina this last time, in 1968, and the one in 1960—were right.

And the Congress proved, in truth and in fact, they were right when we voted here in January this year after a very stimulating constitutional debate, that the vote of the faithless elector from North Carolina was properly cast against President Nixon.

Now, Mr. Chairman, I had hoped that we could come to a solution of these two evils—the faithless elector and House election of the President—and maintain the federal system. I had proposed an approach to the matter, but my proposal was rejected by the committee, that proposal was that we abolish the electoral college but keep the same number from each State for voting purposes. That is, a State such as New York would continue to have 43 votes, but they would not be

electoral votes. They would simply be votes. Delaware would still have 3 votes but no one could tamper with them and there would not be any personalities involved so that that device of the faithless elector would be abolished.

No. 2, I proposed just as is proposed in the amendment contained in this resolution, that we adopt a runoff procedure, thereby eliminating again the Russian roulette of throwing the election into the House of Representatives where the State of Delaware—and I say this with no reflection upon the State of Delaware—would have the same vote as the State of California or that the State of Alaska would have the same vote as the State of New York, and where for a period of time we would have no President.

Mr. Chairman, in truth and in fact, the Senate has the power under the Constitution to name the Vice President. It is not inconceivable that the Senate could meet and name the Vice President—in the Senate that is done by a majority vote and not by a State vote as we do it here—and the Vice President having assumed the Presidency with the House of Representatives wrangling over who might become the President could result in a constitutional crisis the likes of which all of us dare not contemplate.

So, my amendment would have dealt with those two fundamental evils, and they are evils.

The Judiciary Committee, in its wisdom sought to go further and to make the election of the President and Vice President a popular election. I heard the statement made a minute ago by the able gentleman from Minnesota (Mr. MACGREGOR), 80 percent of the Democrats and 80 percent of the Republicans on the committee voted for the popular election of the President. Well, they were reflecting what the country reflects. Eighty percent of the people in the Gallup poll say they favor it, so we are united on a positive change fundamental to our country.

In closing, let me ask you this one question: What is wrong about letting the people decide? That is the way you, my colleagues, are elected; that is the way I am elected; that is the way every Governor is elected, and that is the way every legislator is elected. The President and the Vice President of the United States are the only national officers that we have. They should be elected nationally. Therefore, Mr. Chairman, this substitute should be defeated. The substitute lends itself to gerrymandering of the worst kind. To so arrange districts so that they will control the presidential elections. Everyone knows it has been done by Republicans and Democrats alike. Let us not be fooled by this district idea.

It would really make the election of the President and Vice President more complex and would lead to further corruption in the electoral process.

So, Mr. Chairman, I trust that the substitute will be defeated, and that House Joint Resolution 681 will be adopted by the necessary two-thirds majority.

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

Mr. CELLER. Mr. Chairman, I am desirous of asking unanimous consent to invoke cloture, but before doing so I should like to know how many Members would desire to speak on this amendment in the nature of a substitute offered by the gentleman from Texas (Mr. Dowdy)?

I would also like to refer to the ranking minority Member on the committee, the gentleman from Ohio (Mr. McCulloch) to ask if he has any views on this suggestion.

From the number of Members who have arisen it would appear that we have so many desiring to speak that we may not be able to finish tonight.

Mr. McCULLOCH. Mr. Chairman, if the gentleman would yield, in view of the fact that 24 or 25 Members are on their feet I would suggest postponing a request to fix a time limitation for a further period, and then do it again later.

Mr. CELLER. Mr. Chairman, I withhold my unanimous-consent request.

Mr. BIESTER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment offered in the nature of a substitute.

Mr. Chairman, I believe this debate has helped Members who have followed it to understand perhaps better why it was that the Committee on the Judiciary, after deliberating on this matter for some period of time, determined to recommend to this Chamber and to the American people the direct election of our President.

With respect to the specific issue before us this afternoon, I believe it is the key question in this entire debate with respect to the substitute amendment offered by the gentleman from Texas, and the gentleman from Indiana—the district plan. I must say that that plan is our present cumbersome, undemocratic system, writ small. It is the same system writ small because, instead of having large States which conform to a unit rule, we go into smaller congressional districts which still abide by the same evil unit rule, and instead of discounting the minority votes of 1 or 2 million in a State, we discount the minority votes of 50 or 100,000 in a congressional district. The evil remains, although the scale may be smaller.

With respect to 108 electoral votes, the district plan is precisely the same as our present system.

Mr. Chairman, we went through, in the course of our hearings, a number of discussions listening to various esoteric analyses of political power with respect to what the consequences might be if we were to go from our present system into direct election, or a proportional plan, or a district plan. We heard distinguished political scientists, mathematicians, and practicing politicians tell us that if we went one way or another big States with big cities or small States and rural areas would attain or retain some special political clout.

Mr. Chairman, I submit that the American people are tired of talking about our Constitution and the power it provides in terms of interest groups in big States and small States, cities or rural areas, towns or farms.

They are interested it seems to me, the average American is interested, in the political clout of only one vote; his vote. He wants his vote to have the same clout as every other single American; no more, and not one bit less. The only way that can be guaranteed in the election of the President and Vice President of the United States is to approve the committee bill and give that average American his absolutely equal political clout with every other average American.

With respect to the likelihood of the success of the various plans, it seems to me a plan such as the district plan, which is complex in nature and difficult to understand, is not readily salable to the American people, and unless we make a tremendous mistake in our analysis of what is going on in America today, the old time politics division of power attitude is not going to obtain forever in our State legislatures.

We are going to need the American people enthusiastically behind any new plan in each of the individual 50 States and the one plan, the one change which the American people can get behind with all of their energy is the direct election.

But in a very real sense, the American people do not want a new scheme. They do not want a more modern filter between them and their President. They want direct enfranchisement and I respectfully submit that the American people will not soon forget nor soon forgive if we in this Chamber frustrate once again this most recent chance for full enfranchisement in the election of their President.

The gentleman from Mississippi charged that we were acting in hysteria. The first time the American people realized that they made a mistake in the electoral college system was before the turn of the 1800 century and they have been working at it ever since and frustrated by politicians ever since. We dare not frustrate them again.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BIESTER. I yield to the gentleman.

Mr. STEIGER of Wisconsin. Mr. Chairman, I compliment the gentleman on his eloquent and excellent statement in support of the direct election plan and in opposition to the pending amendment.

I join with the gentleman in his opposition to the amendment and salute him for his contribution to the debate on this historic occasion.

Mr. BIESTER. I thank the gentleman very much.

Mr. Chairman, I urge the defeat of the district plan and a favorable vote for the committee bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUNGATE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to oppose the proposed district plan, the substitute amendment.

The proposal is made by many men of considerable ability, who suggest the district plan amendment, men for whom I am sure we all have considerable respect.

I think there are men also who oppose the district plan, men on the Committee on the Judiciary in opposition to

the district plan whose credentials as conservatives are beyond question.

Someone said that a good many of the people who oppose any change in the electoral college at all is limited to this sort of change, the district plan, are the sort of people who have both feet on the ground.

Someone said if anyone could show him a man with both feet on the ground, he would show him a man who could not take his pants off.

But it is natural, I think, when we have anything that is supported by the American Bar Association and the U.S. Chamber of Commerce and the AFL-CIO that some of us will want to question rather closely this rather unusual alignment.

When you have a plan that is criticized because 40 percent of the people could elect a President, as they could under the proposed direct election plan, I think you want to realize that under the district plan the same thing could happen—only it could happen with a vengeance.

I suppose if you could carry the 218 smallest congressional districts, each by one vote, you could elect the President theoretically under this system. So the danger that we all would see in receiving a minority President, one below 50 percent of any level, is present in almost all of these plans. But the one that assures that the winner is the winner and the one with the most votes is the direct election of the President.

Earlier speakers adverted to the fact that there is immense opportunity for gerrymandering in the congressional district system.

In the State of Missouri, through the 1972 election, those who had the privilege to be in the House at that time faced seven elections in six different congressional districts. So through all of those times there have been at least six opportunities to gerrymander the State. I see my good colleague, Dr. HALL, here. He knows what I mean. Members from his party suggest that in a State like Missouri, when the Republicans get 45 percent of the vote, they get 10 percent of the Congress, and they attribute this to something they call gerrymandering. Others might attribute it to good judgment. Nonetheless, it is a system that, under the district plan, would give you 9 to 1, and under the direct election plan I must say Nixon carried Missouri. Others argued that have been very much for one-man, one-vote, and we got our sixth redistricting in one election.

Now they think we are not ready for it. They do not think the country is ready for it on the presidential scale. I find this very discouraging.

Some argue that under the present system a change can be made of a particular group. You can appeal to a special-interest group, nationality, race, or make it what you want to, changing 50 or 100,000 votes in the city, and you can change 43 electoral votes, 26 votes, or 38 votes. I think that is outrageous right now.

I do not see why my friends from the South, some of whom criticize the direct election plan, do not see that situation. It seems to me, even though the argument is made that under this system, if

we went to the direct election system, that 9 or 10 million minority votes in the cities would be canceled by 9 or 10 million votes for George Wallace, why not in this country? You do not have to agree with either group. If they can get the votes, that is the way they do it, and it is the right of the majority in this country to make their own mistakes.

The people in the small States argue concerning this plan over the district plan. The fact that you have one Congressman, you still get three electoral votes, and if you have four Congressmen, you get four votes, and if you get direct election, they will never come to see you. The last time a President was in my district was in 1935, and that was to dedicate a bridge. If you have a small area or a small State, they will not come to you except by television, unless their plane is forced down in those places. These are facts of life, and all of you in politics understand them.

I would hope that the Congress would say, as has been earlier suggested, that we should elect our President in the same way that we elect our Governors, our mayors, and, in my State, the coroner, through a majority of the votes.

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

(By unanimous consent, Mr. HUNGATE was allowed to proceed for 2 additional minutes.)

Mr. HUNGATE. We have had contests over congressional seats. So we do represent congressional districts, and we are not getting away from the problem we face in a contest.

I urge this body to defeat the proposal to go to the congressional district plan and favor the direct election plan. Frankly, I say if you are going to make a change, let us go to the direct election. I submit it is the best possible plan. The winners will be winners and the losers will be losers. If you are not going to do that, I think we already have a plan that has been successful, and I would prefer to stay with that than to experiment with any other plan. I urge defeat of the amendment.

Mr. HUTCHINSON. Mr. Chairman, I move to strike the last word.

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

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

Mr. WIGGINS. Mr. Chairman, yesterday, the gentleman from Illinois (Mr. PUCINSKI) raised an interesting question concerning the relationship of the equal protection clause of the 14th amendment to section 4 of House Joint Resolution 681, which allows States to make rules determining who may be included on the ballot. The gentleman made particular reference to the Supreme Court decision in the case of Williams against Rhodes. That decision concerned a complex of Ohio laws which made it more difficult for third-party candidates to have their names printed on the ballot. Ohio contended that a State had plenary power to determine the manner in which its electors were appointed and that consequently a State had plenary power to determine what presidential candidates

would have their names printed on the ballot. The Supreme Court held that the State power to determine placement on the ballot which was derived from article II of the Constitution was subject to the equal protection clause of the 14th amendment.

If House Joint Resolution 681 were in its present form to become the 26th amendment to the Constitution, the question arises whether the effect would be to overrule the decision of Williams against Rhodes. As one member of the Committee on the Judiciary, I submit that it was not the intention of the committee to hold the equal protection clause in abeyance in connection with this amendment. For example, if a State were to determine that the names of redheads could not be printed on the ballot, I think that we would all expect and hope that the equal protection clause would be employed to hold such legislation unconstitutional.

It is my understanding that the same result would occur if Congress would enact such arbitrary legislation. Although the 14th amendment does not in itself apply to the Federal Government, the Federal Government must accord equal protection of the laws under the fifth amendment.

Mr. HUTCHINSON. Mr. Chairman, this is a fundamental question, and in my view, at least, there is a very fundamental issue of political philosophy involved. The proponents for direct election of the President in this country, as I see it, conceive that when the American people vote for President they vote as citizens of the United States. I take issue with that. When we go to the polls to vote in this country, whether it be for Members of this body, Members of the other body, or to vote for President under our present system we do not vote as citizens of the United States.

We vote as citizens of our States. That is wholly in accord with the philosophy of a federal structure in this country. The Federal Government is fed by the decisions of the people of the States. If the people of the States in that capacity, as State citizens, vote to determine how the electoral vote of their particular State shall be kept, the people who come up on the losing end in that State have not lost their vote any more than the people who vote against me in my Congressional district and for my opponent in the general election lose their vote. I suppose it could be said, since I won in my congressional district, that I took all. But that does not seem to disturb anybody.

The same thing is true in this country when we go to the polls and determine who is going to be entitled to the electoral vote of our States. Those in my State who come up on the losing end have not lost their vote. They have not lost their vote. They participated as citizens of the State to determine how the electoral vote of that State should be cast. This is a matter of course, I agree, of political philosophy.

Those of us who would throw that concept overboard and destroy that philosophy of federalism and adopt a direct

election system in effect, of course, believe in nationalism, a unitary system of government. I greatly fear that, if this comes about, we are going to see very great changes in the political structure of this country and in the relationship of the people to their Government and certainly in the role of the States in our system.

Consequently I rise in support of the district system, the substitute proposal before us, simply because this is an alternative which would preserve our Federal concepts in this country.

I have another substitute which I may or may not offer, which would not go this far, because I recognize that there is room for and need for some reform, but as I said the other day in this debate, and I repeat it now, in order to accomplish needed reforms it is not necessary completely to abolish the system. We should preserve what we have, preserve the good in our past, improve upon it, of course, but as I view it, at least, and in my philosophic opinion on this issue, our adoption of a direct system such as the committee proposes will abolish our whole Federal structure.

For that reason, Mr. Chairman, I hope the substitute now before the House will be adopted.

Mr. JACOBS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in the 1968 election, Richard Nixon voted for Hubert Humphrey. This is true because Richard Nixon voted in the State of New York and all the votes cast in the State of New York were in turn cast for Hubert Humphrey. Had Hubert Humphrey voted in the district in which my father resides, Hubert Humphrey's vote would have gone to Richard Nixon.

I commend my colleague on the House Committee on the Judiciary, the gentleman from Pennsylvania (Mr. BIESTER), for his clear remarks on this subject. What makes the winner-take-all system wrong in a State and right in a congressional district? Some States of this Union are smaller than a congressional district.

As I understand the theory of government in the United States of America, and indeed the American dream and the experiment in democracy here, we want a government of the people, not of the districts; by the people, not by the districts, and therefore, for the people—not the districts.

Mr. MAYNE. Mr. Chairman, I rise in support of the Dowdy-Dennis amendment which embodies the district plan.

Mr. Chairman, I am concerned that some Members seem to be laboring under the erroneous impression that the American Bar Association has voted unanimously in favor of direct popular election and against the district plan, and that there is no support at all for the district plan among members of the organized bar of this country. A careful reading of the blue leaflet which has been furnished each Member by the director of the Washington office of the ABA shows that the vote in the house of delegates of the ABA was by no means unanimous. The house approved the recommendations of the special committee

on electoral reform by a margin of 3 to 1, after being told by the immediate past president of the ABA, Edward W. Kuhn of Tennessee, that they should vote for the direct election plan because it was the only reform which had any chance in Congress. I read from page 113 of the official ABA report of the house of delegates proceedings at the 1967 midwinter meeting during which this debate and vote took place.

The only issue—

Mr. Kuhn went on to say—

Was whether we want a reform of the electoral college or not.

He said in closing:

I think the considered opinion of this country is that we need and we want reform . . . This is the only reform which has any chance in Congress . . . You might as well forget the proportional or the present Administration proposal because neither of them has a chance in Congress.

In other words the delegates were told that they had to take this one particular reform proposal or be considered as against any reform even though they might prefer an alternate proposal such as the district plan. Notwithstanding this argument, the proceedings show that substantial opposition to direct elections was voiced by a number of prominent leaders of the bar. I was present as a voting member of the house of delegates during that session on February 13, 1967, and remember that strong arguments were presented for the district plan and other alternate plans as well as for the direct plan. A motion to refer the matter to committee for further study was defeated by the rather close vote of 130 to 102. The report of the special committee was then adopted 171 to 57 which is the vote referred to in the blue pamphlet. But let no one mistakenly think that the proceedings in the house of delegates that day demonstrated anything like a solid front for direct popular elections among the lawyers of this country. Very substantial support was demonstrated for alternate plans, including the district plan, which I support today in the form offered by Congressmen DOWDY and DENNIS.

The district plan abolishes presidential electors as individuals, but retains the electoral votes of the several States.

The district plan provides basically the same system for the election of our President and Vice President as is now provided in our Constitution for the election of U.S. Senators and U.S. Congressmen. If adopted, the district plan's emulation of this system would inherently strengthen and add to the prestige and dignity of the Senate and of the House of Representatives. The district plan would also provide an additional safeguard against election irregularities. Congressmen and congressional candidates keeping a vigilant lookout for irregularities in congressional district elections would also serve to keep election officials honest and alert with reference to presidential voting in identical or very similar districts. This is a major advantage over the direct popular election, which would be especially vulnerable to

voting and counting frauds in large cities. I, therefore, urge all Members to vote for the Dowdy-Dennis amendment proposing a district plan which is now pending.

House Joint Resolution 681, which provides for direct elections, calls for a very drastic departure from the basic formula of government provided in the Constitution. Electoral reform is desirable and necessary, and the present anachronism of the electoral college system should not be continued—but the resolution does not provide "reform," it is a totally complete break with our constitutional history and framework.

That which has made our constitutional system distinctive has not been the fact that it is a "democracy" or "representative republic," for certainly other governments before ours and since have had these earmarks. What has made our Government so unique and what has contributed so much to the success of the Great American Experiment has been the federal system. Our federal system has made the American Constitution the envy of most of the world. Numerous other countries have emulated our model in their own constitutional systems.

An important element of the great compromise which the founders of this Nation has arrived at in our Constitution was the method of bringing this federalism into the system of electing our national executives. Through the electoral system each State in the federation was awarded a role in the election of our executives—the direct election of the President and Vice President was rejected.

To provide now for direct election would reject the wisdom of our constitutional framers and would take another giant step in the erosion of our federalism. It would tend to produce splinter parties, and to render ineffective the two-party system. It would have unfavorable impact upon our whole political system including party structure, and it would inevitably result in the Central Government assuming power to regulate election procedures and voter qualifications at every level.

The answer is not to "throw out the baby with his bath water," but to provide real reform, using the scalpel and not the ax. The district election plan provides such an answer and solution. It provides the best proposal for preserving our unique federal system, the greatest single strength of our American form of government. It is in keeping with our history and our political institutions as they developed.

The district plan abolishes presidential electors as individuals, but retain the electoral votes of the several States. Two of these voters are assigned automatically to the presidential candidate carrying the State as a whole, and the remaining electoral votes of each State would be assigned to the presidential candidacy which carries each separate electoral or congressional district within the State. Unlike the direct vote system, the district plan would give weight to the entire country and would not unduly favor the large metropolitan areas.

Mr. MOSS. Mr. Chairman, I rise in opposition to the substitute and in support of the action recommended by the great Committee on the Judiciary, because the action they have recommended is right and because I have a reverent regard for the right of free people to govern themselves and to elect those who speak for them. They elect each of us. Early in this century the Constitution was amended so that they elect each Member of the other body by popular vote. It is of the utmost importance that the people have the right to elect the most important office not only in this Nation but in the entire world. I share very strongly the concern voiced by the majority whip in this well a few moments ago when he said he can think of so many frightening prospects that could evolve following a presidential election under the present circumstances. We have indeed been given the greatest break any nation ever had. We have had sheer good luck on our side on a number of occasions when chaos could have been the substitute. I do not think it wise for us to continue gambling.

To those others who say that we are acting emotionally or that we are rushing I can think of no issue that has been deliberated longer—180 years. I can think of no issue more carefully considered. Congress after Congress has discussed it. The American public is willing and ready and sufficiently sophisticated to assume the burdens of directly electing the President of the United States. I think above all that high office should be able to have a man speaking from it with the full knowledge that he is there by the choice of a majority of the free electors of his Nation.

The idea that I am not a citizen of the United States I find repugnant to me. I was shocked when the gentleman from Michigan said that we are not citizens of the United States—we are citizens of the States. I believe the Constitution says that we are citizens of the United States and of the States.

Mr. WAGGONER. Mr. Chairman, will the gentleman yield to me?

Mr. MOSS. I will be very happy to.

Mr. WAGGONER. Did I understand the gentleman to say that he believed under the present system the President should be elected by a majority of the States?

Mr. MOSS. I believe that I said a majority of the vote.

Mr. WAGGONER. Then, why does the gentleman support a plan which requires only 40 percent?

Mr. MOSS. I think the 40 percent will fill my needs as it does when you have a three-way race for Congress in many, many districts of this Nation.

I find nothing inconsistent with the views I have expressed here. Perhaps the gentleman from Louisiana does. And, if he does then, of course, on his own time he can point out the inconsistencies. Perhaps, plurality might be a better term, but at least we will be able to control the machinations of a district system which can be carefully contrived to frustrate the will of the people. It has been through the gerrymandering process that time

and time again has been employed to frustrate the will of the people. Also, there have been many efforts on the part of candidates of the minority groups aimed at frustrating the will of the people. They cannot do it and they could not do it if we do what the Committee on the Judiciary has recommended we do here today.

Therefore, Mr. Chairman, I hope that the substitute will be voted down and that the committee proposal will be adopted.

Mr. COUGHLIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the substitute and to support House Joint Resolution 681, providing for the direct popular election of the President and Vice President.

Throughout this debate, we should not lose sight of four overriding questions:

First. Should the people of the United States elect their President?

Second. Should every vote be counted in ultimately determining the President?

Third. Should each voter be given an equal voice in determining the President?

Fourth. Should the candidate with the most votes be declared the winner?

These questions seem so basic—and an affirmative answer so automatic—that to dwell at length on the principle involved would appear ludicrous. The American people answer "Yes," as evidenced by the Harris poll showing 78 percent favoring direct election, and the Gallup poll showing 81 percent.

Major organizations across the country have actively endorsed and supported direct election, prominent among them the AFL-CIO, the American Chamber of Commerce and the American Bar Association.

The present system has offered some dark moments in our Nation's history, as we recall that three times a President has been elected who had fewer popular votes than the defeated candidate: 1824, Jackson-Adams; 1876, Hayes-Tilden; and 1888, Harrison-Cleveland. Eleven other victorious candidates were elected without having a majority of the popular vote.

Under this system, it is possible for a candidate to win a majority of the electoral votes with approximately one-fourth of the total popular votes.

Examination of constitutional provision reveals several inequities: there is no provision binding electors to vote for the candidate of their parties; the college does not reflect whether one person or several million voted within a State; if both the presidential and vice-presidential candidates are residents of the same State, that State could not cast its electoral votes for both candidates; third-party candidates have power far surpassing the number of popular votes they receive; too much discretion to the States is given to determine which candidate may be on the ballot and who may vote; the system encourages the selection of the vice-presidential candidate with primary attention to regional

and other considerations rather than his ability to govern; and finally, the system does not provide for selection of the President should the President-elect die between election day and the day in December when electors cast their votes.

The alternative proposals offered hold basically that geographical territories, not people, should elect the President; that a vote should count more or less depending on where it was cast; and that it should remain feasible in some elections for the winner to become the loser and the loser to become the winner. Only the direct election proposal embodied in House Joint Resolution 681 guarantees the elimination of such inequities, while simultaneously guaranteeing the realization of the principle that the right to vote includes the right to have that vote accorded equal weight with a vote cast by any other citizen of the United States.

The people of the Nation have expressed themselves vocally, articulately and overwhelmingly in favor of a change to the existing system, and have indicated a strong preference for the direct popular election of their President.

Only under such an election will the American people for the first time be permitted to take a direct and personal part in selecting their President.

As our Nation strives to afford equality to all its citizens, it is imperative that the Congress recognize the one-man, one-vote principle as an integral part of our philosophy of government. Nowhere can this principle be rendered greater justice than in electing the President. By direct popular election, each voter is certain that on election day his ballot carries as much weight as that cast by any other individual in any of the 50 States. Equality of the ballot box will be assured.

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

Mr. COUGHLIN. I yield to the distinguished gentleman from Ohio.

Mr. McCULLOCH. Mr. Chairman, I wish to associate myself with the remarks of the gentleman who has made an excellent statement which gets to the heart of this issue.

Mr. COUGHLIN. I think the distinguished gentleman.

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

Mr. COUGHLIN. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I think the gentleman has made a very sincere statement also, but I wonder as we watch the debate unfold on this particular amendment that we ought to give some consideration to perhaps reaching some compromise or a fallback provision rather than a runoff election?

As I listened to the debate here it seems that the hangup is not on the direct election of the President, the hangup is what happens if any candidate fails to get 40 percent or more of the total vote cast.

I wonder if the gentleman would have any views on that subject?

Mr. COUGHLIN. I would say that the problem with the present substitute amendment, at least in my opinion, is the

fact that you are dividing the vote according to geographical districts. By apportioning the vote that way, you do not allow each voter to have the same effect as every other voter.

Mr. PUCINSKI. I think the gentleman makes a good point, but I was wondering if perhaps rather than the runoff we could not reach some compromise on the proposal made by the distinguished majority whip here who talked about a proportional apportionment of the vote in the State in the event that a candidate fails to get 40 percent.

Mr. COUGHLIN. That is not the question before the committee at the moment.

Mr. PUCINSKI. I thought I might get some opinion from the gentleman as a member of the committee.

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

Mr. PICKLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I shall not consume the full 5 minutes, but I think the debate has been very healthy because it has focused attention on the proposal that has been brought out by the committee.

Many searching questions have been asked, and I think it has been extremely healthy for the entire body.

Now, I know that the amendment pending is one which affects the district plan. I have reservations about that particular approach just as I have reservations about the popular direct election method. I have the feeling that many of the Members are in that unsettled state of mind at this time. I therefore have asked for this time to recommend to the Members that they give serious consideration to the proportionate plan. Not a great deal has been said about that up to this point.

I understand that the gentleman from Virginia (Mr. Poff) will have this amendment to offer in the event he is given that opportunity. I hope that the Members overnight have a chance to look closely at the proportionate plan. I think it is the sleeper here before the Congress at this time. As I move around the floor and talk to the Members on both sides of the aisle I find that they have reservations about the two proposals that have been primarily discussed. I have the feeling that they could buy the proportionate plan.

What the proportionate plan really does is to give every vote a chance to be counted. It says to the State that you get the number of electors in proportion to the popular vote. Now, that is fair. Every vote is counted, no vote is lost. I think that brings in the whole of the popular vote.

On that basis we then can also retain the electoral college system that has served us well for 187-some odd years. Therefore it seems to me that it has a great deal to offer. I hope the Members do not lose sight of that fact when they have the opportunity to vote on the district plan and/or later on the popular plan; indeed the best proposal could well be the proportional plan.

Mr. McCLODY. Mr. Chairman, would the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I thank the gentleman for yielding. I think what the gentleman has said is correct provided, of course, that the proportional vote on electors were to reflect the popular vote in the State in which the popular vote was counted. But I want to point out to the gentleman that the proportional plan which will be submitted, as I understand it, will take into account the two bonus votes, and therefore will give those bonus votes an advantage to the small States. This is an inequity which we are trying to correct. The committee's proposal aims to give equal voting power to each American voter, when he votes for President of the United States. This could not be accomplished under the proportional plan.

Mr. PICKLE. I wish that the gentleman from Virginia (Mr. Poff) were on the floor, because he would be in a position to discuss the merits of the plan he probably would present.

I would say to the gentleman from Illinois that, yes, the proportional plan would have two at-large electors. I believe basically that is fundamentally the very practice that we have been following for some 180 years now.

Mr. McCLORY. Mr. Chairman, if the gentleman will yield further, I would also like to point out that if you eliminate the two bonus votes, then you have what is in substance the direct popular vote plan. And that also came to my thought as I sat as a member of the committee, that perhaps a proportional plan would be a simple mechanism for resolving this. But when you take into account the bonus votes that are involved in the proportional plan that will be presented, as I understand it, you destroy the objective of providing equal voting power to all individual voters regardless of the State or district where they reside.

Mr. PICKLE. I did not know that there is such a serious question actually, as the gentleman has pointed out. You are saying then that the U.S. Senate is based on a false premise by the very fact that we give them two votes over there. We have lived well with that system for many a year.

Mr. McCLORY. I would point out that in our authority to amend the Constitution we are limited or restricted or prevented from doing anything to upset the representation in the Senate which is granted to the States.

So that is one reason there is nothing being done about that even though we are adhering to the principle of one-man, one-vote in our representation in our State governments and in this House of Representatives.

Mr. PICKLE. I submit to this body again that this question of equity is involved and it seems to me that the proportional system would give credence to the popular vote and still retain the electoral college. If you have a contest, the States then would get the total number of votes in the joint session that they had both Senators and Representatives.

I would think it is a good plan and we should give a great deal more thought to it.

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

Mr. PICKLE. I yield to the gentleman. Mr. WAGGONNER. The gentleman from Illinois (Mr. McCLORY) is a learned lawyer. I am not an attorney. But the gentleman says the Constitution prevents anything—and that word is all inclusive—from being done to the representation of the Senate. The Constitution does not forbid the votes being weighted in the Senate; does it? I know equal suffrage cannot be destroyed.

Mr. PICKLE. It does not. Mr. WAGGONNER. Then that takes care of the word "anything;" does it not?

Mr. PICKLE. I would think so. Mr. WAGGONNER. I think the gentleman had better read the Constitution.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I think the debate since it began last week has proceeded in the very finest traditions of the House of Representatives.

Truly, we do not lightly embark upon the task of amending the fundamental law of our land. When you look back and consider the relatively few times that we have taken that action during the more than 180 years of our Republic, I think it indicates that we do well to examine very carefully, as we have done throughout this debate, the proposition that we now make this fundamental change in the manner of electing a President and a Vice President of the United States.

It was said, I think, by one of those who preceded me in the well that we are considering a very fundamental question of political philosophy. You can go back some 2,000 years to the time of Aristotle and you will find, and I think these are his words, that he said:

If liberty and equality, as is thought by some, are cheaply to be found in democracy, then it will be best attained when all persons alike share in the government to the utmost.

So we do indeed consider the very fundamental question of philosophy of our Government when we attack this problem of the electoral college.

I too listened with a great interest to the remarks of the gentleman from Michigan who spoke earlier, when he suggested that in casting our ballots as individual citizens we vote not as citizens of the United States but rather as citizens of our respective States. Implicit in the argument that he made was the thought that if we abolish the electoral college—if we adopt the direct popular election of a President and Vice President—that we somehow do violence to the Federal structure of our Government and that we somehow, almost unwittingly, are going to be responsible for changing the fundamental nature of the system that was born 180 years ago.

Mr. Chairman, of course I am one who speaks as the author, very early in the session, of legislation providing for the direct election of the President of the United States. Therefore, I can scarcely claim that my mind has been changed by anything I have heard in this debate.

But I can say, on the basis of what I have heard from the learned gentlemen of the Committee on the Judiciary who form the vast majority of the committee and who believe we should adopt the direct popular method, that we are far from destroying our federal system and we are giving it new life and we are going to give it new vitality such as it never had before.

Mr. Chairman, almost everyone agrees that the existing electoral college is in need of reform. Many alternatives have been proposed and all have some merit, including the district and proportional plans. But the Committee on the Judiciary, after conducting extensive hearings on some 80-odd resolutions, has decided in all its wisdom, to report to the House, House Joint Resolution 681 which calls for the abolition of the electoral college and the substitution of a system for the direct popular election of the President and Vice President. I commend the Judiciary Committee on its final decision and lend my full support to the bill which it has reported. I have long been an advocate of an amendment that would abolish the electoral college and institute the direct popular vote. And I think it should be pointed out that an overwhelming majority of the American people also favor such a change. A Gallup poll taken in November of 1968 revealed that 81 percent of the American people favored a direct popular vote; and a Harris poll showed 78-percent support. In my own congressional district, the 16th of Illinois, a poll taken early this year revealed that 71.4 percent of the people favor the direct popular vote, while 14 percent favor the proportional plan and 7.5 percent favor the district plan. It should be surprising to no one that the American people feel they are quite capable of responsibly and directly choosing their own President and Vice President.

Mr. Chairman, I am aware of the argument that the direct election plan would not receive the necessary approval of three-fourths of the State legislatures, despite the overwhelming popular support it has. This is an argument which we must consider as a practical matter in our attempts to reform the electoral college through a constitutional amendment. It would be foolhardy for us to pursue a course which did not stand a chance of receiving the required endorsements in the State legislatures. It would seem more practical and advisable to instead agree upon a compromise reform that would have the approval of three-fourths of the States. Some have suggested that the proportional or district plans of dividing electoral votes would be compromises acceptable to the smaller States which they claim stand to lose from a conversion to the direct popular vote.

In answer to this most persuasive argument, I would like to call to the attention of my colleagues a survey conducted by Senator ROBERT P. GRIFFIN of Michigan. Senator GRIFFIN describes his own earlier predisposition on this matter as follows:

While I was inclined to favor the direct election proposal as a theoretical proposition,

I have been reluctant in the past to advocate its adoption in Congress in preference to other reform proposals because of an intuitive concern that it could not be ratified by three-fourths of the States.

Consequently, Senator GRIFFIN decided to poll the State legislators in the 27 smaller States where opposition was thought to be the greatest to the direct election proposal. He sent his questionnaires to 3,943 State legislators and received an amazingly high response of 44 percent. Each legislator was asked to respond to the following four questions:

One, would you, as a State legislator, vote to ratify a proposed constitutional amendment abolishing the electoral vote and providing for election of the President by direct popular nationwide vote?

Two, do you believe your State legislature would approve such a proposal?

Three, if the direct popular election proposal should fail, would you favor an alternative which would abolish the electoral college but retain the electoral vote of each State, and which would: (a) apportion the State's electoral vote on the basis of the popular vote within the State? (b) Award 1 vote for each congressional district on the basis of the popular vote within that district, with two additional electoral votes awarded according to the statewide popular vote?

The results of this poll revealed that 64 percent of the State legislators from these 27 small States favored the abolition of the electoral college and the institution of a direct popular vote for President and Vice President, while only 34 percent expressed opposition. And 50 percent of the State legislators thought the direct vote amendment would receive the approval of their State legislatures while 41 percent thought it would be rejected. The survey indicates that only two States, Idaho and North Dakota, would definitely oppose the proposition.

Senator GRIFFIN draws the following conclusions. In his words:

My survey strongly suggests that there is more support for the direct vote amendment among State legislators—even in the smaller States—than is generally believed to exist. . . . As a result of my survey, I have come to the conclusion that I should work for approval by Congress of the direct popular vote amendment. Not only does it appear that there is a good chance for ratification by three-fourths of the States, but I have been impressed by the indication that it stands a better chance than either of the other two reform proposals.

I do not think there are many left in this body who would defend the existing electoral system, especially after the near constitutional crisis of the past election. It is obvious to most that the present electoral college system is dangerously inadequate. There are several instances from our history when the will of the majority has been thwarted by these archaic procedures. As recently as last year we were treated to the spectacle of an elector exercising his right to completely disregard the mandate of the election in his State by casting his vote for another candidate. We are all aware of the fact that the existing winner-take-all electoral system completely cancels out the votes of all who voted in a

minority in a particular State. On two occasions the election of President was thrown into the House of Representatives where each State delegation has just one vote. Under the present system, the President and Vice President could conceivably be of different parties. All these factors in combination tend to make a joke of the democratic process we are all so fond of espousing.

The Committee on the Judiciary put it this way in their final report:

These factors, separately and in combination, contribute to the most serious potential flaw of our present system—the possible election of a President who is not the first choice of the voters. The only electoral reform proposal which would eliminate all of the principal defects in the present system, and guarantee that the popular winner is elected President is provided by the direct popular election of the President and the Vice President. Adoption of this proposal will eliminate the possibility of electors repudiating the will of the people.

Mr. Chairman, I find myself in full agreement with this statement. If we are to truly eliminate existing inequities in the electoral system we must do more than give the old vehicle a new coat of paint. The time has come to trade it in on a model which will run smoothly and safely and take us directly to our destination without being stalled or sidetracked. The American investors in this machine have a right to expect that it will perform in accordance with their will.

I find it strange indeed that the President of the United States would say as he did—and he has made it clear—that if the Congress of the United States in its wisdom adopts this legislation providing for the direct election of the President, that he is in favor of that. I find it strange indeed that the President would send up a message, as he did in August of this year shortly before our recess, talking about the new federalism, in which he proposed to clothe our States with new power and with new majesty and with new ability to carry out their role within our federal system, and that he would at the same time countenance an action that would be destructive of that federal system.

I would suggest that the electoral college is scarcely the keystone in the arch of our federal system, that it is not the linchpin, that if we remove it, we will scarcely cause this entire magnificent edifice of the States embraced within a federal system to collapse. I believe instead that this amendment, providing for the direct election of the President and Vice President, will do much to restore the faith of the American people, and particularly the young people of our country, and we can no longer ignore the fact that the median age is declining steadily, until something like 50 percent of our population today is under 25. If you take any public opinion poll of the young people of our country, I think you will find that they are going to support the action of the House Judiciary Committee on House Joint Resolution 681 calling for the direct and popular election of the President of the United States.

It was a great President, the 16th President of the United States, Abraham Lincoln, who told us that we ought to have government of the people, by the people, and for the people. And I shall at this point borrow the very apt expression of the gentleman from Indiana who sits on the other side of the aisle. He did not say government of and by and for the district, but of the people. There is not a single proposition before this Chamber today which I think really gives expression to that principle better than the principle that is embodied in this House joint resolution.

I urge defeat of the substitute and the adoption of the bill reported by the committee.

Mr. WAGGONER. Mr. Chairman, I rise in support of the amendment to the resolution.

Mr. Chairman, arguments of this sort are generally and too often left to those learned in the law, and those of us who are not members of the legal profession perhaps take too little part in debate on issues such as this. But I believe we, those of us who are not lawyers, can make some contribution to debate such as this, whether we are members of the legal profession or not. Surely this is so because of the magnitude of the issue and the principle involved.

A number of things perhaps can be recapped here as time permits. It has been said that this is a serious matter, this matter of changing the system of electing the President of the United States, and it is. It has been said that almost everyone favors some sort of a change. And I would agree. Most of us do. I do. But I do not think sufficient emphasis has been placed on the fact that what has been proposed by the House Committee on the Judiciary is as radical a departure from what we presently do as should be and as is the case.

The gentleman from Illinois (Mr. ANDERSON), who preceded me in the well, is truly one of the eloquent speakers in this House of Representatives, and he made much to-do over his statement that the electoral college was not in itself the cornerstone of our system of government. To this extent I agree. But he failed to take recognition of the fact that the States are the cornerstone of our federal system of government. In talking about the "new federalism" he proposes to give and share with one hand but takes away with the other.

And it is that system with the States as the cornerstone which is going to be destroyed by the proposal which has been sent to us by the House Committee on the Judiciary.

Earlier today a philosopher was quoted as having said that "there is nothing like an idea whose time has come." We lost a distinguished Member of one branch of our U.S. Congress a few days ago who used to utilize this quotation quite a bit himself. If we take it at face value, if it is a properly presented idea, I would agree. But the very idea that the people believe in a direct vote and the manner in which it has been presented to the people is misleading, because it is a cruel hoax to perpetrate on the people and lead them to believe something is going to happen

that cannot happen within the framework of the proposal, because the idea has been misrepresented. It would be more appropriate today to say: "There is nothing like a misrepresented idea whose time has come."

I have asked some members of the press to try to tell the people we are not talking about a majority vote, but a plurality of only 40 percent. They say they do not know, wait and see. They do not want the people to know we are not talking about a majority vote. They will not talk about 40 percent.

Let me tell you something and let us talk about this thing seriously. It seems to me we are fortunate to have come this far if our system is as bad as some have described it during the course of the debate on this resolution. I would agree with the gentleman from Mississippi (Mr. COLMER), who spoke earlier and said if it had not been for George Wallace, we would not be debating this proposal here today. The Members know it and I know it.

There is no basis in the Constitution and no basis under Federal law for the two-party system. But the Members know this resolution is intended to strengthen the two-party system. This is the basic purpose of it. Partisan politicians have been shaken to their eyeteeth because of the 1968 election. The two-party system has served us well. Strengthen it if you will, but do not destroy or stifle this sort of dissent in a free land.

To those who say they advocate dissent, if they support this resolution or this proposal, they are stifling dissent. They are perpetrating a hoax on the people with the misrepresented idea of the direct election of the President by 40 percent of the people without a runoff, that it will be in the best interests of democracy. They are talking about raw democracy. Misrepresentation? What am I talking about?

A number of people have talked about what the polls show. Let us first talk about the one referred to earlier by the National Federation of Independent Business, and I hold in my hand a letter from those people dated September 10, saying that they support House Joint Resolution 681, but reading their question, if Members do not believe there is misrepresentation, their question was in these words and in these words alone:

Do you favor Presidential election by majority popular vote of the people?

Certainly this is the reason the polls have produced the results they have. The questions have been misleading and misrepresented. People do not know this resolution does not require a majority vote.

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

(By unanimous consent, Mr. WAGGONER was allowed to proceed for 5 additional minutes.)

Mr. WAGGONER. Mr. Chairman, I hold in my hand also a newsletter from the UAW—United Auto Workers—dated a day later than the letter from the National Federation of Independent Business, the newsletter from UAW is dated September 11. On the subject of the im-

portance of having a majority President—these are Mr. Reuther's words and not mine—Mr. Reuther says:

Direct popular election would give victory to the majority candidate and is the only forthright, foolproof answer to this problem.

But still we misrepresent the issue and hide the fact that 40 percent will suffice. Who is trying to mislead whom?

The UAW Washington Report of September 15 says:

Certainly an overwhelming majority according to polls agree on the majority approach to Presidential elections.

Reference is only made to a majority. But we continue to misrepresent the will of the majority and say we are following the interest of the majority when we talk about electing a plurality President with only 40 percent of the vote. It is a cruel hoax. We will destroy the States, the cornerstone of the federal system of government, and we will destroy every prerogative of the States in this proposal with respect to presidential elections except one, for the only prerogative remaining to the States will be to allow the States to establish the minimum age at which a citizen might be eligible to register and to vote.

This proposal is worse than that. We are destroying not just the geographic protection given to the States, but to the districts within a State when we destroy the electoral system in its entirety. In principle this is no different than it would be to elect 435 Members of the House of Representatives nationwide without regard to where they live. It was intended to be part of our system of checks and balances that some protection be given to the smaller States with fewer people to protect them against the onrush, the selfishness, and the greed of the bigger States with a great many people. I will tell you in part what you are going to do: you are going to benefit the urban areas and the areas where bloc voting occurs. The sparsely populated areas and States will not get much attention when campaign time rolls around and even less after the election.

To those who sit on the minority side, on the Republican side, hear me and hear me well. I am going to make a prediction. The day is going to come when the Republican Party is going to regret having given support to a proposal that is going to benefit my party, the Democratic Party to your detriment.

I am not talking about it from a partisan point of view. I am talking about what is going to happen, because you know, and history records—and this is the only yardstick to the future—that you have never in the Republican Party had sufficient appeal in the urban areas to the bloc voting masses, and you are going to be further weakened, and put in a worsened position, if you support this proposal. To begin with you do not have the registration.

Remember that prediction, not for the next election in 1972, but for the years which lie ahead.

Yes, you are going to insure, if you pass this proposal, if the Senate does, and if it is ratified by three-fourths of the States, as required, that every time—

not just occasionally—there will be a plurality President, insure every time that we elect a plurality President.

Certainly, the district plan does not provide everything everybody would like to have, but it will serve the best interests of the people and it will serve the interests of the people of all our States in a better fashion than this misrepresented direct vote proposal which has come from the House Committee on the Judiciary.

You know that is the case.

Consider the problems which might arise from the direct election of the President. This debate shows the committee has not.

I have here in my pocket a telegram from a man who has been secretary of state in Louisiana for so long I cannot remember. For 25 years at least he has been the chief election officer in the State of Louisiana. In part he says:

I would oppose the direct vote because it is impossible, even for us who have spent a lifetime in the conduct of elections, to foresee all of the possible complications, evils or inequities that might eventually flow from such a system. Such a procedure would require a complete change in methods of qualifying candidates, and without appropriate elaborate safeguards which would become the subject of interminable litigation, could make it so easy to become a candidate that ballots would be so large as to be impractical and unworkable. In close elections with a direct vote, election contests could be expected, in so many places with such long delays, that many months might elapse without a determination of the successful winners. A direct election would probably necessitate a "runoff" election in the event of small pluralities. A runoff election for president and vice president without other federal, state or local candidates would certainly produce a disappointing vote to this country and the world in terms of the number of votes cast.

My friends, you had better think about what you are doing. What we have been doing has weaknesses and flaws, but it is not as bad as the picture you have attempted to paint here.

Why has this country survived as it has? Why has this country developed to be the greatest Nation in the world? In my opinion it is not because of the U.S. Congress and these misrepresented appeals but in spite of the U.S. Congress. Do not buy a pig in a poke and wind up with a raw Democracy. Do not erode unnecessarily any further our system of checks and balances.

Mr. KUYKENDALL. Mr. Chairman, I rise in support of the Dowdy-Dennis substitute, the so-called district plan for election reform.

First, let me say with great feeling that the faults of the present system are so great that they must be corrected. These faults include the problem of the faithless elector who can disenfranchise thousands of voters. The problem of the "winner take all" situation in large States, and the problem of the electoral deadlocks which could possibly create a constitutional crisis, leaving the country without leadership for an indefinite time.

My State, Tennessee, is fortunately a "center State." We are about one-half way down the list in population. Our State itself would neither gain nor lose

influence appreciably in the election of a President, regardless of the system used. Our State has voted Republican four times and Democratic four times in the last eight elections and our congressional delegation is now balanced 5-4, in favor of the Democratic Party. So we are not in a position of having any crow to pick in this matter.

Mr. Chairman, the fact that there are some glaring faults in the electoral system which must be corrected does not mean that the American presidential election process should abandon all its checks and balances, leaving it with no protection for minorities—be they States or individuals.

More damaging, Mr. Chairman, would be a system which takes a giant step away from the republic which is the basis of this Nation's greatness and which Benjamin Franklin warned immediately after the writing of the Constitution that there was a danger of losing.

The democratic republic, may I remind all my colleagues, is different from a pure democracy basically in the length of time that it takes the will of the majority to prevail. The checks and balances built into our Republic are not designed to thwart the will of the people. They are placed there to prevent the momentary whim of the people from prevailing. And this is what I feel is most dangerous in the direct election of a President of the United States. The long and tedious process of recognition throughout party circles; the quest for delegate strength across our Nation; the process of being nominated by one of the great parties; the process of qualifying for the ballot in our several States, all guard our Nation against the "man on horseback" who has, throughout the history of mankind, contributed to the downfall of all the past democracies of this world.

If you will, imagine with me in this day of mass communication and this moment in history when the emotions of our people run so high, an unscrupulous man emerging as late as the spring of an election year, a man with unlimited funds, a man with appealing television manner, a man with all of the answers momentarily that the people want to hear, and with just a few minor changes in the popular election bill as before this House, that person could be elected President of the United States that fall.

Our forefathers saw this danger and built safeguards to insure that it could not happen.

I am told by some of my colleagues that nothing in our history indicates the possibility of this happening. And I agree with them—that nothing in our past actions so indicates. But let me remind each of you that our Founding Fathers did not found the two-party system. Our Founding Fathers did not create the present system of electing a President, except that part of it that takes place on election day and thereafter. Our present system of checks and balances, including the great two-party system, was created as a result of the foresight of true patriots, and, for that reason, there is little evidence in our past

of the likelihood of the knight in shining armor becoming President of our great Nation in a fit of temporary emotion on the part of the voter.

In the days to come, we will decide whether to wipe out these safeguards. I hope and pray that we do not set the stage for the man on horseback, a stage that it would be impossible to reverse.

I feel strongly that two very, very harmful results of the straight popular vote are almost certain to emerge. First, and almost immediately, will be a proliferation of political parties and second, and not so quickly, will come the man on horseback who, with mass appeal, unlimited funds, and a message to give the people that they want to hear, a message he has no intention of following up with deeds, will create such havoc in our Nation and there will be no pleasure in saying "I told you so," because it will be too late.

(Mr. ADAIR asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ADAIR. Mr. Chairman, I rise in very strong support of the Dowdy-Dennis proposal.

Mr. Chairman, it is imperative that we approach the matter of electoral reform in a careful and thoughtful manner. It is agreed by most that electoral reform is needed. However, as initiators of the constitutional process for changing the present system, we should vote out a plan that corrects the essential inequities in the electoral college system, but one that will not destroy or damage the federal system. Moreover, only the most carefully considered and drawn proposal will have any possibility of adoption by the required number of States. There are a great many more States than 13 which are unwilling to give up recognition of their statehood in a presidential election.

Thus, I support the amendment offered by the gentleman from Indiana (Mr. DENNIS) and the gentleman from Texas (Mr. DOWDY). This amendment cures the fundamental inequities of the present plan. It obviates the problem of a faithless elector by abolishing the elector as an individual, but retaining the electoral votes. In addition, this reform plan remedies the essential unfairness in the present system which allows the winner of the popular vote to take all the electoral votes of a State and, thereby, totally disregard the votes of the minority.

The district plan is to be preferred over the direct election plan because it preserves the federal system and also prevents the tyranny of the majority that Jefferson and Madison were concerned about. A President elected under the district system would still be a representative President. As my colleague from Indiana (Mr. DENNIS) pointed out:

Political machines in 12 cities and nine large States can pile up pluralities so big that the votes of the rest of the country would not matter in a nationwide popular election.

This would result in the tyranny of the majority that Madison spoke of: The President would overrepresent the urban

interests at the expense of three-quarters of the geographical area of this country. Proper sectional differences would be preserved in the election of a President by adoption of the district reform plan. Balance and compromise which are inherent in the federal system would be reduced as important ingredients in the election of the President if House Joint Resolution 681 is adopted without amendment.

Mrs. HECKLER of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, at the outset, I wish to commend the gentleman from Texas (Mr. DOWDY) as well as all other members of the Judiciary Committee, especially the chairman and the distinguished minority member, for their exhaustive research and thoughtful deliberation which has brought us to this moment of historic debate. The thoughtful consideration of a distinguished committee and the conscientious concern evidenced by Members of this body are indeed fitting when the issue at stake involves a change in our Nation's Constitution.

The need for a decisive change in our electoral procedures has been acknowledged by Members of all persuasions. Because I believe they have been thoroughly discussed, I do not propose to detail the defects of the present electoral college. However, I do not believe that today's need for effective change can be made by halfway measures or halfway reforms. As was stated in an exhaustive study of the Congress, the first branch of Government: "It is in the matching of the institutions to the changing issues of the times that the genius of this generation is tested."

The challenge before this honorable body is in the matching of the mechanism by which the American people select their President to the changing needs and issues of our time. It is a compelling argument for electoral reform to observe the rapidity of population growth across the Nation and the increasing migration of people from one State to another—yet to realize that our electoral system bases allocation of electoral votes on a census taken every 10 years.

It is a compelling argument for reform to note that our system disenfranchises millions of voters through the "winner take-all" feature whereby all of a States' electoral votes go to the winner of the popular vote.

In fact, the existing electoral system is not predicated upon the realities of growth or upon the will of the actual majority. As is quite obvious. My position on this issue spelled out by legislation which I introduced on the first day of this session favors the direct popular election of the President. I believe all of the alternatives which have been suggested contain flaws equal to the defects in the electoral college system.

In my judgment, the district plan which is the subject of the particular amendment that we are now considering contains a subtle but very serious flaw. It is this plan which I oppose most strongly. Embodied in the district plan is a system wherein the presidential

candidate would gear his campaign to the congressional districts. My objection to this lies in my strong belief in the concept of Congress as an independent branch of our Government. The inevitable and practical result of the district proposal would create on the campaign trail an interdependence and an interrelationship between the campaign of the executive and legislative candidates, which in the long run could seriously impair the independence of the Congress as a separate branch of Government. Scholars of Government have written volumes about the declining power of the legislative and the increasing dominance of the executive.

While individual members of this party might espouse with enthusiasm the programs of a particular President, looking down the long road of history a system which makes the interrelationship between the executive and legislative closer damages our national interests. The Founding Fathers had good reason to enunciate the doctrine of the separation of powers, as one of the cornerstones of our Government.

I submit that we should take no action that would tend to erode this separation.

Do we not threaten the concept of the separation of the powers of the executive and legislative branches of our Government by a plan which so closely ties the campaign of a presidential candidate to each congressional district?

Mr. Chairman, during this lengthy debate it seems to me in conclusion that the really serious objection to the direct election of the President is the question of its ratification by the other body and by the State legislatures.

And, I say, is it not a desirable objective to introduce the one man, one vote principle into our national electoral procedures—and is there reason to deny to any American the right to elect his President?

Have we not learned that approximately 80 percent of the people want the direct popular election plan? I believe it is significant to add that the Gallup poll of November 1968 showed nearly uniform support in every region of this Nation: East, 82 percent; Midwest, 81 percent; South, 76 percent, and West, 81 percent.

Should the Congress attempt to prejudice the people's will? When the direct election plan is presented to the legislatures of the several States, will not, then, the people's voice be heard and the question of ratification answered? Should we not, therefore, simply proceed with the proposition?

Experience has shown that the electoral college is riddled with defects which operate to frustrate the will of the people. Shall we continue, by halfway means which merely increase but do not entirely satisfy the right of full enfranchisement, to frustrate this will?

As we conclude these consequential and vital deliberations, Mr. Chairman, I urge my colleagues to reflect upon and give careful thought to the words of the great Greek philosopher, Aristotle, who wrote:

If Liberty and equality, as is thought by some, are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost.

And may I also commend to the attention of my colleagues these words of Abraham Lincoln, which are so applicable to today's events:

Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world?

And let us act to give reality to the truth that there is wisdom and gain in the full exercise of the people's will.

Mr. MADDEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I commend the chairman and the members of the Judiciary Committee for bringing in the only fair and honest and practical method of electing a President of the United States.

Mr. Chairman, this Joint Resolution 681, now under consideration, providing for a more equitable and fair system of conducting the popular vote for electing the President and Vice President has been debated off and on for almost a week. It was President Nixon who stated in his remarks pertaining to the popular election of the President that the candidate who got the most votes should be the "winner." The chairman and members of the Judiciary Committee of the House should be commended, for after many days of hearings in executive session, to report out the present joint resolution which provides for the election of the President by a popular vote of all qualified voters throughout the Nation. Eliminating national partisan politics from arriving at a decision on this legislation, there could be only one result. That result should be to eliminate the present electoral college system and disregard the so-called district or apportionment proposals and accept the proposals outlined by President Nixon that "the candidate who receives the most votes should be the next President."

President Thomas Jefferson, back in 1823, stated that our system of electing a President and Vice President was the most dangerous mistake made in our Constitution. His statement has proven correct on at least three different occasions in the intervening presidential elections when the candidate who got the least votes was sworn in as President of the United States.

In addition to the above-mentioned disgraceful and unfortunate violations of our Constitution's watchword "let the people rule," in six other presidential elections the change of a few thousand votes would have thrown the election into the House of Representatives. If that occurred the wheeler-dealer politicians would connive and in all probability place the loser as the victor or vice versa.

Only the direct popular election plan can eliminate all the basic contingencies and deficiencies in the present electoral system. It will eliminate the political control over electors who, in many cases in the past, have not expressed the people's choice majority for President. It will conform the presidential election to the system of plurality voting used throughout the Nation in congressional elections and in statewide and local offices.

It is interesting to note that 15 of our

Presidents have been elected President by less than 50 percent of the votes cast. Only as recent as the last presidential election in 1968, change of approximately 20,000 votes in two different states might have thrown the election into the House of Representatives. The machinery had already been started to make a deal with either one of the candidates of the two major parties.

Support for the pending resolution and for a direct peoples' vote throughout the Nation for President and Vice President has been endorsed by many of the most outstanding nationally known organizations of the Nation. To mention but a few—the U.S. Chamber of Commerce, the American Federation of Labor, the CIO, the American Bar Association, the Federal Bar Association, and many other prominent groups have endorsed this resolution to elect the President by a direct vote.

The Gallup poll of November 1968 showed that 81 percent of the Nation favored the direct vote system. They broke the poll down regionally as follows: East, 81 percent; West, 81 percent; Midwest, 81 percent; South, 76 percent, favor the direct election system.

Considering the trend in recent years we can expect more splinter political parties to spring up and secure sufficient support in many states to place their candidates for President and Vice President on the ballot. This trend will greatly add to the hazard of trying to secure an honest and just recording of the presidential voting as it will multiply the possibility of the election being thrown into the House of Representatives which now as such a great hazard under the electoral system.

I do hope that the House will vote down all amendments, including the pending so-called district system and any other systems that will add further hazards in throwing our presidential election into a political turmoil and might bring about a constitutional crisis that would jeopardize the very citadel of our National Government.

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

Mr. MADDEN. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Chairman, I thank the gentleman from Indiana for yielding.

I also rise in opposition to the substitute. I believe that the debate has demonstrated time and time again the efforts of the committee to try to find the most effective way of addressing itself to this whole problem of electing the President. Certainly, it does take into consideration the fact that what we do here today is really going to take us into the 21st century in our effort to try to meet and solve some of the problems of this country. That is why it is my intention to support this bill.

But, it is my hope that before this debate is concluded we will find some better way to resolve the runoff question.

I believe the proposal made by the committee in the first instance in trying to elect the President by a direct vote of the people is the only way we can do it.

The hangup, in my judgment, comes when any candidate fails to get 40 percent or more of the total vote cast.

Look at the figures for the last election: there were 31,770,000 votes cast for the Republican candidate and 31,200,000 votes cast for the Democratic candidate, as well as 10,137,000 votes cast for the Independent or the other candidates. In other words, had there been 4.5 million more votes cast throughout this country for independent candidates the election would have been thrown into a runoff if the committee's formula had been in effect.

Mr. Chairman, I believe there is a great deal of merit in what the gentleman from Louisiana, the distinguished minority whip, said when he said we should try to work out some proposal to take care of this situation. I hope we can adopt the committee's amendment in the first instance on the direct election of the President. But I hope if in the event the top candidate fails to get at least 40 percent or more of the votes, we can write in a "fallback" position that would call for distribution of the electoral votes within the State on a proportional basis in direct proportion to the total number of votes each candidate received within the State.

Under a fallback position we would assure election of a President on election day and we would not require the two runner-up parties to go into another costly political campaign as the result of a runoff. No one has mentioned where the funds are going to come from for these runoffs. Each one of us who observed the 1968 election know that both political parties were hampered as a result of the lack of funds. What we are saying here under the committee's "runoff" proposal is that we are going to have a big national primary and if there is a runoff, the political parties have to raise funds again for that runoff.

If this body fails to find an acceptable alternative to the runoff, it is my hope that the other body will find some solution for a fallback position so that if we fail to elect the President in the first vote as is contained in the amendment reported by the Judiciary Committee, there will be a fallback position that will not require a runoff election.

Mr. SCHWENGEL. Mr. Chairman, we are engaged in an historic debate. Amending the Constitution is something we must carefully and only after congressional deliberation decide upon. That is why I am gratified the House is debating the question of electoral reform very carefully.

It is clear to me that our present mechanism for electing a President is out of date. It is possible now for a presidential elector to vote against the popular vote of the people in his State. In fact, a Republican elector from North Carolina did just that last year, casting his vote for George Wallace when Richard Nixon carried his State.

While there are several proposals, all of which improve our present system, I have come to the conclusion that direct popular election is the most desirable. The congressional district plan has

gained substantial support. But with significant disparities in the population of congressional districts, this plan carries with it the risk that a candidate who won the most popular votes would not be elected president.

The direct popular vote proposal has gathered wide support. Polls show 81 percent of the people favor it. The American Bar Association, the U.S. Chamber of Commerce, and the AFL-CIO support it. This week it was also endorsed by the House Republican Policy Committee.

It is imperative that we modernize our Presidential election machinery. The will of the people must be protected. That is why I am, after careful study, supporting the recommendation of the House Judiciary Committee for the direct popular election of the President.

Mr. Chairman, the Davenport Times-Democrat editorialized on September 2 in favor of the direct popular election of the President.

I place it in the RECORD at this point:

DIRECT VOTE GETS SUPPORT

A proposal to provide direct election of the President and vice president of the United States is making headway in the Congress. The measure passed the House of Representatives Judiciary Committee in May and the House Rules Committee reported it July 24 to the House for consideration.

It provides three guarantees—that the person who receives the most popular votes is elected President, that voters have equal voice in the presidential choice, and that the people have a direct, personal part in the action.

These are precisely the criteria employed in election of other public officials. Only the election of President and vice president involves an intermediary group, the Electoral College.

Originating in colonial days when transportation and communication were slow or non-existent between the scattered colonies, the Electoral College is no longer needed. It can, in fact, circumvent the desires of a majority of the voters, particularly when combined with the unit rule.

Under the unit rule, by which the entire vote of one state must be cast for one candidate, 38.7 percent of the Arkansas voters in the 1968 election prevailed over the 61.3 percent who voted for either Nixon or Humphrey. The entire state vote went to Governor Wallace.

The electoral College also violates the one-man, one-vote principle. In Alaska, one electoral vote represents 75,000 persons, while in California one electoral vote represents almost 400,000.

Under the unit rule a President could be elected by carrying the 11 largest states and the District of Columbia by even the slightest margins, even if he were soundly defeated in the rest of the nation.

The U.S. Senate committee has completed hearings on the joint resolution calling for amendment of the Constitution. If both houses were to approve the resolution this year, the necessary three-fourths of the state legislatures could approve it in time for the 1972 election.

A recent public opinion poll throughout the country showed 81 percent supporting direct popular election of the President. With that kind of public support, it would seem reasonable that legislators at both the national and state level would act promptly. The archaic Electoral College system should be ended, the sooner the better.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the Dowdy amendment in the nature of a substitute and all amendments thereto close in 30 minutes with the last 5 minutes being reserved to the chairman of the Judiciary Committee.

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

Mr. DENNIS. Mr. Chairman, reserving the right to object, in view of the number of Members who stood a moment ago—about 34—and in view of the fact that only about four have spoken, I make the suggestion as to whether it might not be appropriate to limit the time to 45 minutes instead of 30 minutes in order to give everyone an opportunity to be heard.

Mr. CELLER. Mr. Chairman, I will extend the unanimous-consent request to make it 45 minutes—that all debate on the Dowdy amendment and all amendments thereto conclude in 45 minutes with the last 5 minutes being reserved to the chairman of the Committee on the Judiciary.

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Chairman, is it within the rules of the House to reserve time by unanimous consent on such a request, any portion of the time?

The CHAIRMAN. The Chair will state to the gentleman from Missouri that it is, by unanimous consent.

Mr. HALL. Mr. Chairman, then I object.

The CHAIRMAN. Objection is heard.

Mr. CELLER. Mr. Chairman, I move that all debate on the Dowdy amendment and all amendments thereto conclude in 45 minutes, and that the last 5 minutes be reserved for the committee.

The CHAIRMAN. The Chair will state to the gentleman from New York that that cannot be done. One cannot reserve in a motion to limit time any portion of the time for any specific purpose.

MOTION OFFERED BY MR. CELLER

Mr. CELLER. Then, Mr. Chairman, I move that all debate on the Dowdy amendment and all amendments thereto close in 45 minutes.

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Chairman, will those who are presently standing and asking for recognition at this time be recorded if such a motion should pass, and then be recognized in accordance with the custom of the House?

The CHAIRMAN. The Chair will state to the gentleman from Missouri that the Chair is endeavoring to make a list of the Members who are standing, and that the Chair will endeavor to recognize those Members who were on their feet at the time the motion was adopted, if it

is adopted, and that the Chair will then divide the time among those Members.

Mr. HALL. Mr. Chairman, I thank the Chairman, because many of us have waited for days to speak pending the Committee on the Judiciary relieving itself.

The CHAIRMAN. The Chair will endeavor to divide the time among the Members observed standing.

The question is on the motion offered by the gentleman from New York (Mr. CELLER).

The question was taken; and on a division (demanded by Mr. WATSON) there were—ayes 31, noes 24.

So the motion was agreed to.

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

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair (Mr. MILLS) 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. 681) proposing an amendment to the Constitution of the United States, relating to the election of the President and Vice President, had come to no resolution thereon.

FURTHER MESSAGE FROM THE SENATE

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

H.J. Res. 250. Joint resolution authorizing the President of the United States of America to proclaim September 17, 1969, General von Steuben Memorial Day for the observance and commemoration of the birth of Gen. Friedrich Wilhelm von Steuben.

A QUESTION OF PRIORITIES: A CUT IN SCIENCE FUNDING

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

Mr. McCARTHY. Mr. Speaker, the administration's decision to sharply cut budget requests for science in fiscal year 1970 is a glaring indication of how this country has once again muddled its national priorities. Dr. Phillip Handler, the new and dynamic president of the National Academy of Sciences, speaking on September 10 before the American Chemical Society in New York, warned that the proposed budget cuts would bring "panic" to many of our research institutes in this country. Dr. Handler warned that denying funds to our young scientists and doctors "is false economy. It's selling our future short." He argued that whole university departments would be hurt by the cutback in Federal funds.

I cannot help but sense the frustration that the Nation's scientists must feel when the National Science Foundation research budget of \$1.3 billion is pared considerably in the name of economy,

while at the same time the annual military budget is approaching the \$80 billion mark.

This sense of frustration was amplified by the remarks of another noted scientist who also took part in the American Chemical Society symposium. Dr. George Wald, the Nobel Prize-winning biologist claimed that the United States was becoming guilty of "frightfulness." Dr. Wald said:

As far as I can see, there is no weapon and no means of war that our American Army is not prepared to use.

The motivation behind both of these statements reflects a conflict that exists, not only in this country, but in every major industrialized country in the world. The problem that all such nations must resolve is whether or not they are willing to commit their men and resources to the development of a world fit for all mankind through achievements in education and science rather than continuing an unlimited and irrational escalation of the arms race which can only sap the energies that are so necessary in waging an effective fight against poverty and privation in the world.

The solution to this problem must be an attempt by all nations of the world to seek the proper balance between military spending and socioeconomic development which includes scientific research and education.

The administration's budget cutting action has apparently shortchanged the educational and scientific side of the equation. According to Dr. Lloyd Mintz, Columbia University astrophysicist and distinguished president elect of the New York Academy of Science which also met in New York on September 10, physical science research in the United States is down 20 percent over last year. Dr. Irving Selkoff, also appearing before the New York Academy noted that budget cutting was not a new phenomenon. He stated that it had been going on for years, and "damage is now being built into American science." Dr. Albert Szent-Gyorgyi, another noted American Nobel Prize winning scientist, and a third member of the New York Academy symposium argued that:

There will be no need of budget cuts if we stop conversion of scientific results into instruments of death. One of the many places of such conversion, the Edgewood Arsenal, spends twice as much yearly as the NSF spends on basic research. We spend through NIH, \$1.3 billion on health while on chemical and biological warfare, we spend \$2.6 billion. While we continue to spend more money on conversion of our knowledge itself, we must remain in deep trouble. Governments which have greater appreciation for violence than knowledge and neglects our real values should have no place in the 20th Century.

Dr. Szent-Gyorgyi, who discovered Vitamin C, went on:

Budget cuts are numbers which make little impression so I would like to finish by telling you in a few words, how these budget cuts really look, in reality. As a preamble I must tell you that cancer is a terrible disease and every third member of this audience has a chance to die of it after protracted agony. It kills one man every two minutes in this country alone. I have collected through my

long life an enormous research experience which I wanted to utilize in cancer research. Owing to the budget cuts, the NIH disconnected by support against the opinion of the scientific panel, and the NSF could give me only enough to work alone with my two hands. Unfortunately, such problems cannot be solved with two hands, and I have to refuse all young scientists who want to start cancer research in Laboratory. For the amounts of money assigned to the doubtful BM, thousands of research groups like mine, could have worked for a hundred years.

The doctor concluded his statement with the following remarks, I believe they are worth pondering:

The standing of a nation is decided by its ethics, morals, and by its science, by its gifts to mankind, and not by the size of its Army. With our science we have achieved a first place among nations from which we are gradually slipping and we will go on losing that position while we give killing preference over healing.

I urge my colleagues to consider the remarks of these distinguished American men of science when we vote on appropriations. I am including in the RECORD articles that appeared in the New York Times of September 10 and 15, and the Washington Post of September 11, 1969 as well as a Washington Post editorial of today, for the information of my colleagues:

[From the New York Times, Sept. 10, 1969]

U.S. HEALTH UNITS REDUCING GRANTS FOR RESEARCH 20 PERCENT
(By Walter Sullivan)

All research grants up for renewal by the National Institutes of Health since the first of this month are being cut 20 per cent.

Furthermore, the budget of one of those institutes, that of General Medical Sciences, has been reduced so drastically that, of 130 five-year grants coming up for renewal this year, all but about 10 will be rejected.

This was reported yesterday at a meeting of the American Chemical Society here. The curtailment of grants was then confirmed by a spokesman for the National Institutes of Health.

Dr. Phillip Handler, president of the National Academy of Sciences, predicted that when the impact of these developments was felt in the universities and medical schools during the final months of this year, "panic" was likely to prevail in some of these institutions.

RESEARCH CENTERS NOTIFIED

Earlier in the week, 19 clinical research centers across the country received letters from the National Institutes of Health, notifying them that funds for their continued operation might not be forthcoming.

Behind these cuts in research support are two developments.

First, the National Institutes of Health, warned to anticipate a possible cut of \$3.5-billion in the Federal budget before the end of the year, is curtailing its spending.

Second, funds available to the institutes and the parent agency, the Department of Health, Education and Welfare, are being shifted to increase support for medical training and large-scale experiments in the delivery of medical care to those not now receiving it.

Dr. Handler, a distinguished biochemist, discussed the curtailment of the grants at a symposium on the relationship of science and society held at the New York Hilton as part of a national meeting of the American Chemical Society.

Several other participants joined him in expressing dismay at the sudden curtailment.

They included Dr. Phillip H. Abelson, the

editor of Science, and Dr. Daniel E. Koshland, professor of biochemistry at the University of California in Berkeley, who was chairman of the session.

The spokesman for the National Institutes of Health said the 20 per cent cuts were not being applied until a grant came up for renewal. He added that the institutes were making "practically no new commitments."

He noted that the total N.I.H. budget for research grants stood at \$634-million, which is \$10 million greater than that for the fiscal year ending last July and \$8-million less than the budget proposed by the last Administration before it went out of office early this year.

However, in anticipation of curtailment later this year, not all of this money is being committed.

SPENDING SHIFTS

On the other hand, the institutes' proposed expenditures for increasing and improving health manpower has jumped from \$206-million for the last fiscal year to \$247-million for the current one. Spending by the Department of Health, Education and Welfare for research and development in health services is to rise from \$41.9-million to \$44.9-million.

The same department's budget for comprehensive health plans and services would go from \$187-million to \$212-million. For regional medical programs, it would rise from \$83-million to \$120-million.

Dr. Koshland remarked after yesterday's session that a shift in the direction of medical spending, such as that reflected in the above figures, could be justified if it were planned ahead of time and carried out in a less abrupt manner.

Dr. Handler said whole university departments—for example, in microbiology—would be catastrophically affected by the sudden termination of Federal support for their graduate students and some of their professors.

In an unrelated presentation, Dr. Abelson dealt with this country's increasing dependence on imported raw materials.

He predicted that, within a decade, the centers of world finance would have shifted from the United States to Germany.

[From the New York Times, Sept. 14, 1969]
INSTITUTE TO KILL CANCER MONKEYS: SHORTAGE OF FUNDS BLAMED IN DEATH OF 380 ANIMALS

(By Harold M. Schmeck Jr.)

WASHINGTON, September 14.—A major research program at the National Cancer Institute has been forced to order 380 valuable monkeys killed because of a shortage of funds.

The monkeys were born about five years ago, they were inoculated with material from human cancers suspected of being caused by viruses. The animals were to be kept alive for at least seven years while scientists studied them for any signs of cancer development.

From what scientists know of cancer, they would not suspect malignancies to develop in any of the animals within five years. Thus, the monkeys are being killed just at the point at which they might have helped scientists to learn whether viruses cause cancer in humans.

\$2-MILLION INVESTMENT

Besides their value to research, the monkeys represent a considerable financial investment to the institute, one of the National Institutes of Health. It costs about \$3 a day to care for each animal. Over a span of five years, this totals more than \$2-million.

Early this year, the institute had to give away about 500 other monkeys to research centers that could afford to keep them. These animals represented about half of a breeding colony that was considered particularly important to the research program.

Dr. Frank J. Rauscher Jr., an associate

scientific director of the institute and head of its cancer virus program, confirmed in a recent interview that he had ordered the cutback in the size of the monkey colony. He added that a shortage of funds had curtailed some current projects and had limited the program's ability to explore new fields.

Dr. Rauscher also said he believes it is proper that the program should have to compete with other research efforts for Federal funds. And he suggested that the program ought to be in a good position because of the progress it has made in recent years and because of the importance of cancer as a health problem.

GRANT FROM CONGRESS

The multimillion-dollar search for human cancer viruses was started about five years ago with an initial grant of \$10 million from Congress.

Viruses are known to be the causes of many types of animal cancer and circumstantial evidence has suggested that this is also true of some cancers in humans.

Doctors close to the program believe the search for human cancer viruses is coming to fruition. The search for these still-hypothetical villains has involved a broad spectrum of research studies. Research with primates is only a part of it, but an important part.

Although few types of virus have been suspected of contributing to cancer in humans, the final proof has been difficult to obtain. This is partly because it is morally impossible to inject human beings with suspected cancer viruses.

BENEFITS SEEN

To get around that problem, research workers have turned to man's close relatives in the animal kingdom. If monkeys infected with viruses from human cancers developed the same type of cancer themselves, this would be impressive evidence.

Furthermore, the growth of such viruses in the animals could help provide large quantities of viruses for further research and development of experimental vaccines.

Dr. Rauscher said research in the last several years has all but erased suspicion about a group of viruses called adeno-viruses, and has fixed it on other types, some of which were not suspected when the program began.

Among these are viruses of the herpes type; they are related in structure and chemistry but are not identical to a virus that causes cold sores.

[From the Washington Post,
 Sept. 10, 1969]

FUND CUT DISMAYS SCIENTISTS

(By Victor Cohn)

NEW YORK, September 10.—The president of the National Academy of Sciences, today predicted "panic in medical schools all over the country" because of a new and sudden 20 per cent cut in all National Institutes of Health research grants up for renewal this month.

The cutback—which NIH disclosed to medical schools with little fanfare several weeks ago—is effective immediately and will save "something under \$100 million," according to an NIH source.

The reductions were forced by President Nixon's recent order to cut \$3.5 billion from federal agencies' fiscal 1970 budget requests, which have not been acted on by Congress.

These cuts come on top of news that NIH may shut off financing soon on 19 clinical research units, advanced medical care projects in major medical centers, to save some \$4 million.

The new, far more drastic and definite action is just one part of what the National Academy's president, Dr. Philip Handler, called a "crisis facing all American science" because of cuts in federal financing for education and research.

That crisis concerned two bodies here today, the American Chemical Society, where Handler spoke, and the New York Academy of Sciences, which held a special meeting on the subject.

Budget-cutting has been "going on for three or four years," said Dr. Irving Selikoff of Mount Sinai Hospital, N.Y., president of the New York Academy, "and damage is now being built into American science."

The main effect, many speakers agreed, is on young men and women who want to start careers in physical, biological or medical sciences.

"The cuts are having a demoralizing effect, shutting the way to science for many," said Nobelist Dr. Albert Szent-Gyorgyi, director of the Institute for Muscle Research at Woods Hole, Mass. Working on cancer, he himself has lost NIH support because of the cuts, and now has a National Science Foundation grant letting him work "only with my two hands. I have to refuse all young students who want to start cancer research in my laboratory."

Shutting off training of young scientists and doctors "is false economy, it's selling our future short," Handler said. "Take the NIH cuts. If a microbiology department has 40 graduate students getting stipends, and all of a sudden it has zero, it's panic today."

The cuts, said Selikoff, are severely damaging both the training of doctors and improvements in medical care.

"I read about Secretary Finch talking of the need for doctors and improvements in training and care," he said. "Then I turn around and find funds for medical education, medical facility construction and more are all cut. There are medical residency programs in institutions from New York to California that are no longer being funded."

Dr. Lloyd Mintz, Columbia University astrophysicist and the New York academy's president-elect, estimated that U.S. physical science research is down 20 per cent in the past year "if the experience in our laboratory is typical and I think it is."

Speakers said the National Science Foundation, key federal agency supporting basic science, has received "little encouragement" from congressional sources in its drive to restore some of its fiscal 1970 funds. The House Independent Offices Appropriations Subcommittee, headed by Rep. Joe Ewins (D-Tenn.) recently cut NSF's \$500 million request by \$80 million, leaving the agency at about its 1969 level—but not coping with inflation.

Szent-Gyorgyi, with Mintz, blamed "huge military spending and military control over the economy" for science and higher education's plight.

But industry has failed to support new methods too, said Dr. Philip Abelson, editor of Science. Because of lack of development of new industrial processes—as well as aggressive selling—the United States is "in danger of losing industrial leadership and facing national insolvency," he said.

TWO SCIENTISTS ASSAIL MILITARY, ARMS STUDIES

NEW YORK, September 10.—Two Nobel Prize-winning American scientists made blistering attacks on militarism and chemical warfare today and called for a fresh look at national priorities.

The charges were leveled by Dr. George Wald, a renowned Harvard biologist and recent spokesman for turned-off youth, and Dr. Albert Szent-Gyorgyi, who discovered vitamin C and is credited with major contributions in biology.

Wald called on scientists to stop working on the "technology of death and destruction" and America's "chemical chamber of horrors"—napalm, chemical and biological weapons, defoliants and herbicides.

Speaking to an American Chemical Society

audience, Wald said he was asked by the Army's Edgewood Arsenal in Maryland a year ago to work on temporary blinding agents.

"I was called and told, 'You know a lot about the chemistry of vision. (Wald got his Nobel Prize in this field). You're just the man we want to consult with us.'"

He said he answered that he wouldn't work on agents to harm people and was told: "Wouldn't you rather blind them than kill them?"

But, Wald said, "The weapons would just be used to blind, then kill by other means, just as tear gas is used in Vietnam to smoke people out so they can be attacked by other weapons."

(At Edgewood, an information officer said: "We have no blinding agents period. Any tear gas would render one temporarily incapacitated as far as the ability to see is concerned. It's irritating to the eye, naturally. In a matter of minutes, the eye is back to normal.

Wald—never a political figure—came to national attention last spring when he addressed Massachusetts Institute of Technology students at a "research stoppage" called to protest military work on campuses.

Yesterday he described napalm, used in Vietnam, as "the most brutal and destructive weapon that has ever been created."

"The only reason I think people use it is that they aren't in position to watch its consequences," he commented.

The United States, he added, is now guilty of what World War I anti-German propaganda called "schrecklichkeit"; frightfulness. "As far as I can see, there is now no weapon and no means of war that our American Army is not prepared to use. I know of no restraints on the ground of humanity or sparing of civilians that now guide our American policy.

"And our students and children and young people everywhere are telling us about it. Our children don't like the world we have prepared for them and they don't see a future ahead."

Most of Wald's audience stood and applauded wildly although there were few listeners under 30.

The meeting's chairman had called Wald "one of the few people who's clearly a member of the scientific establishment who's also trusted by those under 30."

Szent-Gyorgyi spoke to a conference called by the New York Academy of Sciences.

"Armies always tend to grow and become more powerful," he said. "In the end, they serve their own interest more than that of their country, swallowing up half of the national income and creating incidents which make them needed.

"Armies are afraid of one thing only: peace, which makes them superfluous. So they spread the spirit of distrust and hostility.

"Armies tend to transform the whole world into a garrison. They are the curse of mankind, a blot on the face of human culture, an inherent threat to peace."

"The basic trouble is that the Army converts all results of science into means of destruction," he continued. "We scientists have achieved a wonderful knowledge of nervous activity; the Army makes nerve gases with it. We achieved wonderful knowledge of the nature of infectious diseases; the Army makes bacterial warfare of it. We disclosed the hidden energies of the atom, and the Army has brought us to the brink of extinction with it, and the great public blames us scientists for all this.

"If there is anything we have to tell urgently to the public it is that this conversion of scientific results into means of mass slaughter and destruction must stop."

THE FISCAL KNIFE ON NIH RESEARCH

The fiscal knife which the administration says it is forced to wield because of inflation

and Vietnam cut into medical research last week. Taking its place among the agencies whose funds are either being cut or pared by President Nixon's call for a \$3.5 billion reduction in 1970 budget requests is the National Institutes of Health. Total spending on medical research—in hospitals, universities and the NIH Bethesda labs—will be down from \$1.93 billion to \$1.64 billion, a cut of \$290 million.

Although medical and scientific researchers are often inclined to be a wolf! wolf! crowd whose sheep are not only under no attack but are often overfat to begin with, the abruptness of the present NIH cut does suggest that a wolf is near. Most immediately affected by the cut will be 19 clinical research centers. In a style similar to its closing of 59 Job Corps centers earlier this year, the administration expects to save money. But havings aside, where will the doctors go who have been conducting the research at the 19 centers? What about the diseased patients who will be phased out because money has run out? Or the millions of future sick people who will not benefit tomorrow because research into their particular disease was cut off today? In one area alone, an estimated 30,000 infants die every year in the period immediately surrounding delivery because basic research is not fully advanced in this area.

Aside from the research that is to be stopped without waiting for results, medical schools—with a heavy leaning on the government for research grants—will also be hit, both students and faculty. The danger of turning off the medical research motor is that it is not so easily started again. It is true, the 19 centers to be closed have only a handful of patients, but this is where basic biomedical research begins. It then fans out to advance research and, often, eventual use in the medical community.

It has long been a question whether medical schools and research clinics should have let themselves become so dependent on federal funds in the first place; but few other resources exist, either among foundations, which generally do not support medical research, or the drug companies, which by the nature of things are in the business more for profit than public service.

Although the Senate can appropriate more money for NIH than the administration requests, this does not mean the administration must or will spend it. Aside from the medical research programs themselves, what suffers also in this abrupt fund cut is the administration's sincerity in facing the health crisis. "The nation is faced with a breakdown in the delivery of health care," it said only two months ago in a major White House report. Now, it seems, in order to save money that could be saved in, say, cutting back on aircraft carriers or bombers, the administration is helping, not relieving, the breakdown. In putting the fiscal knife to medical research, the recovery may take a lot longer than the original cutting.

FORTY-THREE HOUSE MEMBERS CALL FOR MANDATORY EXTRADITION OF HIJACKERS

(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, 43 Members of the U.S. House of Representatives today introduced a concurrent resolution urging the United States to seek bilateral agreements with as many nations as possible for mandatory extradition of airplane hijackers to the flag country of the hijacked aircraft for prosecution.

The resolution states that hijacking of

commercial aircraft will cease only when an international agreement is reached that recognizes hijacking as a "vicious international crime" and provides effective machinery for prosecution of the hijacker.

The resolution notes that the Tokyo Convention signed by the United States and 34 other nations condemns hijacking but does not provide for extradition of the hijackers.

The Air Line Pilots Association of America and the International Federation of Airline Pilots Associations, which has its headquarters in Paris, have endorsed the resolution.

There have been 70 attempted hijackings of domestic aircraft in the United States since 1961.

Of these 51 have been successful with all but one going to Cuba. Forty-three of the 51 hijackings involved American commercial carriers and eight involved general aviation.

There have been 26 foreign air carriers hijacked to Cuba during the same period and another 25 air carriers were hijacked to foreign countries other than Cuba.

This call for House action was prompted by the recent hijacking of a Trans World Airlines Boeing 707 to Syria by Arab guerrillas. The resolution condemns Syria for continuing to detain two Israeli passengers taken from the American hijacked ship.

It urges mandatory extradition of all hijackers—including those who seek political asylum but stipulates that prosecution can be only for the crime of hijacking under such extradition.

Besides myself, Mr. Speaker, the sponsors of the resolution are:

Representatives JOSEPH P. ADDABBO, of New York; GLENN M. ANDERSON, of California; MARIO BIAGGI, of New York; GEORGE E. BROWN, JR., of California; JOEL T. BROYHILL, of Virginia; JOHN W. BYRNES, of Wisconsin; FRANK M. CLARK, of Pennsylvania; JAMES J. DELANEY, of New York; JOHN N. ERLBORN, of Illinois; SAMUEL N. FRIEDEL, of Maryland; JAMES G. FULTON, of Pennsylvania; NICK GALIFIANAKIS, of North Carolina; SEYMOUR HALPERN, of New York; JAMES F. HASTINGS, of New York; MARGARET M. HECKLER, of Massachusetts; CRAIG HOSMER, of California; JAMES J. HOWARD, of New Jersey; HASTINGS KEITH, of Massachusetts; EDWARD I. KOCH, of New York; JAMES R. MANN, of South Carolina; SPARK M. MATSUNAGA, of Hawaii; ABNER J. MIKVA, of Illinois; ROBERT N. C. NIX, of Pennsylvania; THOMAS P. O'NEILL, JR. of Massachusetts; RICHARD L. OTTINGER, of New York; THOMAS M. PELLEY, of Washington; CLAUDE PEPPER, of Florida; BERTRAM POBELL, of New York; HOWARD W. POLLOCK, of Alaska; THOMAS M. REES, of California; FRED B. ROONEY, of Pennsylvania; CHARLES W. SANDMAN, of New Jersey; JAMES H. SCHEUER, of New York; ROBERT O. TIERNAN, of Rhode Island; JOHN V. TUNNEY, of California; JOSEPH P. VIGORITO, of Pennsylvania; G. WILLIAM WHITEHURST, of Virginia; LAWRENCE G. WILLIAMS, of Pennsylvania; JOHN WOLD, of Wyoming; LESTER L. WOLFF, of New York; JOHN W. WYDLER, of New York; and LOUIS C. WYMAN, of New Hampshire.

LEGISLATION TO ASSIST SECRET SERVICE IN PROTECTING THE PRESIDENT

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

Mr. McCULLOCH. Mr. Speaker, I am today introducing legislation proposed by the Secretary of the Treasury to assist the Secret Service in its assigned task of protecting the President of the United States.

The bill would prohibit unauthorized entry or disorderly or disruptive conduct in or near any temporary Presidential residence, such as the Western White House in San Clemente, Calif. The bill would also make it a misdemeanor to knowingly and willfully obstruct or interfere with a Secret Service agent in the performance of his protective duties.

By making these acts Federal crimes, the Secret Service would have the authority to arrest violators without having to rely on State and local law enforcement officers operating under the myriad of criminal codes in the 50 States and innumerable localities.

Mr. Speaker, I feel very strongly that the Secret Service—to whom our President's life is entrusted—must be given this much needed authority to do its job.

AUTO MECHANIC LICENSING ACT OF 1969

The SPEAKER pro tempore (Mr. PUCINSKI). Under previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, every automobile on the highway is a potential instrument of death. Senseless as it seems, more Americans are killed in auto accidents than in Vietnam. The protests of an indignant public have resulted in new tire safety standards and some grudgingly conceded automobile safety features. But in a nation of 100 million cars, the burden of responsibility for a vehicle's safety lies just as much with the mechanic who services it as it does with the manufacturer or the driver.

Yet evidence suggests that one out of every three autos sent into repair shops is not coming out properly fixed. Wheel alignments, brakes, transmission trouble—it does not matter what the needed repair is: either it is not being fixed or it is being fixed unsatisfactorily. And the public is being gouged in the process—paying \$25 billion annually for repairs.

Who are these mechanics at gas stations or in dealer service centers? Are they reliable? competent? legitimate? Are auto mechanics even trained?

In almost every phase of life we protect the consuming public by demanding that those who service them qualify to practice their trade—through rigorous testing and training. Its just as commonplace for a plumber or beautician to be licensed as it is for a doctor or dentist.

We would not dare allow airplanes to be

fixed by anyone other than thoroughly trained, licensed mechanics. Yet anyone with a monkey wrench can call himself an auto mechanic and hire himself out—even though the risk from auto accidents is 400 times greater than risks from air travel.

To remove further suspicion of chicanery, incompetence, and shoddy repair work among the Nation's 800,000 auto mechanics, I am today introducing legislation aimed at encouraging the States to license motor vehicle mechanics and set up training programs so individuals can attain specified levels of competence.

There are no standards or guidelines at present for allowing the public to distinguish the skilled mechanic from the incompetent one, and the honest mechanic from the unscrupulous chiseler.

Where the mechanic is skilled there should be no question as to his ability to meet the standards that would be set by my proposal. It sets minimum amounts of training and levels of skill which mechanics would have to meet in order to be licensed.

In addition, the bill would require the establishment of grievance procedures so that the public would have recourse against unscrupulous or incompetent mechanics.

And what about the mechanic's employer—the owners of the Nation's 400,000 auto service centers? Are they completely honest and without blame? Many mechanics are also owners, but often the service center is operated by a businessman trying to make a dollar by any means possible. The owners of the 33,000 dealerships, 115,000 auto repair shops, 212,000 gasoline stations, and 11,000 small repair outlets must also be licensed to guard against malfeasance. Consequently, I am presently considering alternative approaches for the licensing of service station owners.

The licensing would be done by the States, as they now register motor vehicles. However, since so much auto traveling today is between States, the Federal Government should play an active role in advocating the establishment of stringent licensing requirements in the 50 States.

QUALITY OF REPAIRS

The widespread existence of unsafe autos is no figment of the imagination. Stories abound about how mechanics usher cars in and out of service centers, frightening consumers with their dearth of know-how when perhaps what ails a vehicle could be fixed with a 25-cent gasket.

Repairs are simply not being made, and usually the consumer pays for them, assuming the work has been done.

A recent Automobile Association of America study in St. Louis surveyed over 6,500 repairs done on 2,000 vehicles, and found that over a third of all needed repairs either were not done or were done unsatisfactorily. It was found that 50 percent of the latest model cars had at least one serious defect, and up to 75 percent of older cars were defective. See table I.

Repair work on the vehicles in the St. Louis survey was incredibly lax, with

shocking variations in quality and consistency. On headlamp adjustments, 72 percent of the repairs were not acceptable by AAA standards; on front-end work, 57 percent of the repairs were not acceptable; between 20 and 26 percent of steering repairs were not acceptable; and 17 percent of all brake work was not acceptable.

When the AAA's Missouri affiliate rechecked hundreds of the unacceptable repairs, the results were still not satisfactory. Only 33 percent of the rechecks were now acceptable, while 36 percent were poor and 31 percent were bad. See table II.

The story is the same in other cities. A diagnostic center president, Glenn F. Kriegel, of Denver, told the Senate Subcommittee on Antitrust and Monopoly, that in Colorado it is more than likely repair work just is not done, even if the consumer pays for a mechanic's services.

In Denver, Kriegel testified before Senator PHILIP A. HART's committee:

Ninety percent of the autos processed just after clearing their semi-annual Colorado inspection, do not meet regulation headlight aim, over 50 percent have alignment or suspension defects, and over 25 percent have brake system defects.

And he explained:

Of some 5,000 to 7,000 vehicles returned to his shop for a recheck, only a very minute percentage . . . has been repaired per manufacturers specification for which the owner has a paid repair order.

REPAIR COSTS

Paying for auto repairs that are not done may appear an unusual form of chicanery, although numerous complaints attest to its prevalence. But repair costs in general are often fraudulently manipulated or tied to a ruthlessly monopolistic pricing system rigged by the auto manufacturers.

The Department of Transportation reported last year that evidence is mounting that many car owners are being victimized by poor or unnecessary auto repair work and excessive charges. This practice is commonly known as "scalping." In New York City, a study of 19 garages showed that five diagnosed a motor engine defect at costs from zero to \$40 and 11 garages turned in completely false diagnoses.

The pricing system I referred to is the anachronistic flat-rate system, a relic of the past which encourages mechanics to work faster so they can earn more. Under this decades-old pricing system, mechanics are paid piecework for each repair they do, which leads to time-saving devices, low quality, and cutting corners so the mechanic can increase his salary.

These piece rates are established through manufacturer's manuals, which set times and dollar values for specific repairs.

There are all sorts of abuses built into this so-called incentive system. For instance, manufacturers insist that mechanics adhere to the manual rates even if an honest, conscientious mechanic feels a repair needs additional work to guarantee its performance. And insurance companies have become notorious in their abuse of the system, often insisting that mechanics discount

their prices if they want the carrier's business.

It is a vicious cycle, one which has caused auto repair prices to rise almost 30 percent in less than a decade.

William W. Winpisinger, general vice president of the International Association of Machinists and Aerospace Workers, says:

The customer is charged not for what he receives—and the mechanic is paid not for the length of hours he actually works—but according to the rate set in the book.

The system, the union official explains, leads to shoddy work and often exorbitant prices for the customer. He says:

The flat rate system does not allow the mechanic any time to do the checking, diagnosing or trouble-shooting on the customer's behalf.

MECHANICS' PROBLEMS

This dilemma for the honest, skilled mechanics is compounded by the strange salary formulas different shops pay them. Very few shops pay weekly salaries or even hourly wages. Most pay mechanics at 50 percent of the flat-rate price for work done, or combinations of flat rates and hourly rates.

Only 14 percent of the Nation's 800,000 mechanics are unionized—making decent wages comparable with what their level of skills command in allied industries today. Most are lucky to earn \$6,500 yearly—and if they work in the neighborhood gas station, earnings may be less. It is only the mechanic with an eye on the dollar who is hustling customers and seeking time-saving devices who earns upwards of \$10,000 yearly.

Auto mechanics are also overloaded with work—and often speed up repairs to keep abreast of incoming cars.

Motor Age magazine estimates that before the automobile boom, in 1950 the ratio of mechanics to vehicles was about 1 to 80; the ratio is now 1 to 130, and the situation is getting worse.

It is also disturbing to think that only 35 percent of all auto mechanics were trained in programs approved by Federal or State departments of labor.

The International Association of Machinists reports that of the relative number of shops it has organized, only 30 percent of the owners have agreed to establishing apprenticeship programs.

Some auto manufacturers have mechanic training programs to assist their franchised dealers in meeting their needs for mechanics—but their impact has been minimal. For example, Ford has 40 training centers and General Motors maintains 30 centers in populated areas.

Estimates suggest that by 1975 there will be close to 120 million vehicles in America, a demand that would require another few hundred thousand mechanics to service them.

Where will this labor supply come from? Youth has long been fascinated by automobiles, and there is no reason why auto mechanic training schools could not be geared for today's unemployed youth. Unemployment among boys 18 and 19 years of age is particularly high—running to 20 percent for black and 8 percent for white youth.

These young men's latent skills could be carefully utilized if the 400,000 auto service centers are going to serve the Nation's motorists.

Anything less than an all-out effort to license the Nation's auto mechanics and service center owners then, making them responsible for the safety of auto repairs and the soundness of their charges, would be a blatant omission that Government does not recognize its obligation to the Nation's consumers who rely on auto mechanics for necessary services.

The inertia of government must be overcome. It is imperative that we recognize the need to license auto-repair mechanics and promptly set reasonable standards of training and performance.

LEGISLATIVE ANALYSIS

Following is a detailed legislative analysis of the proposed Motor Vehicle Licensing Act:

First, the legislation recognizes the importance of the States by leaving to them the actual design and implementation of licensing examinations and training programs. But it assumes Federal responsibility for insuring the safety of our highways and the right to involve National Government in an instrument of interstate commerce such as the automobile.

The bill would provide Federal financial assistance to the States up to 80 percent of the cost of State licensing programs. However, it would emphasize the vital need for action in this area by withholding a portion, 10 percent, of the highway trust funds, if a State made no effort to develop this safety program. The creation of more and more highways would be an activity the Federal Government could not sanction if these roads were only to be traveled by unsafe, incompetently repaired motor vehicles.

A State accepting Federal aid for its licensing program would be required to submit its plan to the Secretary of Labor for approval. The Department of Labor is particularly suited to oversee these activities because of its ongoing program of developing voluntary training and licensing guides with States, private dealers, truckers, and others. The Bureau of Apprenticeship and Training has developed a wide expertise in this subject matter and has proved most effective.

Several standards for State programs are incorporated in the legislation, but it is envisioned that the State will feel free to innovate and experiment in the creation of the programs.

A minimum amount of 3 years' training is set out with the understanding of the complexity of the automobile and the need for extended instruction on both a theoretical and practical level.

A requirement for some type of ongoing training for those already licensed derives from the ever changing nature of automotive design. A competent professional in any field must keep up with the state of the art.

A specific examination should be required, to assure a uniform standard of qualification has been achieved by individuals regardless of the number of course hours recorded to their credit.

Although a grandfather clause is tempting, to assure the continual availability of mechanics in our time of shortage, we cannot escape the need to examine existing professionals to assure a general level of competence. However, a practicing professional need not undergo any training program if he can pass the examination within 1 year.

Finally, the bill provides a procedure through which the consumer may register grievances against licensed mechanics and subjects the accused to penalties. The mere accreditation of a student cannot assume his competent behavior once he is on the job. It is hoped, as well, that this mechanism will be encouraged by those in the field in order to develop a new feeling of respect and mutual trust which has been lacking in the extreme between the consumer and the repairman in recent times. Rather than engaging in the usual war of threats or a costly court proceeding, both parties to a dispute can immediately and simply have a competent, objective third party, who can hear their dispute. Such a grievance board would equally represent qualified experts of both labor and the public to insure fairness.

The need for a program of periodic motor vehicle inspection is also recognized as an integral part of such legislation. The consumer must do his part to keep up his automobile if he is to demand equally high standards from the mechanics who work on his car.

COMPLEX PROBLEM

I believe the scheme of State action I have outlined is responsive to the problem, but it is not a panacea. The safe and inexpensive repair and maintenance of automobiles is not an easily obtained goal. The complexities of the auto industry require the active interest and involvement of many parties beyond the mechanic. The dealers, the manufacturers and the driving public itself bear considerable responsibilities. My legislation, therefore, approaches one facet of the problem, albeit a vitally important one. More significantly, I hope my bill will be a first step in the search for solutions on all fronts and the initiating spark in a wide campaign to insure the highest standards of care for the machines which carry this highly mobile Nation.

I would like to insert the text of the bill in the RECORD, as follows:

H.R. 13824

A bill to establish a grant-in-aid program to encourage the licensing by the States of motor vehicle mechanics

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Motor Vehicle Mechanic Licensing Act".

SEC. 2. Congress hereby declares that the purpose of this Act is to promote public safety, and to protect consumers and to that end the States shall be encouraged to establish programs for the licensing of motor vehicle mechanics.

SEC. 3. As used in this Act—

(1) "Motor Vehicle" shall mean any vehicle driven or drawn by motor power manufactured for use on the public streets, roads, and highways, except any vehicle operated exclusively on a rail or rails.

(2) "State" includes each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

(3) "Motor vehicle mechanic" means any individual who repairs motor vehicles, either on a full-time or part-time basis, and who receives monetary compensation for such repairs.

(4) "Secretary" means the Secretary of Labor.

Sec. 4. (a) Each State shall have a motor vehicle mechanic licensing program approved by the Secretary and designed to carry out the purposes of this Act.

(b) The Secretary shall approve a State motor vehicle mechanic licensing program under this Act only if such program—

(A) requires appropriate examination of all individuals operating as motor vehicle mechanics on the effective date of the motor mechanic licensing program in such State in accordance with examinations approved by the Secretary, and permits any applicant under this paragraph who fails such examination, upon request, to be given appropriate training and reexamined within one year of the date of the first such examination, and requires any applicant who fails such reexamination to be considered as an applicant subject to the provisions of paragraphs (B), (C), and (D) of this section.

(B) requires a minimum of at least three years' training as a condition for licensing as a motor vehicle mechanic for any individual who, on the effective date of the motor vehicle mechanic licensing program in such State is not operating as a motor vehicle mechanic on such date.

(C) requires the establishment and operation of an apprenticeship and training program approved by the Secretary designed to provide the training required by paragraph (B) of this subsection and the establishment and operation of a program of advanced training for persons licensed under such program.

(D) requires appropriate examination of all applicants for licenses in accordance with examinations approved by the Secretary.

(E) establishes procedures for the proper consideration and disposition of allegations concerning the competence of any individual holding a license or who is an applicant for a license. Such procedures shall require that the initial disposition of any such allegation be made by a board, commission, or similar body, who shall contain (among others) members representing the public and members who are licensed motor vehicle mechanics in that State.

(F) provides for appropriate disciplinary action in the case of any individual holding a license who is determined not to meet standards of competence.

(G) requires that failure of a licensee to actively operate as a motor vehicle mechanic for any extended period of time may result in the revocation of such license.

(H) provides for the establishment of criminal or civil penalties, or both, for individuals operating as motor vehicle mechanics without a license.

Sec. 5. The Secretary is authorized to pay not to exceed 80 percent of the cost of any State motor vehicle mechanic licensing program approved by him under section 4 of this Act (including personnel and administrative costs).

Sec. 6. Federal aid highway funds apportioned on or after January 1 of the third calendar year beginning after the effective date of this Act to any State which is not implementing a State motor vehicle mechanic licensing program approved by the Secretary in accordance with this Act shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be apportioned to such State under section 104 of title 23, United States Code, until such time as

such State is implementing an approved motor vehicle mechanic licensing program. Any amounts so withheld from apportionment shall be reapportioned to other States in accordance with the applicable provisions of law.

Sec. 7. No State shall receive any Federal assistance under this Act if it is not implementing a program of periodic motor vehicle inspection approved by the Secretary of

Transportation in accordance with section 402 of title 23, United States Code.

Sec. 8. Nothing in this Act shall be construed to prevent any State from establishing differing classes of licenses for motor vehicle mechanics if such differing classifications are based on standards which are uniformly applied with respect to each such class and if such classifications and such standards are consistent with the provisions of this Act.

TABLE I.—CARS WITH 1 OR MORE POTENTIALLY DANGEROUS DEFECTS¹

	1963	1964	1965	1966	1967	1968	1968 (less than 500 miles)
Cars tested.....	991	1,373	1,827	1,780	1,195	597	41
Cars with 1 or more defects.....	818	1,135	1,491	1,355	725	300	18
Percent.....	92	82.6	81.6	76.1	60.6	50.2	43.9
Total cars tested.....							7,804
With 1 or more defects.....							5,842
Percent.....							74.8

¹ Prepared by the Auto Club of Missouri of the American Automobile Association.

TABLE II.—QUALITY OF REPAIRS CLASSIFIED BY TYPE OF REPAIRER AND CATEGORY OF REPAIR¹

Garage type and repair classification	[In percent]							Totals
	Brakes	Alinement	Lights (aim)	Engine	Ball joints	Steering	Other	
Dealers:								
Satisfactory.....	83.0	43.6	28.2	70.3	84.5	74.3	85.0	63.3
Poor.....	14.4	41.0	29.2	27.0	8.3	21.8	11.1	24.4
Bad.....	2.6	15.4	42.6	2.7	7.2	3.9	3.9	12.3
Repair garages:								
Satisfactory.....	88.0	39.8	30.2	75.2	96.6	84.3	84.0	68.4
Poor.....	7.5	47.7	21.4	22.6	3.4	14.6	14.8	21.1
Bad.....	4.5	12.5	48.4	2.2	0	1.1	1.2	10.5
Service stations:								
Satisfactory.....	78.0	44.6	24.8	71.3	96.3	80.6	83.0	66.0
Poor.....	14.6	39.8	31.4	26.1	3.7	15.5	13.0	22.9
Bad.....	7.4	15.6	43.8	2.6	0	3.9	4.0	11.1
Specialists:								
Satisfactory.....	89.0	52.3	25.0	62.3	100.0	92.0	91.0	73.1
Poor.....	6.6	34.3	29.2	29.6	0	4.6	9.0	18.5
Bad.....	4.4	13.4	45.8	8.1	0	3.4	0	8.4
Miscellaneous:								
Satisfactory.....	100.0	0	0	100.0	100.0	100.0	100.0	75.0
Poor.....	0	100	100.0	0	0	0	0	25.0
Bad.....	0	0	0	0	0	0	0	0
Total:								
Satisfactory.....	83.0	43.5	28.1	71.3	92.3	78.2	84.9	65.4
Poor.....	12.5	41.9	28.4	26.2	5.6	18.7	11.9	23.3
Bad.....	4.5	14.6	43.5	2.5	2.1	3.1	3.2	11.3

¹ Prepared by the Auto Club of Missouri of the American Automobile Association.

SAN JUAN'S YOUNG KING WHO CLIMBED TO THE MOON

The SPEAKER pro tempore. Under previous order of the House, the Resident Commissioner from Puerto Rico (Mr. CORDOVA) is recognized for 5 minutes.

Mr. CORDOVA. Mr. Speaker, in the saga of astronaut Michael Collins, is a poignant chapter of a boy carnival king in San Juan, P.R. I am sure that today is an appropriate occasion to recount that tale and I am privileged to include the translation of an article which appeared in the August 7, 1969, edition of El Imparcial, of San Juan, P.R., as follows:

SAN JUAN'S YOUNG KING WHO CLIMBED TO THE MOON

(By Miguel A. Yumet)

What I am about to tell you could very well fit a fairy tale. It all started in January 1942, in San Juan, Puerto Rico. Our characters, a small and very pretty blonde girl and a young and handsome boy, proudly paraded through the crowds arm in arm. The girl, Queen Marymac Malcolm, the king, Michael Collins. These two youngsters were to preside and represent the younger generation at the

1942 San Juan Carnival. Marymac was the daughter of the then Attorney General for Puerto Rico and his lovely wife. Michael was the son of General Collins, head of the Armed Forces in Puerto Rico, and Mrs. Collins. The latter couple and their family resided in historical Casa Blanca, quarters for the Commanding General of the Antilles, near equally historical Morro Castle, in San Juan.

Angelina Silva de Besosa a most distinguished lady in San Juan's society circles and social director of the Escambrón Beach Club, was responsible for the election of the young king and queen of this social club. Along with Jack Bolivar, also very well known in the San Juan circles, she visited Marymac and Michael's parents to get their approval of this honor to their children.

Since 1942 was the middle of the war, they decided to contribute the benefits of the coronation ball to the Civil Defense general fund.

To add to the year's carnival splendor every other social club in the capital city agreed to have Michael and Marymac preside over their Carnival celebrations. Hence, they were proclaimed king and queen of the San Juan Carnival, as well as of the two leading social clubs: "La Casa de España" (The House of Spain) and The Puerto Rican Club.

I am proud to say that the 1942 Children's Carnival has been one of the most colorful

and better-attended in the city's history. Michael Collins wore a white uniform, while his Queen Marymac, dressed also in white, represented peace. The court was composed of handsome Puerto Rican and stateside children, who majestically added to the splendor and authentic flavor of the Carnival.

Who would have foreseen then, that this young and handsome boy with the passing of years was to become an international hero, who, in 1969, with two other brave men would set out to conquer successfully the unknown world of the moon.

The Sunday before the heroic trip, Michael Collins with his wife and children attended Mass in his local parish church and received Holy Communion. The priest, because of the dangerous space mission ahead and knowing of Collins' Christian devotion, gave him the Sacred Host, that he might take Holy Communion in space the following Sunday.

Michael Collins, the young king of the San Juan Carnival in 1942, became a part of the history of man. We as Puerto Ricans are proud of his great feat. We experience a share of his great glory. How thrilled we would be if Michael Collins were to come back to his old playground! To see once again the place where he lived and shared the joys of his youth, his playmates, his old school house, the Academia del Perpetuo Socorro, the old walls that encircled his home.

This family was dearly loved in this Island. In that same year, his older sisters participated in the Carnival festivities as much as their brother. One of them, Virginia, was maid of honor to the Condado Beach Queen, Gloria Carrión. She represented the Navy and was escorted down the aisle by several ladies in waiting.

Michael Collins, the leading character in this fairy tale that started in 1942, climbed to the moon in 1969, now more than a junior carnival king, he is a hero. The world bows before him. The heroic feat by him, Nell Armstrong and Col. Edwin Aldrin, Jr., his companions of the Apollo 11 mission, has marvelled humanity. Because of them, the world has become closer knit—all human beings, regardless of race and creed, have united in singing praise to them.

We ask God's eternal blessing on this extraordinary man, whom we shall always remember as San Juan's boy Carnival King.

Our young king, the world's great hero.

CRISIS IN WORLD STRATEGY: PROGRAM FOR A VIETNAM VICTORY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 10 minutes.

Mr. RARICK. Mr. Speaker, as a former soldier in the U.S. Army during World War II in Europe with experience as a prisoner of war, I have watched our country's military involvement in the Vietnam war on the mainland of Southeast Asia and its lengthening casualty lists with deep concern over what seems to have been its futility.

While the situation facing the United States and its allies has called for a strategy that would end that bloody conflict with victory, I have read of nothing reflecting the strategic insight that General MacArthur so brilliantly exhibited in the conduct of the Korean war.

It was, therefore, with keen interest that I have read a most perceptive address by Gen. Cao Van Vien, Chairman of the Joint Staff of the Armed Forces of the Republic of Vietnam, given on December 18, 1968, before the delegates and

observers of the World Anti-Communist League Conference in Saigon.

During the administration of President Ngo Dinh Diem of South Vietnam, Gen. Cao Van Vien was the head of the military office of the President at the Independence Palace in Saigon. He has had extensive training under experienced French officers and is a helicopter pilot.

Mr. Speaker, because of the quality of the indicated address, I quote it as part of my remarks and commend it for study by cognizant Members of Congress and officials of the executive branch of our Government:

ON THE NECESSITY OF A VIETNAM STRATEGY (By Gen. Cao Van Vien)

For reasons beyond my control, I am faced tonight with the great honor and also the great challenge of speaking to you. I consider it a great honor, for at no time in my long career as a soldier and a military leader have I been given the task of addressing such a distinguished audience.

The topic, which I have chosen for tonight, of course, has something to do with my profession. It is the problem of a proper strategy, which we of the Free World should devise and adopt to bring the Vietnam conflict to an end, successfully.

In the olden days, when war was still the monopolistic concern of emperors and kings and a small number of captains with political ambitions, Strategy enjoyed an incomparable reputation as a science. It was considered as an essential instrument of victory or the very cause of defeat in all military conflicts.

Again this context, one easily understands why the name of Karl von Clausewitz (1780-1831) became a household word, and Sun-tze's grew to be venerated in both East and West. Also against this context, one appreciates why Liu Pei, one of the scions of the famed Han dynasty, humbled himself three times to win the services of Kwon Ming, the most remarkable strategic mind of the Three Kingdoms period.

With the great scientific strides made by man in the past hundred years, however, the nature of war itself appears to have changed. Instead of a confrontation of wills, it seems to have grown into a contest basically involving such material means as industrial capabilities, production of weapons, and others. In the present day, war also has become total in character, encompassing all aspects of a nation's life and bringing about a radical change in principles guiding its conduct.

On the basis of history-making developments in the recent past, one can say that such notions as military doctrines, strategies and tactics have given way to technical inventions and scientific discoveries as potential solutions to the problems created by the state of war. Contemporary history includes many examples pointing to the bankruptcy of Strategy as the primary war-winning factor.

It is my view that France defeated Germany in World War I not because of a better strategy and, thus, its strategically inexplicable victory over the German armies in 1918 includes the very seeds of its debacle twenty years later. I am also of the opinion that the Anglo-U.S. Alliance of the early forties, after saving Western civilization from the prospects of a new Dark Age made more protracted and terrible by novel scientific inventions, forfeited one third of mankind to Communism in the decade following V-Day simply because of the non-existence of a proper strategy.

Let me also tell you of my view that the Korea and Indochina wars ended in conditions unfavorable for the Free World simply

because it did not have a proper global strategy to counter the new perils engendered by that of the Communists, which is based on "revolutionary" wars and "limited" conflicts.

In the case of the present Vietnam crisis, too, the many great difficulties encountered by the forces of Freedom should not be traced to our lack of manpower or material resources or to our unwillingness to endure hardship. They should instead be attributed to the absence of a doctrine that should encompass, as the enemy's does, all fields of activities—political, military, economic and diplomatic—out of which a proper military strategy may be developed.

It is a matter of course that if such a strategy may be devised, the initiative would be ours in all respects, and one of its natural consequences would be the reduction of the enemy to the defensive and the limitation of his freedom of action. But before I may venture a few ideas on the proper strategy to be adopted for the Vietnam conflict, let us first have a look at the various strategic tenets that were developed and formulated through the ages, and some of the main points of the most important and lasting doctrines.

In the words of nineteenth-century author Karl von Clausewitz "Strategy is the art of making use of a nation's military capabilities to realize its political objectives." Many years later, in 1939, an English military student by the name of Liddell Hart and a French writer by the name of Raymond Aron also gave similar definitions.

In my opinion, such a definition is rather narrow in scope as it gives too much importance to the purely military aspects of a conflict and too little consideration to what Napoleon Bonaparte (1768-1821) referred to as the "sacred part" of strategy. Without this, strategy would be nothing but the totality of war techniques at a given time and, thus, would include such immovable rules as may be applicable to any army, anywhere and at any time. If such is the case, there cannot be more than a strategy. Indeed, strategy cannot be so very simple.

Before going any further, let me try first to define strategy as *the art of influencing the outcome of a conflict of wills, especially through the use of force*. It thus ensues that any strategy should be made up of three separate parts: (a) the planned objective, (b) the means available for its realization, and (c) the plan according to which the said means are used for its attainment.

In the course of the long history of human conflicts, there have been devised many strategies and strategic doctrines. I shall not mention them all, though. What, I think, is of interest to us the present moment is the strategic approach the Communists have been using—rather successfully—in their avowed conquest of the world.

Communist theoreticians are, of course, many. But leading them all are Vladimir Ilyich Oulianow alias Lenin and Josef Vissarionovich Djughashvili alias Stalin. Both men were known to consider revolutionary wars at the principal means of realization of their global objectives and they have proposed the three following concepts: unity among the people and armed forces, primary importance of the rear, and psychological preparation before any military action of importance.

The first of these principles has had its clearest reflection in the war opposing the Communist and Nationalist forces over 20 years ago on the Chinese mainland. In other revolutionary wars, which take place in smaller geographical contexts, the second principle is of the greatest importance. A winning counter strategy must therefore include measures to eliminate base areas, as they are havens Communist troops may rest and recuperate to prepare their next moves under the safest conditions. So far as the psycho-

logical preparation is concerned; it should be noted that this is nothing new as it has been implemented by the armed forces of every country but the Communists have on the whole attached more importance to the practice than non-Communist countries.

China's Mao Tse-tung was to expand and adapt these principles to the particular conditions of Asian and African countries in the late forties and fifties. Through his many writings, Mao proposes six principles: withdraw when the enemy advances, attack when the enemy withdraws, strategy of the few against the many, tactics of the many against the few, live on the enemy's supply, and let the army live among the people as fish in water.

But, still in Mao's view, one of the prerequisites for a successful prosecution of revolutionary wars is the ability of the leaders to mobilize the people politically. Said he: "What is political mobilization? Political mobilization of the masses requires that the people and the armed forces be well aware of the political objectives of the struggle. Each and every soldier and citizen must fully grasp the necessity of prosecuting the war effort and how it affects him personally."

It thus is evident that Mao pays great attention to the problem of mobilization of the masses, allying the masses closely with the armed forces and using man as the main instrument of struggle. Lin Piao was to develop the Maoist theory and use it as the main principle guiding the conduct of the many wars Communist China has been a party to.

Lin is not exactly a military strategist as his contribution to martial literature consists merely of interpretative articles of Mao's thoughts, especially since the Chinese Communist leader stopped writing on military affairs in 1941. As Minister of Defense, however, Lin once sketched Peking's strategy in a long newspaper article that stressed the importance of the two following principles: unity among the people and the armed forces, and encirclement of the townships by the countryside.

In the Vietnam war, the insurgents have constantly tried to apply Lin's principles. Thus, if we are to resist them successfully, we have to give careful consideration to these two strategic points in our attempt to devise a proper counter-insurgency approach.

Against Mao's and Lin's strategic thoughts, military leaders the Free World over, it must be said, have not come up with anything effective enough to counteract them. What are known as gradual dissuasion and flexible response have proved to be inadequate and their deficiencies have led to many limited conflicts. Such conflicts as the wars in Korea, Indochina, North Africa, the Middle East, and the Congo, and such crises as the ones in Hungary, Cuba, and Berlin, are more than adequate proof that these deficiencies may very well gradually erode the military posture of the Free World and tip the balance in favor of the Communists.

Indeed, for nearly a quarter of a century, the Moscow-Peking axis has been rather successful in nibbling away at the free nations of the world. In their effort to enslave mankind, they have consistently refused to directly challenge the U.S. but have tried with different degrees of success to convert wars of independence into anti-American struggles. For whoever knows that this indirect strategy has been instrumental in the elimination of the West from continental China and a considerable part of Southeast Asia, and also should be viewed as the cause of so many of the Free World's headaches in the Middle East, Latin America, and Vietnam, its efficiency seems beyond question.

At the base of this indirect strategy is the idea of establishing a security margin and

of attempting to enlarge that margin while trying to reduce that of the enemy. The larger this security margin, also called freedom of action or initiative, the more varied the tactics one may employ. Let us look at the Vietnam conflict and the security margin respectively enjoyed by Washington and Hanoi.

For many years, the U.S. has had but two choices: either to continue to fight with self-imposed restraints or half-heartedly as it is now doing, or bring the war to North Vietnam and be ready for a much broader conflict that may lead to World War III. Meantime, North Vietnam and the National Liberation Front (NLF) of South Vietnam may assault the American embassy in Saigon, encircle Khe-sanh, attack South Vietnamese cities, mine such internationally frequented waterways as the River of Saigon, pound at merchant ships, raid and mortar hospitals, murder hundreds of innocent civilians, and kidnap third country nationals, without precipitating a decisive counterblow.

Why is that so? An answer to the question may be found in the very nature of the Communist strategy, which is one encompassing the entire world and whose success or failure definitely depends on certain external and internal factors.

Vis-a-vis the outside world, the Communists resort to all forms of peaceful struggle. For whoever may not be convinced of their effectiveness, a quick look at present-day America and the immense domestic problems created by the Vietnam war, would be enough to make him revise his opinion. Communist agents the world over have repeatedly appealed to the American people not to support "this dirty war" and by doing so, they have been rather successful in giving the average American a complex of guilt that has its clearest reflections in anti-war movements and the number of U.S. draft dodgers.

In addition to the above, international public opinion has also been maneuvered to create as many difficulties as possible for the American administration within the U.S., through what may be called the political and psychological front. This, as a rule, takes the form of continued psychological warfare actions that aim at the erosion of popular confidence in Washington in the handling of the simplest domestic development which ostensibly has nothing to do with the Vietnam conflict.

In the implementation of the indirect strategies, however, the real decision is sought more often than not at the level of the local conflict where three decisive elements are clearly distinguished: material capabilities, moral strength, and duration of the fighting period.

If one's material strength should exceed that of the enemy to a considerable extent, the other two factors need not be substantial. If not, one should be well motivated and prepared for a long struggle. These factors influenced Russian strategy in Czechoslovakia and in Korea but results varied greatly from one case to the other because the U.S. reacted differently in each instance.

In so-called revolutionary wars, the rebels, as a rule, do not have strong military means. They, therefore, have to think of their struggle in terms of years and decades, hoping to demoralize their opponents. In this context, it seems only a matter of course that such a conflict always is fought on two equally important planes: the military plane and the psychological plane.

In the present situation in Vietnam, all these elements are clearly in evidence. The lowering morale of the Communist troops, which was very high in the early years of the insurrection, is being offset by an increasing reliance on material means. And although the Hanoi leadership still speak of continuing the fight for another decade or two, indi-

cations are many pointing to their desire to reach a decision much earlier than the end of this century.

With all of these points in mind, I have sketched a Vietnam strategy that does not claim to be the only one possible at this time. For all its imperfections, let me enumerate its main points before setting to the task of discussing its merits and limitations. This strategy, which I would call one of isolation, includes seven steps:

- (1) Separation of the guerrillas from the local population so that their infrastructure may be eliminated;
- (2) Isolation of the local and regional troops from Main Force units so that they may not rely on one another and be more easily destroyed;
- (3) Neutralization of in-country base areas;
- (4) Neutralization of base areas in neighboring countries;
- (5) Establishment of an anti-infiltration barrier along the 17th Parallel from Dong-ha to Savannakhet;
- (6) Separation of the enemy's front and his rear by an amphibious landing in the area of Vinh or Ha-tinh;
- (7) Formulation of a Thai-Lao-Viet-Khmer alliance.

Most of the measures enumerated are purely military in character and cannot be expected to solve the Vietnam problem entirely. Prior to discussing them in detail, let me once again emphasize the total character of this our conflict, for the solution of which there must be a set of social, economic, and political measures likely to strengthen our military position and consolidate our gains on the battlefield.

At the base of the Strategy of Isolation should be our unmitigated adherence to the principle of service to the people. Only if the average person is convinced of the Government's good intentions, can he be expected to keep away from the Communists, thus depriving them of the opportunity to live among the people as fish in water. Only then can the legitimate administration succeed in eradicating the Communist infrastructure in the villages and, in so doing, wreck the enemy's strategy of encirclement of the urban areas by the countryside.

In order to isolate the enemy from the people, the administration must constantly make a many-pronged effort which should not only result in better security and well-being for the masses but also must seek their approval and allegiance, thereby reducing popular grievances and depriving the insurgents of the condition *sine qua non* for fostering subversive warfare in hiding among a discontented people. At this point, I should like to recall the observations of a French writer by the name of Roger Trinquier, author of *La Guerre Moderne* (Modern Warfare), where he shows himself to be a very shrewd observer of military developments in modern times. Trinquier suggests among other things that the problem of revolutionary wars can only be solved by meeting the people's aspirations with the help of a system of cadres imbued with the spirit of public service.

Before going further, let me once more go back to Lin Piao's principle of encirclement of the townships by the countryside, which, I think, is the basis of the Communists' global strategy as well as the one they follow in limited conflicts. Possibly the single exception, which confirms the general rule, is their *Tet* assault on the cities of South Vietnam but they might have embarked on that road with the hope of gaining control of the countryside as a bonus payment for their bold attacks on the cities.

Against such a strategy, ours also should place the emphasis on the countryside. We Vietnamese should devote all our time, energy and resources to the Revolutionary Development program so as to liberate the countryside. In this undertaking, the Malaysian experiment can supply us with many valuable lessons. Like the Kuala Lumpur government, ours should not shirk from strong

measures, especially when these constitute the only answer to the difficult problem of population control, without which nothing may be undertaken to improve their standard of living and make them positively loyal to the Republic.

Militarily, however, the liberation of the countryside is inadequate as a counter-insurgency measure. It is a matter of common knowledge that the Communist military strategy is one combining guerrilla and classical warfare, using local troops for small harassing actions and large units infiltrated from North Vietnam for their major operations. If those forces should be permitted to complement one another, the Vietnam conflict may last for a very long time, indeed.

For this reason, if we should simply work toward the elimination of guerrilla elements without containing the flow of infiltrators, the result would not be hard to predict. Infiltration from North Vietnam must be checked completely if the Communist threat is to be brought under control in the South. It is my view that air raids over North Vietnam cannot completely interdict the constant flow of arms and men into South Vietnam. Something else must be attempted.

Let us now look at a map of Asia and consider the geographical position of the Philippines, Malaysia, and the Republic of Korea, which at one point or another in their recent histories, have been faced with a Communist-sponsored insurrection. These countries are either archipelagoes or peninsulas connected to the Asian continent by a narrow neck of land. As Communist infiltration naturally came from the sea, the anti-infiltration task was made much easier than in Vietnam.

In the case of our country, which has a long land frontier to the West as well as an equally extensive coastline to the East, there are many natural sea and land corridors of infiltration, through which the Communists have been able to carry the materials of war to their South Vietnamese acolytes much more easily than to their comrades in Korea, the Philippines and Malaysia.

After trying many formulas to curb North Vietnamese infiltration, the allies have found none to be adequate. It is my view that a barrier cutting through all the main corridors of infiltration should be established South of the 17th Parallel, going from Dongha in Quang-tri Province to the Laotian city of Savannakhet on the Lao-Thai border. Let me also tell you that this defensive system should not be a Maginot or Siegfried-type line or a curtain of barbed wire. Rather, it should be a system of operational bases manned by about three divisions of troops, whose task would be to eliminate Communist elements presently warring in Southern Laos and threatening South Vietnam and Thailand.

This project of a barrier, however, would not be welcomed by the neutralist government of Laos as it can be construed as a violation of the 1962 Geneva Agreement. Should the difficulties encountered in this undertaking be insurmountable, the allies in Vietnam would have yet another option: an invasion of the southern panhandle of North Vietnam.

Of course, as the Republic of Vietnam does not nurture any territorial ambition, such an action would not result in the occupation of North Vietnamese land. The landing of troops North of the present demarcation line between the two Vietnams should simply aim at imposing a solution on Hanoi.

If this option were to be selected, the landing could be made just North of the 18th Parallel and South of the Song-ca river, in the area of Ben-thuy from where allied troops could push through to Linh-cam and Nape or from Linh-cam to the Mu-gia Pass, where the enemy is known to concentrate his troops for

the Southward March. In short, the plan would secure the occupation of the general area where the Ho Chi Minh trail begins, thus interdicting Communist infiltration at its very source. Such a plan would probably be feasible with the deployment of three infantry divisions and two armored divisions.

The suggested course of action would perforce be construed as a violation of the 1954 Geneva Agreements on Vietnam but the time may come when consideration of such subtleties of international law will have to give way to the requirements of the battlefield, especially if the truth should dawn on policymakers in allied countries that limits imposed on military commanders may forever deprive them of the victory they deserve.

However, with or without such an approach to a solution to the problem of war in Vietnam, the security of Indochina in the years to come can only be assured by a combination of military and political measures that should ultimately result in a Thai-Lao-Viet-Khmer alliance. Such an alliance will sooner or later come into being, for all these Indochinese states are presently threatened by Communist imperialism, and regardless of their political systems, will some day recognize that a united front is the only effective course to counter Hanoi's aggression.

In other words, the Thai-Lao-Viet-Khmer alliance is a strategic measure that could put an end to North Vietnam's territorial and ideological ambitions by isolating the Hanoi régime from their local communist henchmen. South Asian stability will then be on much safer ground and the Chinese threat much less serious.

Before concluding this talk, let me reiterate that the present Vietnam conflict is total in character, that it demands a solution which should not only be politico-military but also should not neglect such other aspects as diplomacy, culture, education and economy.

The war in Vietnam has lasted long enough to convince us that a totally new approach should be devised to successfully counter the Communist danger. Successful we must be, for otherwise there will be more Vietnams in the years to come. The current disturbances in Thailand constitute, I think, the most eloquent proof that the Reds have not in any way abandoned their final aim of world conquest—in spite of their loud protests of adherence to the notion of co-existence.

So long as poverty prevails in the world, Communist agents can easily start subversive wars and so long as there is a big difference between have and have-not nations, Lin Piao's "encirclement of the townships by the countryside" still stands the chance of leading Communism to a global victory. For, on a global plane, "the townships" are the industrial nations of Europe and North America and "the countryside" consists of the underdeveloped countries of Asia, Africa and Latin America. World domination by Peking, thus, is a definite possibility we have to counter at any cost.

The Free World, just in order to survive, should demonstrate unity and determination. United, we are very strong, and determined to be free, we will remain free. But we have to close ranks now and stop bickering among ourselves for petty causes. A united front is our sole road to salvation, for we must remember that the enemy is still pretty much alive and waiting for a propitious moment to strike what may be the *coup de grâce* for our cherished Liberty.

If we are united, it will not be very difficult to devise an effective global strategy to counter the Communist peril. It is my humble view that anti-Communist fighters should drive this point home to their governments and peoples, for realization of this verity is the prerequisite for the crystallization of an anti-Communist strategy that may contain

the Reds and convince them of the necessity to leave free nations alone.

Thank you for your attention.

JEWISH HOLY DAYS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey (Mr. MINISH) is recognized for 10 minutes.

Mr. MINISH. Mr. Speaker, on September 13, the members of the Jewish faith marked the first day of Tishri, the beginning of their new year. It is now the year 5730 according to the Jewish calendar, which dates back from 3761 B.C., the date traditionally given for the creation.

I join with my colleagues, constituents, and friends who are Jewish to mark these high holy days, culminating in Yom Kippur, the Day of Atonement, on September 22. The ram's horn, the Shofar, is blown in the temples, and all who hear know that it is a holy sound. World Jewry will join in communion on this day, when the Lord judges each individual. For Jews everywhere it is a day of fasting, confession, and repentance. It is also a day of forgiveness, of starting anew.

We are reminded during this time of the bounty ethnic Americans enjoy in America. Let me take this occasion to hope the new year brings good will to all men.

THE PETROLEUM SITUATION

(Mr. WAGGONER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAGGONER. Mr. Speaker, in spite of the valiant efforts of the petroleum industry to inform those outside the industry of the serious problems it faces, there is still great misunderstanding as to the basic facts with which the industry must concern itself every day.

Although it is an industry whose operations involve a substantially higher degree of risk than most others, obstacles continue to be placed in the way of its search for new reserves of both oil and natural gas.

An excellent discussion of supply and demand and the industry's need for incentives and additional capital outlays is contained in the June 1969 issue of a monthly review from the Energy Division of the Chase Manhattan Bank.

I insert this brochure entitled "The Petroleum Situation," in the RECORD so that my colleagues may have the benefit of the interesting statistics set forth therein:

THE PETROLEUM SITUATION IN JUNE, 1969 (By John G. Winger)

DEMAND

Averaging 13.6 million barrels per day, the demand for petroleum products in June registered a strong 6.5 percent gain over the year earlier level. But, as is often the case, the increase reflected in part a recovery from a relatively weak demand last year. Both gasoline and distillate exhibited a lack of strength at that time. This year, they were both back on trend—the call for gasoline was 7.1 percent higher and distillate was up

13 percent. Kerosene and residual fuel also conformed to the historical growth patterns with gains of 15.4 percent and 1.0 percent respectively.

The over-all demand for petroleum products in the first half of 1969 averaged 5.3 percent higher than in 1968—somewhat better than expected. It was the demand for gasoline and residual fuel that proved stronger than we had anticipated.

SUPPLY

Reflecting gains in Texas and Louisiana, domestic production of crude oil and other petroleum liquids reached the record rate of 11.1 million barrels a day in June. At that level, output was 461 thousand a day—or 4.3 percent—more than a year ago. Imports, on the other hand, declined. But at 2.9 million barrels per day, they were still 3.9 percent higher than a year earlier.

Refinery runs also set a new record in June, reaching a level of 10.9 million barrels a day. For the first half of the year, runs have averaged 2.6 percent higher than a year earlier—despite the refinery strike in January.

INVENTORIES

The petroleum industry added somewhat more oil to storage in June than is customary. But, even so, over-all inventories at midyear were substantially lower than at the beginning of the year—a comparatively rare development. And at 971 million barrels, they were only 11 more than a year earlier—a modest gain in view of the expansion of demand.

PRICE

Gasoline prices continued to fluctuate in the Mid-Continent wholesale market. June saw a reduction of $\frac{1}{2}$ cent per gallon which brought the price down to the level of a year ago and $\frac{1}{2}$ cent below two years ago. At the Gulf Coast, a $\frac{1}{4}$ cent increase brought the price in that market up to the level of two years earlier. For other major petroleum products the price remained unchanged in all the wholesale markets.

CAN'T WE EVER LEARN?

Last year the United States consumed 50 percent more oil than the domestic petroleum industry added to its proved reserves. It was not the first time the industry has been unable to keep pace with the nation's growing needs. Indeed, 1968 was the ninth consecutive year in which reserve additions of crude oil and other petroleum liquids were below the level of consumption. For the entire nine year period, the new reserves represented little more than four-fifths of the accumulated consumption in that time.

Ideally, the new reserves added each year should not only match consumption but should exceed it. Proved reserves are in the nature of underground inventories. And, as such, they should expand in reasonable proportion to the growth of market demand—if the market's needs are to be fully and continuously accommodated. If that goal had been achieved over the past nine years, the petroleum industry would have had to find 1.4 barrels of proved reserves for each barrel consumed instead of the 0.8 barrel it actually did find. In other words, it should have discovered a total of 51 billion barrels in the nine year period—two-thirds more than the 30 billion actually found.

It is not absolutely essential, of course, that the ideal situation be achieved. To a degree, the nation's domestic reserves can be supplemented with oil imported from foreign sources. And the United States now relies upon imports for nearly one-fourth of its needs. But the nation would incur a very grave risk indeed if it became heavily dependent upon outside sources. As the record forcefully demonstrates, reason does not pre-

vail throughout the world. And there is no real assurance that oil from abroad would be continuously and fully available. The economy of the United States is much too dependent upon oil to tolerate an inadequate supply. And in the unfortunate event of another international war the nation's position would be perilous if it had to rely upon a high proportion of imported oil. Prudence and common sense, therefore, require that the nation remain largely self-sufficient.

But it won't be much longer, if the trend of the past nine years continues. By 1980, the annual consumption of oil products in the United States is expected to reach 19 million barrels per day—nearly 50 percent more than the 13 million a day consumed in 1968. Between 1968 and 1980, the accumulated consumption is expected to amount to 70 billion barrels. If the United States is to maintain a minimum safe inventory of proved reserves and not become more dependent upon outside sources than it now is—obviously a desirable goal from the standpoint of the nation's well-being—the domestic petroleum industry will need to find and develop a total of 87 billion barrels between 1968 and 1980. Against that requirement, the recently reported discoveries in Alaska do not loom large—and we should be mindful that they are not yet in the category of proved reserves.

To find such a tremendous amount of oil will require an equally enormous capital expenditure. For the past two decades there has been a consistent relationship between the amount of money spent in the search for oil and natural gas and the proved reserves actually found. And if this relationship continues, the petroleum industry will need to spend approximately 116 billion dollars to find and develop 87 billion barrels of oil. That would necessitate an average outlay of 9.7 billion dollars a year between 1968 and 1980—well over twice as much as the industry has been spending in recent years.

In the past nine years—the period during which domestic reserve additions were less than consumption—the petroleum industry spent as much as 40 billion dollars trying to find and develop new sources of petroleum in the United States. By any standard, that was a huge financial effort. But, obviously, it was not enough. To have found sufficient oil to match market needs and maintain a satisfactory level of proved reserves, a capital expenditure of about 68 billion dollars would have been required—70 percent more than was actually spent. Why—if there was a need—did the industry fail to spend that much? The answer hinges primarily upon two factors: (1) the incentive to spend, and (2) the ability to spend.

Insofar as the search for oil and natural gas in the United States is concerned, the petroleum industry may be divided into two basic groups—the major companies and the independent producers. For a decade following World War II, both groups spent nearly identical amounts of money. And they both increased their levels of spending year after year, keeping pace with market expansion. By the mid-fifties, each group was spending approximately 2.5 billion dollars a year—more than three times as much as they were a decade earlier. But since that time, their pattern of capital spending has changed to a marked degree. The major companies have sharply curtailed the rate of growth of their expenditures. And the independent producers have progressively reduced their annual outlay. Currently, the independents are spending only half as much as they were a dozen years ago.

These developments provide clear evidence of damage to the incentive to spend. Obviously, if the rate of return on their investment had been more attractive relative to other investment opportunities, both groups

would have spent more than they did in their search for additional domestic reserves of oil and natural gas.

But neither group had financial resources sufficient to support a fully adequate expenditure. The petroleum industry is far more capital intensive than most others. And the scope of its activities creates vast capital needs. It is also an industry whose operations involve a substantially higher degree of risk than most others. And, for that reason, it has had to generate most of the funds for its capital and other financial requirements from its operations. Historically, about 45 percent of the money needed has been derived from net earnings, another 45 percent from the various provisions for capital recovery, and only 10 percent from the capital markets. But in recent years the industry has been unable to generate enough from operations and has had to depend much more heavily upon borrowed capital. Currently, its use of borrowed funds is well over twice as large as the historical proportion. Had the industry chosen to spend all the money required to maintain a satisfactory level of proved reserves over the past nine years, it would have been forced to borrow far more than it actually did. And we must be mindful, of course, that all borrowed capital eventually must be repaid with funds generated from operations.

Clearly, the availability of sufficient petroleum from domestic sources is vital to the welfare of the United States. And, obviously, if the petroleum industry is to satisfy the nation's needs and also maintain a safe margin of proved reserves, it must have enough capital to perform that function. It must also have sufficient incentive to use its capital for that purpose. In the face of these demonstrated needs, it would be logical to think that nothing would be done to prevent the industry from accomplishing its essential purpose. Yet, incredible as it may seem, obstacles are indeed placed in the industry's way.

For the last decade and a half, the industry's generation of capital funds has been severely limited by governmental regulation of the price of natural gas. Carried on without sufficient regard for economic and competitive circumstances, the regulation forces the industry to accept a price for gas that is much too low. Since various oil products must compete in the market with the low priced gas, their prices are indirectly affected also by the regulation. These circumstances limited both the generation of capital and the incentive to invest the funds that actually were available. Significantly, the cut-back of capital spending devoted to the search for new oil and gas reserves was initiated shortly after the imposition of the price control. And, as a result, the nation is now faced with a shortage of both oil and natural gas. How, we might wonder, could anyone ever have believed the United States could continue to have adequate supplies of oil and natural gas, if the petroleum industry were denied sufficient funds to search for them? Yet, that denial has persisted, despite repeated warnings of the consequences.

And there exists today a situation that demonstrates further how poorly the lesson has been learned. As noted earlier, the petroleum industry derives a large proportion of its capital funds from the various provisions for capital recovery. Together, amortization, depreciation, depletion, etc. rank equally with net income as a source of capital. Until recently, they satisfied as much as 45 percent of the industry's over-all financial needs. All private industries, of course, have provisions for capital recovery—otherwise they could not survive. But they all do not have the same provisions. A factory or a piece of machinery can be depreciated over its lifetime. And when they are worn out, they can be replaced. But when oil and natural gas

have been extracted from the earth and consumed they cannot be replaced—new sources must be found instead. And that can be an exceedingly costly and risky undertaking. The record abundantly demonstrates that vast sums of money can be spent without any oil or gas being found. Since, in fact, the production of oil and gas represents a depletion of its capital assets, the petroleum industry is permitted by law to recover a portion of this capital by means of a depletion allowance.

This procedure, however, has been subjected to increasing attack. And there are mounting demands that the allowance be reduced or eliminated. Some of the attacks obviously are politically motivated. But there is also criticism that reflects a lack of understanding of the true role played by the depletion allowance. There is a failure to recognize that the allowance applies only to revenue generated by the industry's successful producing properties—and the benefits derived do not offset the large sums spent on the search for petroleum that proves unsuccessful. Most often, the allowance is labeled by its critics as a tax loophole—conveying the impression that the money thus obtained is utilized for some nonessential purpose. But regardless of what its detractors choose to call it, the depletion allowance is today what it always has been—a source of capital. And if that source is reduced or eliminated, it must be replaced by another.

There is only one practical alternate

source. If, for example, the industry's generation of capital funds were reduced 10 percent by a change in the depletion allowance, net income would have to be increased by an equal amount. And that could be achieved only with an increase in gross revenue—which, of course, would necessitate higher prices for petroleum products. Thus, a cut in the depletion allowance would, for all practical purposes, be the equivalent of a tax increase to consumers. And, as such, it would carry all the inflationary force of any other rise in their costs.

Clearly, a reduction in the depletion allowance—or any of the other provisions for capital recovery—would not be in the best interests of the United States. The nation's dependence upon petroleum, its tremendous needs, the vast amount of capital required by the petroleum industry to satisfy those needs, the industry's decreasing ability to generate enough capital and mounting dependence upon borrowed funds, and the developing shortage of both oil and natural gas are all reasons why such an action would be ill advised. Rather than inhibit the generation of capital and thereby discourage its use, the interests of the United States would be far better served by positive actions designed to achieve the opposite results. If we are to have enough oil and gas, we have to pay enough for them—there simply is no other way. Why is that elementary fact so difficult to understand?

could have done more harm. None poses greater potential damage to so many people. We are well on the way to being first in war, last in peace, and anywhere but first in upgrading the health of our countrymen. New grant money to replace expiring projects will be cut 11 percent, in addition to the average 5-percent cut. NIH's total spending will be down 290 million. Medical schools, which get 60 percent of their total support from NIH, are hard hit already.

Originally, it was announced that all research grants up for renewal by the National Institutes of Health since the first of September would be cut 20 percent. One of these institutes, General Medical Sciences, was slated for such drastic reduction that, of 130 5-year grants up for renewal this year, all but about 10 would be rejected. Last week, 19 clinical research centers across the Nation received notification from the National Institutes of Health, telling them funds for their continued operation might not be forthcoming.

Four of these centers that may lose their Federal support are in my home State of New York. They are Albert Einstein College of Medicine in the Bronx; Albany Medical College of Union University in Albany; and the State University of New York Medical Centers in Buffalo and Syracuse. The others are in 12 other States. Seven of them specialize in clinical research on diseases of children. Is this sense? Can one drive nails in a snowbank? The administration's rhetoric fills the air like strings of wet sponges, plopping back to earth in the form of broken promises and disastrous policies, we shall pay horrible penalties for in years to come. How many children will die? How much suffering will be unalleviated?

What will be the long-range effect of all this, even if the cuts are to be partially rescinded, as has been announced? We are building damage into America's science and technological advancement. The administration squeezed the moon flight like a sponge for unearned and undeserved credit. Now it attacks the very principle which made such a flight possible. What will happen to thousands of eager, bright young Americans who seek careers in science and medicine? While Russia builds science cities, the administration declares war on Government's commitment to such activities at home. Already, demoralization is spreading through medical research ranks across the land, striking in scores of facilities and medical schools.

Brilliant researchers will have to do without young assistants who themselves would someday fill their places. What will happen to our supply of doctors and hoped-for improvements in medical care. All plunge down the administration drain labeled "sewer for essential social projects." We can only dread the future when such Neanderthal thinking can even dare come through as official national policy.

Let us remember this attempt to throttle these endeavors. It is being perpetrated by those who bellow like thirsty cattle for Federal largesse for special interests, and who then cry "socialism" when we try to aid the elderly, the poor,

U.S. PETROLEUM STATISTICS SUMMARIZED

[In thousand barrels daily]

	June		3 months ended June 30		Year to date		Change (percent)		
	1969	1968	1969	1968	1969	1968			
Demand:									
Gasoline.....	5,942	5,549	+7.1	5,781	5,478	+5.5	5,468	5,204	+5.1
Kerosene.....	892	773	+15.4	860	760	+13.2	960	877	+9.5
Distillate.....	1,805	1,598	+13.0	1,990	1,807	+10.1	2,696	2,577	+4.6
Residual.....	1,694	1,677	+1.0	1,809	1,655	+9.3	2,145	2,051	+4.6
All other.....	3,220	3,129	+2.9	3,121	3,002	+4.0	3,159	2,990	+5.7
Total demand.....	13,553	12,726	+6.5	13,561	12,702	+6.8	14,428	13,699	+5.3
New supply:									
Crude oil production.....	9,509	9,146	+4.0	9,365	9,159	+2.2	9,153	9,188	-.4
Natural gas liquids production.....	1,590	1,492	+6.6	1,595	1,512	+5.5	1,596	1,505	+6.0
Crude oil imports.....	1,344	1,340	+0.3	1,443	1,210	+19.3	1,375	1,123	+22.4
Residual fuel imports.....	1,008	1,032	-2.3	1,109	1,004	+10.5	1,298	1,270	+2.2
Other products imports.....	525	398	+31.9	449	367	+22.3	519	380	+36.6
Primary supply.....	13,976	13,408	+4.2	13,961	13,252	+5.4	13,941	13,466	+3.5
Net processing gain.....	325	328	-.9	306	299	+2.3	309	312	-1.0
Total new supply.....	14,031	13,736	+4.1	14,267	13,551	+5.3	14,250	13,778	+3.4
Crude runs to stills.....	10,924	10,339	+5.7	10,602	10,261	+3.3	10,462	10,200	+2.6
Stock change in million barrels.....	+22.4	+29.7		+65.7	+78.2		-29.2	+15.8	
Stocks (end of period):									
Gasoline.....	200	201	-.4						
Kerosene.....	43	38	+12.5						
Distillate.....	130	139	-6.5						
Residual.....	63	68	-7.5						
Other products.....	253	249	+1.5						
Total products.....	689	695	-.9						
Crude oil.....	282	265	+6.3						
Total, all oils.....	971	960	+1.1						

Sources: USBM, API, and CMB.

MEDICAL RESEARCH BITES THE DUST

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, one of our national claims to pride has been America's maximum, consistent efforts in the fields of medical research, pure science, and physician training. Working with constantly increasing Government support, all across the Nation our scientific

and medical leaders have been pushing the frontiers of knowledge outward to decrease pain, human suffering, and the curses afflicting mankind. Presidents Kennedy and Johnson championed such programs. President Nixon has taken another course, cutting such grants for research significantly.

Although the worst of the major cuts will be partially rescinded, the damage has been done. Panic spreads among the ranks of our research faculties. A menacing precedent has been set. Few acts

and struggling students. Aid the dispossessed, and they shriek "communism" from the housetops. Touch unlimited farm subsidies and swollen military budgets, and they react as if we have attacked grandma, danced on the flag, and repealed the Ten Commandments. Raise a voice for the taxpayer, the consumer, or the environment, and it is a devious plot against the Republic, apple pie, and the Founding Fathers. These are the people who, in their warped wisdom and temporary power, are ready to disembowel basic medical research, training programs for physicians, and work aimed at curing children's diseases.

Where is the stentorian voice of the American Medical Association that citadel of reaction and nefarious political activity? Where is the voice of the profit-swollen drug industry, which fights like a trapped panzer division to prevent the elderly from receiving low-cost drugs in their generic form? Where is the voice of the professional patriot, wrapped in our flag like a bathrobe, who is ready to exile every college student to the Dry Tortugas and cut off all students loans. Invincible in peace. Invisible in war. All are notable in their silence.

Such a policy is reprehensible in the extreme. It must be reversed.

THE ELECTORAL QUESTION

(Mr. WAGGONNER asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, as debate progresses on this vital question, I have been reminded of an editorial which appeared in the Shreveport Times earlier in the year, "The Electoral Question." I believe the commentary of the writer to be particularly worthy of every Member's consideration and would like to make it available herewith. Certainly I subscribe with the writer's point of view.

The editorial follows:

[From the Shreveport (La.) Times,
Mar. 3, 1969]

THE ELECTORAL QUESTION

Maybe this will be the year of the change in election of U.S. Presidents. Maybe not. But the signs are abundant and multiplying that Congress is thinking of alternatives to the present system. The signs aren't lacking either that those who care less about reform and more about change in the interest of "plebiscitary" democracy are using the current ferment to promote a direct election for President.

Make no mistake about it. Direct election isn't reform—it's a radical revision of federalism into something approaching "raw democracy." A direct vote sounds fair on its face, but that's because "one man, one vote," which isn't the same thing at all, has a simplistic appeal to those who don't understand the federal system. One-man-one-vote applies only within states.

Those who do understand federalism and don't like it because of the restraints it imposes on the teeming electorates of the north and east, would trade federalism any day for the direct vote that would elect presidential candidates catering to the wishes of those who want Washington providing all the social and economic solutions to the country's problems.

Direct election would put the power in the centers of population—largely Democratic in makeup—and diminish the states as meaningful political entities. Federalism means the constitutional relations of states and their citizens to the federal government. Direct election of Presidents would take the states entirely out of presidential elections and very likely substitute federal voting precincts with federal poll-watchers for state control.

Such precincts, if they bore state names at all, would do so only as an aid in locating them. More likely, a Caddo precinct in a presidential election would bear a certain federal number—say 10,622 for ready computer reference. What the total vote of a state were would be only a statistical curiosity drowned in a federal total of perhaps 80 million popular votes.

Direct election of Presidents is more of a bugbear than anything else. Polls show the majority of people favor it but that is because the question is put by the pollsters without explanation of its disastrous impact on federalism. It looks and sounds simple and democratic—and that suffices.

But even if Congress mustered the necessary two-thirds vote to submit the proposal to the people, it is doubtful that three-fourths of the legislatures would ratify. The majority have nothing to gain and quite a lot of strength politically to lose under the plan, and when the political equations become known the polls would show quite a different story.

For this reason, there is much more sentiment for keeping the Electoral System, which gives each state as many electors as it has representatives and senators in Washington. The most reasonable way of averting the feared possibility of a deadlock in Electoral Votes would be to make each Congressional District in each state worth one Electoral Vote. Whatever candidate carried each district would earn its vote. The two extra Electoral Votes (representing each state's two senators) would go to the candidate taking a majority of the state's entire vote.

That proposal would satisfy the clamor for a fairer division of Electoral Votes within states. Nobody would lose his vote on the basis of one candidate getting all of a state's electoral votes simply by carrying the majority of its popularity votes.

That proposal wouldn't satisfy entirely the possibility of a deadlock in the Electoral College, which calls for the winner's taking a majority of the Electoral Votes of all the states. Three candidate elections make that nearly impossible. It has been suggested that 40 per cent of the Electoral Vote should suffice. Americans, though, love majorities. They are the teething ring for instructions in the Democratic process. So a better system would be the runoff between the two high men, proposed by President Nixon, in cases where no one get a majority.

Consistent with federalism, there couldn't be a fairer way. But the runoff should be held within weeks of the main election. A jet-age presidency demands smooth, quick transition.

THE ADMINISTRATION DISCOVERS AND LOSES CONCERN FOR DRUG NEEDS OF 20 MILLION OLDER AMERICANS

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, yesterday was a red-letter day for America's 20 million older citizens, for seemingly, the Secretary of Health, Education, and Welfare acknowledged not only their existence, but the fact that their drug needs

were constant and growing. He spoke of what so many know; that more and more of them live in poverty and pain daily, and their drug needs are all too often unmet. This was in itself surprising in light of the fact that the President has not lifted a finger on their behalf since assuming office.

The Secretary was even reported to have endorsed the concept of extending medicare to cover their drug needs while ailing but not hospitalized. Admirable, murmured many, although late in the game for our older citizens. We might have known better, for this morning he disavows any such recognition of this principle, much less any plans for making it a reality. Well, at least he and his mentors are running true to form, and our illusions about them can be banished permanently.

We shall have to wait for another President to push for a bill I and other Members have introduced. Last year, Mr. Finch's own party played the major role in defeating it in the Senate by just two votes. This simple bill called for extension of medicare to extend regularly provided prescription drug coverage to outpatients in the same manner as to those now covered by existing legislation. It also requires that only drugs prescribed by their generic name be covered, an initial attempt to provide guidelines for doctors and drug companies in pricing drugs more equitably.

We shall have to wait for a more progressive HEW outlook in order to enact another bill I and other Members have offered here and in the other body. This would establish a Federal drug compendium listing all prescription drugs under their generic names. It would provide doctors and pharmacists with brand name, manufacturer, suppliers, and prices for each drug. Neither of these measures inhibits the prescribing physician or pharmacist in any way. Both taken together would go far to redress the appalling state of affairs existing in regard to our elderly and drug costs.

Mr. Speaker, in 1966, more than half our elderly citizens living alone had incomes of less than \$1,500; 11 percent of elderly families and 53 percent of older individuals received less than \$30 weekly; another 30 percent of each category had incomes of between \$30 and \$60 weekly.

Private insurance is dismally failing to meet their needs. A Task Force on Prescription Drugs established by HEW in 1967 found that only 9 percent of our elderly had any private insurance protection. They also found private plans met only 2.8 percent of all nonhospital and nonphysician medical care expenditures. The situation is critical, as inflation wreaks havoc on their limited incomes.

Mr. Speaker, the commitment of this entire administration to the entire range of health, medical, and research programs is questionable, to say the least. Already, expenditures by the National Institutes of Health to ongoing medical research and for clinical research centers is being cut. Panic reigns in our medical schools as news of these cuts spreads. No effort is being made to raise social secu-

rity payments, which is the only effective method immediately available to alleviate effects of inflation. The administration hears a pin drop at General Motors, United States Steel, or in the textile industry. But 20 million senior citizens can cry out in agony, and the Government makes no move to adjust its hearing aid.

That is why so many greet Secretary Finch's denial today with knowing looks, mingled with disappointment. We already know that Mr. Finch plans and the President decides. All these gentlemen will do is dash at already open doors with loud cries and beat already dead horses with large sticks from very respectful distances. How cruel it was to raise hopes and then dash them.

In the meantime, the elderly sit in silent pain everywhere, waiting for relief that they know will now not be forthcoming. Certainly not from these gentlemen. For the elderly, the watchword can be Bismarck helped the elderly in the 19th century, but President Nixon and Secretary Finch will not do the same in 1969.

ATTORNEY GENERAL SUPPORTS PROPOSAL FOR COMMISSION ON MARIHUANA

(Mr. KOCH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, yesterday Attorney General John N. Mitchell, testifying before the Senate Juvenile Delinquency Subcommittee, stated his support of a proposal for the creation of a commission to study marihuana, in his words, "so we can get to the bottom of this." Whenever the subject of marihuana is raised it causes extraordinary controversy with the opinions offered being oftentimes disparate and at total odds with one another.

There are fundamental questions which must be answered if we are to rationally legislate in this area. Among those questions are the following:

First. Does the use of marihuana cause violent crime or aggressive antisocial behavior?

Second. Does the use of marihuana produce conditions of dependence, psychosis, or other harmful effects requiring medical treatment?

Third. Does the use of marihuana lead to the use of heroin?

Fourth. Are the current criminal penalties for the possession of marihuana appropriate?

Nine of my colleagues and myself have cosponsored a bill, H.R. 10019, to establish a presidential commission comparable to the Warren and Kerner Commissions which would take testimony on all aspects of marihuana use and render a report. That report rendered by a blue ribbon commission would in my judgment be accepted by the American public and in particular the youth of today which refuses to accept the undocumented statements and mythology of the past. Marihuana may indeed be harmful or as some say no worse than liquor. I do not know the answer nor I suspect can Members of this House be

certain of that answer. The public and its legislators are entitled to the truth.

With the thought that it would be of interest to our colleagues I am annexing to my statement a copy of the New York Times editorial dated September 15, 1969 on this subject:

THE FACTS ON "POT"

The question of whether "taking pot" is a step toward self-destruction or merely an innocent diversion is being debated as though it could be decided by majority vote. Few young people concede any danger whatever in the practice, many of their elders are genuinely alarmed, and medical men, predictably, are divided. The argument might be a harmless pastime were it not for two glaring circumstances: If marijuana is indeed harmful, then a staggering percentage of the rising generation is headed for disaster and drastic curbs are in order. If it is not, then hundreds of innocent users, police, school officials and parents, are being put through an ordeal as useless as it is psychologically damaging.

Given these alternative possibilities—both deplorable and both based on ignorance of the facts—Representative Koch of New York makes the sensible suggestion that something be done to diminish that ignorance. He proposes a Presidential commission, comparable to the Kerner and Warren Commissions, to establish authoritatively how many Americans, and what kind, smoke marijuana; how effective the laws against it are; its psychological and physiological effects, taking the most exhaustive and reliable testimony; its relationship, if any, to crime; and, not least, its possible encouragement to the use of other drugs.

Other studies have, of course, been made. A committee appointed by Mayor La Guardia, in response to lurid charges about the prevalence of "reefers" in the schools, came up in 1944 with some reassuringly unsensational findings. A British Advisory Committee on Drug Dependence only a year ago found no evidence that marijuana-smoking led to violence or serious dependence. Beyond these studies and others like them a body of literature on "grass," "pot," "Acapulco gold," "weed" and "tea" goes back through the centuries.

Yet the fact remains that none of these studies, putting aside entirely the ancient and the legendary, is entirely applicable to the American situation today. The number of smokers, their degree of indulgence, and the potency of the drug—all these vary greatly from country to country and from time to time. There has been nothing in the United States comparable to the investigation proposed by Mr. Koch, either in scope or in the stature of the investigators. It is time the American people had the hard facts on a possibly soft drug.

ENVIRONMENTAL QUALITY IMPROVEMENT ACT OF 1969

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, of the many threats to civilization, deteriorating environmental quality must be placed among the major concerns of civilized man, along with war, hunger, disease, poverty, and crime. There are environmental rights to much the same degree as there are social, economic, and civil rights.

Environmental degradation has long been associated with the misuse and abuse of resources. Slashed forests, pol-

luted streams, overgrazed grasslands, belching smokestacks, and open dumps have been visual reminders of our carelessness.

Any concept of the environment—air, water, or land—as an infinite reservoir, with an infinite capacity to dilute, disperse, and assimilate waste is outmoded and irresponsible. Our resources are limited, and we have overdrawn our bank account.

As we have pushed back the frontiers of scientific knowledge and devised technologies to apply that knowledge, we have multiplied our opportunities for material wealth and comfort. We have increased our capacity to manipulate the environment. In the process we have multiplied our impact on the environment and through the misapplication of technology we have disrupted the environment.

We need to use political, economic, and social leadership to improve the quality of life, not to destroy it. We need to make technology serve man, not endanger him. We need to conserve our planet and the complex life systems which make it habitable, not disturb its balances for the sake of short term economic gains.

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

It is time that we examined our national goals and purposes in managing the environment. New goals and new policies which are in the long-range public interest are clearly required. Their successful development will require the active participation of the States and private enterprise as well as the Federal Government.

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

Our responses have been too narrow, too limited, and too specialized. In the past, we have established costly programs without a clear enough perception of the objectives and the goals we seek to attain. We have reached the point in our national life where this country can no longer rely on the time-worn method, every time there is a new environmental crisis, of simply convening ad hoc study groups and task forces to make recommendations which are easily filed away and forgotten. We are still reacting only to crisis situations in the

environmental field. What we should do is set up institutions and procedures to anticipate environmental problems before they reach the crisis stage.

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

It is my judgment that the bill I am introducing today will go a long way toward giving the Federal Government the capacity to anticipate and deal with environmental problems.

Title I of the Environmental Quality Improvement Act of 1969 would create a Council of Environmental Quality in the Executive Office of the President to oversee the programs of the Federal, State, and local governments to determine to what extent these activities are contributing to the achievement of environmental quality and to gather, analyze, and interpret conditions and trends in environmental quality.

The principal task of the Council will be to develop within a 5-year period comprehensive national policies and programs to improve and maintain the quality of our environment.

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

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

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

In addition, the bill would establish a clearinghouse for information on all aspects of air, water, and soil pollution and waste disposal. This information would be made available to business, industry, municipalities, and the general public.

ENCOURAGING PROGRESS OF IRAN

(Mr. SIKES asked and was given permission to extend his remarks at this

point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, last week I commented on the progress being made by Iran, and I emphasized the value of the stable government which Iran has enjoyed under the Shah. Now let me go a step further.

The close and cooperative relations between Iran and the United States in the postwar years have yielded significant benefits, not all of them readily apparent. Iran is, first of all, a success story, a visible demonstration to a sometimes doubting world that cooperation with the United States has paid off. In the early years after the war Iran's economy was weak and shaky, still suffering from the consequences of occupation and struggling to get development underway. Its political structure was rent by deep divisions and dissensions. The country turned to us for direct help for its military equipment, for financial and economic resources, and for technical capacity. We extended something less than \$2 billion in assistance, about half military and half economic. Iran used our help well. It is now booming along at a 10-percent annual economic growth rate, it buys considerable quantities of military equipment from us on credit terms repayable in hard currency, and it does a good job of managing its own economy with the impressive talents of highly competent Iranians.

This is a particularly notable performance among developing countries. In the process Iran has, of course, become more self-reliant and independent. We have welcomed this and our relations with Iran have continued to be strong and cordial, proving the validity of our position that we wish to help other countries to stand on their own feet and deal with us as independent equals.

Profiting from this economic strength and the able and farsighted leadership of the Shah, Iran has enjoyed a period of political stability almost unique among developing countries. With her domestic house in order her territory has been denied to any Communist intrusion and her continued participation in the CENTO organization has been significant. This stability has also made Iran something of a rock in the turbulent sea of the Middle East from which Iran has reached out to forge meaningful ties with her neighbors, not only her allies Turkey and Pakistan, but India and Afghanistan as well. Now in the Persian Gulf, as the British plan to leave, she faces increased responsibilities and has begun to develop with the moderate Arab States of the gulf area, particularly Saudi Arabia, cooperative and constructive relations. We have ample room for hope that the Persian Gulf will become one area where the regional powers will do a good job of avoiding serious conflicts and of building and maintaining their own peace and security. From his firm domestic base the Shah's counsel of restraint and moderation also carries weight with those countries seeking grounds for settlement of the difficult Arab-Israel dispute.

Notably, it is useful also to the United States to have the free and frank dialog it does have with Iran. As a devel-

oping country in touch with other developing countries and conversant with their problems but sharing much of our outlook and aspirations and seeking areas of cooperation, the views and counsel of friendly Iran gives an added dimension to our understanding of world affairs.

Iran, of course, has problems but the significant thing to me is that Iran has been able to move in little more than a generation from a feudal society into the accomplishments and responsibilities of a modern state. Education has made significant progress, and illiteracy is rapidly being reduced, even in remote villages. The lot of the individual has been improved very considerably through land reform, irrigation, and better farming methods. The Government recognizes that there is still much work to be done, and it is facing up to its responsibilities.

FLOOD INSURANCE SHOULD BE MADE AVAILABLE NOW

(Mr. ST GERMAIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ST GERMAIN. Mr. Speaker, last year's housing act created an important new program to provide federally aided flood insurance to help protect property owners from the disasters of hurricanes and other flood damage. This proposal had the strongest kind of support in the Congress but unfortunately because of the complex and time-consuming mechanics is now available only in three communities in the entire country. In other programs, such as mass transit and water and sewer grants, we recognized the necessary start-up time by providing an initial simplified procedure. It is obvious that this needs to be done for the flood insurance program as well. Therefore, it is my intention to offer an amendment when the Committee on Banking and Currency meets in markup session on pending housing legislation which will make flood insurance promptly available throughout the country.

My proposed amendment is very simple. It will provide that for a 2-year period the Secretary can make flood insurance available without waiting for the detailed work necessary to set the actuarial rates contemplated by the long-term program. Under the flood insurance program, losses are funded initially by the income from the premiums paid by the property owners and the Federal equalization payment. In the case of exceptionally bad years, further losses would be paid by the capital committed by private insurance plus Federal reinsurance. In the long run it is expected that these unusual losses would average out so that there would be no net use of the private capital. My amendment would provide that for an initial 2-year period the insurance coverage would be financed from the premium income and the Federal equalization payments. As in the basic program, the Secretary could provide this coverage only for communities which requested it and which agreed to meet the land use planning controls

provided for in the permanent program. It would not be expected that private companies would participate in this emergency provision but as the actuarial rates are set, the machinery would be there for them to come in under the long-term program.

Mr. Speaker, Hurricane Camille was a painful reminder that we have delayed too long for making flood insurance protection available. My proposed amendment will meet that need.

U.S. WITHDRAWAL IN VIETNAM— A CALCULATED RISK

(Mr. WYMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WYMAN. Mr. Speaker, we have got to watch it in Vietnam. It must never be forgotten that we are still facing a fanatically dedicated Communist enemy who is not reducing his forces but increasing them. This business of withdrawal of American forces is all well and good as long as there are competent South Vietnamese forces to take their place and perform the military protective tasks the Americans have been engaged in. We in this Congress, and the American people whom we represent, are assuming that those in a position to know the answer to this question are assuring our Commander in Chief that this is the case to the extent American troops are being withdrawn.

All thoughtful, concerned Americans want to see us disengaged from this unfortunate and tragic war so far away just as soon as we can responsibly disengage. But we simply cannot leave either the South Vietnamese people or remaining American forces unprotected against the slaughter that will assuredly come if there is insufficient power left in Vietnam to protect them.

In this connection the following recent column by the noted columnist Joseph Alsop is significant. He stresses the importance of our remembering what happened during the Tet offensive before we walk away.

Lacking any firm commitment on the part of North Vietnam and the Vietcong arrived at by negotiation it may be that at some point President Nixon will have to make it plain that unless aggression and slaughter of civilian populations is prohibited that areas heretofore considered off limits to aerial attack will be removed from the restricted list. In any event no matter how much we long to get out, complete unilateral American withdrawal until and unless South Vietnam forces are able to defend themselves would be a baseless sellout the world would remember longer than the tremendous effort that the United States has made to deter aggression in this far-away land. It also would debase the supreme sacrifice of untold thousands of valiant Americans.

The column by Joseph Alsop follows:

MASSIVE WITHDRAWAL BY UNITED STATES
WOULD SPARK VIET MASSACRE

(By Joseph Alsop)

HUE, SOUTH VIETNAM.—At this juncture, President Nixon had better reflect on what

the Communists did in Hue at Tet a year and a half ago.

The President might start by pondering the Communists' method of avoiding needless waste of ammunition. For this purpose, parties of 15 or 20 of their victims in Hue were forced to dig their own burial trenches. Their ankles were tied. Their elbows were also tied behind their backs, and a rope was passed through all their elbows. They were then ordered to squat in line on the brink of the trench.

That way, a sharp tug at each end of the rope was enough to tip the whole line of squatting men, women and children (for there were also children!) into the trench. No doubt they writhed in their ropes; but it was still very easy to bury them alive.

Such was the fate of many, when the Communists briefly seized this lovely little city in the Tet offensive. In Hue itself, about 2000 civilians were buried alive or sprayed at the trench-side with automatic weapons, or had their heads broken with mattocks. About another thousand civilians were killed in the same manner along the line of march of the retreating North Vietnamese regiments.

When the horrible mass graves were found, the "Liberation Radio" finally reported the massacre but claimed that only "imperialist lackeys" had been executed. Of the bodies that could be identified, however, only 30 percent had the remotest connection with the American or South Vietnamese government. The rest were mere accidental victims, punished at random for Hue's failure to join the "popular uprising" that Hanoi's strategists had forecast.

Ironically, it is now needful to remember this savage episode because this city, so recently a shambles, is once again the prettiest in South Vietnam. A brilliant province chief, Col. Li Van Than, has not merely rebuilt Hue; he has also led all the people of his province far down the road to peace and prosperity.

It is indescribably moving, in truth, to drive by jeep, unescorted and unarmed, through the little villages of this province and its neighbor to the north, Quangtri. The situation here is altogether different from that in Binhtrung and Haunghia provinces, where there are almost no remaining Vietcong but plenty of enemy troops from North Vietnam. In the populated areas of these two provinces around Hue, there are, to all intents, no enemy troops whatever. So there is peace.

Everywhere, the hard crusts of fields three or four years fallow are being broken to put in crops. In Hue's province, the dikes are everywhere beginning to be rebuilt, to keep the salty seawater from the land.

Almost every village and hamlet has its own elected government. Everywhere you run into the men of the Regional and Popular Forces. For these people are ready and eager to defend their peace. And in hardly any hamlet or village of this province do you see American or South Vietnamese soldiers.

In the province, the soldiers are either in the mountains or along the Demilitarized Zone. And that is the crux of the matter, which now makes it needful to recall the Hue massacre at every step and with every decision in Washington.

For the people live in peace, along the fertile coastal strip of these two provinces, because the soldiers of the 1st ARVN Division and the U.S. 101st Airborne and 3d Marine Divisions are in the mountains, or in the Ashau valley, or along the DMZ still fighting the war. The soldiers are in fact the screen for the people's newly found peace.

Over and over again, in heavy force all during the imaginary "lull," North Vietnamese regiments have tried to move south to drive through the screen and reach the populated areas. Let the President ruin this screen by too many troop withdrawals, and one or two or three regiments of North Vietnamese will manage to get through. There is not an

American commander here who does not fear it.

Let those regiments get through the screen, moreover, and the Hue massacre will look like a Sunday school picnic. While other enemy units pin down our men and the 1st ARVN, the screen-penetrating regiments of North Vietnamese will surge up and down the coastal strip, killing the Regional and Popular Forces to the last man, murdering the village and hamlet chiefs, staining the whole land with blood. And that blood will be on our hands!

So what about it, Mr. Nixon and Mr. Laird and Mr. Rogers and Gov. Harriman and my dear friends in your editorial ivory towers? Here are a million people, to whom at long last we have managed to bring peace, who have also put their trust in us. At least a hundred thousand of them will be doomed out of hand, if that screen is even seriously broken through. Do you want the responsibility for a hundred thousand deaths, or shall we wait until Hanoi has been finally forced to end the war?

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BURKE of Florida) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 10 minutes, today.

Mr. CORDOVA, for 5 minutes, today.

(The following Members (at the request of Mr. MANN) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. RARICK, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. MINISH, for 10 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. COLMER and to include extraneous matter.

Mr. ICHORD and to include extraneous matter.

Mr. ALBERT to extend his remarks prior to the call of the Private Calendar.

Mrs. GREEN of Oregon in five instances and to include extraneous matter.

Mr. HALL and to include extraneous matter.

Mr. MACGREGOR, his remarks made today in the Committee of the Whole.

Mr. KUYKENDALL to extend his remarks immediately following the remarks of Mr. WAGGONER on the electoral reform bill.

Mr. GERALD R. FORD (at the request of Mr. McCULLOCH) to include an article appearing in Nation's Business on page 29 and ending on page 31, to follow his remarks.

(The following Members (at the request of Mr. BURKE of Florida) and to include extraneous matter:)

Mr. BUSH in three instances.

Mr. UTT in two instances.

Mr. FINDLEY.

Mr. WYMAN in two instances.

Mr. DUNCAN in two instances.

Mr. ZWACH in two instances.

Mr. COUGHLIN.

Mr. BROYHILL of Virginia.
 Mr. BROYHILL of North Carolina.
 Mr. MICHEL.
 Mr. DENNEY.
 Mr. WHITEHURST.
 Mr. WAMPLER.
 Mr. TAFT in two instances.
 Mr. CARTER.
 Mr. REID of New York.
 Mr. ASHBROOK in two instances.
 Mr. BURKE of Florida.
 Mr. McEWEN.
 Mr. STEIGER of Wisconsin.
 Mr. GUDE.

(The following Members (at the request of Mr. MANN) and to include extraneous matter.)

Mr. DENT.
 Mr. MATSUNAGA in two instances.
 Mr. ROONEY of Pennsylvania in three instances.
 Mr. GAYDOS in three instances.
 Mr. MOSS in two instances.
 Mr. DINGELL.
 Mr. KYROS in two instances.
 Mr. ROONEY of New York in two instances.
 Mr. LONG of Maryland in three instances.
 Mrs. CHISHOLM.
 Mr. ASHLEY.
 Mr. McFALL in two instances.
 Mr. THOMPSON of New Jersey in two instances.
 Mr. SCHEUER in two instances.
 Mr. FRIEDEL in two instances.
 Mr. O'NEILL of Massachusetts in two instances.
 Mr. KASTENMEIER.
 Mr. JACOBS.
 Mrs. SULLIVAN in three instances.
 Mr. RARICK in four instances.
 Mr. MIKVA.
 Mr. SHIPLEY.
 Mr. TIERNAN in two instances.
 Mr. YATRON in two instances.
 Mr. PICKLE in four instances.
 Mr. HATHAWAY in two instances.
 Mr. GONZALEZ in two instances.
 Mr. BROWN of California in two instances.
 Mr. BOLAND.

ENROLLED JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 775. Joint resolution to authorize the President to award, in the name of Congress, Congressional Space Medals of Honor to those astronauts whose particular efforts and contributions to the welfare of the Nation and of mankind have been exceptionally meritorious.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1686. An act relating to age limits in connection with appointments to the United States Park Police; and

S. 1766. An act to provide for the disposition of a judgment recovered by the Confederated Salish and Kootenai Tribes of Flat-

head Reservation, Montana, in paragraph 11, docket numbered 50233, United States Court of Claims, and for other purposes.

ADJOURNMENT

Mr. MANN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 48 minutes p.m.) the House adjourned until tomorrow, Wednesday, September 17, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1153. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG: Committee on Rules. H. Res. 543. A resolution providing for the consideration of H.R. 850. A bill to designate the Desolation Wilderness, Eldorado National Forest, in the State of California (Rept. No. 91-491). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. H. Res. 544. A resolution providing for the consideration of H.R. 12549. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes (Rept. No. 91-492). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. H. Res. 545. A resolution providing for the consideration of H.R. 12884. A bill to amend title 13, United States Code, to assure confidentiality of information furnished in response to questionnaires, inquiries, and other requests of the Bureau of the Census, and for other purposes (Rept. No. 91-493). Referred to the House Calendar.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. H.J. Res. 224. Joint resolution to change the name of Pleasant Valley Canal, Calif., to "Coalinga Canal"; without amendment (Rept. No. 91-494). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ABBITT:
 H.R. 13811. A bill to amend section 358a (a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments; to the Committee on Agriculture.

By Mr. ANNUNZIO (for himself, Mr. ADDABBO, Mr. BIAGGI, Mr. BRASCO, Mr. BROWN of California, Mr. DIGGS, Mr. DINGELL, Mr. FEIGAN, Mr. HANNA, Mr. HAWKINS, Mr. HORTON, Mr. LEGGETT, Mr. MATSUNAGA, Mr. MINISH, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. NIX,

Mr. PATTEN, Mr. PEPPER, Mr. PODELL, Mr. PRICE of Illinois, Mr. REES, Mr. RODINO, Mr. SCHEUER, and Mr. WHALEN):

H.R. 13812. A bill to amend title XII of the National Housing Act to provide, under the urban property protection and reinsurance program, for direct Federal insurance against losses to habitational property for which insurance is not otherwise available or is available only at excessively surcharged rates, to make crime insurance mandatory under such programs, to provide assistance to homeowners to aid in reducing the causes of excessive surcharges, and for other purposes; to the Committee on Banking and Currency.

By Mr. CELLER:

H.R. 13813. A bill to prohibit unauthorized entry into any building or the grounds thereof where the President is or may be temporarily residing, and for other purposes; to the Committee on the Judiciary.

By Mr. ESHLEMAN:

H.R. 13814. A bill to regulate the use of the mails with respect to the sending of material which is sexually oriented, to prohibit the sale of mailing lists for the illegal dissemination of such material, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FISHER:

H.R. 13815. A bill to amend the Internal Revenue Code of 1954 to clarify the status of motor vehicles under section 4041; to the Committee on Ways and Means.

By Mr. GARMATZ (for himself and Mr. CLARK):

H.R. 13816. A bill to improve and clarify certain laws affecting the Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. HANNA:

H.R. 13817. A bill to better enable savings and loan associations to serve the public; to the Committee on Banking and Currency.

By Mr. McCULLOCH:

H.R. 13818. A bill to prohibit unauthorized entry into any building or the grounds thereof where the President is or may be temporarily residing, and for other purposes; to the Committee on the Judiciary.

By Mr. MELCHER:

H.R. 13819. A bill to provide for the disposition of judgment funds of the Sioux Tribe of the Fort Peck Indian Reservation, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Florida:

H.R. 13820. A bill to amend section 4171 of the Revised Statutes to allow the endorsement on certificates of registry of alternate masters; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHERLE:

H.R. 13821. A bill to amend title 38 of the United States Code so as to entitle veterans of World War I and their widows and children to pension on the same basis as veterans of the Spanish-American War and their widows and children, respectively; to the Committee on Veterans' Affairs.

By Mr. SHIPLEY:

H.R. 13822. A bill to amend title 38 of the United States Code so as to entitle veterans of World War I and their widows and children to pension on the same basis as veterans of the Spanish-American War and their widows and children, respectively; to the Committee on Veterans' Affairs.

By Mr. WHALEN:

H.R. 13823. A bill to establish the calendar year as the fiscal year of the U.S. Government; to the Committee on Government Operations.

By Mr. HALPERN:

H.R. 13824. A bill to establish a grant-in-aid program to encourage the licensing by the States of motor vehicle mechanics; to the Committee on Interstate and Foreign Commerce.

By Mrs. HECKLER of Massachusetts: H.R. 13825. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. MONAGAN: H.R. 13826. A bill to provide for the formulation of a national policy for environmental quality, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN (for himself, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ASHLEY, Mr. MOORHEAD, Mr. STEPHENS, Mr. ST GERMAIN, Mr. GONZALEZ, Mr. MINISH, Mr. HANNA, Mr. ANNUNZIO, Mr. REES, Mr. HANLEY, Mr. BRASCO, Mr. CHAPPELL, Mr. WIDNALL, Mrs. DWYER, Mr. DEL CLAWSON, Mr. BROWN of Michigan, Mr. HALPERN, Mr. WILLIAMS, and Mr. BEALL of Maryland):

H.R. 13827. A bill to amend and extend laws relating to housing and urban development, and for other purposes; to the Committee on Banking and Currency.

By Mr. ESHLEMAN: H.J. Res. 903. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. PUCINSKI (for himself, Mr. ADDABO, Mr. ANDERSON of California, Mr. BIAGGI, Mr. BROWN of California, Mr. BROYHILL of Virginia, Mr. BYRNES of Wisconsin, Mr. CLARK, Mr. DELANEY, Mr. ERLBORN, Mr. FRIEDEL, Mr. FULTON of Pennsylvania, Mr. GALIFIANAKIS, Mr. HALPERN, Mr. HASTINGS, Mrs. HECKLER of Massachusetts, Mr. HOSMER, Mr. HOWARD, Mr. KEITH, Mr. KOCH, Mr. MANN, Mr. MATSUNAGA, Mr. MIKVA, Mr. O'NEILL of Massachusetts, and Mr. OTTINGER):

H. Con. Res. 340. Concurrent resolution expressing the sense of the Congress with respect to international agreements providing for mandatory extradition of aircraft hijackers; to the Committee on Foreign Affairs.

By Mr. PUCINSKI (for himself, Mr. NIX, Mr. PELLY, Mr. PEPPER, Mr. PODELL, Mr. POLLOCK, Mr. REES, Mr. ROONEY of Pennsylvania, Mr. SANDMAN, Mr. SCHEUER, Mr. TIERNAN, Mr. TUNNEY, Mr. VIGORITO, Mr. WHITEHURST, Mr. WILLIAMS, Mr. WOLD, Mr. WOLFF, Mr. WYDLER, and Mr. WYMAN):

H. Con. Res. 341. Concurrent resolution expressing the sense of the Congress with respect to international agreements providing for mandatory extradition of aircraft hijackers; to the Committee on Foreign Affairs.

By Mr. KUYKENDALL: H. Con. Res. 342. Concurrent resolution relative to airline hijacking; to the Committee on Foreign Affairs.

By Mr. ABERNETHY: H. Con. Res. 343. Concurrent resolution expressing the sense of Congress that reduc-

tion in certain imports shall be effected through trade agreement negotiations; to the Committee on Ways and Means.

By Mr. LONG of Louisiana: H. Con. Res. 344. Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment; to the Committee on Foreign Affairs.

By Mr. PERKINS: H. Con. Res. 345. Concurrent resolution providing for printing as a House document "A Guide to Student Assistance"; to the Committee on House Administration.

By Mr. PICKLE (for himself and Mr. JARMAN): H. Con. Res. 346. Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment; to the Committee on Foreign Affairs.

By Mr. WOLFF: H. Con. Res. 347. Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

267. By the SPEAKER: A memorial of the Legislature of the State of California, relative to the Intergovernmental Cooperation Act of 1968; to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California: H.R. 13828. A bill for the relief of Genisco Technology Corp.; to the Committee on the Judiciary.

By Mr. CAREY: H.R. 13829. A bill for the relief of Joseph H. Bonduki; to the Committee on the Judiciary.

By Mr. MILLER of California: H.R. 13830. A bill for the relief of Genisco Technology Corp.; to the Committee on the Judiciary.

By Mr. ANDERSON of California: H. Res. 546. Resolution to refer the bill, H.R. 13828, entitled "A bill for the relief of Genisco Technology Corp." to the chief commissioner of the Court of Claims in accordance with sections 1492 and 2509 of title 28, United States Code; 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:

246. By the SPEAKER: Petition of the Honorable Hector Valenzuela Valderrama, President of the Chamber of Deputies, Santiago, Chile, conveying the congratulations of the Chamber of Deputies of Chile on the successful flight of Apollo 11 and man's first lunar landing; to the Committee on Science and Astronautics.

247. By the SPEAKER: Petition of the Honorable Achille Peretti, President of the National Assembly, Paris, France, conveying the congratulations of the National Assembly of France on the successful flight of Apollo 11 and man's first lunar landing; to the Committee on Science and Astronautics.

248. By the SPEAKER: Petition of the Honorable Ha Sjaichu, Speaker of the House of Representatives, Djakarta, Indonesia, conveying the congratulations of the House of Representatives of Indonesia on the successful flight of Apollo 11 and man's first lunar landing; to the Committee on Science and Astronautics.

249. By the SPEAKER: Petition of the Honorable Takechiyo Matsuda, Speaker of the House of Representatives, Tokyo, Japan, conveying the congratulations of the House of Representatives of Japan on the successful flight of Apollo 11 and man's first lunar landing; to the Committee on Science and Astronautics.

250. By the SPEAKER: Petition of the Honorable Kul Shekhar Sharma, Ambassador of Nepal, Washington, D.C., conveying the congratulations of the Rashtriya Panchayat of the Kingdom of Nepal on the successful flight of Apollo 11 and man's first lunar landing; to the Committee on Science and Astronautics.

251. By the SPEAKER: Petition of the Honorable Isbjp Mazure, President of the First Chamber of the Netherlands States General, and the Honorable F. J. F. M. Van Thiel, President of the Second Chamber of the Netherlands States General, The Hague, conveying the congratulations of the Netherlands States General on the successful flight of Apollo 11 and man's first lunar landing; to the Committee on Science and Astronautics.

252. By the SPEAKER: Petition of the Honorable J. Augusto Saldivar, President of the Chamber of Deputies, Asuncion, Paraguay, conveying the congratulations of the Chamber of Deputies of Paraguay on the successful flight of Apollo 11 and man's first lunar landing; to the Committee on Science and Astronautics.

253. By the SPEAKER: Petition of the Honorable Hugo Batalla, President of the Chamber of Representatives, Montevideo, Uruguay, conveying the congratulations of the Chamber of Representatives of Uruguay on the successful flight of Apollo 11 and man's first lunar landing; to the Committee on Science and Astronautics.

EXTENSIONS OF REMARKS

ROGERS SAYS SCHOOL STUDY STOPS RADIATION HAZARD

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 16, 1969

Mr. ROGERS of Florida. Mr. Speaker, I am pleased to note that the Environmental Control Administration has taken

steps to halt the manufacturing of three types of electronic tubes now being used in high schools and junior colleges.

These tubes, used primarily as teaching devices in schools, have been found to be a potential radiation hazard. A survey conducted by the Public Health Service in 181 high schools in nine States found 27 of the 175 of these tubes to be emitting X-rays at rates ranging from 100 to more than 5,000 milliroentgens per hour at a distance of 12 inches. This is

far above the recommended level of 120 milliroentgens per 5 minutes.

I have been told that there have been about 500 of these tubes produced since the Radiation Control Act, which I introduced, became effective on October 18, 1968. In addition, it is estimated that there are between 15,000 and 35,000 produced before that date. The company making the tubes has said that some of the tubes made in 1910 are still in use.

But through cooperation between the