chant ships which has been voiced from time to time by government officials and others in the United States.

These same persons have frequently cited Russia's sometime practice of procuring merchant ships from shipyards of other countries as a justification for their position. But, in so doing, they have ignored or minimized a basic fact: the Soviet Union has been obliged to rely on alien shipyards because of insufficient domestic shipbuilding capacity to fulfill the demands of a 5-year merchant ship buildup.

More recently, however, Soviet leaders have revealed that this practice is to be reversed and soon discontinued. Three reasons are given:

To avoid the excessive commitments of foreign exchange which are involved.

Russian shipyards have been modernized and expanded, and must be operated at the greatest possible utilization, and

A high level of reliance on foreign yards is incompatible with the elevation of the Soviet Union to the status of a world maritime power.

The Soviets thus seem to recognize—and properly so—that a modern, efficient maritime industrial base, properly coordinated, is a fundamental ingredient of effective sea power.

It should be noted that the relative balance between U.S. and Russian strength at sea has altered significantly since the end of World War II. In the short span of 10 years, the Russians have perceptibly narrowed the margin of U.S. sea power superiority. The Soviet Navy is today second only to that of the United States, and the Soviet merchant marine will shortly be larger than the American maritime fleet in both numbers and tonnage.

All evidence points to a conclusion that Soviet Russia is mounting at sea a new challenge with which the United States will have to deal long after American troops are withdrawn from Vietnam. It would seem clear that the Russians have grasped the full meaning of sea power: the judicious allocation of production and financial resources to produce naval and merchant ships for the exploitation of economic, psychological and political objectives. By contrast, the Japanese, with strictures on the magnitude of their self-defense forces resulting from post World War II agreements, use the oceans exclusively for economic purposes.

The fixed national purpose with respect to shipbuilding which the Japanese and the Russians have seen fit to adopt and pursue in their own national interest might well serve to remind the United States of the basic truths of sea power. No similar national purpose, or declaration of national intentions, has been voiced in this country since the World War II days.

The function and adequacy of U.S. shipbuilding will therefore in large measure be determined by a variety of factors: (1) the ability of the Nixon Administration to establish and articulate a conceptual unity of purpose toward restoration of the United States as a first-rate sea power, (2) the ability of the Nixon Administration to dissipate lingering and momentary uncertainties, (3) the ability of the Nixon Administration to coordinate the substantial requirements for naval and merchant shipbulding so that the productive resources of the country will be effectively employed, and (4) the ability of the shipyard industry to respond to these substantial requirements. On the final point, I harbor no doubts or reservations. On the other three, only time will tell, but I for one stand optimistic.

HIGH AIR POLLUTION—HIGHER DEATH RATES

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. MIKVA. Mr. Speaker, the declining quality of our environment constitutes a problem which merits the continuing attention of my colleagues.

While industrial and bacterial waste poisons our rivers, lakes, and streams, the pall of air pollution hangs heavy over city and countryside alike. The urban centers, however, have been most drastically tainted by the scourge of air-born pollutants.

Because of my distress about air contamination in our Nation's cities, I invite my colleagues' attention to a recent article which describes the probability that high air pollution areas of Chicago also have higher death rates than areas with lower pollution. The article by Donald M. Schwartz, which appeared in the September 17, 1969, issue of the Chicago Sun-Times, follows:

DEATH RATE, AIR POLLUTION LINKED

(By Donald M. Schwartz)

A Stritch School of Medicine researcher has found that high air-pollution areas of Chicago have higher death rates than areas with lower pollution.

Prof. Julius Goldberg, in a report he will make to the Department of Health, Education and Welfare, found, for example, that deaths of white males in high pollution areas averaged 1,949 per 100,000, while deaths among a comparable group in low pollution areas was 1,389 per 100,000.

Goldberg, in his work at the Stritch school, which is part of Loyola University, put together air pollution data collected at 20 stations around the city, census information on persons living in the affected areas and Board of Health death reports.

Goldberg is cautious about drawing conclusions from the results, but he observed: "When we look over deaths from all causes, there is a very decided decline in favor of low-pollution areas."

He said his findings parallel those in other cities.

Goldberg was interviewed in his office at the Stritch school, 2160 S. 1st, Maywood.

The first results, on death, are part of a continuing series of studies. Goldberg has embarked on an investigation of pollution and illness, for which he is trying to get the cooperation of families, of children attending nursery schools and day-care centers.

For the study already completed, 29 different causes of death are included, plus a 30th catch-all category.

The statistics for pneumonia show that for the moderate socio-economic group, deaths per 100,000 averaged 95 in the high pollution areas and roughly half that rate—or 46—in low pollution areas.

Goldberg said death totals are annual averages for the 1960–1962 period.

The Loyola professor noted that in many of the cause-of-death categories the decline in mortality rates from high to low pollution areas was more consistent in the moderate socio-economic group than in the high or low socio-economic groups.

Statistics for the low group are more erratic, Goldberg said, and the high socio-economic group appears to be much less affected by differing pollution exposures than the other two groups.

Goldberg observed, however, that simply living in the area of high or low pollution may not be the whole story—the affluent, for example may spend more time in air-conditioned rooms protected from surrounding pollution.

That is one reason why Goldberg wants to make further studies of social factors in the health effects of pollution.

The fact that the well-to-do are exposed to high pollution is shown graphically by a map on Goldberg's office wall. The map indicates that the highest of 20 pollution areas in the city begins at about Navy Pier and runs north to about Fullerton, covering N. Lake Shore, the Near North Side and Old Town.

A pollution area for purposes of the study was a circle with a radius extending 1¼ miles from a city air pollution collection station.

Pollution statistics were limited to particles suspended in the air, but Goldberg said figures for compounds of sulphur, such as sulphur dioxide, probably would be similar.

HOUSE OF REPRESENTATIVES—*Monday, October 20, 1969*

The House met at 12 o'clock noon.

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

The fruit of the spirit is in all goodness and righteousness and truth.—Ephesians 5: 9.

Our Father, who art in heaven, we wait upon Thee with receptive minds and responsive hearts that the uplift of Thy spirit can be ours as we face the beginning of a new week. May we take up the work of these days with courage and confidence knowing Thou art with us and believing Thou art endeavoring to lead us in great and good ways. Grant that what we do may fulfill Thy purposes for us, for our Nation, and for our world.

Deepen the minds of men in truth and justice and mercy that order may prevail, laws be obeyed, good will be followed and people learn to live together with reverence before Thee, with respect for each other, and with a real faith in our beloved country.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, October 16, 1969, was read and approved.

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 concurrent resolution of the House of the following title:

H. Con. Res. 338. Concurrent resolution authorizing the printing as a House document of hearings on Science and Strategies for National Security in the late 1970's by the Subcommittee on National Security Policy and Scientific Developments, and of additional copies thereof.

The message also announced that the Senate had passed with amendment, in which the concurrence of the House is

requested, a concurrent resolution of the House of the following title:

H. Con. Res. 368. Concurrent resolution providing for the printing of copies of the eulogies on Dwight David Eisenhower.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11039) entitled "An act to amend further the Peace Corps Act (75 Stat. 612), as amended."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2214. An act to exempt potatoes for processing from marketing orders.

DEATH OF ANTONI NICHOLAS SADLAK

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

Mr. MESKILL. Mr. Speaker, I have the unpleasant task today of informing my colleagues that a former Member of this body, Congressman Antoni Sadlak, died on Saturday, October 18, at the age of 61, in his hometown of Rockville, Conn.

Congressman Sadlak was born on June 13, 1908. He attended the parochial schools in his hometown and graduated from George Sykes Manual Training and High School there and Georgetown University School of Law.

He served as a special inspector for the Department of Justice from July 1941, to December 1942, and as assistant secretary-treasurer of the Farmers' Production Credit Association, from 1944 to 1946.

Then he became secretary to former Congressman Boleslaus Monkiewicz in 1939, 1940, 1943, and 1944.

Then he resigned to accept a commission in the Naval Reserve, and he served in New Guinea and the Philippines and China. He was discharged as a lieutenant in April 1946, and then was educational supervisor in Connecticut in the department of education from 1946 to September of that year, when he was elected as a Republican to the 80th Congress. He was reelected in the five succeeding Congresses as an at-large Representative from my State. He served as regional assistant manager of the Veterans' Administration in Hartford, Conn., from March 30, 1959, to May 2, 1960. At the time of his death he was serving as judge of probate for the probate district.

I know I speak for all in extending our sympathies to the members of his family. We are all saddened by this loss.

Mr. Speaker, I include at this point a clipping from the New York Times of October 20, 1969:

ANTONI SADLAK DIES IN ROCKVILLE; SERVED IN CONGRESS FOR SIX TERMS

ROCKVILLE, CONN., October 18.—Antoni Sadlak, who served as a Connecticut Representative for six terms in the House died here on Saturday at the age of 61.

A VARIED CAREER

Mr. Sadlak served as a chief aide to Representative-at-large Boleslaus J. Monkiewicz in the 76th and 78th Congress. He won his own seat in the House in the 80th Congress as Representative-at-large.

That was in 1946, and Mr. Sadlak served six straight terms until his defeat in 1958 by Frank Kowalski, a Democrat.

Service in Congress was the highlight of an extremely varied career for the Republican, who was born in Rockville, Conn., on June 13, 1908.

He attended the George Sykes Manual Training High School in Rockville and went on to obtain his law degree at Georgetown University, from which he also received the Doctor of Laws degree in 1958, the year that he unsuccessfully sought the Republican nomination for Governor in Connecticut.

He had served as a special inspector for the Justice Department. In this post, at the outbreak of World War II, he was detailed on a special mission to round up enemy aliens in California.

In 1944, he resigned his post with Representative Monkiewicz to enter the Navy and was assigned as communications watch officer and top secret officer on the staff of Adm. Thomas C. Kincaid, Commander of the Seventh Fleet, serving in and around New Guinea, the Philippines and China.

In 1959-1960, he served as assistant manager of the Veterans Administration Regional Office in Hartford.

In his campaigns he claimed a broad knowledge of agricultural problems, based on his years as assistant secretary-treasurer for the Farmer's Production Credit Association in Hartford.

Mr. Sadlak served on the House Ways and Means Committee, where he worked for various tax reform bills. Early in 1958, he urged a major income tax reduction as the best means of halting the recession then in progress.

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

Mr. MESKILL. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I was deeply shocked to learn of Toni Sadlak's death. It was my privilege to have served with him from the 81st Congress until he left the House. He was a very diligent, conscientious, constructive, and able Member of this body. He was a close personal friend of mine. I was proud to call him my friend. Toni was a relatively young man and I am sure he had many, many long years of productive life ahead of him if this tragedy had not happened. He will be badly missed by his thousands of friends who admired and appreciated his many years of dedicated public service.

Mr. Speaker, I join with the gentleman from Connecticut in extending to Toni Sadlak's family our deepest condolences.

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

Mr. MESKILL. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, I, too, feel very sad at this news. I always enjoyed my service with Toni Sadlak. He was a very fine legislator and a very able one. Of course, also to those of us who knew him, he was a real friend. I had occasion frequently to go to Connecticut and often I have seen our former colleague there. I always looked forward to that. Now it grieves me greatly to think that when I go there he will no longer be there. Toni Sadlak certainly performed great service to his country. He was a very fine person in every sense of the word.

Mr. Speaker, I join the gentleman from Connecticut in expressing our sorrow to his beloved ones.

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

Mr. MESKILL. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I did not know about the death of my friend, Antoni Sadlak, until I heard it from the gentleman from Connecticut this morning. I knew him very well as a Member of the House and I knew him as a most conscientious and dedicated Member and a Christian gentleman, always cooperative, always willing to carry his share of the work.

I was shocked to get the news which the gentleman has brought. I join the gentleman from Connecticut and others in extending our deepest sympathy to the family of our late former colleague.

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

Mr. MESKILL. I yield to the gentleman from Arizona.

Mr. RHODES. Mr. Speaker, I thank my friend, the gentleman from Connecticut, for yielding.

Mr. Speaker, it was with deep sorrow that I learned of the passing of my old friend and colleague, Antoni Sadlak. I served with Toni from the 83d Congress, when I joined this body, until he left it to go back home. I always valued his friendship and advice. He was certainly an able and diligent Member. The Congress of the United States was the beneficiary of his great talents.

Mr. Speaker, I join my colleagues in sending condolences to the family of Toni Sadlak. May God rest his soul.

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

Mr. MESKILL. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I join my colleagues in expressing great sorrow at the passing of our friend, Toni Sadlak. Like others who have spoken here, I knew our former colleague very well, and I appreciate the great contributions he made to this body.

Mrs. Boggs and I had the pleasure of attending, with Toni and Mrs. Sadlak, some meetings of the Interparliamentary Union. We got to know Mrs. Sadlak very well, and we know of the great loss this is to her and to their family. I join with others in expressing condolences to the family.

Mr. ST. ONGE. Mr. Speaker, it is with a heavy heart and a great deal of sorrow that I learned of the untimely passing of our former colleague, Antoni Nicholas Sadlak, of Connecticut. He died of a heart attack Saturday at the General Hospital in Rockville, Conn.

Many of our colleagues here will surely recall Toni Sadlak, who served in this body as Congressman at large from Connecticut for a period of six terms uninterruptedly. His service included the 80th through the 85th Congresses, from January 1947 to January 1959.

Although we were not of the same political affiliation, we had a very pleasant personal relationship and I had great admiration for him as a legislator, as a

community leader, and as a person. He was a man of integrity, honest, sincere, and forthright. He was a deeply religious person and a patriotic citizen.

Toni Sadlak was born in Rockville, Tolland County, Conn., on June 13, 1908. He was thus only 61 at the time of his death. He was raised and educated in Rockville, and subsequently studied at Georgetown University and at Georgetown University School of Law in Washington, D.C., from which he was graduated in 1931. In 1958 Georgetown conferred upon him the honorary degree of doctor of laws.

In 1939 he returned to Washington as a secretary to Representative Boleslaus J. Monkiewicz of Connecticut, which position he held for nearly 4 years. He left to enter the U.S. Navy during World War II, served in New Guinea, the Philippines, and China, was a secret officer under Adm. Chester W. Nimitz, and was discharged as a lieutenant in April 1946.

Toni Sadlak also rendered fine service with the U.S. Government. In 1941–42 he was a special inspector for the Department of Justice and in this capacity he served in a special mission to round up enemy aliens in California after the attack on Pearl Harbor and U.S. entry into World War II. In 1959–60 he held the post of assistant manager of the Veterans' Administration regional office in Hartford, Conn.

In recent years Sadlak was for several years executive director of the Rockville Area Chamber of Commerce, and in 1966 was elected judge of probate for the Ellington-Vernon District which post he held until his death. He was active in church groups, in veterans' organizations, Polish-American circles, and many civic and fraternal organizations.

In Congress, Sadlak first served for several years on the House Post Office and Civil Service Committee and later on the Ways and Means Committee where he became in time the ranking Republican member of the committee. He represented this House at several Interparliamentary Union Conferences abroad. Among legislation he introduced in Congress were proposals for a gradual reduction of income taxes, aid to redevelopment of slum areas, and stricter enforcement of narcotics laws.

He leaves a widow, Mrs. Alfreda Z. Sadlak; a son, Antoni, and a daughter, Alita, as well as a brother and four sisters. The funeral will take place Tuesday morning, October 21, in Rockville.

To his widow, his children, and other members of his family I wish to extend my sincerest condolences and sympathies on this sad day of their bereavement. We share their loss and we shall remember him for many years. He leaves a great name behind and many fine achievements which should be a consolation to his family. Our thoughts and our prayers are with them.

GENERAL LEAVE TO EXTEND

Mr. MESKILL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life, character, and public service of the late Antoni Sadlak.

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

There was no objection.

"NO EXIT FROM VIETNAM"—SIR ROBERT THOMPSON'S NEW BOOK ON VIETNAM

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

Mr. BOLLING. Mr. Speaker. I have just read Sir Robert Thompson's new book on Vietnam—"No Exit from Vietnam." Sir Robert played a key role in the defeat of Communist insurgency in Malaya. He is well qualified by experience, knowledge and demonstrated wisdom to comment on the role of the United States in Vietnam. He is critical of past American military-political policy, strategy and tactics in Vietnam. If his criticisms are sound and I believe many of them are, it is urgent that American policymakers in the executive, both civilian and military, and every Member of the Congress become familiar with them.

On the other hand, Sir Robert is not an advocate of U.S. withdrawal from Vietnam. In fact he says that we have only two alternatives: "selling out" or "to develop a long-haul, low-cost strategy."

His book should be read by "hawks" and "doves" alike as well as those who are neither and continue to seek the wisest course in the longrun interests of the people of the United States.

I urge each of my colleagues to read this important book.

I will include its last chapter in the Extensions of Remarks of the RECORD.

THE LATEST INTEMPERATE OUTBURST FROM THE ADMINISTRATION

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

Mr. JACOBS. Mr. Speaker, sensible Americans agreed with President Nixon's inaugural admonition:

> In these difficult years, America has suffered from a fever of words . . . from angry rhetoric that fans discontents into hatreds; from bombastic rhetoric that postures instead of persuading.
>
> We cannot learn from one another until we stop shouting at one another.

It was gratifying, therefore, to see millions of Americans of all ages exercising that kind of restraint last week, in their gentle efforts at communicating to the President their longing hope for an end to our unfortunate intervention in Vietnam.

All the more unfortunate, then is this latest intemperate outburst from the adminstration by Vice President SPIRO T. AGNEW, on October 19, 1969, at a fundraising affair, New Orleans, La.:

> A spirit of national masochism prevails encouraged by an effete corps of impudent snobs who characterize themselves as intellectuals.

TRIBUTES TO THE HONORABLE JOHN W. McCORMACK, SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

Mr. BURKE of Massachusetts. Mr. Speaker, the Honorable JOHN W. McCORMACK, Speaker of the U.S. House of Representatives, has given of himself to his country, his State, and his native community. He is loved and respected by all those who know him.

When the record of the history of this great Nation is written, the name of JOHN W. McCORMACK will rank among the greatest Speakers in our Nation's history.

JOHN W. McCORMACK was born in the teeming tenement district of South Boston. I was born in that district. We were brought up, raised in a decent way in a very poor neighborhood.

This section of the Nation has produced some of our great leaders in government, religion, and business, and JOHN McCORMACK ranks among the best.

JOHN McCORMACK has given years of service with an unblemished record—a record of decency and integrity—a record that will stand the test of time and the spotlight of publicity.

You and I know that the field of politics is the roughest field in the world. You know about the slings and arrows that come at us every day in the week. But JOHN W. McCORMACK has stood the slings and arrows and he will continue to stand the test of time, he will always have the faith and confidence of the people of his native district in South Boston and, yes throughout the State of Massachusetts and throughout the Nation by all those who know him.

I am happy and I am proud and I am privileged to serve under his great leadership in this House.

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

Mr. BURKE of Massachusetts. I am happy to yield to the distinguished majority leader.

Mr. ALBERT. Of course what the gentleman has said is something that every Member of this House knows is true.

The Speaker's record has been an open book for more than 40 years here in the House of Representatives. He has been elected and reelected by his constituents. He has been reelected Speaker of the House more times than any other man, except Sam Rayburn, in all its history, elected, if you please, by those who have known him and worked with him daily year in and year out.

I have served close to the Speaker for a long time, as all Members know. I have never once in all those years had one single reason to doubt that JOHN McCORMACK in personal life and in public trust represents to the very core of his being the highest moral traditions of this country. He is not only a great man, he is a good man, a model for young people. He is a Christian gentleman and a statesman of the highest order.

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

Mr. BURKE of Massachusetts. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. I think we all read the news stories over the weekend. One sentence in one story appealed to me particularly. It said that the Speaker of the House of Representatives had a reputation of being a Puritan. That may not be a completely accurate restatement of the full sentence in the story, but it was the thrust of the article.

Let me say with deep feeling and strong conviction, everything I have ever known personally about JOHN MCCORMACK would indicate that he was a Puritan in the highest and finest tradition, and that is a good enough recommendation for me.

Mr. BURKE of Massachusetts. I thank the gentleman. I yield to the gentleman from Louisiana (Mr. BOGGS).

Mr. BOGGS. Mr. Speaker, I think we all appreciate what the gentleman has said. The gentleman from Michigan has well defined the Speaker again in the highest traditions of that word.

His whole life has been devoted to his country, to his church, to his wife, to his State, and to his constituents and this House of Representatives.

I think he has been an inspiration to all of us in his devotion to his country and to this great representative body. Anyone who would question his integrity would not know the man in any sense of the word. I join with my colleagues in expressing my pride in having been associated with the Speaker for well over a quarter of a century.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. I yield to the distinguished gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Speaker, I want to say I have been in this House for 26 years and I have never known a finer man than our Speaker. I wish every American led as clean a life as he does. I stayed at the Washington Hotel where he lived for many years. There has never been a more devoted husband in America than Speaker JOHN MCCORMACK. In my opinion, he is ruggedly honest. I want to say that the last two times he ran for Speaker he got all the Democratic votes in the State of Alabama, and the next time he runs, if I am dean of the delegation, I think I can assure him he will get all of the Democratic votes in the State of Alabama. We love him and we consider him a fellow southerner, because, as the gentleman said, he is from South Boston.

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

Mr. BURKE of Massachusetts. I yield to the gentleman from Alabama.

Mr. BUCHANAN. Mr. Speaker, as a junior Member on the minority side. I would like to say all of us here know JOHN MCCORMACK to be a Christian gentleman in the highest sense of that term. The distinguished Speaker's integrity is unimpeachable and beyond challenge so far as every Member of this House is concerned, and we deeply appreciate it.

Mr. EVINS of Tennessee. Mr. Speaker, I want to join with my colleagues in paying a richly deserved tribute to the Speaker and to his great record of public service in the Congress and to the people throughout our Nation.

Certainly no American has had a more important part in championing legislation of benefit to our people than Speaker JOHN W. MCCORMACK, and I want to commend and congratulate him for his great leadership, his unassailable integrity, and for his great ability.

We have all read over the weekend the report of the suspension his administrative assistant, and the allegations that he exceeded his authority without the Speaker's knowledge or consent.

Certainly this development should in no way be construed as a reflection upon Speaker MCCORMACK, as we all know that the Speaker is the soul of honor and the embodiment of integrity. We all know that JOHN W. MCCORMACK has always scrupulously adhered to the highest ethical standards, that Speaker MCCORMACK is a Christian gentleman, and that his life is exemplary in every respect.

Mr. Speaker, we all admire you, and our trust in you is absolute and implicit. I want to assure you of our continuing trust and confidence in you as a man and as a great leader of honor and integrity.

Mr. RARICK. Mr. Speaker, I rise to compliment the gentleman from Massachusetts (Mr. BURKE) for his forthrightness in coming to the defense of our Speaker, and would hope he will be joined by the great majority of our colleagues.

The underhanded innuendoes and sly insinuations that have been instigated to discredit a loyal and faithful public servant come as an affront to all honorable Members of this body.

One of the reasons for the current smear attack on the Speaker is reported to be his courage in supporting me—a junior Member who could do nothing for the Speaker or his district—when I was attacked by this same group. No one can appreciate better than I, his fearless dedication—without prospect of personal gain—to principles of right and fair play. Especially is this evident when we realize that the Speaker was well aware that his impartiality in so doing would make him vulnerable to just such vituperative types of attack.

Those of us in Washington know full well the purpose of these attacks and calculated character assassination—a new leftist attempt at guilt by association. What the American people do not know and are not being told is that this assault is but another rule-or-ruin attempt by the same ambitious clique of leftists within the Democratic Party who were defeated at Chicago, who were defeated here in January when we organized this House, and who have been soundly repudiated at every opportunity offered the people to voice an expression.

This group has organized in the best militant style of the streets. Without authority, they brazenly operate a party within a party—a parallel government in this House, a Satyagraha—complete with officers, goals, whip system, and party discipline.

The Speaker has always been a truly progressive leader of the Democratic Party. As a young Member of Congress responsible to the wants and wishes of my people, I have always found him attentive and fair, and I respect his adherence to the philosophy that there is room under the broad umbrella of the Democratic Party for many different political viewpoints.

Our Speaker, the Honorable JOHN MCCORMACK, has served our country long and ably. When history records the great Speakers of this House, the name of JOHN MCCORMACK will be high on the list, while the names of his detractors will have blown away like dust.

Mr. PATMAN. Mr. Speaker, when we eulogize great men, great leaders, and statesmen who have entwined their lives in any significant degree with the warp and woof of the national fabric of this country, it is generally the custom to speak in glowing terms of qualifications and accomplishments without mentioning any minor shortcomings. The resulting appreciation too often presents an effigy that is noble and edifying, but also far removed from the turmoil of human existence. Our own House of Representatives, where legislative crosscurrents are constantly at work and where the most placid surface can in a moment become a vortex of conflicts, is possibly the last place in the world to look for a portrait in classic marble.

The Speaker of the House of Representatives since the second session of the 87th Congress, the Honorable JOHN W. MCCORMACK, of Massachusetts, cannot be viewed apart from his legislative function, and I hope you will permit just a few observations which reflect my respect, understanding, and high regard for a colleague who, in the leadership of this body, must possess the technical skills of an inspired parliamentarian, the wisdom of a philosopher king, and patience as time defying as interplanetary space. But no matter how far reaching the superlatives, the gentleman from Massachusetts (Mr. MCCORMACK) persists in being a grand human being with the tang of everyday salt in his style and makeup. He has mingled in the fray of battles without number, his scars speak of brave endurance when most have fled the field, and if he has enemies they stand in deep shadow where his sharp eye cannot find them.

Incidentally I have found that Speaker MCCORMACK has never made a speech that did not teach me something, and usually a great deal. Although I am not a member of his church I feel that all of us in the House of Representatives share in his abiding faith, and that each Member is the beneficiary of his great and singular devotion.

The Honorable JOHN W. MCCORMACK is a man of indomitable conscience.

Mr. TALCOTT. Mr. Speaker, I disagree with the Speaker on most political issues. I would prefer that he be the minority leader rather than Speaker. But today I rise to congratulate and commend the Speaker. More importantly, I rise to thank him.

These days must be sad for him. One of his trusted friends and employees was alleged to have violated a special trust

and taken advantage of a long friendship. Loyalty, trust, and dedication are precious commodities in and around the Congress. Each of us may know this better than any employee, student, or Reporter of the House of Representatives.

It is not easy to discover, acknowledge, or appreciate such breaches of trust and such disloyalty.

I believe the Speaker suspended his administrative assistant as soon as he had information to indicate that his assistant may have misused his position or his close relationship with the Speaker. This immediate response is highly commendable. We have learned to expect this impeccable integrity of the Speaker.

The Speaker not only acted courageously and correctly in his own behalf, he performed a special service for the House of Representatives.

Incidents like this will occur from time to time. When Members respond with the alacrity and integrity of the Speaker, they enhance the reputation and image of the House.

So I commend and thank the Speaker for putting his concern for the House and its reputation above his own personal friendships, trusts, and feelings.

I know the Speaker must have been torn between long personal friendship and the reputation of the House, between his strong loyalty to trusted employees and his obligation to maintain the integrity of the functions of the Congress.

After thorough and careful scrutiny, there may be a determination that there was no breach of trust or misuse of position, but the Speaker came up on the side of the Congress.

Each of us ought to be thankful to, and proud of, the Speaker for his courageous conduct on behalf of the House. This is selfless leadership that seldom attracts any acclaim.

As one Member of this House, I say thank you, Mr. Speaker.

GENERAL LEAVE TO EXTEND

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject.

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

There was no objection.

The SPEAKER. The Chair expresses his appreciation to the gentleman from Massachusetts as well as all of the others who have spoken here today.

The time of the gentleman has expired.

THE HONORABLE JOHN W. McCORMACK, SPEAKER OF THE HOUSE OF REPRESENTATIVES

(Mr. O'NEILL of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'NEILL of Massachusetts. Mr. Speaker, I have asked for this time in order to pay tribute to one of the greatest living Americans. He is a man whose political and personal lives have been marked by compassion, honesty and fair play. He is responsible not only for the greatest legislative feats in the history of our Nation, but also for inspiring Members of this body to perform their duties to the best of their abilities, and to seek a better world for all mankind.

I am sure you all know that I am describing our beloved Speaker, the Honorable JOHN W. MCCORMACK. Our Speaker is a great man, loved by every Member of this body.

We all know that recent events have made this a personally trying and distressing time for him. Therefore, I want to take this opportunity to express my utmost confidence in him, my loyalty to him and his leadership, and my faith in his ability to carry on in the great tradition he has established in this body. I hope it will help him to know that we are with him at this time, and that there is no faltering or diminishing of our confidence or loyalty.

I know his great faith, which has brought him through many a personal tragedy and helped him lead this Nation during its greatest perils, will carry him through this trying time, and I hope the knowledge of our devotion and fidelity will in some small way help him to weather this storm.

More than any other man I have known, our beloved Speaker loves his fellow man and loves this House. I want him to know at this time that the Nation he has served and is so ably serving is grateful for his leadership—and that I and my colleagues are constant in our loyalty and devotion. I also want him to know more than anything else that he has our confidence and our love.

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

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I join with my distinguished colleagues from Massachusetts, Congressman BURKE and Congressman O'NEILL and other Members of the House in this expression of confidence in Speaker JOHN W. MCCORMACK.

I am sure that his record needs no defense from us. It has been written over a period of more than 40 years, a brilliant legislative record of intelligent action and leadership during some of the most trying times in the history of this Nation.

Mr. Speaker, the fact that Members from both sides of the aisle have today paid tribute to him indicates the respect in which he is held by the membership in this body.

I have confidence that recent newspaper stories will wash out insofar as Speaker MCCORMACK is personally concerned. I feel, too, that Speaker MCCORMACK's impeccable reputation for honesty and integrity will not be sullied.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Speaker, I would like to join with the gentleman from Massachusetts (Mr. O'NEILL) in expressing our confidence in the Speaker. Certainly, we Members have always appreciated his fairness and his friendship and I hope he will continue just as he is.

It has been a pleasure as a Congressman of the opposition party to serve through the years with JOHN MCCORMACK, of Massachusetts. I have served under his excellent leadership in the early days of space on the original Select Space Committee of the House, as well as on the House Science and Astronautics Committee, to each of which committees JOHN MCCORMACK has given progressive, forward-looking leadership as chairman.

Congressman JOHN MCCORMACK has increased the prestige of the speakership of the U.S. House of Representatives, and the House of Representatives, as well.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. I come from the neighboring State of Rhode Island and want to rise and pay tribute to the Speaker and to thank him on behalf of the constituents whom I represent and have represented over the years. I further would like to say that during my tenure the distinguished Speaker has taken of his valuable time on hundreds of occasions to speak with, advise, and assist constituents of mine. When the people who are reading these stories that are being written stop and think of the multiplicity of duties of the Speaker, they should ask themselves how can one man perform all that he has performed over the years.

Upon reflection and upon careful analysis, the people of this Nation are and ought to be grateful for the fact that we have a JOHN MCCORMACK heading this House of Representatives.

Mr. O'NEILL of Massachusetts. I thank the gentleman for his comments.

THE MORATORIUM

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

Mr. RYAN. Mr. Speaker, in the latest administration attempt to discredit the October 15 Vietnam moratorium, Vice President AGNEW has said that it was "encouraged by an effete corps of impudent snobs who characterize themselves as intellectuals."

Mr. Speaker, to whom was the Vice President referring? Was he referring to Ambassador Averell Harriman, who was the chief negotiator in Paris for President Johnson? Ambassador Harriman supported the moratorium.

Was he referring to former Supreme Court Justice Arthur Goldberg, our former Ambassador to the United Nations? Justice Goldberg supported the moratorium.

Was he referring to the many Members of the House and Senate who have been deeply concerned about the war in Vietnam?

Was he referring to the 79 college and university presidents who appealed to President Nixon for "a stepped up timetable for withdrawal from Vietnam?"

Was he referring to the millions of American citizens—young and old, black and white, rich and poor—throughout this land who expressed deep concern on October 15 about the continuation of the tragic war in Vietnam?

Continued attempts to discredit the determination of millions of Americans to see peace achieved in Vietnam will only make less credible whatever efforts the administration is pursuing. How long will the administration remain insensitive to, unaffected by, and unable to learn anything new from the yearning for peace as evidenced by the outpouring of citizen concern across this country?

The October 15 Vietnam moratorium was expressed in legitimate and traditional American fashion. It is important for the President and Vice President to recognize this is no longer dissent. It is now a majority sentiment.

Mr. Speaker, the Gallup poll has reported that a majority of the American people now want to see the war in Vietnam brought to a prompt end. Fifty-seven percent of the citizens sampled, according to the Gallup poll, support bringing home U.S. troops within 1 year and 58 percent believe that the war in Vietnam was a mistake from the beginning. That was the message of the American people when they elected President Nixon. Let it be heeded.

WHO NEEDS NOBEL PRIZES, ANYWAY? OR ONCE YOU'VE SEEN ONE NOBEL PRIZE, YOU'VE SEEN THEM ALL

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

Mr. PODELL. Mr. Speaker, I was among those Americans who were proud and most thrilled to see the Nobel Prize for medicine awarded last Thursday to three Americans. In the midst of worsening economic news, domestic turmoil over Vietnam, foreign conflicts, and the general worries of the world, here was a bright spot to lighten my spirits and uplift my heart. I believe millions shared this feeling. Government assistance over the years to the ongoing process of medical research had once again borne ripe fruit, not only for individuals and our country, but for all mankind.

It has since been revealed that each of these three American scientists who participated in the winning of the Nobel Prize for medicine have had their research funds cut by the Federal Government.

The disclosure came the day after the Department of Health, Education, and Welfare, which controls such research spending, sent each of them a telegram of congratulations. Sort of like offering a last drag on a cigarette to the man about to be shot by the firing squad; no?

Dr. Max Delbruck, of California Institute of Technology at Pasadena, had his funds cut 8 percent; from $406,274 to $373,760. Dr. Alfred D. Hershey, of the Carnegie Institution in Cold Spring Harbor, N.Y., had his funds cut 10 percent; from $45,399 to $40,860. Dr. Salvador E. Luria of MIT at Cambridge had his funds reduced by 9 percent; from $60,731 to $55,266.

Mr. Speaker, there are many indignant words which can be uttered here, and although ordinarily I am not lacking in a supply of them, I shall not utilize them. The facts speak for themselves.

I hope that these cuts will be restored by the administration in the interests of all Americans.

MORATORIUM DAY PARTICIPANTS SINCERE

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

Mr. PELLY. Mr. Speaker, the press this morning carries a story quoting Vice President AGNEW as having said participants in last Wednesday's "Moratorium day" were "impudent and snobs."

Well, Mr. Speaker, I disagree. Anyone who has read my congressional mail would realize the amount of sincerity that was involved in this movement of October 15, and this sincerity should be realized and respected. Those participating in "Moratorium day" proved themselves not a lawless mob but rather they conducted themselves in such a manner the police here in the Nation's Capital had high praise for their behavior.

I reiterate my position which I stated on the floor of the House of Representatives October 15. The President has done more in the last 9 months than any man in an attempt to end the war in Vietnam, and I commend him.

Further, when President Nixon addresses the Nation November 3, it has been hinted he will go further and seek U.S. disengagement from the war.

However, Mr. Speaker, it seems to me that unnecessary name-calling has no place in our administration's moves toward peace in Vietnam.

As former Vice President Hubert Humphrey said, emerging from a meeting with President Nixon at the White House recently:

> I believe the President is proceeding along the right path in Vietnam . . . and I think the worst thing we can do is try to undermine the efforts of the President. I believe that no man in this country is more desirous of bringing about an acceptable and workable settlement in Vietnam than the President of the United States.

PERSONAL EXPLANATION

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

Mr. MIZE. Mr. Speaker, on Thursday, October 16, 1969, the House passed H.R. 4293, a bill to extend the Export Control Act, by a vote of 272 to 7 on rollcall No. 233. While I had an opportunity to participate in the debate on this legislation, I was absent for the final vote on passage to attend a meeting at the White House with the President.

Although I was paired, had I been present I would have voted "yea" on this bill.

ODE TO THE METS, ETC.

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

Mr. BUCHANAN. Mr. Speaker, in New York City today there is a tickertape parade honoring the world's series champions. Since the triumph of the lowly Mets is of particular inspiration to Republican Members, I would like to insert the following in the RECORD:

ODE TO THE METS, ETC.

Down and out and trampled under
Were the Mets, a winless wonder
Cynics said it would forever be their fate.
Their games went like Nixon's races
They kept falling on their faces
Striking out each time they came up to the plate.

But each time they didn't win
They'd stand up and try again
Herein lies a lesson no one wise forgets.
Failure need not be a prison
Worms can turn, and cream has risen
Just consider Richard Nixon, and the Mets.

Now my team is losing races
From the West's wide open spaces
To the Speaker's state of old Massachusetts.
But we'll keep a vision glorious
Of Republicans victorious
Just rememb'ring Richard Nixon, and the Mets.

From the ashes, from the dust
Truth can rise—indeed, it must
Democratic friends, I say with no regrets.
When our efforts are expended
You may find yourselves upended
Just remember Richard Nixon, and the Mets.

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

Mr. BUCHANAN. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I hope the gentleman will keep in mind that Mr. Koosman is a Minnesota product.

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

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may be permitted to sit during general debate today.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

THE VICE PRESIDENT'S COMMENTS WITH RESPECT TO THE MORATORIUM

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

Mr. RIEGLE. Mr. Speaker, it is with a sense of sadness and a sense of disappointment that I read in this morning's paper of the comments of the Vice President with respect to the moratorium, which was just referred to by the last speaker.

I would say that I do not feel the comments which were made by the Vice President reflect the feelings of the President. I do not believe he speaks for the President on this issue, nor do I believe he speaks for the national party, because I read and heard, as you did, that the chairman of our National Republican Party thought the moratorium was a

good thing and was so quoted as having said so.

I noticed, also, the Vice President, in the remarks quoted, used the phrase "dangerous oversimplification." I believe it is a dangerous oversimplification to ever try to paint everybody with the same brush, particularly with respect to the moratorium.

I would hope that we in our party, that started as a civil liberties party with Abe Lincoln and with the idea there were some careful distinctions which ought to be made with respect to civil rights, will look for ways to disassociate ourselves from any form of extremism, any form of branding and labeling anybody, whether it be with phrases like "Communist sympathizers," "impudent snobs," or anything of the kind.

I believe the times we are in are much more serious than that. All of us, regardless of party and regardless of position, have to take the time to be very careful in defining exactly what we mean.

I stand here with a great sense of disappointment about the Vice President's remarks, and I want to make sure it is clear they do not represent the views and feelings I have as one within the Republican Party, and I believe they do not accurately reflect the views of many others.

CONSENT CALENDAR

The SPEAKER pro tempore. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

The Clerk called the bill (H.R. 14030) to amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

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

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

There was no objection.

AMENDING THE ACT OF DECEMBER 11, 1963 (77 STAT. 349), RELATING TO THE ROSEBUD SIOUX INDIAN RESERVATION, S. DAK.

The Clerk called the bill (H.R. 3247) to amend the act of December 11, 1963 (77 Stat. 349).

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask one question concerning this legislation.

Suppose the insurance company proceeds on the basis of the pending legislation to make a loan to the Rosebud Sioux Indians, and then is forced to foreclose. Would the insurance company get title to the land foreclosed to settle the judgment? What would be the situation?

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

Mr. GROSS. I yield to the gentleman from South Dakota.

Mr. BERRY. The insurance company would get title under the laws of the State of South Dakota.

We passed the original legislation in 1963, I believe it was, to permit the tribe to consolidate its holdings and to sell and mortgage land that was in adjoining counties, some distance from the reservation, but we did not provide that a mortgage in default could be foreclosed in State courts. That is all that this does, is to give the mortgagee the right to come in to State court and foreclose the mortgage.

Mr. GROSS. It is not proposed to somehow or other induce these Indians to go into debt and then foreclose on them under adverse circumstances and take their lands?

Mr. BERRY. No. Of course that is not the purpose.

Mr. GROSS. But this could be the result of the insurance company having loaned the money. They could be foreclosed upon and the insurance company step in and take over the land. Is that not true?

Mr. BERRY. It could be, but before the loan is made it must be approved by the Secretary of the Interior. So there is no danger of any company, that is, any insurance company, taking advantage of the tribe or any individual Indian under this bill.

Mr. GROSS. I thank the gentleman. I appreciate that assurance for the record.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I yield to the chairman of the committee.

Mr. ASPINALL. Mr. Speaker, this bill amends a 1963 statute which permits the Rosebud Sioux Tribe to mortgage isolated tracts of tribal land on the reservation in lieu of selling them, and to use the mortgage money to acquire lands within the tribal consolidation area. The 1963 act does not specify the procedure to be used in the event it is necessary to foreclose a mortgage of this kind. H.R. 3247 spells out his procedure by saying that the foreclosure will be in the State court in accordance with the State law.

The enactment of the bill is needed before the commercial lending agencies will lend money on the basis of tribal mortgages and the tribe has asked that the bill be enacted.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

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

H.R. 3247

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of December 11, 1963 (77 Stat. 349), Public Law 88-196, entitled "An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota", be and the same is hereby amended by adding a section 3 reading as follows:

"SEC. 3. Any land mortgaged under section 2 of this Act shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of South Dakota. For the purpose of any foreclosure or sale proceeding, the Rosebud Sioux Tribe shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the foreclosure or sale proceeding, and any conveyance of the land pursuant to the foreclosure or sale proceeding shall divest the United States of title to the land. Title to any land redeemed or acquired by the Rosebud Sioux Tribe at such foreclosure or sale proceeding shall be taken in the name of the United States in trust for the tribe. Title to any land purchased by an individual Indian at such foreclosure sale or proceeding may, with the consent of the Secretary of the Interior, be taken in the name of the United States in trust for the individual Indian purchaser."

With the following committee amendments:

Page 2, line 10: Following the word "Indian" insert "member of the Rosebud Sioux Tribe."

Page 2, following line 13: Add a new section as follows:

"SEC. 2. The Act of December 11, 1963 (77 Stat. 349), Public Law 88-196, entitled 'An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota', is further amended by adding a section 4 reading as follows:

" 'SEC. 4. The provisions of this Act shall not apply to the foreclosure of a mortgage or a deed of trust which is then owned by an individual Indian.' "

The 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.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 73) to amend the act entitled "An act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota."

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 73

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of December 11, 1963 (77 Stat. 349, Public Law 88-196), entitled "An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota", be and the same is hereby amended by adding a section 3 reading as follows:

"SEC. 3. Any land mortgaged under section 2 of this Act shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of South Dakota. For the purpose of any foreclosure or sale proceeding, the Rosebud Sioux Tribe shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the foreclosure or sale proceeding, and any conveyance of the land pursuant to the foreclosure or sale proceeding shall divest the United States of title to the land. Title to any land redeemed or acquired by the Rosebud Sioux Tribe at such foreclosures or sale proceeding shall be taken in the name of the United States in trust for the tribe. Title to any land purchased by an individual Indian member of the Rosebud Sioux Tribe at such foreclosure sale or pro-

ceeding, many, with the consent of the Secretary of the Interior, be taken in the name of the United States in trust for the individual Indian purchaser."

AMENDMENT OFFERED BY MR. ASPINALL

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

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause of S. 73 and insert the provisions of H.R. 3247 as passed, as follows:

"That the Act of December 11, 1963 (77 Stat. 349), Public Law 88-196, entitled "An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota", be and the same is hereby amended by adding a section 3 reading as follows:

" 'SEC. 3. Any land mortgaged under section 2 of this Act shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of South Dakota. For the purpose of any foreclosure or sale proceeding, the Rosebud Sioux Tribe shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the foreclosure or sale proceeding, and any conveyance of the land pursuant to the foreclosure or sale proceeding shall divest the United States of title to land. Title to any land redeemed or acquired by the Rosebud Sioux Tribe at such foreclosure or sale proceeding shall be taken in the name of the United States in trust for the tribe. Title to any land purchased by an individual Indian member of the Rosebud Sioux Tribe at such foreclosure sale or proceeding may, with the consent of the Secretary of the Interior, be taken in the name of the United States in trust for the individual Indian purchaser.'

"SEC. 2. The Act of December 11, 1963 (77 Stat. 349), Public Law 88-196, entitled 'An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota', is further amended by adding a section 4 reading as follows:

" 'SEC. 4. The provisions of this Act shall not apply to the foreclosure of a mortgage or a deed of trust which is then owned by an individual Indian.' "

The amendment was agreed to.

The Senate 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.

A similar House bill (H.R. 3247) was laid on the table.

PLACING IN TRUST STATUS CERTAIN LANDS OF THE STANDING ROCK SIOUX INDIAN RESERVATION IN NORTH DAKOTA AND SOUTH DAKOTA

The Clerk called the bill (H.R. 3334) to place in trust status certain lands on the Standing Rock Sioux Indian Reservation in North Dakota and South Dakota.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that an identical Senate bill, S. 74, be considered in lieu of the House bill.

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

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

S. 74

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall hereafter be held by the United States in trust for the benefit of the Standing Rock Sioux Indian Tribe all the right, title, and interest of the United States in and to the following described land on the Standing Rock Sioux Indian Reservation in North and South Dakota.

The Southwest quarter southwest quarter southwest quarter southeast quarter of section 35, township 132 north of range 83 west of the fifth principal meridian, Sioux County, North Dakota, containing 2.5 acres more or less.

SEC. 2. This conveyance is subject to all valid existing rights-of-way of record.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the beneficial interest conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

Mr. ASPINALL. Mr. Speaker, this bill transfers to the Standing Rock Sioux Tribe a trust title to approximately 2.5 acres of land that were acquired by the United States in 1938 for an Indian school. The school has been discontinued and the property is excess to the needs of the Department of the Interior. The land is within a portion of the reservation where the tribe is attempting to consolidate its land holdings and the tribe wishes to acquire the land. The land has a fair market value of $700.

Although the bill provides for a transfer without a consideration, the bill contains a requirement that the Indian Claims Commission consider whether the value of the land should be setoff against any future claims judgment against the United States.

The Senate 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.

A similar House bill (H.R. 3334) was laid on the table.

DECLARING THAT CERTAIN FEDERALLY OWNED LAND IS HELD BY THE UNITED STATES IN TRUST FOR THE CHEYENNE RIVER SIOUX TRIBE OF THE CHEYENNE RIVER INDIAN RESERVATION

The Clerk called the bill (H.R. 4226) to declare that certain federally owned land is held by the United States in trust for the Cheyenne River Sioux Tribe of the Cheyenne River Indian Reservation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I would like to inquire as to whether the committee considered the Bureau's question whether mineral interests should be transferred and with respect to other questions that were raised by the Bureau of the Budget.

Mr. BERRY. Mr. Speaker, will the gentleman yield

Mr. PELLY. I yield to the gentleman from South Dakota.

Mr. BERRY. The tribe is not primarily interested in the mineral rights. The purpose of the bill is to transfer this land to the tribe because we have a company that is coming in to put in a tanning plant on this land adjacent to Oahe Lake and Reservoir which will employ 100 to 200 Indian people. We have plenty of water and power and everything at this point. The tribe is interested in getting this land, which is ideally located for this plant. This is the purpose of the legislation.

Mr. ASPINALL. Mr. Speaker, will my colleague yield to me?

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

Mr. ASPINALL. Mr. Speaker, this legislation would transfer the mineral rights, whatever they might be, and they are taking it into consideration as a part of the appraised valuation.

Mr. PELLY. Would the gentleman indicate as to the position of the Treasury in reporting on this legislation? There is nothing that I can find that indicates whether they were in support of this legislation.

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield, I do know that this bill has the approval of the Bureau of the Budget and therefore, I would think that under those circumstances it has the support of the Department of the Treasury.

Mr. PELLY. As I understand, Mr. Speaker, the Bureau of the Budget said that the Treasury Department would comment but insofar as I know the Treasury Department has not as yet commented upon it. However, I think this is a small item in this bill and the only reason I raise the point, Mr. Speaker, is because the next bill on the Consent Calendar is more substantial and, again, the question was raised by the Bureau of the Budget as I understand it as to whether the property was to be donated or sold, and other points that were raised and as to whether or not the property should be held in trust rather than in a fee status.

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield further, the bills that we have here are similar bills that we have passed year after year for housekeeping purposes in order to put the Indians into a position where they themselves could carry on their business. That is all that is involved here.

It seems to me that this is a better way to do it than under the HEW approach.

Mr. PELLY. I am sure the gentleman has handled a lot of these bills and if he thinks that is the way to handle them it is probably the best procedure, but I saw these points which were raised by the Bureau of the Budget.

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

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

Mr. GROSS. I am still not clear—perhaps the gentleman from Washington is—but I am still not clear as to whether the mineral rights in connection with this land are protected.

Is the gentleman saying that the mineral rights have been protected, no matter what the acreage involved? This is not an extraordinarily large acreage, but there may well be valuable minerals on

small acreages. I still do not know whether the mineral rights have been protected or not. The Bureau of the Budget questioned this matter with relation to this bill.

Mr. PELLY. As I understand it, the property is rather small and there is no knowledge at this time to the effect that there would be any real value in mineral rights. But I think the principle is one that I am sure the very distinguished chairman of the Committee on Interior and Insular Affairs and the members of that committee have considered. However, I think we ought to raise this issue when legislation of this kind comes to the floor.

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

Mr. PELLY. I yield to the gentleman.

Mr. BERRY. There are no known minerals in this area.

Mr. PELLY. Well, that has been true in parts of the country when it was said there were no great minerals involved. Yet, they discovered oil later. There is the case of the city of Long Beach which does not represent a large area but which gets large oil royalties. So I think, as a matter of principle, the committee ought to consider possible mineral rights and I am sure it has.

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

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that an identical Senate bill, S. 921, be considered in lieu of the House bill.

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

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

S. 921

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in land heretofore used in connection with the Cheyenne River Boarding School described as the east half section 19 and the west half section 20, township 13 north, range 31 east, Black Hills Meridian, Dewey County, South Dakota, comprising approximately 640 acres, together with all improvements thereon except fencing owned by Indian permittee, are hereby declared to be held by the United States in trust for the Cheyenne River Sioux Tribe of the Cheyenne River Indian Reservation. The land conveyed by this Act is subject to all valid existing rights-of-way.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claims against the United States determined by the Commission.

The Senate 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.

A similar House bill (H.R. 4226) was laid on the table.

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

Mr. ASPINALL. Mr. Speaker, this bill transfers to the Cheyenne River Sioux Tribe a trust title to approximately 640 acres of land that were purchased by the United States in 1940 as a pasture for an Indian school beef herd. The Indian boarding school has been discontinued and the property is now excess to the needs of the Department of the Interior. The land is within a portion of the reservation where the tribe is attempting to consolidate its land holdings and the tribe wishes to acquire the land. It has a present fair market value of $22,000 and has a potential for industrial development that will provide jobs for many Indians.

Although the bill provides for a conveyance without consideration, a committee amendment requires the Indian Claims Commission to consider whether the value of the land should be set off against any future claims judgment against the United States.

DECLARING THAT CERTAIN FEDERALLY OWNED LANDS ARE HELD BY THE UNITED STATES IN TRUST FOR THE INDIANS OF THE PUEBLO OF LAGUNA

The Clerk called the bill (H.R. 9424) to declare that certain federally owned lands are held by the United States in trust for the Indians of the pueblo of Laguna.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 210, be considered in lieu of the House bill.

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

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

S. 210

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to the following described federally owned lands and all improvements thereon, situated in Valencia and Sandoval Counties, New Mexico, which were acquired for school, sanatorium, clinic, agency, or other administrative purposes, are hereby declared to be held by the United States in trust for the Pueblo of Laguna:

Antonio Sedillo Grant administrative site situated in unsurveyed sections 2, 11, 12, and 14, township 8 north, range 3 west, New Mexico principal meridian, and more particularly described as beginning at center of west line of section 11, thence south along same section line approximately one-sixteenth mile to a point where a fence line ties on to west line of same section; thence southeasterly along said fence line approximately one mile through the southwest quarter and southeast quarter section 11, and to a point in the northeast quarter section 14 where said fence corners; thence in a northeasterly direction along same fence line through sections 14, 11, and 12 to a point where said fence ties on to a mesa rim; thence in a northeasterly direction along mesa rim to a point where same mesa rim turns in an easterly direction; thence north approximately fifty yards to a water gap on Rio San Joe in northwest quarter section 12; thence in a northwesterly direction through the northwest quarter section 12, northeast quarter section 11 and southeast quarter section 2 to a point where channel of Rio San Jose turns westerly; thence along said channel of Rio San Jose westerly, southwesterly and northwesterly approximately one mile to a point of intersection of said channel with the west line of section 2; thence south along west lines of sections 2 and 11, township 8 north, range 3 west, to point of beginning, containing 640 acres, more or less.

Bernabe M. Montano Grant administrative site described as the southwest quarter section 7 and northwest quarter section 18–8; township 12 north, range 1 west, New Mexico principal meridian, containing 320 acres, more or less.

Laguna Sanatorium site situated in sections 4 and 5, township 9 north, range 5 west, New Mexico principal meridian, described in quit-claim deed dated June 7, 1923, from the Pueblo Laguna to the United States of America, as follows: From the southeast corner of the school tract, north 32 degrees 15 minutes east 6.47 chains to the southwest corner of the addition; thence south 57 degrees 45 minutes each 4.00 chains to the southeast corner; thence north 21 degrees 57 minutes east 7.00 chains; thence north 77 degrees 09 minutes east 6.05 chains; thence north 13 degrees 39 minutes east 3.87 chains; thence north 7 degrees 33 minutes east 9.47 chains to the northeast corner; thence north 82 degrees 27 minutes west 1.97 chains to the northwest corner; thence south 32 degrees 15 minutes west 22.62 chains to the place of beginning, containing 9.90 acres more or less.

Government excluded tract that was excepted and excluded from United States Patent Numbered 89,316 dated November 15, 1909, to the Pueblo of Laguna covering the Pueblo of Laguna grant in townships 9 and 10 north, ranges 5 and 6 west, New Mexico principal meridian, described as beginning at a point 72 feet westwardly from the center of the main line of the Santa Fe Pacific Railroad and 75 feet northwardly from Robert G. Marmon's north fence; thence north 32 degrees 15 minutes east on a line parallel to the railroad, 21 chains 47 links to the northeast corner, which is a mound of stone; thence north 57 degrees 45 minutes west, 15 chains to the northwest corner which is a pile of stone; thence south 32 degrees 15 minutes west, 21 chains 47 links to the southwest corner, which is a point; thence south 57 degrees 45 minutes east, 15 chains to the southeast corner and place of beginning, containing 32.20 acres, more or less.

Encinal School site (acquired by condemnation in case numbered 1604, equity, in the United States District Court in the District of New Mexico), situated in section 3, township 10 north, range 6 west, New Mexico principal meridian, and more particularly described as follows: The place of beginning is a point located north 44 degrees 40 minutes east a distance of 1,300.0 feet and thence north 56 degrees 15 minutes east a distance of 232.0 feet from the southwest section corner of section 3, township 10 north, range 6 west. From said place of beginning line runs north a distance of 335.1 feet; thence east 260.0 feet; thence south 335.1 feet; thence west 260.0 feet to a point of beginning, and contains 2 acres, more or less.

Laguna Day School site (acquired through condemnation proceedings in United States District Court in the District of New Mexico, case numbered 2895; final decree filed May 19, 1937), consisting of two parcels described as follows:

Parcel numbered 1 situated in section 5, township 9 north, range 5 west, New Mexico principal meridian, lying south of and adjacent to the United States Government excluded tract situated in said section, and more particularly described as beginning at the northeast corner of parcel numbered 1,

which corner is located on the south boundary of the said United States Government excluded tract, and bears north 57 degrees 45 minutes west 212.7 feet from the southeast corner of the said United States Government excluded tract, and running thence north 57 degrees 45 minutes west 210 feet, more or less, along the south boundary of the said United States Government excluded tract to the northwest corner of said certain tract; thence south 32 degrees 16 minutes west 173.3 feet, more or less, to the southwest corner, thence south 54 degrees 06 minutes east 197.7 feet to the southeast corner; thence north 36 degrees 03 minutes east 186.9 feet, more or less, to the point of beginning, containing 0.83 acres, more or less.

Parcel numbered 2 situated in section 5, township 9 north, range 5 west, New Mexico principal meridian, lying south of and adjacent to the United States Government excluded tract situated in said section, and more particularly described as beginning at the northwest corner of parcel numbered 2, which corner is located at the intersection of the south boundary of the United States Government excluded tract with the south right-of-way line of United States Highway Numbered 66 and bears north 57 degrees 45 minutes west 503 feet, more or less, from the southeast corner of the said United States Government excluded tract, and running thence south 57 degrees 45 minutes east 81 feet, more or less, to the northeast corner of said tract; thence south 32 degrees 16 minutes west 173.2 feet to the southeast corner of said tract; thence north 54 degrees 06 minutes west 227 feet, more or less, to the southwest corner, which corner is a point on the south right-of-way line of United States Highway Numbered 66; thence following a 3-degree 5.2-minute curved line curving to the right and following the said south right-of-way line of Highway Numbered 66 a distance of 217 feet, more or less, to the point of beginning, containing 0.61 acres, more or less.

Paguate School site (acquired by condemnation in case numbered 125, in the United States District Court in the District of New Mexico; judgment rendered July 5, 1912), situated in section 33, township 11 north, range 5 west, New Mexico principal meridian, and more particularly described as beginning at the 11th mile corner on the north boundary of the Paguate purchase; thence south 34 degrees 20 minutes west, a distance of 36.25 chains; thence south 3 degrees 50 minutes east, a distance of 32.00 chains; thence south 17 degrees 41 minutes east, a distance of 95.18 chains to the southwest corner of the lot; thence south 77 degrees 15 minutes east, a distance of 3.395 chains; thence north 10 degrees 43 minutes east, a distance of 3.82 chains; thence north 89 degrees 38 minutes west, a distance of 2.175 chains; thence south 30 degrees 40 minutes west, a distance of 0.67 chains; thence north 82 degrees 33 minutes west, a distance of 1.06 chains; thence south 9 degrees 54 minutes west, a distance of 2.613 chains to the southwest corner, containing 1.11 acres, more or less.

Mesita School site (acquired by condemnation in case numbered 86; judgment rendered June 3, 1912), situated in section 18, township 9 north, range 4 west, New Mexico principal meridian, and more particularly described as beginning at the southwest corner of the school site, which is north 1 degree east a distance of 3 miles 24.6 chains from the standard corner of township 9 north, ranges 4 and 5 west, New Mexico principal meridian; thence south 84 degrees 46 minutes east, a distance of 4.00 chains; thence north 5 degrees 14 minutes east 2.50 chains; thence north 84 degrees 46 minutes west 4.00 chains; thence south 5 degrees 14 minutes west 2.50 chains to point of beginning, containing 1 acre, more or less.

Paraje School site described as south half northwest quarter northwest quarter southeast quarter section 33, township 10 north, range 6 west, New Mexico principal meridian, containing 5 acres, more or less.

Seama Government site described as northwest quarter southwest quarter southwest quarter northwest quarter section 6, township 9 north, range 6 west, New Mexico principal meridian, containing 2.50 acres, more or less.

Seama School site (acquired by condemnation in case numbered 1604, equity), situated in section 36, township 10 north, range 7 west, New Mexico principal meridian, and more particularly described as follows: The place of beginning is a point on the one-sixteenth subdivision line 1,251.3 feet west from the east one-sixteenth corner of the southeast quarter section 36, township 10 north, range 7 west, New Mexico principal meridian. From said place of beginning, line runs west on said one-sixteenth subdivision line for a distance of 208.7 feet; thence north 417.4 feet; thence east 208.7 feet; thence south 417.4 feet to place of beginning, containing 2 acres, more or less.

SEC. 2. This conveyance is subject to all valid existing rights-of-way of record; and to the right of the United States Public Health Service to continue use and occupancy of that property, presently in use by it, for so long as is necessary.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of any lands and improvements placed in a trust status under the authority of this Act should or should not be set off against any claim against the United States determined by the Commission.

AMENDMENT OFFERED BY MR. ASPINALL

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

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: On page 4, line 6, delete the word "while" and substitute in lieu thereof the word "which".

The amendment was agreed to.

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

Mr. ASPINALL. Mr. Speaker, this bill transfers to the Pueblo of Laguna trust title to approximately 1,016.65 acres of land that are now owned by the United States. The land is in 11 widely separated tracts that range in size from less than 1 to 640 acres. All of the land is within the boundaries of the reservation. Nine hundred and sixty acres out of the total of 1,016 acres were acquired by the United States in 1930's under its so-called submarginal lands program. Over 300,000 acres of the submarginal lands were transferred to the Pueblo in 1949, without consideration, and these 960 acres were reserved because at that time they were still needed for administrative purposes. They are no longer needed by the Government and should be added to the 304,473 acres previously transferred.

The remainder of the lands covered by the bill are six former school sites and one sanatorium site. They also are excess to the needs of the Government except for a small area still used by the Public Health Service, and the bill reserves the right to continue this use.

The present fair market value of the land is about $130,000, and although the bill provides for a conveyance without consideration the bill also contains the usual setoff provision requiring the Indian Claims Commission to determine whether the value of the property should be setoff against any future claim recovered by the tribe against the United States.

The Senate 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.

A similar House bill (H.R. 9424) was laid on the table.

DECLARING THAT THE UNITED STATES SHALL HOLD CERTAIN LAND IN TRUST FOR THE THREE AFFILIATED TRIBES OF THE FORT BERTHOLD RESERVATION, N. DAK.

The Clerk called the bill (S. 775) to declare that the United States shall hold certain land in trust for the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak.

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

S. 775

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That all of the right, title, and interest of the United States in and to the surface of the following described land (together with all buildings and other improvements thereon), such land and improvements having been declared excess to the needs of the Bureau of Indian Affairs, are hereby declared to be held by the United States in trust for the Three Affiliated Tribes of the Fort Berthold Reservation, subject to the right of the United States, its successors or assigns to use the west 75 feet of the parcel for a road right-of-way so long as it is needed, as determined by the Secretary of the Interior, for such purposes: southwest quarter southwest quarter northwest quarter of section 21, township 150 north, range 90 west, of the fifth principal meridian, North Dakota, comprising 10 acres.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claims against the United States determined by the Commission.

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

Mr. ASPINALL. Mr. Speaker, this bill transfers to the Three Affiliated Tribes of the Fort Berthold Reservation a trust title to approximately 10 acres of land that were acquired by the United States in 1954 for Indian day school purposes. The day school was destroyed by fire in 1963 and will not be replaced. The property is excess to the needs of the Department of the Interior but is needed by the tribes for use in connection with their community meetings, adult education, social gatherings and recreational programs.

The property has a fair market value of $5,070 and although the bill provides for a conveyance without consideration it contains the usual provision requiring the Indian Claims Commission to consider whether the value of the land should be setoff against any future claim recovered by the tribe against the United States.

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.

AUTHORIZING APPROPRIATION OF FUNDS FOR FORT DONELSON NATIONAL BATTLEFIELD, TENN.

The Clerk called the bill (H.R. 13767) to authorize the appropriation of funds for Fort Donelson National Battlefield in the State of Tennessee, and for other purposes.

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

H.R. 13767

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, there are hereby authorized to be appropriated such sums as may be necessary to satisfy the final judgments totaling $12,721.25 (that is, $23,381.25 minus $10,660 deposited in court) rendered against the United States in civil actions numbered 3371 and 3397 in the United States District Court for the Middle District of Tennessee, Nashville Division, for the acquisition of lands for the Fort Donelson National Battlefield. The sums herein authorized to be appropriated shall be sufficient to pay the amount of said judgment, together with interest as provided by law.

With the following committee amendment:

Page 1, beginning on line 5, after the word "final", strike out the remainder of the language and insert in lieu thereof the following: "net judgments rendered against the Unites States in civil actions numbered 3371 and 3397 in the U.S. District Court for the Middle District of Tennessee, Nashville Division, for the acquisition of lands for the Fort Donelson National Battlefield, totaling $12,721.25, plus interest as provided by law."

The committee amendment was agreed to.

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

Mr. ASPINALL. Mr. Speaker, the Committee on Interior and Insular Affairs recommends the enactment of H.R. 13767, as amended.

This bill was introduced by our colleague, the gentleman from Tennessee (Mr. JONES). It authorizes the appropriation of sufficient funds to satisfy the outstanding judgments against the United States arising from the acquisition of certain lands at the Fort Donelson National Battlefield in the State of Tennessee.

In 1960, when the Congress expanded this area, an appropriation of $226,000 was authorized for the acquisition of additional lands. Pursuant to this authority, the National Park Service has acquired most of the privately owned lands; however, title to the four tracts involved in this legislation—totaling 72.3 acres—was acquired through eminent domain proceedings. The Park Service deposited the estimated fair market value of the properties in court, but the judgments were in excess of the estimates. As a consequence, the United States is obligated to pay the deficiency. Our only option is to pay it promptly with interest at the rate of 6 percent or to pay it later with more interest.

Before concluding my remarks, I do want to emphasize that this does not complete the acquisition program at this park facility. There are still approximately 87 acres to be acquired. Before they can be acquired, additional funds must be authorized sometime in the future, because the existing authorization ceiling has been fully appropriated and expended. The committee was told that no other declarations of taking have been filed, so we should not be confronted with this same situation without having an opportunity to ascertain the desirability of purchasing the remainder of the lands inside the park boundaries.

Mr. Speaker, with that brief explanation, I recommend the approval of H.R. 13767, as amended.

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.

AUTHORIZING THE DISPOSAL OF CERTAIN REAL PROPERTY IN THE CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARK, GA., UNDER THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Clerk called the bill (H.R. 9163) to authorize the disposal of certain real property in the Chickamauga and Chattanooga National Military Park, Ga., under the Federal Property and Administrative Services Act of 1949.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to determine why this apparently surplus area and probably of remote historic association and tenuous accessibility to the Chickamauga and Chattanooga National Military Park, and is not simply declared surplus and is to be disposed of in this manner, as prescribed.

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

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

Mr. ASPINALL. This is just a very small area of land administered by the National Park Service. It came to the Park Service when the military made the whole transfer on it, an area that is attached to the other area as if it were just a square area attached at the corner. It was used in military days for the gathering of wood in order to keep soldiers who occupied the area warm, and for cooking purposes. It no longer is needed. At the present time the people involved in Georgia are willing to let it go through the usual procedures, relative to the disposal of surplus property, with the understanding that undoubtedly it will be the county or school district that will be able to get the land. There is a highway at the present time that is running through one corner of the land. This will be a wonderful place for an educational center. They told the committee, and they made a good record, for school development in that particular area.

They are taking their chances that nobody else is going to pick it up, and that it will be used for governmental purposes.

That does not answer the gentleman's question as to why it should not be transferred another way, but it should go this way in our opinion for the simple reason that its value for school purposes is such that we should give cognizance to the area which is worth very little so far as the Park Service is concerned. It might be more valuable if it were to be used for residential purposes.

The gentleman from Georgia (Mr. DAVIS) is present, and he may wish to say more if the gentleman will yield.

Mr. HALL. Mr. Speaker, I appreciate the distinguished chairman's reassurance, but that is my very point.

As we all know, under the laws of this land and the regulations implementing the same, the GSA, in turn, makes surplus property available to other Federal agencies, educational organizations at the Federal and State level, and others are given priorities in the acquisition of surplus lands. If the gentleman is so sure that the educational people will get it anyway and that it will be used for this purpose, then I still do not know why we have a special bill on the Consent Calendar for that purpose.

Mr. ASPINALL. If my colleague will yield again. It is apparent that I did not understand my colleague's question. This is the one way that this land, which is a part of the National Park Service, can be disposed of. National park areas are inviolate within themselves. They do not come under the provisions of the Surplus Property Act of the United States.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. HALL. I thank the gentleman from Colorado, and I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. I thank the gentleman. I would simply like to point out to the gentleman that the Park Service has made the point that they are not in the business, of course, of educating children. I see their point. That is my purpose, though, actually.

The background of this bill is the fact that we have a situation in Catoosa County, which is across the borderline of the State of Tennessee in the suburbs of Chattanooga. It has a very low tax base. It is under the obligation of educating many, many children in a so-called bedroom county. It occurred to me that the best way to make an educational center out of this land would be to throw this over into the regular GSA disposal procedures. It so happens that the Park Service does not dispose of its land in that way.

But it is a fair procedure, and under the GSA disposal of surplus property procedures all of the Federal agencies are first canvassed, and then State agencies are canvassed. If none of those agencies express interest in the land, then it becomes the prerogative of the county to take up the land.

It is still public land and it is still people you are dealing with. It is still completely public. There is no private interest that has any interest in this at all.

This is a county that deserves this consideration and needs it quite badly.

While the bill passed the House last year, it did not pass the Senate. So I had to reintroduce it this year. It came out of

the distinguished chairman's committee unanimously.

I think it is a good bill. I think it serves a good purpose. I would hope that the gentleman would not object to it.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's forthright statement. I wonder if he would assure me that this land will not fall into the hands of entrepreneurs or those who would profit excessively or speculate on this land if it is allowed to go the development or housing route?

Mr. DAVIS of Georgia. May I say this in that connection, that I had to fight off a situation that might have led down that avenue last year, and I can assure you that such a thing is completely blocked out. It has been successfully stiff-armed, if I may use that word.

Mr. HALL. Mr. Speaker, I again say I appreciate the gentleman's forthright reassurance.

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

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

Mr. GROSS. I thank the gentleman for yielding.

Mr. Speaker, the facts are that this land was bought by the Federal Government many years ago. It involves not a very substantial financial consideration, but this bill ought to have in it two provisions: It ought to have provided for the fair market value of the land, and that payment be made at the fair market value; and it ought to have had a reverter clause in it. In other words, if the land is not used for the public purpose for which it was turned over, then it should revert to the Federal Government. I am a little surprised that the committee did not insert both provisions in the bill.

I say again, Mr. Speaker, that I am not going to make an issue of it because I think the land will be used for a worthy public purpose. I do hope that the committee will keep this transaction in mind, and if the land is turned over by the State to private investors, the committee will then move to recapture the land.

Mr. HALL. Mr. Speaker, I thank the distinguished gentleman from Iowa. His thinking is parallel to my own.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. HALL. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. Mr. Speaker, I offer one comment to complete the record. The bill as it stands before this House at this time provides that the land shall be devoted to public purposes. I would like also to say, as a member of the bar of Georgia, and in practice for about 30 years, I think it is extremely unlikely, and I do not think it is even practical under our laws to divert public land to private use without giving the public a chance at it—in other words, a refusal. I do not conceive that this would ever happen. Our State board of education and our county board of education in this particular instance plan to make an educational center out of this tract of land. I can assure my colleagues that this will happen.

Mr. HALL. Mr. Speaker, again the gentleman's words are very reassuring. However, it is the duty of those who must pass on the unanimous-consent bills to be eternally vigilant because such things have happened in the past and can be easily cited.

Mr. Speaker, I appreciate the explanation by the distinguished chairman of the committee, and I am reassured. I appreciate the statement of the gentleman from Georgia, and I withdraw my reservation of objection.

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

Mr. ASPINALL. Mr. Speaker, the Subcommittee on National Parks and Recreation conducted hearings on H.R. 9163 which was introduced by our colleague, the gentleman from Georgia (Mr. DAVIS). The Department of the Interior indicated that it had no objection to its enactment and no one appeared in opposition to it.

In essence, this bill authorizes the Secretary of the Interior to declare a tract of land, totaling approximately 155.46 acres, as excess to the needs of the Department at the Chickamauga and Chattanooga National Military Park. Part of this park is located in the State of Tennessee, but the tract of land involved is located in the State of Georgia.

The committee was advised that the property is not used in connection with the national military park and that its historical connection with the historic battle which took place there is remote. We were told that it poses some administrative problems for the national park system.

The property was originally acquired by the War Department in 1898, when it administered the area, but its location has never been conducive to development for any park purpose. Since the lands reserved for, or dedicated to, national park purposes cannot be disposed of without congressional approval, the enactment of H.R.9163 is necessary in order to subject the property in question to the usual procedures for the disposal of surplus property.

Mr. Speaker, as chairman of the Committee on Interior and Insular Affairs, I recommend the approval of H.R. 9163.

The SPEAKER. Is there objection to the present consideration of the bill?

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

H.R. 9163

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 3(d) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(d)), the Secretary of the Interior may designate as excess property under that Act lot 94 in the ninth district and fourth section of Catoosa County, Georgia, the same consisting of one hundred and sixty acres, more or less, in the Chickamauga battlefield section of the Chickamauga and Chattanooga National Military Park in the State of Georgia, and such lot shall be utilized or disposed of by the Administrator of General Services in accordance with the remaining provisions of such 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.

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

CALL OF THE HOUSE

Mr. WYDLER. 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. 234]

Adair	Eckhardt	Mills
Addabbo	Edwards, Ala.	Monagan
Anderson, Ill.	Fallon	Moorhead
Andrews, N. Dak.	Fascell	Morse
Arends	Findley	Morton
Ashbrook	Fish	Murphy, Ill.
Ashley	Fisher	Murphy, N.Y.
Baring	Flynt	Nix
Beall, Md.	Fountain	O'Konski
Bevill	Frelinghuysen	Passman
Biaggi	Gallagher	Pepper
Blatnik	Gibbons	Philbin
Brademas	Goldwater	Pollock
Brasco	Gray	Powell
Brock	Griffin	Purcell
Brooks	Griffiths	Quie
Brown, Calif.	Hagan	Rees
Brown, Ohio	Halpern	Reid, N.Y.
Broyhill, Va.	Harrington	Reifel
Burton, Utah	Harsha	Rivers
Bush	Hays	Rodino
Cahill	Hogan	Rosenthal
Camp	Howard	Rostenkowski
Carey	Jacobs	Roudebush
Celler	Jarman	St. Onge
Clark	Jonas	Sandman
Clausen, Don H.	Jones, N.C.	Sikes
Clawson, Del	Jones, Tenn.	Sisk
Clay	Kirwan	Smith, Iowa
Conte	Kluczynski	Stubblefield
Corbett	Koch	Taft
Corman	Landgrebe	Teague, Tex.
Cowger	Landrum	Thomson, Wis.
Cramer	Long, La.	Ullman
Culver	Lowenstein	Utt
Dawson	Lukens	Watkins
Dent	McCarthy	Whalley
Devine	McClure	Wiggins
Diggs	McCulloch	Wilson, Charles H.
Dingell	McDonald, Mich.	Winn
Donohue	McEwen	Wold
Dorn	Mailliard	Wright
Downing	Martin	
	Mathias	

The SPEAKER. On this rollcall 302 Members have answered to their names, a quorum.

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

PRESIDENT NIXON'S STRONG ACTION ON INFLATION

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

Mr. WYATT. Mr. Speaker, last week I made an appeal to the administration to take a different direction, and more aggressive action in connection with the war on inflation. Since then, President Nixon has made a forceful appeal to the nation by radio, and by letter to the business community. I commend the President for his strong leadership. I would also urge once more that the very serious consideration be given to the other suggestions I made for remedial

action, and specifically for relief of the home building industry.

Essential, if we are to avoid over-reaction around the first of this coming year, is a change in the monetary policy of the Federal Reserve Board. This would seem to be our very most serious immediate problem. The reduction of the increase in the money supply to near zero may already contain the seeds of disaster for us after the first of the year, even if changed now. The return to the policy of gradualism, adopted by the Federal reserve shortly after the first of this year is an absolute must if we are to avoid a real serious situation this coming spring.

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

Mr. O'NEAL of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14030) to amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

The Clerk read as follows:

H.R. 14030

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by changing "and 1969" to read ", 1969, and 1970".

The SPEAKER. Is a second demanded?

Mr. BELCHER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Georgia is recognized for 20 minutes.

Mr. O'NEAL of Georgia. Mr. Speaker, this lil' ol' bill simply extends for 1 year the authority originally granted 2 years ago in Public Law 90–211 for farmers to transfer peanut acreage allotments to each other within their own county.

It was before the House 2 weeks ago on the Consent Calendar. At that time the gentleman from New York (Mr. RYAN) asked that the bill be passed over without prejudice. It is now on the Suspension Calendar, where it quite properly belongs, because the time of the House should not be taken up with a rule on a simple 1-year extension of an act that was debated and approved overwhelmingly by the House 2 years ago.

H.R. 14030 has the approval of the Department of Agriculture, the Bureau of the Budget, and the House Committee on Agriculture. Enactment of this measure will not result in any expense to the Government, nor will it add anything to consumer cost.

Many of my colleagues will recall that authorization to transfer peanut allotments was originally granted by the Congress for a 2-year period in 1967.

The present law has met with nearly unanimous approval throughout the peanut industry in every geographical area. I do not personally know of anyone in the peanut industry who opposes the right of farmers to transfer acreage allotments as long as the present tight restrictions remain in effect.

This legislation is needed primarily to permit farmers to increase the size of their allotment in order to realize a more reasonable return of their considerable investments. There are many peanut acreage allotments too small to constitute an economic unit in view of rising production and harvesting costs.

The Department of Agriculture reports that more than one-fourth of all peanut allotments are 5 acres or less and more than one-half are 10 acres or less. The average size of established allotments is approximately 18 acres.

Problems connected with small allotments become more serious each year as production costs per acre continue to increase. A farmer with an allotment of 5 acres must use the same type expensive equipment, herbicides, and improved methods of cultivation as a farmer with 100 acres.

This bill permits some small but capable farmers to become a little more efficient by increasing their allotments while others, who wish to discontinue growing peanuts, could transfer their resources to other crops or retire from peanut production entirely and still receive a small remuneration.

My primary interest in introducing the original legislation was to allow a new grower to acquire an allotment without increasing the national allotment by a single acre. This legislation permits a new grower to obtain an allotment up to 50 acres through lease or outright purchase. This, of course, presents a golden opportunity to the young man who decides on a career in agriculture or to the sharecropper who has long dreamed of owning a farm, but who did not inherit an allotment.

The committee feels that the authority to lease, sell, or transfer peanut acreage allotments should continue, as in 1968 and 1969, to be accompanied by language in the legislation which would guard against any speculation or overproduction which might otherwise result from this authority. Therefore, the committee left unchanged the following conditions:

First. Under no condition may allotments be transferred across county lines.

Second. No allotment may be transferred from a farm subject to a mortgage or lien unless the transfer is agreed to by the lienholders.

Third. No sale of a farm allotment from a farm shall be permitted if any sale of allotments to the same farm has been made within the three immediate preceding crop years.

Fourth. No transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which the transfer is made and until the county committee determines that the transfer complies with the provisions of the law.

Fifth. If there is not more than a 10-percent difference in production per acre, transfers shall be on the basis of acre for acre; however, in cases where the transferred acreage goes to a farm where the production per acre exceeds that of the transferred acreage by more than 10 percent, there shall be a corresponding downward adjustment in the amount of acreage transferred to assure that no overproduction would result from the transfer.

Sixth. Where an allotment is transferred to a farm which at the present time is not irrigated but which within 5 years places the transferred allotment under irrigation, the Secretary of Agriculture shall then make a downward adjustment in the amount of acreage transferred to assure that there would be no increased production as a result of irrigating the transferred acreage.

Seventh. The land on the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the 5 years following the year in which such transfer is made.

Eighth. Leases of any portion of a peanut allotment shall not exceed 5 years.

Ninth. The total peanut allotment transferred to any farm by sale or lease shall not exceed 50 acres or any lesser amount prescribed by the Secretary.

H.R. 14030 does not modify any of the conditions imposed by the original legislation. The only change being proposed is to extend the transfer authority for 1 year.

Peanut farming has undergone very great changes in recent years.

When the present allotments were required in 1949, nearly all of the harvesting was done by hand labor using pitchforks to pile the newly plowed vines and nuts in stacks, so that the wind and sunshine would dry them in a process that might take many weeks.

Now the labor is scarce and the stacks are nonexisting.

Virtually every peanut farmer in America uses a windrow process that requires expensive machinery, and as a result an investment is required of many thousands of dollars.

The same allotment useful to the farm with labor in the family or nearby is "gone with the wind."

The farmer either has to buy this machinery himself or pay someone else who has brought the machinery.

So, he has virtually the same cost of harvesting 20 acres as he would 50 acres.

If this bill becomes law, it will not cause an increase in production. Extreme care has been taken to write in it language that will not cause it, but it will bring about a general reduction in costs per acre.

It will not affect the national volume, but it will permit a net profit to the individual farmer by merely reducing his cost per acre.

Many of these allotments are held by people who have inherited them with the land, but who do not farm them. They rent out the land and the allotment to active farmers who buy the big machines but who have no security because of changing whims of landlords affected by changing agriculture programs such as soil bank and cropland adjustment programs.

This will enable this man who was born 20 years too late to buy into his security by owning the allotment along with the machinery he has to invest in.

The provisions of this bill are virtually parallel with those of a bill permitting the sale and lease of cotton allotments—passed in 1965 by the 89th Congress.

And parallel with the provisions of a bill passed by the 90th Congress with reference to two or three types of tobacco.

The only difference is that this bill regarding peanuts is more restrictive—the committee recognizing clearly that the problems of commodities are different.

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

Mr. O'NEAL of Georgia. I am glad to yield to the gentleman from Iowa.

Mr. KYL. I thank the gentleman for yielding so that I might ask a couple of questions.

Suppose farmer Brown sells his right to produce the peanuts. What does he then use his ground for? Can he plant corn or soybeans?

Mr. O'NEAL of Georgia. For general farm purposes, if he uses it for anything. He might want to put it into that. He might put it into corn or some other crop he is able to put it in under the law.

Mr. KYL. On page 3 of the report one of the supposed benefits of the bill is: "at the same time it guards against any major geographical switch in peanut production which would undoubtedly be injurious to the economy of many counties."

The really serious question I have about this legislation—and I am not opposing it at this point—is this: This man takes his peanut production right and sells it, and then he plants, say corn on his entire farm. Is there any difference between injuring a southern farmer by transferring the right to produce peanuts geographically and injuring a midwest farmer by transferring the production of corn to the South.

Mr. O'NEAL of Georgia. I will say to the gentleman, if he plants corn it probably would replace the corn for the farm that took the peanut allotment. This thing cannot cross county lines. I would say there would be no danger of any violence being done to the production of other commodities.

Mr. KYL. Mr. Speaker, will the gentleman yield for a further question?

Mr. O'NEAL of Georgia. I yield.

Mr. KYL. In the case when the farmer gives up his right to produce peanuts, can he immediately, after having been paid for relinquishing the prior right, go into another Government price support program on the same land producing a different crop?

Mr. O'NEAL of Georgia. The only thing I would say in that connection is he would have the regular restrictions on going into other Government-paid crops already existing. There would be no change there.

Mr. KYL. But he could, as a matter of fact, go into the production of other price-supported crops.

Mr. O'NEAL of Georgia. If there is some way to get in, yes.

Mr. KYL. And we assume that there would be a way to get in.

Mr. O'NEAL of Georgia. There might be. We understand that the same thing we deal with here has a precedent in respect to cotton and tobacco already.

Mr. KYL. I thank the gentleman.

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

Mr. O'NEAL of Georgia. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. Is it not true that if he should get into some other controlled commodity production he would still have to keep within whatever allotment there is, so there would not be an increase?

Mr. O'NEAL of Georgia. Certainly. He would have to comply with all the regulations of the new commodity he planted.

Mr. FOUNTAIN. I thank the gentleman.

Mr. THOMPSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. Will this in any way increase the peanut allotment in any particular county?

Mr. O'NEAL of Georgia. It cannot possibly.

Mr. THOMPSON of Georgia. Will it decrease the peanut allotment?

Mr. O'NEAL of Georgia. I say it cannot possibly increase it. It is not likely to decrease it, because I do not believe anybody would be foolish enough to buy a peanut allotment to go on an unproductive farm.

Mr. THOMPSON of Georgia. May I ask a further question? If a farmer has part of his land in peanuts and part in some other commodity such as cotton, he could still participate in the cotton program?

Mr. O'NEAL of Georgia. Yes, indeed.

Mr. THOMPSON of Georgia. This would not change that?

Mr. O'NEAL of Georgia. This would not affect that at all.

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

Mr. O'NEAL of Georgia. I yield to the gentleman from Oklahoma.

Mr. STEED. As the gentleman knows, one of the major crops in my district is peanuts. I have had an opportunity to observe the operation of this program.

I believe it is important to point out that this is a program which benefits almost entirely the very small farmers involved in peanut production. While it does provide an advantage to a large number of farmers, the number of acres involved is comparatively small, when compared to the whole peanut program. Without this advantage all the farmers involved in this program are the ones who will have to suffer.

Mr. O'NEAL of Georgia. It just permits them to be a little more efficient.

Mr. STEED. That is right.

Mr. O'NEAL of Georgia. It does not cost the Government anything. It does not add anything to the price of peanuts but just lets the little farmer become a little bit more efficient.

Mr. STEED. And because there is so much expense involved in peanut production and harvesting it makes it economically unsound for a farmer with a very small acreage to operate on the basis of price. By pooling together it becomes a good central economic operation for the farmer.

Mr. O'NEAL of Georgia. The gentleman is exactly right.

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

Mr. O'NEAL of Georgia. I am happy and honored to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I desire to associate myself with the remarks of my colleagues and those of the gentleman from Georgia.

Peanuts are grown in a number of counties in my district. We have heard a lot recently about large payments to farmers. I do not think there is one large peanut farmer in my entire section of the country and I doubt that there are any very large ones anywhere in the United States. These are basically family-type farms. They need to have some flexibility in transferring allotments in order that they may profitably buy their equipment and harvest their crops.

I think the bill called up by the gentleman from Georgia has merit, and I hope that other Members will believe likewise.

Mr. O'NEAL of Georgia. I want to thank the majority leader from the bottom of my heart.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. Yes, I am happy to yield to the distinguished gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Speaker, I want to commend the gentleman from Georgia for the fine effort he has made over the years here for the peanut farmer. The gentleman in the well has the privilege of representing one of the big peanut-producing districts of this country. His district neighbors mine, and my district is a big peanut-producing district.

The gentleman is correct in saying that this will not add to the total amount of peanuts produced nor will it add to the price. As pointed out by the distinguished gentleman from Oklahoma, most peanut farmers are small family-type farmers.

This legislation will serve a good purpose.

Again I wish to commend the gentleman for the untiring effort he has shown on the part of the peanut farmer throughout the years he has been in Congress. He is one of the best friends that the peanut farmer has.

Mr. O'NEAL of Georgia. I thank the gentleman.

Mr. Speaker, this bill does no violence whatsoever to any aspect of the program. I hope that the House will let us have it for 1 more year through this bill.

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

Mr. O'NEAL of Georgia. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, I appreciate the distinguished gentleman from Georgia yielding to me.

I opposed this bill the last time it was voted on. I have listened with interest to the debate and have reviewed the report. In the committee report on page 2 it says that the size of the allotments, when they were first established, in 1941, was based on the producer's production during the previous 3-year history of production on the farm. My question is

whether or not the 3-year basis still continues in the allotments under consideration in this bill.

Mr. O'NEAL of Georgia. I think the allotments that people now have are based on that 3-year period. Yes, sir.

Mr. STEIGER of Wisconsin. Given that fact, may I say to the gentleman from Georgia that by extending the transfer allotment concept for 1970, we have then, am I correct, extended it for a 3-year period, for the crop years 1968, 1969, and 1970, so a new allotment then is based on the past 3-year history, which would perhaps even increase the allotment available to those farmers who have had peanut acreage allotments transferred to them?

Mr. O'NEAL of Georgia. I do not know that I understand the gentleman's point. Any allotment anyone has now is based on a 3-year period of some 25 or 30 years ago, but nobody anticipates, that I know of, a reshuffling of the deck at any time after this comes up.

Mr. STEIGER of Wisconsin. Mr. Speaker, if the gentleman will yield further, am I correct that the Acting Secretary of Agriculture, Mr. J. Phil Campbell, indicates that a 1-year extension would give them an opportunity for evaluating the overall effectiveness and desirability of the transfer authority for all allotment crops, peanuts included?

Mr. O'NEAL of Georgia. I think they should study all of these commodities whatever they may be and then make recommendations affirmatively for one or in the negative for another. This is something that has to be studied. This is the reason for asking for a 1-year extension. My original bill asked to make it permanent. I think it was a good bill. It has worked wonderfully well. It has not done any damage in any way. But I could not get a permanent program recommended by the Secretary. The Secretary says let us have a 1-year bill. The same could be said about these other commodities.

Mr. STEIGER of Wisconsin. I thank the gentleman for yielding and because this program is now underway and has operated well shall support the limited extension.

Mr. O'NEAL of Georgia. I thank the gentleman from Wisconsin for his comments.

Mr. MILLER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I am happy to yield to my distinguished colleague from Ohio.

Mr. MILLER of Ohio. Mr. Speaker, I appreciate the gentleman from Georgia yielding. I am not opposed to the bill, but I do have a couple of questions.

As I understand the allotment it is really a license to grow peanuts?

Mr. O'NEAL of Georgia. That is what all allotments are, I suppose.

Mr. MILLER of Ohio. Mr. Speaker, if the gentleman will yield further, that is right. But would the gentleman tell me for what those allotments sell. In other words, if I wanted to buy an allotment that covered 1 acre for what would it sell?

Mr. O'NEAL of Georgia. I am sorry but I cannot answer the gentleman's question. I made considerable effort to find out the answer to that question but the Department of Agriculture would not require these people to state what they were paying. This would be difficult to do anyway because people do not like to report what they pay for land or anything else they buy. So, it is impossible for me to answer the gentleman's question. I do not know. I imagine, however, that it varies in different communities and counties.

Mr. MILLER of Ohio. Mr. Speaker, if the gentleman will yield further, on page 3 of the report with reference to item (7) there is stated:

> The land on the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the 5 years following the year in which such transfer is made.

With the wording "entire peanut allotment has been transferred," does that mean if 1 acre was kept on that farm, then the transfers could be made back and forth and could that farm be used as a bank or exchange for an allotment broker?

Mr. O'NEAL of Georgia. The gentleman points out to me wording that I had not noticed before. I do not know how to interpret it. But I will say that there have been no complaints coming out of the Department of Agriculture in relation to this. I do not know why this wording is in here.

Mr. BELCHER. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Speaker, first of all, I want to advise my good friend from Georgia that I am not rising to oppose his bill. I have asked for this time, however, to point out this one other phase of the Agricultural Act of 1965 which, in my opinion, is not working but is costing the taxpayers of America millions and millions of dollars.

Each day I receive—and I assume every member of the Committee on Agriculture receives—a daily summary from the USDA. I read this rather religiously. Early last spring I asked the Department to give me some answers on this particular question.

I have a letter here which was written on April 17, 1969, and I am going to mention tong oil here simply because it is written into this letter where I requested information on peanuts. I read as follows:

> The Department acquired the tong oil about which you ask at a price of 24 cents per pound, excluding storage and handling charges. Competitive bids are invited twice monthly on 1 million pounds of CCC-owned tong oil. Sales prices on bids accepted recently have been a little over 12 cents per pound.

This occurs every month through the sale of surplus tong oil. This is in addition to storage and handling charges.

Now, I want to get on with the subject we are discussing, and that is peanuts.

August 6, 1969, USDA sells peanuts for domestic crushing or export. USDA announced the sale of 2,172,483 pounds of shelled and 1,500,000 pounds of farmers' stock peanuts for domestic crushing or export.

On August 13 the USDA announced the purchase of 229,320 cases, or 9,459,450 pounds of peanut butter.

I think it is safe to assume that the peanuts that were sold to the crushers was put into peanut butter and salad oil, and the CCC in turn comes along and buys the surplus.

On August 20 the USDA announced the sale of 2,172,483 pounds of shelled peanuts and 2 million pounds of farmers' stock peanuts for domestic crushing or export.

On Wednesday, October 1, the USDA sells peanuts for crushing or export, and on this occasion the amount was 2,669,373 pounds of shelled peanuts, and they also offered approximately 3,490,628 pounds of shell, and 500,000 pounds of farmers' stock peanuts for domestic crushing or export.

On October 8, 1969, the USDA announced the sale of 3,490,628 pounds of shelled, and 611,000 pounds of farmers' stock peanuts for domestic crushing or export.

On Wednesday, October 15, the USDA sells peanuts for domestic crushing or export. This time the sale was for 4,459,545 pounds of shelled peanuts and approximately 5,104,570 pounds of shell, and 10,600,000 pounds of farmers' stock peanuts.

Now, I could go on and on, but I just picked a few of these figures from my files.

Now, let me read what I learned in this letter of April 17:

> Peanuts, now being sold, were acquired by the CCC at an average price per pound of approximately 16.3 cents for shelled peanuts, and approximately 16 cents per pound excluding handling and storage costs for farmers' stock. The average selling price of the 1968 crop for marketing to date have a market value to date that is approximately 6.4 cents per pound for shelled peanuts, and 8.1 cents per pound for kernels, and farmers' stock.

I want to point out to the membership of this House that we are trying to balance budgets, and I think it is a commendable thing to do, but I do want to take this opportunity to point out to the membership of this House just how much we are losing through the sale of surplus peanuts, and that, ladies and gentlemen, "ain't peanuts."

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

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

Mr. KYL. Do I correctly understand that what the gentleman is saying is that a man who has a surplus of peanuts can sell them to the Government for approximately 16 cents a pound, that the same individual could buy those peanuts back for approximately 12 cents a pound or 6 cents a pound, whatever the figure was, and then having purchased those peanuts, he can crush them, make peanut butter, and sell the peanut butter back to the Commodity Credit Corportion? Is that what the gentleman said?

Mr. GOODLING. I said there is a great possibility of that being done. I am not absolutely certain it is being done. It is a logical conclusion.

Mr. KYL. Is there anything in the law that would prevent such a course of action?

Mr. GOODLING. I think we should get rid of the original law and avoid some of the complications we are having here today.

Mr. O'NEAL of Georgia. Mr. Speaker, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Georgia.

Mr. O'NEAL of Georgia. If the gentleman will inquire, he will find that peanuts held by the CCC are crushed into oil.

Mr. GOODLING. I am sorry; I did not hear the gentleman.

Mr. O'NEAL of Georgia. I said I believe if the gentleman will make the proper inquiry, he will find that all the peanuts held by CCC are crushed for oil and for no other purpose. It goes into oil for export. I do not think it is possible under the law for any of it to go into peanut butter.

Mr. GOODLING. You will probably agree that when CCC peanuts were sold to crushers, the crushers in turn resold their surplus to the Government; is that correct?

Mr. O'NEAL of Georgia. I suppose what you are saying is that there might be some cheating somewhere. Is that what you are saying?

Mr. GOODLING. I beg your pardon?

Mr. O'NEAL of Georgia. I suppose what you are really saying is that there might be some cheating somewhere?

Mr. GOODLING. No; I do not think there is any cheating. I think it is all legitimate.

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

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

Mr. POAGE. I think it should be understood that all peanuts are divided into either edible peanuts or peanuts for oil purposes. The Government does not sell anybody edible oil peanuts, and let them then turn them into edible peanuts and crush them into peanut butter. It allows them only to crush the peanuts into oil and that oil is sold into industry. The edible peanuts are a completely different commodity from oil peanuts. A man cannot legally buy that. The gentleman suggested a point, probably thinking of somebody doing something against the law—I know that is not the gentleman's intention—but if a man obeying the law buys oil peanuts, all he can do is take them to an oil mill where they are crushed into oil and for stock food. If he buys edible peanuts and pays the edible price for them, it is a great deal higher than the oil price.

Mr. GOODLING. The letter I have states that 8.1 cents a pound was the selling price at this particular time.

Mr. POAGE. For oil purposes, not for edible peanuts.

Mr. GOODLING. It does not change the fact that we are losing millions of dollars every year in selling surplus peanuts.

Mr. O'NEAL of Georgia. Mr. Speaker, will the gentleman yield further?

Mr. GOODLING. I yield to the gentleman from Georgia.

Mr. O'NEAL of Georgia. What you are saying is that the peanut program is costing money. But will you agree that it is costing far less money in proportion to other agricultural commodity programs?

Mr. GOODLING. I think you are absolutely correct.

Mr. O'NEAL of Georgia. I thank the gentleman.

Mr. GOODLING. We are doing the same thing with too many farm commodities, in my opinion.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized.

Mr. BELCHER. Mr. Speaker, I yield myself 1 minute.

Regardless of what we may think of the peanut program or any other farm program, as far as that is concerned, this bill itself is a good bill and should be passed. This bill will not cost the Government. It has been successful. As I have said, regardless of what you think of farm programs or what you think of the peanut program or anything else, this a good bill and should be passed.

Mr. Speaker, I have no further requests for time.

Mr. O'NEAL of Georgia. Mr. Speaker, I yield whatever time he may consume to the gentleman from North Carolina (Mr. FOUNTAIN).

Mr. FOUNTAIN. Mr. Speaker, I support this legislation. Many of the peanut growers in my area are among our poorest farmers. In the event of a bad year due to unfavorable weather conditions, many of our smaller growers are forced to seek help from the welfare department.

Passage of H.R. 14030, transfer of peanut acreage allotments, is therefore of vital concern to the peanut growers of North Carolina and especialy in my congessional district.

This bill is simply a 1-year extension of an act which passed 2 years ago by a vote of 256 to 57.

In the past 2 years the act has proved highly beneficial in allowing the consolidation of small allotments into larger and more economical groupings.

Under the act producers have been able to acquire enough peanut acreage to grow this important crop on a sounder economic basis. It has benefited both the lessee and lessor of peanut allotments. Most peanut growers are very small producers. Some grow nothing else of any consequence. Peanuts are their only source of livelihood.

The act has enabled those peanut growers who wanted to go out of peanut production to do so, yet to retain some benefit. Thus, all sides have been able to have opportunity for profit, however small.

The act has put peanut production into the hands of those who want to grow peanuts, yet at the same time has prevented allotments from leaving the county of origin.

The present law has met with almost unanimous approval and the new bill, which simply extends the act for another year, is a wise and proper measure.

Mr. Speaker, I am in favor of this legislation and urge its passage. I hope it will pass the House unanimously.

Mr. O'NEAL of Georgia. Mr. Speaker, I yield to the gentleman from Ohio (Mr. MILLER).

Mr. MILLER of Ohio. Mr. Speaker, I rise in support of the bill.

Mr. BURLESON of Texas. Mr. Speaker, on March 19, 1969, I introduced legislation for the purpose embodied in the bill now before us.

Several speakers have mentioned that this is a measure which will benefit the very small farmer most. In some instances the producer can do better by leasing or selling his allotment to a neighbor under circmustances which make it most difficult for him to operate a very small unit. Those who want to establish a larger operation must necessarily have more acreage. The price of machinery which now goes into peanut farming has, as everyone knows, increased tremendously in price, which makes farming a tremendously expensive undertaking.

There is good reason to provide the transfer of acreage within the county lines for the reasons pointed out by our able colleague the gentleman from Georgia (Mr. O'NEAL). I hope we may have your support for this bill which can mean a great deal to many of our peanut farmers.

The SPEAKER. The question is on the motion of the gentleman from Georgia that the House suspend the rules and pass the bill H.R. 14030.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. O'NEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill (H.R. 14030) just passed.

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

There was no objection.

FEDERAL CONTESTED ELECTION ACT

Mr. ABBITT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14195), to revise the law governing contests of elections of Members of the House of Representatives, and for other purposes, as amended.

The Clerk read as follows:

H.R. 14195

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Contested Election Act".

DEFINITIONS

SEC. 2. For purposes of this Act—

(a) The term "election" means an official general or special election to choose a Representative in or Resident Commissioner to the Congress of the United States, but does not include a primary election, or a caucus or convention of a political party.

(b) The term "candidate" means an individual (1) whose name is printed on the official ballot for election to the House of Representatives of the United States, or (2)

notwithstanding his name is not printed on such ballot, who seeks election to the House of Representatives by write-in votes, provided that he is qualified for such office and that, under the law of the State in which the congressional district is located, write-in voting for such office is permitted and he is eligible to receive write-in votes in such election.

(c) The term "contestant" means an individual who contests the election of a Member of the House of Representatives of the United States under this Act.

(d) The term "contestee" means a Member of the House of Representatives of the United States whose election is contested under this Act.

(e) The term "Member" means an incumbent Representative in or Resident Commissioner to the Congress of the United States, or an individual who has been elected to either of such offices but has not taken the oath of office.

(f) The term "Clerk" means the Clerk of the House of Representatives of the United States.

(g) The term "committee" means the Committee on House Administration of the House of Representatives of the United States.

(h) The term "State" includes territory and possession of the United States.

(i) The term "write-in vote" means a vote cast for a person whose name does not appear on the official ballot by writing in the name of such person on such ballot or by any other method prescribed by the law of the State in which the election is held.

NOTICE OF CONTEST

SEC. 3. (a) Whoever, having been a candidate for election to the House of Representatives in the last preceding election and claiming a right to such office, intends to contest the election of a Member of the House of Representatives, shall, within thirty days after the result of such election shall have been declared by the officer or Board of Canvassers authorized by law to declare such result, file with the Clerk and serve upon the contestee written notice of his intention to contest such election.

(b) Such notice shall state with particularity the grounds upon which contestant contests the election and shall state that an answer thereto must be served upon contestant under section 4 of this Act within thirty days after service of such notice. Such notice shall be signed by contestant and verified by his oath or affirmation.

(c) Service of the notice of contest upon contestee shall be made as follows:

(1) by delivering a copy to him personally;

(2) by leaving a copy at his dwelling house or usual place of abode with a person of discretion not less than sixteen years of age then residing therein;

(3) by leaving a copy at his principal office or place of business with some person then in charge thereof;

(4) by delivering a copy to an agent authorized by appointment to receive service of such notice; or

(5) by mailing a copy by registered or certified mail addressed to contestee at his residence or principal office or place of business. Service by mail is complete upon mailing;

(6) the verified return by the person so serving such notice, setting forth the time and manner of such service shall be proof of same, and the return post office receipt shall be proof of the service of said notice mailed by registered or certified mail as aforesaid. Proof of service shall be made to the Clerk promptly and in any event within the time during which the contestee must answer the notice of contest. Failure to make proof of service does not affect the validity of the service.

ANSWER; DEFENSES MADE BY MOTION

SEC. 4. (a) Any contestee upon whom a notice of contest as described in section 3 shall be served, shall, within thirty days after the service thereof, serve upon contestant a written answer to such notice, admitting or denying the averments upon which contestant relies. If contestee is without knowledge or information sufficient to form a belief as to the truth of an averment, he shall so state and this shall have the effect of a denial. Such answer shall set forth affirmatively any other defenses, in law or fact, on which contestee relies. Contestee shall sign and verify such answer by oath or affirmation.

(b) At the option of contestee, the following defenses may be made by motion served upon contestant prior to contestee's answer:

(1) Insufficiency of service of notice of contest.

(2) Lack of standing of contestant.

(3) Failure of notice of contest to state grounds sufficient to change result of election.

(4) Failure of contestant to claim right to contestee's seat.

(c) If a notice of contest to which an answer is required is so vague or ambiguous that the contestee cannot reasonably be required to frame a responsive answer, he may move for a more definite statement before interposing his answer. The motion shall point out the defects complained of and the details desired. If the motion is granted and the order of the committee is not obeyed within ten days after notice of the order or within such other time as the committee may fix, the committee may dismiss the action, or make such order as it deems just.

(d) Service of a motion permitted under this section alters the time for serving the answer as follows, unless a different time is fixed by order of the committee: If the committee denies the motion or postpones its disposition until the hearing on the merits, the answer shall be served within ten days after notice of such action. If the committee grants a motion for a more definite statement the answer shall be served within ten days after service of the more definite statement.

SERVICE AND FILING OF PAPERS OTHER THAN NOTICE OF CONTEST; HOW MADE; PROOF OF SERVICE

SEC. 5. (a) Except for the notice of contest, every paper required to be served shall be served upon the attorney representing the party, or, if he is not represented by an attorney, upon the party himself. Service upon the attorney or upon a party shall be made:

(1) by delivering a copy to him personally;

(2) by leaving it at his principal office with some person then in charge thereof; or if the office is closed or the person to be served has no office, leaving it at his dwelling house or usual place of abode with a person of discretion not less than sixteen years of age then residing therein; or

(3) by mailing it addressed to the person to be served at his residence or principal office. Service by mail is complete upon mailing.

(b) All papers subsequent to the notice of contest required to be served upon the opposing party shall be filed with the Clerk either before service or within a reasonable time thereafter.

(c) Papers filed subsequent to the notice of contest shall be accompanied by proof of service showing the time and manner of service, made by affidavit of the person making service or by certificate of an attorney representing the party in whose behalf service is made. Failure to make proof of service does not affect the validity of such service.

DEFAULT OF CONTESTEE

SEC. 6. The failure of contestee to answer the notice of contest or to otherwise defend as provided by this Act shall not be deemed an admission of the truth of the averments in the notice of contest. Notwithstanding such failure, the burden is upon contestant to prove that the election results entitle him to contestee's seat.

TAKING TESTIMONY BY DEPOSITION

SEC. 7. (a) Either party may take the testimony of any person, including the opposing party, by deposition upon oral examination for the purpose of discovery or for use as evidence in the contested election case, or for both purposes. Depositions shall be taken only within the time for the taking of testimony prescribed in this section.

(b) Witnesses may be examined regarding any matter, not privileged, which is relevant to the subject matter involved in the pending contested election case, whether it relates to the claim or defense of the examining party or the claim or defense of the opposing party, including the existence, description, nature, custody, condition and location of any books, papers, documents, or other tangible things and the identity and location of persons having knowledge of relevant facts. After the examining party has examined the witness the opposing party may cross examine.

(c) The order in which the parties may take testimony shall be as follows:

(1) Contestant may take testimony within thirty days after service of the answer, or, if no answer is served within the time provided in section 4, within thirty days after the time for answer has expired.

(2) Contestee may take testimony within thirty days after contestant's time for taking testimony has expired.

(3) If contestee has taken any testimony or has filed testimonial affidavits or stipulations under section 8(c), contestant may take rebuttal testimony within ten days after contestee's time for taking testimony has expired.

(d) Testimony shall be taken before an officer authorized to administer oaths by the laws of the United States or of the place where the examination is held.

(e) Attendance of witnesses may be compelled by subpena as provided in section 9.

(f) At the taking of testimony, a party may appear and act in person, or by his agent or attorney.

(g) The officer before whom testimony is to be taken shall put the witness under oath and shall personally, or by someone acting under his direction and in his presence, record the testimony of the witness. The testimony shall be taken stenographically and transcribed. All objections made at the time of examination to the qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented, or the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. Evidence objected to shall be taken subject to the objections. In lieu of participating in the oral examination, a party served with a notice of deposition may transmit written interrogatories to the officer, who shall propound them to the witness and record the answers verbatim.

(h) When the testimony is fully transcribed, the deposition shall be submitted to the witness for examination and shall be read to or by him, unless such examination and reading are waived by the witness and the parties. Any changes in the form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall be signed by the witness, unless the parties by stipulation waive the

signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness, the officer shall sign it and note on the deposition the fact of the waiver or of the illness or the absence of the witness or the fact of refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed, unless on a motion to suppress, the committee rules that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

NOTICE OF DEPOSITIONS; TESTIMONY BY AFFIDAVIT OR STIPULATION

SEC. 8. (a) A party desiring to take the deposition of any person upon oral examination shall serve written notice on the opposing party not later than two days before the date of the examination. The notice shall state the time and place for taking the deposition and the name and address of each person to be examined. A copy of such notice, together with proof of such service thereof, shall be attached to the deposition when it is filed with the Clerk.

(b) By written stipulation of the parties, the deposition of a witness may be taken without notice. A copy of such stipulation shall be attached to the deposition when it is filed with the Clerk.

(c) By written stipulation of the parties, the testimony of any witness of either party may be filed in the form of an affidavit by such witness or the parties may agree what a particular witness would testify to if his deposition were taken. Such testimonial affidavits or stipulations shall be filed within the time limits prescribed for the taking of testimony in section 7.

SUBPENAS; PRODUCTION OF DOCUMENTS

SEC. 9. (a) Upon application of any party, a subpena for attendance at a deposition shall be issued by:

(1) a judge or clerk of the United States district court for the district in which the place of examination is located;

(2) a judge or clerk of any court of record of the State in which the place of examination is located; or

(3) a judge or clerk of any court of record of the county in which the place of examination is located.

(b) Service of the subpena shall be made upon the witness no later than three days before the day on which his attendance is directed. A subpena may be served by any person who is not a party to the contested election case and is not less than eighteen years of age. Service of a subpena upon a person named therein shall be made by delivering a copy thereof to such person and by tendering to him the fee for one day's attendance and the mileage allowed by section 10. Written proof of service shall be made under oath by the person making same and shall be filed with the Clerk.

(c) A witness may be required to attend an examination only in the county wherein he resides or is employed, or transacts his business in person, or is served with a subpena, or within forty miles of the place of service.

(d) Every subpena shall state the name and title of the officer issuing same and the title of the contested election case, and shall command each person to whom it is directed to attend and give testimony at a time and place and before an officer specified therein.

(e) A subpena may also command the person to whom it is directed to produce the books, papers, documents, or other tangible things designated therein, but the committee, upon motion promptly made and in any event at or before the time specified in the subpena for compliance therewith, may (1) quash or modify the subpena if it is unreasonable or oppressive, or (2) condition denial of the motion upon the advancement by the party in whose behalf the subpena is issued of the reasonable cost of producing the books, papers, documents, or tangible things. In the case of public records or documents, copies thereof, certified by the person having official custody thereof, may be produced in lieu of the originals.

OFFICER AND WITNESS FEES

SEC. 10. (a) Each judge, clerk of court, or other officer who issues any subpena or takes a deposition and each person who serves any subpena or other paper herein authorized shall be entitled to receive from the party at whose instance the service shall have been performed such fees as are allowed for similar services in the district courts of the United States.

(b) Witnesses whose depositions are taken shall be entitled to receive from the party at whose instance the witness appeared the same fees and travel allowance paid to witnesses subpenaed to appear before the House of Representatives or its committees.

PENALTY FOR FAILURE TO APPEAR, TESTIFY, OR PRODUCE DOCUMENTS

SEC. 11. Every person who, having been subpenaed as a witness under this Act to give testimony or to produce documents, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the contested election case, shall be deemed guilty of a misdemeanor punishable by fine of not more than $1,000 nor less than $100 or imprisonment for not less than one month nor more than twelve months, or both.

CERTIFICATION AND FILING OF DEPOSITIONS

SEC. 12. (a) The officer before whom any deposition is taken shall certify thereon that the witness was duly sworn by him and that the deposition is a true record of the testimony given by the witness. He shall then securely seal the deposition, together with any papers produced by the witness and the notice of deposition or stipulation, if the deposition was taken without notice, in an envelope endorsed with the title of the contested election case and marked "Deposition of (here insert name of witness)" and shall within thirty days after completion of the witness' testimony, file it with the Clerk.

(b) After filing the deposition, the officer shall promptly notify the parties of its filing.

(c) Upon payment of reasonable charges therefor, not to exceed the charges allowed in the district court of the United States for the district wherein the place of examination is located, the officer shall furnish a copy of deposition to any party or the deponent.

RECORD; PRINTING AND FILING OF BRIEFS AND APPENDIXES

SEC. 13. (a) Contested election cases shall be heard by the committee on the papers, depositions, and exhibits filed with the Clerk. Such papers, depositions, and exhibits shall constitute the record of the case.

(b) Contestants shall print as an appendix to his brief those portions of the record which he desires the committee to consider in order to decide the case and such other portions of the record as may be prescribed by the rules of the committee.

(c) Contestee shall print as an appendix to his brief those portions of the record not printed by contestant which contestee desires the committee to consider in order to decide the case.

(d) Within forty-five days after the time for both parties to take testimony has expired, contestant shall serve on contestee his printed brief of the facts and authorities relied on to establish his case together with his appendix.

(e) Within thirty days of service of contestant's brief and appendix, contestee shall serve on contestant his printed brief of the facts and authorities relied on to establish his case together with his appendix.

(f) Within ten days after service of contestee's brief and appendix, contestant may serve on contestee a printed reply brief.

(g) The form and length of the briefs, the form of the appendixes, and the number of copies to be served and filed shall be in accordance with such rules as the committee may prescribe.

FILINGS OF PLEADINGS, MOTIONS, DEPOSITIONS, APPENDIXES, BRIEFS, AND OTHER PAPERS

SEC. 14. (a) Filings of pleadings, motions, depositions, appendixes, briefs, and other papers shall be accomplished by:

(1) delivering a copy thereof to the Clerk of the House of Representatives at his office in Washington, District of Columbia, or to a member of his staff at such office; or

(2) mailing a copy thereof, by registered or certified mail, addressed to the Clerk at the House of Representatives, Washington, District of Columbia: *Provided*, That if such copy is not actually received, another copy shall be filed within a reasonable time; and

(3) delivery or mailing, simultaneously with the delivery or mailing of a copy thereof under paragraphs (1) and (2) of this subsection, such additional copies as the committee may by rule prescribe.

(b) All papers filed with the Clerk pursuant to this Act shall be promptly transmitted by him to the committee.

TIME; COMPUTATION AND ENLARGEMENT

SEC. 15. (a) In computing any period of time prescribed or allowed by this Act or by the rules or any order of the committee, the day of the act, event, or default after which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period shall run until the end of the next day which is neither a Saturday, a Sunday, nor a legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. For the purposes of this Act, "legal holiday" shall mean New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day, and any other day appointed as a holiday by the President or the Congress of the United States.

(b) Whenever a party has the right or is required to do some act or take some proceeding within a prescribed period after the service of a pleading, motion, notice, brief, or other paper upon him, which is served upon him by mail, three days shall be added to the prescribed period.

(c) When by this Act or by the rules of any order of the committee an act is required or allowed to be done at or within a specified time, the committee, for good cause shown, may at any time in its discretion (1) with or without motion or notice, order the period enlarged if request therefor is made before the expiration of the period originally prescribed or as extended by a previous order, or (2) upon motion made after the expiration of the specified period, permit the act to be done where the failure to act was the result of excusable neglect, but it shall not extend the time for serving and filing the notice of contest under section 3.

DEATH OF CONTESTANT

SEC. 16. In the event of the death of the contestant, the contested election case shall abate.

ALLOWANCE OF PARTY'S EXPENSES

SEC. 17. The committee may allow any party reimbursement from the contingent fund of the House of Representatives of his reasonable expenses of the contested election case, including reasonable attorneys fees, upon the verified application of such party accompanied by a complete and detailed account of his expenses and supporting vouchers and receipts.

REPEALS

SEC. 18. The following provisions of law are repealed:

(a) Sections 105 through 129 of the Revised Statutes of the United States (2 U.S.C. 201–225).

(b) The second paragraph under the center heading "House of Representatives" in the first section of the Act of March 3, 1879 (2 U.S.C. 226).

(c) Section 2 of the Act entitled "An Act further supplemental to the various Acts prescribing the mode of obtaining evidence in cases of contested elections", approved March 2, 1875 (2 U.S.C. 203).

EFFECTIVE DATE

SEC. 19. The provisions of, and the repeals made by, this Act shall apply with respect to any general or special election for Representative in, or Resident Commissioner to, the Congress of the United States occurring after the date of enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. KYL. Mr. Speaker, I demand a second.

Mr. RYAN. Mr. Speaker, is the gentleman from Iowa opposed to the bill?

Mr. KYL. Mr. Speaker, I am not opposed to the bill.

The SPEAKER pro tempore. The gentleman cannot demand a second.

Mr. RYAN. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Is the gentleman from New York opposed to the bill?

Mr. RYAN. I am opposed to the bill, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from New York qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. ABBITT) will be recognized for 20 minutes, and the gentleman from New York (Mr. RYAN) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. ABBITT).

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

Mr. Speaker, H.R. 14195 would completely revise the existing law governing contests of elections of Members of the House of Representatives, which was passed in 1851 in a form substantially identical to the contested-election law enacted in 1798 by the fifth Congress. The 1851 law prescribes antiquated and cumbersome procedures which are unsuitable for the changed conditions of our time. H.R. 14195 would provide modern procedures for a contested election case to be heard in the House, permitting a more efficient and expeditious processing of the case than does existing law.

It should be noted that this bill does not set out any substantive grounds for upsetting an election, such as fraud or other irregularities. It is strictly limited to prescribing a procedural framework for the prosecution, defense, and disposition of contested-election cases patterned upon the Federal rules of civil procedure used for more than 20 years in our U.S. district courts. It should also be noted that the bill does not affect other methods of challenging an election, such as a protest or memorial filed in the House by a citizen or a motion made by a Member of the House.

Briefly, the bill would permit any candidate in the general election for a House seat to challenge the election of the candidate declared to be the winner. "Candidate" is defined to include a bona fide write-in candidate. The contest would be initiated by a sworn notice of contest describing the grounds of the contest with particularity, filed with the Clerk of the House and served upon the contestee within 30 days after the official declaration of the election results. The contestee has 30 days within which to answer or to file a motion challenging the legal sufficiency of the notice or the service of the notice or to move for a more detailed statement of the grounds. Each party is allowed a specified time for taking testimony of witnesses by deposition—the total time for taking testimony by both parties is 70 days. Attendance of witnesses and production of documents and papers including ballots can be compelled by subpena. Once the testimony is completed, briefs would be filed by the parties under much the same procedure as followed in the Federal appellate courts. The Committee on House Administration would consider the case on the entire record of depositions, papers, and exhibits filed with the Clerk and the briefs and oral arguments of the parties. The decision of the committee, as in the past, would be reported to the House in the form of a resolution.

Mr. Speaker, H.R. 14195 will accomplish a much needed and long overdue reform of our contested election procedures. I urge its passage.

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

Mr. ABBITT. I yield to the gentleman from Georgia.

Mr. BLACKBURN. As the gentleman in the well is aware, I am very familiar with election contests.

A question occurs to me as to whether the committee has dealt with the question of whether or not the certified winner of a general election would be seated pending the outcome of the contest. Has the committee given this attention?

Mr. ABBITT. The committee gave it no attention whatever. We did not intend to change any basic rule of law. This is purely and simply a procedural matter, so as to expedite the hearings and to bring the contest to a head, to help the parties. It spells out for the contestant how he can act. It spells out for the contestee what he can do. It provides for a decision in a more expeditious manner.

Mr. BLACKBURN. Just for the purpose of clarifying the record, this deals with the mechanics of an election contest and not the substance.

Mr. ABBITT. Purely and simply the mechanics.

Mr. BLACKBURN. This action would not be construed as changing the present precedents, which are to the effect that the certified winner will take his seat pending the outcome of the contest?

Mr. ABBITT. So far as I can ascertain, it does not affect the basic law one iota. It is merely intended to expedite the hearings, so that the matter can be brought to a decision as quickly as possible.

Mr. BLACKBURN. I thank the gentleman and the members of the committee for the work they have done on this. I have read it over. It is a tremendous piece of work I am happy to support.

Mr. ABBITT. I thank the gentleman.

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

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

Mr. KYL. Mr. Speaker, the bill before the House of Representatives today, H.R. 14195, is to modernize the outdated statutory procedures relating to contested elections of Members of the House of Representatives.

The House Administration Committee has referred to the present contested election law as a "relic of a bygone era." This is literally the case since the present law was passed in 1851 and at that time was patterned substantially after a contested election law passed in 1798.

Revision is long overdue. Though some election contests generally occur each new Congress, under present conditions they must be adjudicated under cumbersome, antiquated procedures. Some of the inadequacies of the present statute are listed in the report. They are:

1. The question of who has standing to initiate a contest has been made unclear by the House's conflicting interpretation of the law over the past century.

2. There being no requirement for filing contest papers with the Clerk until testimony has been taken, the House is usually not officially cognizant of the case until several months after its inception.

3. Given the speed of modern communication and transportation, the 90 days allowed for taking testimony by deposition is too long.

4. There is no clear authority for contestant to take testimony if contestee fails to answer the notice of contest.

5. There is no procedure for challenging the legal sufficiency of the notice of contest by a motion in the nature of a demurrer.

6. Existing law does not provide contestee with any means of compelling contestant to furnish a more definite statement of the grounds of the contest in the event the notice of contest is vague or ambiguous.

7. The Clerk is required to decide which portions of testimony are to be printed if the parties fail to agree.

8. Witnesses who testify on deposition must sign the transcript of deposition. There is no provision for waiver of signature.

9. The 75-cent-per-day witness fee is insufficient by contemporary standards.

10. The penalty for failure of a witness to appear and testify at a deposition is outdated ($20 forfeiture plus suit costs to be recovered by party, at whose instance witness was called, in an action for debt in Federal court; also liable to indictment for misdemeanor and punishment by fine and imprisonment of an unspecified amount and duration.)

It is essential that we provide a means not only to help decide election cases in a fair manner but also to do this as efficiently and quickly as possible. This is the purpose of H.R. 14195.

The procedures it contains for pleading, taking testimony and briefing a case are patterned roughly after the Federal Rules of Civil Procedure. The bill deals only with procedures, not substantive grounds for dealing with House election contests.

It is in the interest of the House of Representatives and the public to have efficient, up-to-date procedures to handle contested election cases. I urge passage of H.R. 14195.

In further response to the question which was directed to the gentleman, going back to 1941 we have had seven cases.

The recent precedents involving contests brought against Members-elect by persons who were not candidates in the general election show that the House of Representatives regards such persons as lacking standing to bring an election contest under the statute. In dismissing each of the following contested election cases, brought by a contestant who was not a candidate, the House cited contestant's lack of standing under the statute as a ground for dismissal:

Miller v. *Kirwan* (77th Congress, 19th District, Ohio), dismissed on January 10, 1941, by House Resolution 54, volume 87, CONGRESSIONAL RECORD, page 101; *McEvoy* v. *Peterson* (78th Congress, First District, Georgia), dismissed on May 5, 1944, by House Resolution 534, volume 90, CONGRESSIONAL RECORD, pages 4074, 4078; *Woodward* v. *O'Brien* (80th Congress, Sixth District, Illinois), dismissed on July 26, 1947, by House Resolution 345, volume 93, CONGRESSIONAL RECORD, page 10445; *Lowe* v. *Davis* (82d Congress, Fifth District, Georgia), dismissed by House Resolution 398 on August 31, 1951, volume 97, CONGRESSIONAL RECORD, page 10479; *Frankenberry* v. *Ottinger* (89th Congress, 25th District, New York), dismissed on January 19, 1965, by House Resolution 126, CONGRESSIONAL RECORD, volume 111, part 1, page 951; *Five Mississippi Election Contests* (89th Congress, First, Second, Third, Fourth, and Fifth Districts, Mississippi), dismissed September 17, 1965, by House Resolution 585, CONGRESSIONAL RECORD, volume 111, part 18, page 24263; *Lowe* v. *Thompson* (90th Congress, Fifth District, Georgia), dismissed on July 11, 1967, by House Resolution 541, CONGRESSIONAL RECORD, volume 113, part 14, page 18290.

In each of those cases the precedent was held in the case of a contest brought by an individual who was not actually a candidate. The House of Representatives regarded such persons as lacking in standing to bring an election contest under the statute.

As the gentleman has said so ably, this bill does not attempt to change substantive law. It is merely for procedural purposes entirely. If someone wants to change the law to permit someone other than a candidate to bring a contest this should be done in a separate piece of legislation which looks to changing the basic law rather than changing the procedures under which contests are held.

Mr. ABBITT. The gentleman is eminently correct. I thank him for his contribution.

The SPEAKER pro tempore. The gentleman has consumed 8 minutes.

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

Mr. RYAN. Mr. Speaker, I demanded a second because, in reviewing the legislation before us I recalled the situation which confronted the House in 1965 when we had before us the question of the contested elections in the five congressional districts in the State of Mississippi. Although those election contests were dismissed by the House on September 17, 1965, by a vote of 228 to 143, at least the statutory machinery was made available to the contestants, depositions were taken and evidence presented. H.R. 14195 would preclude similar contests.

I am concerned about the failure of this bill to protect one who is a candidate but who is unable to obtain a position on the ballot because of discriminatory action of State officials.

In the 1965 Mississippi contested election case, I believe that three of the contestants had attempted to become independent candidates on the ballot in the State of Mississippi. They obtained the required number of signatures, but were denied a place on the ballot through discriminatory rulings. They were Mrs. Fannie Lou Hamer, Mrs. Annie Devine, and Mrs. Victoria Gray.

The bill before us makes it very clear that the term "candidate" means an individual whose name is printed on the official ballot or one whose name is not printed on the official ballot but who is a write-in candidate in a State where write-in voting is permitted. This leaves no recourse to the individual who is denied a place on the ballot in a particular State, either the officially printed ballot or through a write-in. I believe it is unwise to prevent an individual in that situation from contesting an election.

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

Mr. RYAN. In just a moment.

To be sure the House has held, through its action on contested elections in recent years, that the statute requires a contestant to be a candidate on the ballot. Nevertheless, the present statute itself does, despite the actions of the House, refer to "any person." Section 105 of the Revised Statutes states, "Whenever any person intends to contest an election of any Member of the House of Representatives," he shall follow certain procedures. My concern is that under the proposed bill there is no statutory protection available to the person whose name either does not appear on the officially printed ballot or as a write-in candidate.

I am now glad to yield to the gentleman from Iowa.

Mr. KYL. I thank the gentleman for yielding to me.

In order to clarify this a bit, under the prevailing statutes, rules, and precedents of the House, today the House may adjudicate the question of the right to a seat in any of the following cases, and I will start with the second: "A protest or memorial filed in the House by an elector of the district involved; or, third, a protest or memorial filed by any other person; or, a motion made by a Member of the House."

None of these three matters are changed a bit by this bill.

Mr. RYAN. I understand that. However, only through a contest instituted in accordance with the contested election law, does a person have the right to initiate a contest, with the power of subpena, which may result in a full investigation. As I understand it, under a protest or memorial filed by an elector or by any other person, it is discretionary with the House as to whether an investigation shall go forward; and the person filing the protest or memorial has no right to subpena witnesses or take depositions or otherwise initiate an action.

What I am trying to do is to suggest that there should be protection for the individual who through discrimination or otherwise is denied a place on the ballot in a particular State.

Mr. KYL. Mr. Speaker, if the gentleman will yield further, since this bill does deal with procedures rather than substantive law, assuming that the gentleman in the well is absolutely correct in his desire and in his purpose here, he would agree, would he not, that the correct place to make the alteration he desires would be in a separate bill dealing with the substantive law rather than through this mechanism now pending here on the floor today, which is procedural in nature?

Mr. RYAN. I must disagree with the gentleman because I view the bill as one dealing in substance. It repeals existing law and provides a new statute under which an election may be contested. It goes beyond a procedural matter in providing who may contest an election. Unfortunately, the bill is before us under suspension of the rules—a procedure which prevents any amendments being offered and limits discussion of it. If the bill were open for amendment, in my opinion it would be entirely proper to amend the definition of the term "candidate" under section 2(b) in order to include the person with whom I am concerned.

Mr. KYL. Mr. Speaker, if the gentleman will yield further, there is another matter which complicates all these things that the gentleman from New York is speaking of, and that is the fact that most election laws are State election laws where we have no jurisdiction. But in this instance it simply is trying to put into law what the House of Representatives since 1941 has decided is the proper approach to the entire problem. In other words, it is not only the attitude of the committee today but is in accordance with precedents established by the Congress at an earlier date.

I thank the gentleman for his concern about this matter but I, personally, think that this bill is about the most perfect piece of legislation with which to accomplish the purpose which the committee set out to correct.

Mr. RYAN. Mr. Speaker, I would like to quote from the minority views of report No. 1008 which accompanied House Resolution 585 in the 89th Congress, wherein the writers of the minority views stated as follows:

> It must be obvious to everyone that to require an individual to be a candidate before he can contest an election in a jurisdiction where it is impossible for him or her to register and vote, let alone get his or her name on the ballot, makes a contest impossible and deprives the Constitution, statutes, and rules of all meaning in this regard.

I do not believe we can ignore those views as expressed in 1965 at the time the Mississippi contests were before the House.

Now, if I may, I should like also to refer to another section of the same report, and that is the majority part of the report which states—and this was in connection with the dismissal of the Mississippi contests in September 1965—and I quote from that report:

The committee recommends as follows:

(1) That the House Administration Committee, because of its concern over present House procedures governing election contests, undertake a thorough review of such procedures in the light of this case and make recommendations for improving and clarifying them so as to deal more expeditiously with such cases in the future, particularly those involving violations of the Voting Rights Act of 1965.

Mr. Speaker, I stress and emphasize the words "particularly those involving violations of the Voting Rights Act of 1965."

I should like to ask the distinguished gentleman from Virginia, the sponsor of the bill, what recommendations the committee has made to deal with violations of the Voting Rights Act of 1965?

Mr. ABBITT. Insofar as I know the committee has taken no action in that field.

Mr. RYAN. I appreciate the gentleman's answer, and I think it points up again the need to take a very careful look at this legislation. Discriminatory exclusion from the ballot should be grounds for a statutory contest. May I remind the House that the Voting Rights Act of 1965 expires next year and so far the Rules Committee has not granted a rule to bring to the floor the 5-year extension bill reported by the Judiciary Committee.

It is essential that the Voting Rights Act of 1965 be extended. But if by any chance it is not extended, then I think all of us can anticipate a variety of obstacles not only to registration and voting but to the efforts of candidates to have their names placed on the ballot. Thus, it is all the more important to provide recourse and protection to a candidate who under the proposed bill would be denied an opportunity to contest an election.

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

Mr. RYAN. I yield to the gentleman.

Mr. FARBSTEIN. Presumably this applies solely to election contests on election day. I understand, of course, that the State rules and State laws govern elections within the State, particularly the primaries. I do not think this bill has anything in it dealing with primaries. But nevertheless since it has become very stylish for individuals of great substance to run for Congress, and the expenditure of tremendous sums of money in order to obtain nominations has become the vogue of late, it appears to me that perhaps there should be something in this legislation dealing with that subject.

I admit that the primaries, of course, are a function within the State laws, but nevertheless a primary deals with the office of a Member of the House of Representatives. In view of the failure of this legislation to make any mention of that fact, perhaps this may raise a question as to its desirability. Would the gentleman care to comment on that?

Mr. RYAN. Yes. I would say that the gentleman has touched upon a very significant problem, that is, the need to control the cost of elections. The House should be concerned not only with contested general elections, but with primaries, because, as we all know, in many areas of the country there are one-party districts where a primary victory is tantamount to election, and at the present time there is no regulation by the Federal Government of primary elections as to finance or otherwise.

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

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

Mr. KYL. The matter of primary elections, of course, is a matter that belongs to the State. As a matter of fact, the House Administration Committee has always taken into consideration what happens in primary elections. But always those cases have come to us after the contest in the primary has gone through all of the legal procedures of the State.

For instance, in the last case which was brought, there was a decision rendered by the Supreme Court of the State regarding the primary election. So the House Administration Committee, which knows that the House is not bound by this under Hinds' Precedents has accepted the Supreme Court's word in the State as the final word so far as the primary election is concerned.

Mr. RYAN. I think the gentleman from New York is concerned about the fact, that the House itself, although it attempts to regulate the general elections, does not do so with respect to primary elections.

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

Mr. RYAN. I yield to the gentleman.

Mr. FARBSTEIN. There is no question but what the House in a general election will recognize the expenditure of vast sums of money in order to take office as a Member of the House of Representatives as being a basis for denying that seat. Nevertheless, by indirection one can evade that precedent by spending money in the primaries. The question of expenditures in a primary cannot be brought up in the determination of the right to contest an election under this law.

Am I correct in that?

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

Mr. RYAN. I yield to the gentleman.

Mr. KYL. I would like to make two observations as a result of the questions raised by the gentleman from New York.

Number one, if he is earnestly interested in getting a good Corrupt Practices Act out of the House Administration Committee, I hope he will put enough pressure on certain Members, and will visit them privately, so that they can get that bill out and control the matter of which he speaks.

The other matter which I would just like to mention in passing, is this: With reference to a voting rights act here, all contested elections in the United States are not going to occur in the Southern States. I cannot understand how we have people objecting to the extension of the Voting Rights Act to apply to the 50 States at the present time, and yet we have this objection.

Mr. FARBSTEIN. I do not propose at this moment to go into the question raised by the gentleman from New York (Mr. RYAN) in connection with primaries in those States where the primary election is, in reality, a general election. I am directing my attention to those areas where there is both a primary and a general election. So I do not know that I can take that into consideration.

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

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

Mr. KYL. I thank the gentleman for yielding.

If the gentleman would compare Federal statutes covering expenditures for campaigns with State laws at this time, he would find that most State laws are infinitely tougher than those of the Federal Government.

Mr. FARBSTEIN. Most, perhaps, but not all of them. I think we should not make fish of one and fowl of another.

Mr. RYAN. Mr. Speaker, in conclusion, let me point out that my opposition to this bill rests on the fact that it is before us under a procedure which denies us an opportunity to offer amendments. I am particularly concerned, as far as this particular piece of legislation is concerned, H.R. 14195, with its failure to protect an individual who seeks to be a candidate and who is denied an opportunity to appear on the ballot through discriminatory action on the part of the State. Under the proposed statute he would not be in a position to contest an election in the House of Representatives, nor would he have available to him the subpena power which the proposed statute would give to a person it defines as a candidate—and the definition is more narrow than the statute which it seeks to replace.

Mr. THOMPSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. I would like to ask a question which perhaps the gentleman from Virginia would have to answer. I have had the experience of having elections contested a couple of times. The first time it occurred the notice that was given to me I did not recognize as being a legal notice. There was no statement on the document that it had to be answered within a specific period of time. I did not answer that notice that was given by my opponent, and I was not quite sure whether it constituted notice or whether it demanded notice. Is there anything in this legislation which would require a statement to be placed somewhere on the notice that is filed by the contestant with the successful candidate that an answer is required and, if so, by what authority?

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

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

Mr. ABBITT. I refer the gentleman to

page 3 of the bill, section 3(b), which covers the notice to which the gentleman has referred:

(b) Such notice shall state with particularity the grounds upon which contestant contests the election and shall state that an answer thereto must be served upon contestant under section 4 of this Act within thirty days after service of such notice. Such notice shall be signed by contestant and verified by his oath or affirmation.

If the gentleman will yield further, what we have tried to do is to spell out some things that we think would help the parties get to the issue expeditiously.

Mr. THOMPSON of Georgia. I would like to say this: I think that certainly improves the current law—the fact that he would have to specify that an answer was required. It would give personal notice that an answer is required.

I thank the gentleman.

Mr. RYAN. Mr. Speaker, I simply wish again to express my concern with the narrowing of the definition of "candidate." Although recent House actions have held that, in order to have a standing, a contestant should have been a candidate on the ballot; nevertheless, the report on this bill, H.R. 14195, states on page 3—

The question of who has standing to initiate a contest has been made unclear by the House's conflicting interpretation of the law over the past century.

I would agree that the question of standing should be clarified—but not as the proposed bill does. This bill would prevent candidates who are denied a place on the ballot through discriminatory action from contesting an election. Had it been in effect in 1965, the five Mississippi contests would not have been brought before the House.

Mr. ABBITT. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I would like to say, with reference to the points raised by the gentleman from New York, this bill just simply spells out in plain language what the House Administration Committee and this House have decided on numerous occasions, that no one has any standing to contest except a person who was a candidate. We go even further in this bill and say a person could contest if he is a bona fide write-in candidate. He can contest.

Now, as to the right of the contestant, to subpena that is true, but that really can also be abused, as was done in a number of cases, as some of the Members know. If everybody has a right to contest and subpena witnesses, he can run a House Member up and down the State, and no one knows how long it would take to settle it.

As to the primary, this bill makes no change. Under the present law, we have no jurisdiction over the primary.

(Mr. CLEVELAND (at the request of Mr. KYL) was granted permission to extend his remarks at this point in the RECORD.)

Mr. CLEVELAND. Mr. Speaker, although I favor most of H.R. 14195, the Federal Contested Election Act, I shall be constrained to vote against it for one reason. My objection is that this measure expressly confines the right to contest an election to candidates, and thus excludes the general public. Once before, I protested this matter—see CONGRESSIONAL RECORD for the first session, 89th Congress, January 4, 1965, pages 39 et seq. I believe that any citizen should have the right to contest an election to the House of Representatives under the provisions of our contested election law. The House did not sustain my position in 1965—see CONGRESSIONAL RECORD for 89th Congress, January 19, 1965, page 929 et seq.

The question then before the House was whether the law permitted anyone but a defeated candidate for the House to bring a contest under the provisions of the contested elections laws. I cited numerous precedents, which I still believe should control in these cases. They support my position that any elector is qualified to bring election contests.

As I noted, the House voted down this position and, in effect, ruled that only candidates were qualified to contest elections.

It is with a certain wry interest, therefore, that I find the following language in the report on H.R. 14195—page 3:

(1) The question of who has standing to initiate a contest has been made unclear by the House's conflicting interpretation of the law over the past century.

My efforts 4 years ago, had they been successful, would have eliminated much of that confusion. H.R. 14195 would eliminate confusion, also, but I believe it goes in the wrong direction in this respect.

There are many reasons why the right to contest a congressional election should not be confined only to the defeated candidate.

Illness might prevent his pressing a contest. Lack of personal financial resources might do so. A reluctance to be thought a poor loser, thereby possibly clouding his appeal as a future candidate, might do so. Perhaps the candidate could be persuaded by the winning side in some manner not to make a contest.

There are innumerable possibilities.

I doubt very much if it is sound public policy to preclude the right of any American to come before the House and proceed under our contested election law to question the propriety of an election to this body.

That is what H.R. 14195 would do and therefore, in spite of the improvements and clarification which it contains, I shall vote against it.

I shall do so in full recognition of the fact that the bill would leave untouched certain other remedies by which citizens may challenge the outcomes of elections to the House. A motion of contest could still be made by a Member of the House; and the public at large would still be entitled to file protests and memorials to the House.

I feel, however, that the public should have the full range of remedies available to it and that this measure would substantially curtail the general public's rights.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Virginia that the House suspend the rules and pass the bill H.R. 14195, as amended.

The question was taken.

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

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

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

The question was taken; and there were—yeas 311, nays 12, not voting 108, as follows:

[Roll No. 235]

YEAS—311

Abbitt	Evins, Tenn.	McDonald, Mich.
Abernethy	Feighan	McEwen
Adair	Fish	McFall
Adams	Flood	McKneally
Albert	Flowers	McMillan
Alexander	Foley	Macdonald, Mass.
Anderson, Calif.	Ford, Gerald R.	MacGregor
Anderson, Tenn.	Ford, William D.	Madden
Andrews, Ala.	Foreman	Mahon
Annunzio	Fountain	Mann
Ashley	Fraser	Marsh
Aspinall	Frey	Matsunaga
Ayres	Friedel	May
Barrett	Fulton, Pa.	Mayne
Belcher	Fulton, Tenn.	Meeds
Bell, Calif.	Fuqua	Melcher
Bennett	Galifianakis	Meskill
Berry	Gallagher	Michel
Betts	Gaydos	Mikva
Bevill	Gettys	Miller, Calif.
Biaggi	Giaimo	Miller, Ohio
Biester	Gilbert	Minish
Blackburn	Gonzalez	Mink
Blanton	Goodling	Minshall
Blatnik	Gray	Mize
Boggs	Green, Oreg.	Mizell
Boland	Green, Pa.	Mollohan
Bow	Gross	Montgomery
Bray	Grover	Morgan
Brinkley	Gude	Morton
Broomfield	Hagan	Mosher
Brotzman	Haley	Moss
Brown, Mich.	Hall	Murphy, Ill.
Broyhill, N.C.	Hamilton	Myers
Buchanan	Hammer-schmidt	Natcher
Burke, Fla.	Hanley	Nedzi
Burke, Mass.	Hanna	Nelsen
Burleson, Tex.	Hansen, Idaho	Nichols
Burlison, Mo.	Hansen, Wash.	Nix
Button	Harvey	Obey
Byrne, Pa.	Hastings	O'Hara
Byrnes, Wis.	Hathaway	Olsen
Cabell	Hébert	O'Neal, Ga.
Caffery	Hechler, W. Va.	O'Neill, Mass.
Carter	Heckler, Mass.	Ottinger
Casey	Henderson	Patman
Cederberg	Hicks	Patten
Celler	Holifield	Pelly
Chamberlain	Horton	Perkins
Chappell	Hosmer	Pettis
Clancy	Hull	Pickle
Collier	Hungate	Pike
Collins	Hunt	Pirnie
Colmer	Hutchinson	Poage
Conable	Ichord	Podell
Corbett	Jacobs	Poff
Coughlin	Jarman	Preyer, N.C.
Cunningham	Johnson, Calif.	Price, Ill.
Daniel, Va.	Johnson, Pa.	Price, Tex.
Daniels, N.J.	Jones, Ala.	Pryor, Ark.
Davis, Ga.	Karth	Pucinski
Davis, Wis.	Kastenmeier	Purcell
de la Garza	Kazen	Quillen
Delaney	Kee	Railsback
Dellenback	Keith	Randall
Denney	King	Rarick
Dennis	Kleppe	Rees
Derwinski	Kuykendall	Reid, Ill.
Dickinson	Kyl	Reuss
Dowdy	Kyros	Rhodes
Dulski	Langen	Riegle
Duncan	Latta	Roberts
Dwyer	Leggett	Robison
Edmondson	Lennon	Rogers, Colo.
Edwards, La.	Lloyd	Rogers, Fla.
Eilberg	Long, Md.	Rooney, N.Y.
Erlenborn	Lujan	Rooney, Pa.
Esch	McClory	Roth
Eshleman	McCloskey	Roybal
Evans, Colo.	McDade	Ruppe

Ruth	Stanton	Watson
St Germain	Steed	Watts
St. Onge	Steiger, Ariz.	Weicker
Sandman	Steiger, Wis.	Whalen
Satterfield	Stephens	White
Saylor	Stratton	Whitehurst
Schadeberg	Stuckey	Whitten
Scherle	Sullivan	Widnall
Scheuer	Symington	Williams
Schneebeli	Talcott	Wilson, Bob
Schwengel	Taylor	Winn
Scott	Teague, Calif.	Wolff
Sebelius	Thompson, Ga.	Wright
Shipley	Thompson, N.J.	Wyatt
Shriver	Tiernan	Wydler
Sisk	Tunney	Wylie
Skubitz	Udall	Wyman
Slack	Van Deerlin	Yates
Smith, Calif.	Vander Jagt	Yatron
Smith, N.Y.	Vanik	Young
Snyder	Vigorito	Zablocki
Springer	Waggonner	Zion
Stafford	Waldie	Zwach
Staggers	Wampler	

NAYS—12

Bingham	Cohelan	Hawkins
Burton, Calif.	Conyers	Helstoski
Clay	Edwards, Calif.	Ryan
Cleveland	Farbstein	Stokes

NOT VOTING—108

Addabbo	Donohue	McCulloch
Anderson, Ill.	Dorn	Mailliard
Andrews, N. Dak.	Downing	Martin
	Eckhardt	Mathias
Arends	Edwards, Ala.	Mills
Ashbrook	Fallon	Monagan
Baring	Fascell	Moorhead
Beall, Md.	Findley	Morse
Bolling	Fisher	Murphy, N.Y.
Brademas	Flynt	O'Konski
Brasco	Frelinghuysen	Passman
Brock	Garmatz	Pepper
Brooks	Gibbons	Philbin
Brown, Calif.	Goldwater	Pollock
Brown, Ohio	Griffin	Powell
Broyhill, Va.	Griffiths	Quie
Burton, Utah	Gubser	Reid, N.Y.
Bush	Halpern	Reifel
Cahill	Harrington	Rivers
Camp	Harsha	Rodino
Carey	Hays	Rosenthal
Chisholm	Hogan	Rostenkowski
Clark	Howard	Roudebush
Clausen, Don H.	Jonas	Sikes
	Jones, N.C.	Smith, Iowa
Clawson, Del	Jones, Tenn.	Stubblefield
Conte	Kirwan	Taft
Corman	Kluczynski	Teague, Tex.
Cowger	Koch	Thomson, Wis.
Cramer	Landgrebe	Ullman
Culver	Landrum	Utt
Daddario	Lipscomb	Watkins
Dawson	Long, La.	Whalley
Dent	Lowenstein	Wiggins
Devine	Lukens	Wilson, Charles H.
Diggs	McCarthy	
Dingell	McClure	Wold

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hayes with Mr. Arends.
Mr. Addabbo with Mr. Conte.
Mr. Rostenkowski with Mr. Anderson of Illinois.
Mr. Garmatz with Mr. McCulloch.
Mr. Passman with Mr. Ashbrook.
Mr. Dent with Mr. Mailliard.
Mr. Mills with Mr. Morse.
Mr. Monagan with Mr. Lukens.
Mr. Teague of Texas with Mr. Andrews of North Dakota.
Mr. Howard with Mr. Del Clawson.
Mr. Brasco with Mr. Halpern.
Mr. Brooks with Mr. Devine.
Mr. Carey with Mr. Cahill.
Mr. Daddario with Mr. Gubser.
Mr. Donohue with Mr. Beall of Maryland.
Mr. Philbin with Mr. Wiggins.
Mr. Fascell with Mr. Broyhill of Virginia.
Mr. Murphy of New York with Mr. Frelinghuysen.
Mr. Clark with Mr. Harsha.
Mr. Rivers with Mr. Hogan.
Mr. Rodino with Mr. Mathias.
Mr. Charles H. Wilson with Don H. Clausen.
Mr. Kluczynski with Mr. Martin.
Mr. Fallon with Mr. Utt.
Mr. Kirwan with Mr. Cramer.
Mr. Jones of North Carolina with Mr. Jonas.
Mr. Brademas with Mr. Cowger.
Mr. Long of Louisiana with Mr. Camp.
Mr. Moorhead with Mr. Brown of Ohio.
Mr. Rosenthal with Mr. Findley.
Mr. Griffin with Mr. Edwards of Alabama.
Mr. Flynt with Mr. Burton of Utah.
Mr. Dingell with Mr. Whalley.
Mrs. Griffiths with Mr. Bush.
Mr. Jones of Tennessee with Mr. Brock.
Mr. Landrum with Mr. Goldwater.
Mr. Corman with Mr. Lipscomb.
Mr. Culver with Mr. Taft.
Mr. Gibbons with Mr. O'Konski.
Mr. Baring with Mr. Reifel.
Mr. Sikes with Mr. Thomson of Wisconsin.
Mr. Fisher with Mr. Roudebush.
Mr. Downing with Mr. McClure.
Mr. Dorn with Mr. Landgrebe.
Mr. Smith of Iowa with Mr. Pollock.
Mr. Pepper with Mr. Watkins.
Mr. Ullman with Mr. Quie.
Mr. Stubblefield with Mr. Wold.
Mr. McCarthy with Mr. Reid of New York.
Mr. Brown of California with Mr. Diggs.
Mr. Harrington with Mr. Powell.
Mr. Lowenstein with Mrs. Chisholm.
Mr. Koch with Mr. Eckhardt.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

LET'S BE VIGILANT NOT TO HURT THE HELPLESS IN OUR FIGHT AGAINST INFLATION

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

Mr. MELCHER. Mr. Speaker, fighting inflation by trimming the Federal budget does not necessarily trim just "fat." Two recent events bring this into focus for me. The Washington Post Saturday reported the three Nobel Prize winners in medicine have had their Federal research grants cut for this year.

The grants are true partnership where States, business, charities, or other private sources or private universities and colleges contribute in facilities, equipment, or salaries to further basic research.

In Great Falls High School, in another partnership between Federal and local government, seven teenage boys on work-study as a part of their special education have had the Federal contribution terminated to "fight inflation." Seven exceptional boys, mentally retarded, not capable of keeping up with normal academic studies but performing successfully in a combined work-study program, are the victims of the search to cut fat from the Federal budget to help control inflation. Their pay was $1.60 per hour, for 16 hours each per week.

In neither case are the cuts justified. In fact the long-range effect will be to hinder our national progress toward goals that are in the best interests of mankind's unceasing and noble efforts to heal the sick.

Speaking of "national priorities" rings hollow when these two related examples are weighed against the billions of Federal dollars casually spent for destructive weapons which we desperately hope will never be needed nor put to use.

President Nixon is doing well by withdrawing our men from South Vietnam and his policy offers us hope for peace and stability in Southeast Asia.

I do not believe, however, his fiscal advisers are providing him with a sound plan for handling domestic spending.

The two examples of cutting basic medical research and a training program for retarded teenagers are truly "penny wise and pound foolish." In neither case will the tax money be saved, because costs in both cases are the best buys the taxpayers can get. To delay in these areas is the real waste.

I call on the President to reverse his administration's policy in these two areas and review many other similar basic research and medical cuts that are not savings but cruel and unnecessary interruptions in our drive toward the goal of relieving misery, suffering and hopelessness.

The drop in the level of fighting and the withdrawal of our troops from Vietnam means instant savings in lives and materials. Part of the savings in the reduced expenditures from Vietnam should be devoted to the most pressing and worthy of our national efforts to combat disease and mental retardation.

I call on the Congress to form a committee of vigilance to perform its function in citing the needs of the Nation's ills, in citing the needs of this generation and the generations to follow where hopelessness can be helped and where disease can be defeated. Being the watch dog of the Treasury brings no honor when we snuff out tiny candles of hope. I shall try to help the seven boys in Great Falls and others who may have become the victims of the search for trimming fat. I ask you to also be vigilant for worthy causes that our compassion guides us to maintain.

PEACE WITHOUT VICTORY—THE ROAD TO SLAVERY

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

Mr. RARICK. Mr. Speaker, 25 years ago today, General of the Army Douglas MacArthur led American troops ashore at Leyte, in the Philippines. Keeping our pledge to our Asian allies, Americans pressed forward to victory in the Pacific. We liberated those held prisoner by the Japanese—Americans as well as others. Literally millions are free today because we achieved an honorable victory. This great American had stated a simple truth:

In war there is no substitute for victory.

By contrast, in 1951, politicians had decided not to win the war in Korea—a war into which we were drawn because of diplomatic blundering. And General MacArthur was relieved of his command.

After countless unnecessary casualties, another general became the first American general to sign a ceasefire without victory. The politicians had won out, and secured a peace claiming the bloodshed in Korea was over. But the unfolding of history belies the claim.

Mr. Speaker, over 400 American fighting men—men who fulfilled their duty to

their country and expected their Government would fulfill its duty to them—are still held captive by the Communist enemy in Korea. Large numbers of Americans continue until this day to defend the cease-fire battleline in Korea. Young Americans who were not even born when the Korean war commenced are being killed today on its cease-fire line. Because the solution accepted excluded victory, there is no peace today.

Buried on the inside pages of the newspapers this weekend is the tragic story of four more American soldiers killed in action—vicitims of the phony peace—in Korea.

The news media gives more priority to dignifying the morbid demonstrations last week than to telling the American people the sordid results of the last negotiated peace with Communists.

The wives and mothers of our fighting men remember. They apparently anticipate what can be expected. Having given up in despair and disgust at the calloused indifference of national leaders, these brave women feel compelled to act on their own initiative. American leaders take a back seat as they witness wives and mothers plaintively trying to negotiate as individuals for release of the prisoners-of-war.

Never, since before the days of Caesar, has the world witnessed a nation's women being forced to plead with an enemy on behalf of their men captured in battle.

Mr. Speaker, in war there is no substitute for complete and total victory. Without victory, we do not recover our captive fighting men. Without victory, we do not cease taking casualties. Without complete victory, we find ourselves forced to fight again and again on an ever-shrinking perimeter, until ultimately we are compelled to fight on our own soil, for our own homes—with little hope of victory—when peace can only be attained through slavery.

I insert two news articles:

[From the Washington Post (Wash., D.C.) Oct. 16, 1969]

HANOI GIVES CAPTIVE-RELEASE TERMS

PARIS, October 15.—The North Vietnamese told two U.S. women today that Hanoi would not release their prisoner husbands unless the women demonstrated against the war. The Hanoi officials also said the U.S. prisoners would not be released as a group until the United States withdraws its troops from Vietnam and the war has ended.

This was reported by Sue Shuman and Martha Doss, two Virginia Beach, Va., women who met for 75 minutes with two members of North Vietnam's delegation to the Paris peace talks.

"We wanted to obtain the release of all the sick and wounded prisoners," Mrs. Shuman said, "But they told us we would have to wait until all the American troops are out of Vietnam and the war is over."

The Vietnamese advised the women to demonstrate against the war if they wanted to speed their husband's release.

"I would never demonstrate against my government," Mrs. Shuman said. "That would dishonor my husband." The Vietnamese "kept repeating that we should demonstrate," Mrs. Doss added.

"They seemed to feel strongly that the prisoner thing is not humanitarian but political," Mrs. Shuman said. "Every time we would bring up the humanitarian thing," Mrs. Doss said, "They would say if we wanted to get our husbands out, we would have to demonstrate."

NORTH KOREANS KILL FOUR GIS IN AMBUSH

SEOUL, October 18.—North Korean troops ambushed and killed four U.S. infantrymen in the Demilitarized Zone today, an American communique reported.

A U.S. military spokesman said a North Korean force of unknown size attacked a troop truck with hand grenades and small arms fire in the southern portion of the DMZ that divides North and South Korea under the 1953 armistice agreement.

The Americans were returning to their unit after performing maintenance chores at a U.S. guard post near the southern boundary of the DMZ, the spokesman said. All four bodies were found in the vehicle, indicating the Americans had no chance to fight back.

The men were believed attached to the U.S. 2d Infantry Division, but identification was withheld pending notification of relatives in the United States. The 2d Division mans a 15-mile front in the western sector of the truce border.

It was the first ground clash involving U.S. troops in five months. On Aug. 17, North Korean gunners shot down a small unarmed American helicopter which U.S. officials said strayed into Communist territory by mistake. North Korea said the helicopter was spying, and is still holding the three wounded crewmen.

The last U.S.-North Korean ground action was on May 20, when U.S. troops reported killing one North Korean intruder in a firefight.

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

Mr. RARICK. I yield to the gentleman.

Mr. DICKINSON. Mr. Speaker, I would like to commend the gentleman for his statement and his observation.

I would like to inform the gentleman, if he does not know it, that in addition Secretary of Defense Laird has given his personal assurance, speaking for the administration also, that no treaty or agreement that is to be made in Paris will be made without predicating it on the release of prisoners of war.

I would like the gentleman also to know that I am in touch with the representatives at the United Nations, and I am informed that there will be a major speech made at the United Nations the latter part of this month or the first of December, bringing this problem to world attention. I want the gentleman to know that progress is being made in that respect.

I appreciate the gentleman yielding.

Mr. RARICK. I thank the gentleman for his comments.

AN EVALUATION OF "MORATORIUM DAY"

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

Mr. NICHOLS. Mr. Speaker, efforts are now being made to evaluate the effect of last Wednesday's Moratorium Day. Those who organized the demonstration claim a great victory and apparently believe that they have spoken for the vast majority of the American people. I do not agree with them, and I do not believe the great majority of the American people agree with them.

One of the finest evaluations of the demonstrations was made by the Montgomery Advertiser. I would like to share the Advertiser's editorial with my colleagues as I believe the majority of them will also agree with it.

Also, Mr. Speaker, I would like to place in the RECORD a very fine statement made by Gov. Albert Brewer of Alabama last Wednesday. This statement, along with a full page reproduction of the American flag appeared on the front page of the Birmingham News:

[From the Montgomery (Ala.) Advertiser]

THE GREAT FLOP

The Boston businessman, who with divinity student Sam Brown conceived the Vietnam Moratorium Day, said he was delighted with the response.

Jerome Grossman, president of the Massachusetts Envelope Co., said: "We are overwhelmed . . . *We don't see how President Nixon can fail to change his policies.*"

Hold on, Grossman, The Associated Press, in a nationwide guess, said some 500,000 took part. In a later estimate, the highest we've seen, the AP said as many as 1,000,000 "may" have taken part.

Taking the higher guess, which would include the curious, those who showed up with no sympathy whatever for the movement, or those who merely came out for the "happening" or the entertainment, this was a pathetic turnout.

The moratorium was, by any numerical assessment, a flop, although the publicity build-up was masterful.

In a nation of more than 200,000,000, a half-million or even a million is the barest token. Dr. King's Washington March in 1968 attracted about 250,000—*in a single city*. The Woodstock folk festival in August attracted at least as many as AP's lower figure and approached, according to some figures, the higher estimate—counting all those who couldn't get near the pasture. And this too was in one location.

Grossman and Brown call it a mandate for Nixon. Ridiculous. More than nine times as many as AP's highest estimates went to the polls and voted for George Wallace last November, and George certainly didn't claim he'd won.

In all, more than 73,000,000 Americans voted last November. Do a few thousand kids, students, idlers, curiosity-seekers, draft-dodgers and the like speak for them? By what strange non-Euclidian mathematics is it that this small number—small in both individual city turnouts and the wildest national estimates—can conceivably be said to represent 200,000,000 Americans, some 122,000,000 of them voting age?

It was a massive flop, despite all the feature attractions, the speakers, the entertainers, etc. We would have confidently predicted in advance that quite a few million would have massed across the nation. They didn't.

The result is inescapable—a backfire. The TV cameras and reporters didn't see the millions of Americans who went about their business and dismissed the whole thing in disgust. But if the number of those who bothered to put out flags at full staff, burned their headlights, or otherwise demonstrated their support of the Administration were counted, we believe even this number—a small portion of those who don't subscribe to surrender—would have vastly outnumbered the pacifists.

A great and powerful nation was more interested in the fate of the New York Mets than even bothering to tell the demonstrators to go fly a kite.

But saying that it was a bust, which it was, does not alter the fact that such crowds as did gather helped Hanoi immensely in its determination to yield nothing in Paris. The propaganda uses of the films will be evident

all over the world to make it appear (falsely) that Americans have staged a mass revolution against their elected leaders.

This is a lie. But it may be a successful lie, because the skillful use of film clips of crowds can make it *appear* that an entire nation is up in arms with the Administration's policy.

Nothing could be further from the truth. Many of those who did turn out oppose immediate withdrawal or unilateral retrenchment without communist quid pro quos. Many who listened to speeches, and more who stayed at home, are sick of the war, but they are more nauseated by the demand for surrender.

Nixon has not been handed anything approaching a plebiscite to alter the course he has chosen, weighing all the risks and imponderables. On the contrary, he has been given a highly articulate, silent mandate to continue on course. He was given this by more than 199,000,000 Americans who *didn't* turn out for what was suggested by some wire services and newspapers, with reckless abandon, to be an overwhelming expression for immediate withdrawal.

It wasn't. It was a microscopic show in terms of numbers. Still, it served the communists well. It will almost certainly complicate Nixon's peace plans, and may well cost the lives of many more brave Americans.

But we hope the message is communicated to our fighting men: the surrender crowd gave a party and almost nobody came.

Those that did are hardly worth a moment's anger in Vietnam—except for the knowledge that they have made an honorable end more difficult and more distant.

[From the Birmingham (Ala.) News, Oct. 15, 1969]

WHICH: THE EASY OR HONORABLE WAY?

Another time of testing has come to America.

Many times in our history as a nation, we have had to decide between the easy way and the honorable way, both at home and abroad.

While our decisions to stand firm in behalf of freedom and justice have not always been universally popular, they have always been supported by the great majority of American people.

Today, we reach a time when we must decide again between the easy way and the honorable way.

Our flag flies in battle on foreign soil—while at home there are those who would have us believe that our people have lost the will to meet our commitments.

Let the word go forth from Alabama and America today that this vocal minority does not speak for the tens of millions of silent Americans whose deep desire for peace burns as brightly as the fires of our warriors' camps but who know that a peace without honor and justice is no peace at all.

Let every enemy, wherever he may be, know that we as Americans have again chosen the honorable way.

ALBERT P. BREWER,
Governor of Alabama.

POINT REYES

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

Mr. COHELAN. Mr. Speaker, I rise today to introduce a bill to amend the Land and Water Conservation Fund Act of 1965, to suspend the mineral leasing authority during the periods when amounts in the Land and Water Conservation Fund are withheld or impounded.

This bill will suspend the authority of the executive branch to enter any lease agreement if the full amount of the Land and Water Conservation Fund is not expended, and will also direct suspension of drilling operations under leases granted after passage of this bill in the same circumstances.

The need for this legislation is simple—certain amounts in this fund were earmarked for use for national parks. This money is not being used for the purposes for which it was intended, therefore, present drilling activity and future leases should be stopped until the receipts from this activity are used for the purposes which the Congress originally intended.

Last year this body, recognizing the increased demand for outdoor recreation facilities and realizing the scarcity of funds available to acquire these needed lands, passed an amendment to the Land and Water Conservation Fund which supplemented the fund with the lease receipts received under the authority of the Outer Continental Shelf Land Act. At that time, my distinguished colleague WAYNE ASPINALL, chairman of the full Committee on Interior and author of this amendment, saw the need for an effective Land and Water Conservation Fund as the only way to make authorized outdoor recreation facilities a reality.

It was my clear understanding at the time of the debate on this issue that one of Mr. ASPINALL's principal reasons for this bill was to increase the level of the fund to $200 million annually for a period of 5 years. This year, however, the present administration only wants to spend $124 million. To my mind this is clearly contrary to the original legislative intent. We have acted to correct the shortage of funds and to provide, as Mr. ASPINALL requested, the "capacity to make our authorized Federal projects a reality" and what has happened? We continue to have a backlog of authorized projects, because the funds that were provided to correct this situation are being withheld. I am hard put to understand this, Mr. Speaker.

I have on many occasions urged this body to take the necessary steps to assure acquisition of the entire acreage of Point Reyes as originally dictated by the Congress in 1962. Seven years has now passed since the official establishment of this park and in that time the Federal Government has only acquired 22,543 of the total 53,483 acres of land in question. The Point Reyes peninsular faces and irreparable splintering, that if allowed to happen will spoil much of this unique and beautiful natural preserve.

Point Reyes, poetically described as an "island in time" is held by some as a monument to natural beauty and to man's aspirations setting, has the added diversity of grassy moors, flowering fields, rolling hills, and pine-studded ridges. This area is so special, so unique, and so beautiful—the Congress recognized this once before and acted to make these lands part of our national preserve once and for all.

But now some of the choicest lands within the Seashore boundaries are about to be lost. Private landowners can no longer afford the cost of waiting for the Federal Government to buy their lands. The threat of bulldozing and subdividing is real. The "island in time" will in all probability soon become a dream rather than a Federal commitment and a reality if the needed 38 million is not appropriated and appropriated this year.

There are seven bills now pending in the House which provide for the additional funds to complete this project. This effort is bipartisan in nature and has the support of most of the California delegation, including both our Senators. I know that many more of my colleagues in the House share my interest and enthusiasm in conservation projects and my sincere belief in the need to preserve the small bit of this country that remains natural, beautiful, and free. Point Reyes is an excellent example of this type of terrain, a wild, unfettered expanse, an embodiment of the soul of this country.

The question of whether we can save Point Reyes lies entirely with the administration. We have utilized practically every means possible to impress upon them the urgency of this situation. The unwillingness of the administration to approve full funding for the Land and Water Conservation Fund sorely inhibits this effort. As we know the Congress appropriated only $124 million for the Land and Water Conservation Fund and of this only $17 million was appropriated for land acquisition for the entire National Park System for fiscal year 1970, an amount equal to less than 12 cents for each person in the country and less than half of what is needed for Point Reyes alone. None of this money was designated for Point Reyes.

MISUSES OF FUNDS OF THE SMALL BUSINESS ADMINISTRATION—BRISTOL ELECTRONICS, INC.

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

Mr. GROSS. Mr. Speaker, I have called attention several times in the past to the manner in which the Small Business Administration flagrantly has played politics with the people's money. I would like to discuss briefly another case at this time.

It concerns the award of a $4.3 million contract for portable radio transmitters and receivers to Bristol Electronics, Inc., of New Bedford, Mass.

When Bristol originally submitted its bid, the Army rejected it because of serious deficiencies in the company's capacity and credit, and also because it had failed to perform adequately on previous Government contracts.

But Bristol had friends in Washington and it applied to the SBA for a certificate of competency, the issuance of which would force the Army to give it the contract.

After reviewing the identical data used by the Army in reaching its conclusion that Bristol could not perform the contract, the Small Business Administration somehow managed to reach the opposite conclusion and Bristol was given the contract.

It promptly fell on its face, just as the Army experts said it would.

As of the end of 1968, Bristol was delinquent in the delivery of 5,138 of the 8,554 radios called for in the contract.

I have also been advised that a former Assistant Secretary of the Army was under heavy pressure to bail out this company, but even after the delivery schedule was modified, Bristol was delinquent in producing the radios called for in the contract.

This contract was supposed to have been completed in 1967, and at one time the Government had made progress payments of $3.8 million and had received slightly more than $2.1 million worth of radios.

Furthermore, a quantity of these radios, which had been accepted by the Defense Department inspector assigned to Bristol's plant, were rejected by the Army on receipt at the depot to which they were shipped, and had to be reworked before they could be used.

Finally, I am informed that, incredibly, Bristol has only recently been given a brand new contract for more of these radios with the interesting exclusion of certain requirements imposed on several other firms that are also producing them for the Army.

I have asked the General Accounting Office to investigate this case. I trust its report will shed further light on this mess.

What is most basically disturbing about this affair is that, under the previous administration, the SBA was so willing and able to force other agencies of the Government to give lucrative contracts to politically favored companies and individuals.

The Universal Fiberglass case was a flagrant example of this policy. So was the infamous loan to the motel-owning Democrat functionary in Alaska. And now Bristol Electronics.

There have been altogether too many misuses of funds of the Small Business Administration and the present Administrator, if he has not already done so, should move promptly to expose those guilty and straighten out this agency.

ABBOTT LABORATORIES COMMENDED IN ACTION ON CYCLAMATES

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

Mr. McCLORY. Mr. Speaker, over the weekend we learned that the artificial sweeteners known as cyclamates would be withdrawn from the list of products "Generally Regarded as Safe"—GRAS—by the Food and Drug Administration—FDA. Apparently foods and drugs containing cyclamates will be withdrawn from the market and future manufacture of consumer products containing cyclamates will be discontinued.

The largest manufacturer of cyclamates is Abbott Laboratories which has its headquarters in my congressional district in North Chicago, Ill.

While there is no evidence that use of cyclamates—even when consumed in excessive amounts—will cause any serious human problems, I was pleased to note the full cooperation of Abbott Laboratories and the various manufacturers of soft drinks and other concerns which use its products.

Even more significant is the continued research which Abbott Laboratories has itself conducted, and the findings which these research studies have produced and upon which the Department of Health, Education, and Welfare and the Food Drug Administration have relied in connection with the Federal action. Mr. Speaker, the responsible conduct and public concern such as has been displayed by Abbott Laboratories deserve our careful and thoughtful attention as well as our appropriate recognition.

As indicated in the article which appeared in yesterday's New York Times, the research "was sponsored by Abbott Laboratories, principal American manufacturer of cyclamates. This pharmaceutical company brought its information to the attention of the National Cancer Institute last Monday."

While certain tests conducted during the Abbott-sponsored research on rats and mice induced cancer in the bladders of some of the test animals, there is still no evidence that the same condition would or could develop in humans.

As pointed out by Dr. Roger O. Egeberg, Assistant Secretary for Health and Scientific Affairs of the Department of Health, Education, and Welfare, cyclamates have been of direct medical benefit to a tremendous number of persons suffering from diabetes and hypertension who are forbidden to use sugar in their diets. Dr. Egeberg added:

> Cyclamates and artificial sweeteners have saved or prolonged a lot of lives in recent years by causing people to keep their weight down.

Aside from the benefits which cyclamates may have produced, it is my purpose today merely to recount the high standard of professional conduct and the broad public interest which has characterized the actions of Abbott Laboratories in its research programs and its prompt public disclosures. It is heartening to know that this great and responsible private industrial concern which has benefited millions of Americans through its products would, itself, disclose the evidence resulting in a reduction in sales and profits. In other words, Abbott Laboratories has shown that its primary concern is for the safety and welfare of the American public.

I congratulate Abbott Laboratories, and its chairman of the board and chief executive officer, George A. Cain, and all who direct this great enterprise.

HEW ACTION ON CYCLAMATES

(Mrs. SULLIVAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SULLIVAN. Mr. Speaker, several weeks ago, I criticized the Secretary of Health, Education, and Welfare, Mr. Finch, for what clearly appeared to be an effort to crack down on, and suppress, information within his Department on the possible genetic dangers from the cyclamates used in soft drinks and many foods—a danger which has always been implied by the warning the Food and Drug Administration has required to be used on the labels of these products. On Saturday, Mr. Finch suddenly took the necessary and courageous step of banning the cyclamates for general use in food products, and I congratulate him for it.

Under the law, his duty was clear and unmistakable. No longer was it merely a case of possible danger to humans, based on incomplete and inconclusive laboratory evidence. As of last week, the cyclamates were determined by a board of scientific experts to cause cancer in animals. This requires their removal from regular food products under the Delaney-Sullivan anticancer amendment of the Food Additives Act of 1958. Whether or not there is any evidence that they do cause cancer in man, the cyclamates must be taken off the market under that clause of the 1958 act because they cause cancer in animals.

Mr. Speaker, as one who was closely connected with the bitter battle from 1954 to 1958 over that provision of the legislation, I want to take this opportunity to express the thanks of the American people for the work done by a great Member of this House, a pioneer in the field of consumer protection, who fought an often lonely and a terribly important fight for nearly a decade to write the anticancer clause into our food laws.

I did not see a word in the New York Times articles on the cyclamates yesterday on the role played by a New Yorker, Congressman JAMES J. DELANEY, in protecting the public from what now appears to have been a possibly deadly menace in foods consumed in vast quantities by millions of Americans, and particularly by children.

Congressman DELANEY, in 1949 and 1950, conducted a comprehensive investigation as chairman of a select committee of the House studying the use of chemicals in foods and cosmetics. It was one of the most significant inquiries ever conducted here in the consumer's behalf, and grew out of the postwar technological explosion in the use of new and untried chemicals in all types of consumer products—not to improve their quality, but to achieve shortcuts in production, extend shelf life, prevent spoilage, or increase profits. He sounded a warning here which, at first, few took seriously. But by exhaustive research and exhausting effort he finally convinced not only the scientific community, but business and the general public, that the unrestricted use of untested chemicals in consumer products was threatening the life and health and safety of American consumers.

This effort culminated in 1958 in the Food Additives Act, one of our landmark consumer protection laws. And one of its main features is the provision prohibiting the use in foods of any chemical which has been found to cause cancer in man or animals. It was under that provision that Secretary Finch was required to take action Saturday to remove cyclamates from most of the food products in which they have been used.

JIM DELANEY deserves the thanks of the American people and a rousing vote of appreciation from his colleagues in this House.

VICE PRESIDENT MISQUOTED AGAIN

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

Mr. SYMINGTON. Mr. Speaker, I regret to say I think the Vice President has been misquoted again. He was attempting to align himself with the national chairman of his party, another gentleman from Maryland, in support of the humbler purposes of the moratorium: the Nation's concern, the right of debate on great matters, and so forth. But as in the past, his words have been twisted by a mischievous press. At first glance the expression "impudent snob" does appear to convey a mildly pejorative meaning. But we must remember that the person who uttered it is the No. 2 spokesman of the administration and would never deliberately say anything to offend large numbers of Americans. We must also remember that when he speaks we are called upon to interpret the remarks of a distinguished, practicing semanticist. One of the fringe benefits of the Vice President's tenure is his continuing reminders to us that English is an imprecise language. At his approach, I for one instinctively reach for a dictionary. Various meanings are attached to the word "snob." What the Vice President had in mind was one, "who seeks association with those he regards as superiors." He was suggesting that of the thousands who marched and prayed, all but a misguided few, consider the leaders of our great country as superiors, and were trying to associate with them. The word "impudent" requires no less careful construction. It should be limited to its secondary meaning of "disregard of others." What the Vice President clearly said, if we had but the patience to listen, was that the supporters of the moratorium were people anxious to associate themselves with the administration, in brave disregard of those who opposed it.

If this was not the intended thrust of his statement, then in the words of another great American, "we are not affected by it at all."

FAILURE TO PROVIDE TOTAL POSTAL REFORM IGNORES WILL OF PEOPLE

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

Mr. CUNNINGHAM. Mr. Speaker, it is always disappointing to see the will of the people ignored in the Congress.

This is what happened recently when the House Post Office and Civil Service Committee failed to approve the administration's proposal to provide total postal reform by transferring the Post Office into a wholly owned Government Postal Service Corporation.

The vote was close; a 13-to-13 tie. But close is not enough.

We need to approve this measure.

We must respond favorably to the wishes of the vast majority of the people who are tired of footing the bill for a postal system that is a financial burden and on the verge of collapse.

What is needed is not a temporary band aid as now proposed. What is required is a program of total postal reform.

The Postal Service Act of 1969 would accomplish this. It will revitalize the mail system and usher in a new and enlightened era for postal employees. By removing the Post Office from the Cabinet and creating an independent, federally owned postal service, the mails will be freed from irrelevant, restrictive political considerations. This will permit the kind of employee participation, management effectiveness and financial flexibility essential for the successful operation and growth of this vital link in America's social and economic lifeline.

I urge the Congress to join with me in heeding the call of Americans from every walk of life—and from both political parties—for an efficient and economical postal system.

Time is running out. We need a program of total postal reform that will provide the public with the type of mail service it demands and has every right to expect.

Let us act now before it is too late.

THE FAMILY ASSISTANCE PLAN: A FUNDAMENTAL INCOME STRATEGY

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

Mr. MACGREGOR. Mr. Speaker, the President's proposed family assistance plan represents a genuinely revolutionary effort, the first in some three decades, to transform a welfare system in crisis. It is the spearpoint of a total strategy—an income strategy—to assist the poor to work themselves into the Nation's productive mainstream.

For those family heads who have the potential to become self-supporting, this strategy offers an avenue to a living income through expanded work incentives, job training, and employment opportunities. For those who cannot support themselves, and for the mothers of preschool children, it offers a basic Federal floor of assistance.

The total income strategy includes also the administration's food stamp program and proposed improvements in the Social Security System. Taken all together, these programs promise to reduce the poverty gap in this Nation by some 60 percent—to cut by this amount the difference between the total income of all impoverished Americans and the total income they would need to rise out of poverty. With respect to one category of the poor, elderly couples over 65, the family assistance plan would in fact wipe out the difference entirely.

Of course, these proposed reforms would not eradicate the blight of poverty overnight—they do not constitute the end of the process but, rather, the essential beginning, the first steps toward self-support and dignified lives for all Americans. They are not mere skirmishes. They represent a real war on poverty.

We will have before us in this Congress no more urgent business than the consideration, and the improvement where possible, of these initiatives. We will have no greater opportunity to serve the interests of the entire American community.

OEO NEEDS AN AUTHORIZATION BILL

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

Mr. STEIGER of Wisconsin. Mr. Speaker, the authorization for the Economic Opportunity Act expired on June 30 of this year. The Office of Economic Opportunity and its programs have been operating on a continuing resolution since that date.

As my colleagues can imagine, it is extremely difficult for an agency to operate on a continuing resolution. Final plans for allocations of funds can not be drawn up until an appropriation bill has been passed. The agency in question must exist on a day-to-day basis without any guidance from Congress as to which of its programs may be receiving additional funds or which of its programs may be cutback. Its new and innovative programs must wait.

But for one-third of this fiscal year OEO had to operate in just this manner. And now we are getting ready to ask them to continue in this state of uncertainty for another indefinite period of time.

This procedure makes it very difficult for OEO to do an efficient job. Right now Donald Rumsfeld is doing everything he can to get the agency operating at maximum efficiency. Yet he is being hindered by the fact that he must operate on a continuing resolution.

Mr. Speaker, what steps must be taken so that OEO can operate at maximum efficiency? First OEO needs an authorization bill. We must act to show our commitment to this program by considering and passing an authorization bill which would extend the Economic Opportunity Act for 2 years. Until the House acts on this matter, we cannot even begin to consider an appropriations bill.

President Nixon has urged Congress to move rapidly on programs of concern to this Nation. Surely the poverty program is important to the Nation. The President recognized this fact when he called for a 2-year extension of the program. A 2-year extension would give us the advantages of longer range planning, more orderly and efficient allocation of funds for a better ability to attract good personnel. Given the time lost, Mr. Speaker, one can argue that the 2-year extension is inadequate and the House should pass a 3-year extension. The President has recognized that an innovative agency has need for both continuity and flexibility. We in Congress also have a responsibility to recognize this need.

Unless Congress is willing to accept this responsibility and act quickly to extend the program, Congress will be offering the poor only frustration and hopelessness instead of the opportunity and advancement the administration's proposals offer.

THE PRESIDENT SHOULD SEND NO MORE DRAFTEES TO VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have today introduced House Concurrent Resolution 416, calling upon the President to send no more draftees to Vietnam.

I am appalled by the fact that a much higher percent of draftees are sent to Vietnam than enlisted men. As of June 30 of this year, 15 percent of the personnel in the armed services are draftees, but 26 percent of those in Vietnam.

It is a tragedy if any American has to suffer and die in Vietnam. It is bad enough if he is a man who wants to serve in the military and go there, but it is incomparably more senseless if he is an unvolunteered victim of our meat grinder method of military personnel selection.

There are approximately 110,000 soldiers now in training who would be affected by an end to the sending of draftees to Vietnam.

This seems to be the next logical step the President could take to reform the draft. With Hershey out, the draft temporarily suspended, and the Congress moving toward some reform in the system, the Nixon administration could show a sign of good faith to those already victims of the draft by not sending any further draftees to Vietnam. Hopefully, within a year we can bring out a total abolition of the draft.

If there are not enough volunteers to replace those finishing their tour of duty, then the American deescalation from Vietnam could be just that much more rapidly carried out.

The concurrent resolution follows:

H. CON. RES. 416

Concurrent resolution expressing the sense of Congress with respect to the assignment to Vietnam of persons inducted into the Armed Forces

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the President should take such action as may be appropriate to insure that no individuals inducted pursuant to the Military Selective Service Act of 1967 on or after the date of the adoption of this resolution for training and service in the Armed Forces may be assigned to active duty in Vietnam and the waters adjacent thereto (as designated in Executive Order No. 11216, dated April 24, 1965).

A DIFFERENCE OF OPINION ON HOW TO FIGHT INFLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, President Nixon over the weekend mailed the following letter to 2,200 business and labor leaders on the subject of inflation:

In view of the growing concern about the rising cost of living, I would like to share with you at some length my thoughts about what is being done and what we must do to curb inflation.

The danger of inflation is real; the cure requires some unpleasant medicine, patience on the part of all and self-discipline by the Government, business and labor.

This Administration is determined to control inflation without imposing controls upon the economy.

Four great forces make up the free market: Government, business, labor and the consumer. A Government that tolerated huge budget deficits could not fairly heap the blame for the ravages of inflation onto any of the other market forces. It was past Government policy that caused our present inflation.

That is why I have refused to look for a scapegoat amid the genuine national concern about the rising cost of living.

That is why I have insisted Government put its own economic house in order before enlisting other forces in the fight against inflation.

HARD DECISIONS

Hard decisions had to be made to extend the surtax; to slash Federal spending by more than $7-billion dollars a year; to drastically curtail construction commitments by the Federal Government; to place a strong budget surplus in tandem with a restrictive monetary policy. Economic policy needed backbone rather than jawbone, and backbone is exactly what our record shows.

We have taken the unpopular road to earn back Government's credibility in fiscal affairs, and by our actions we have shown that we mean what we say about cooling inflation.

Because of this record, everyone should realize that Government will continue to do whatever is necessary in the future to curb the rising cost of living.

Because Government's house is now in order, we can turn to business and labor to remind them that inflation is everybody's problem and fighting inflation is everybody's business.

LABOR IS CAUTIONED

It is in the interest of private business to consider pricing policies in the light of Government's determination to check inflation. The business that commits errors in pricing on the up side, expecting to be bailed out by inflation, is going to find itself in a poor competitive position. Betting on ever-higher prices is a sure way of losing.

It is in the interest of every union leader and workingman to avoid wage demands that will reduce the purchasing power of his dollar and reduce the number of job opportunities.

Government has set the example of restraint, and will continue to set that example. When we combine labor restraint and business restraint, we can build a foundation for an on-going prosperity.

In curbing inflation, we must continue to move deliberately, with a careful eye on the unemployment picture. The percentage of our work force unemployed is more than a statistic—it is a human condition that deserves the close attention of every American.

New laws and new restrictions are not required, if we treat with respect the law of supply and demand. Government's recent action in the construction industry, to increase the supply of skilled labor and materials so as to curb the excessive expansion of demand, is a case in point.

Because we add no artificial controls does not mean that there are no controls in operation. The free market has its own controls on those who flout responsibility: loss of profits to the businessman, loss of jobs to the workingman. These are losses that responsible action can avert.

A sense of responsibility must be part of every prudent judgment concerning prices and wages, now that Government has repudiated the previous inflationary policies. Price and wage decisions that anticipate inflation's continuing at or near present levels would be shortsighted, imprudent, and unprofitable.

ADMINISTRATION POLICY

For your own planning the policy of this Administration in the fight against inflation will be:

First, to continue stern restraints on Federal spending.

Second, to insist on a tax system that has the capacity to generate enough revenues to cover spending outlays. I shall not tolerate, for example, a tax bill that would result in an irresponsible budget.

Third, to rely strongly on the forces of reason and moderation within the private economy, so that governmental intervention will rarely be necessary.

The ultimate consequences of runaway inflation—the bust that follows, with the suffering that accompanies huge unemployment—must never again be inflicted upon the American people. Instead, we will take every measure necessary to build a sound prosperity, temporarily unpopular as some restraints may be.

I would be interested in your own views as to how the private sector and Government can work together in holding down the cost of living. In this cause—hard to explain, hard to achieve, but fundamental to the economy of our nation and the progress of our people—I trust that I can count on your support.

A different view of how to attack inflation is presented by the communication sent the President last week by 45 Members of the House:

A PLEA TO PRESIDENT NIXON TO TAKE ACTION AGAINST INFLATION

Inflation is causing great hardship. The consumer price index has been increasing at a rate of 7 percent since President Nixon's Inaugural in January; the wholesale price index at a rate of 6 percent.

Instead of temporizing with inflation, and hoping it will go away eventually, the Administration should stop it in its tracks—*now*. The Administration's sole "fight" against inflation has been orthodox fiscal and monetary policies—a budget surplus and tight money.

Orthodox fiscal and monetary measures, if properly applied, can be effective against demand inflation—too much money chasing too few goods. But they fail to come to grips with three other types of inflation currently at work:

1. *Cost-push inflation* is obviously present in those highly concentrated industries where major companies and unions have substantial discretion in their price and wage decisions. Cost-push inflation accounts for the current rash of price increases in automobiles, steel, tires, gasoline, copper, nickel, zinc and aluminum, to mention a few.

2. *Credit inflation* continues despite the fact that the Federal Reserve is choking off supply. Banks have increased their lending to business—for everything from new plants and equipment to inventories to the financing of conglomerate takeovers—by a staggering 15 percent this year. Large banks, particularly, have been able to "buy their way out of" tight money by obtaining further lending funds from the Euro-dollar market, the federal funds market, by issuing commercial paper through subsidiaries, and by selling off Treasury securities and municipal bonds from their portfolios. Excessive bank

lending for business capital investment beyond the immediate needs of the economy, which overstrains resources of manpower and machinery, is responsible for much of our current inflation. Such excessive lending has also contributed to the exorbitantly high interest rates, up 26 percent since the first of the year. These high interest rates have especially harmed the home building industry, state and local governments, small business, and the installment consumer.

3. *Supply-bottleneck inflation* exists in many areas where prices have gone up beyond the average. Two of the worst examples are costs of homeownership, in large part through high interest rates and taxes, and the cost of hospital and medical care.

We call upon the Nixon Administration to stop inflation now. This can be done if it will move vigorously in the public interest with respect to cost-push, credit, and supply-bottleneck inflation:

A. It should withdraw its oppostion to the pending bills to establish effective wage-price guideposts. These bills would require the President to announce wage-price guideposts, after full consultation with management and labor. They also would require him to focus the spotlight of public opinion on specific wage and price decisions that are inconsistent with the guideposts and that threaten national economic stability. Similar systems of wage-price guideposts worked well in this country during the 1962–66 period. They are in effect today in practically every other industrialized country, including West Germany, Canada, the Netherlands, Great Britain, Austria, Denmark, Belgium, Norway and France.

B. To combat credit inflation, the President and the Federal Reserve Board should jointly issue a request to banks not to increase their business lending over that currently outstanding. Such a procedure was successfully used during the Korean War in the early 1950s and again during the credit crunch of 1966. Similar standstill directives on bank lending are being successfully used in the United Kingdom and in France. The President should also request legislative authority, on a standby basis, to impose consumer credit controls.

C. To insure equality of sacrifice, the President should attack the principle supply-bottleneck sources of inflation. In health care, for example, this would mean expediting programs to train medical and paramedical personnel as the best way of bringing costs down. The setting up of wage-price guideposts and a standstill on bank lending to business would help on housing, by containing inflation and by releasing more credit to the housing industry, respectively. In addition, the Administration could and should help housing by backing legislation to increase the resources of the Home Loan Bank system; it should urge the Federal Reserve to purchase FNMA and Home Loan Bank Board securities; and it should permit government trust funds to be invested in official housing securities. Such measures, taken together, would make possible an immediate rollback of present exorbitant interest rates.

If the President will mount a genuine war on inflation, we pledge our best efforts to help him.

The President, according to the New York Times, reports that his efforts to curb inflation are bearing fruit. The 45 Members who wrote the letter reproduced above are in effect asking: What efforts? What fruit?

Inflation continues at a completely unacceptable 6 percent rate in the Consumer's Price Index. The administration's entire reliance on tight money and fiscal austerity are proving wholly inadequate to do the job.

Indeed, exclusive reliance on fiscal and monetary measures is producing an entirely unnecessary increase in unemployment, which could have been avoided, and still can be, by use of the additional measures recommended by the 45 Members.

The President's letter admits that fiscal and monetary measures are not sufficient—which is precisely what the 45 Members have been urging.

But the President asks restraint by private citizens, without giving them standards for applying restraint. Borrowers are told to take it easy on credit applications, without being told what this involves. The 45 Members, on the other hand, suggest specific guidelines to prevent credit inflation.

Business and labor are likewise enjoined by the President to show restraint in their price and wage increases. But this request, by itself, gives no guideposts to business or labor as to what constitues inflationary behavior. The 45 Members, for their part, call for the reestablishment of effective wage-price guideposts. Only the creating of such guideposts can give business and labor a fair standard to which to adhere.

To Congress, the President says that we should cut spending, and avoid reducing taxes. How does the President square this admonition to the legislative branch with two of his actions in the last few weeks—to add another $92 million to this year's budget for the wholly unnecessary supersonic transport plane, and reduce the corporate income tax over that stipulated by the House-passed tax reform bill?

Inflation is indeed a prime domestic problem. If the President will table before the Congress a program to deal with it, we can all join in bringing inflation under control.

IS ECOLOGICAL DISASTER "ACCEPTABLE," TOO?

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, Mark Twain can be paraphrased today if we say that everyone talks about contamination of our finite environment, but no one is doing anything about it. As disaster bears down upon us, we prattle on about committees, studies, States rights, and who is to blame. Soon all these arguments shall be moot.

Instead of initiatives from the Federal Government, what have we received? The President created an Environmental Quality Council on May 29, 1969. Since that date, all that is heard from its direction is a crashing silence. According to the President, it was to "provide the focal point for this administration's efforts to protect all of our natural resources."

The Council is composed of the Vice President and six Cabinet members. It held a brief organizational meeting in June. Monthly meetings were to be held. Only one has been convened, in September. No meeting is scheduled for October. Obviously the gentlemen are too busy telling the public that all is well or that 4-percent unemployment is "acceptable." Be that as it may, this prime vehicle for environmental quality on the Federal level sits there with its engine roaring and its tires flat.

On the same day this Council was established, a Citizens' Advisory Committee on Environmental Quality was also set up. With some rather shrill fanfare, this group was billed as an expanded and improved version of the Johnson Advisory Committee on Recreation and Natural Beauty. As of now, the President has not reappointed or named new appointees for four of the Johnson citizen advisers. Their terms expired in August. The committee has not met, and has not had a staff director since May. Such is the state of the environmental art now. Surely, one would think that a few presidents of major polluters might be found to utter appropriate platitudes when the natives get a bit restless over dead lakes, dying rivers, and unbearable smog. Alas, even this flimsy camouflage is ignored, for antipollution efforts of any kind are really foreign words to the present administration.

Air pollution sources are now hurling 140 million tons of contaminants into our atmosphere annually. Two years ago the figure was 130 million tons. Yet 2 weeks ago the Republic Steel Corp. could tell a member of the Cabinet that it was none of his business whether or not that company was ceasing to pollute Lake Erie, America's largest open air sewer.

Man is a destroyer as well as a builder, and now he endangers himself, totally. Conservation-pollution-ecology go together, and the Federal Government must set the pace, which it has not done in the past year. Our time grows short. Destruction bears down upon us with appalling swiftness. No action has been taken against companies to set an example. No action has been taken against auto pollution, which is so all-pervasive as to defy any and all defense. Look at the skies above our cities . . . the water we consume. Much of it has already passed through several other human beings.

Look off our coasts, where the oil industry pollutes merrily away from offshore drill rigs and tankers. Thermal pollution is a looming threat from multiplying numbers of nuclear powerplants. Noise levels in our cities are surpassed only by pollution from our rapidly choking skies. Nor is anything sacred.

The Everglades stand threatened by a proposed jetport. Mineral King Valley faces a facelift in the holy name of entertainment. On and on goes the litany of devastation. Bulldozers crunch. Trees topple. Swamps fill. Wildlife dies and we are next.

Everywhere we fill the air with manmade poisons. Nature's most perfect food, mother's milk, now comes complete with DDT residues. The few voices which cry out are drowned by commercialism and government inertia. I maintain people have a right to quality of existence as well as to quantity. Just as we have addressed ourselves previously to measures ensuring that people receive educations, Social Security, medical care and unemployment insurance, so we must establish precedents ensuring that their lives are livable in a qualitative sense.

Mass public complaints against environmental conditions must be recognized in our courts, just as they should be on the part of victimized consumers. Law is geared to offenses and cases by one individual against another. Mass public inconvenience and danger should no longer be acceptable in the cause of private enterprise. When private effort begins to damage our environment to an unacceptable degree, menacing millions of people, then people should have a right to take them to court and end their activities legally. This was recently recognized in New York State, where a court ruled that conservationists had a right to challenge a Federal Power Commission permit granted for a proposed power plant.

We must recognize the concept that much, if not all, land and other resources are really held in trust by government and its delegated and duly elected representatives. They are charged with ensuring that such irreplaceable resources are used for public good. Therefore, government has a duty to protect them from temporary, arbitrary abuses by any vested interest, unless such a use is absolutely essential to the national well-being or defense.

This means more than creating a make-believe environmental council and advisory group. Such ghastly charades are an affront to the rising demand by an aroused and endangered public that the Government set an example. All the menaces are known, catalogued and studied to death. All solutions are right at hand. All power reposes in the hands of the Government, yet it will not act, allowing, in the Lake Erie example, a company to insult a Cabinet officer and get away with it. No examples are set or made of offenders.

Mr. Speaker, the ecological clock inexorably ticks away whatever time we have left, and scientists tell us it is not much. We shall suffer even more than our patrimony, if estimates are correct. We killed Lake Erie. We set the Cuyahoga River on fire. We are killing the forests around Los Angeles. It is up to us to act. Or is a level of total pollution "acceptable" to the present government?

WORLD BANK AND WASHINGTON TOO

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, the World Bank and all of its international affiliates at last publicly acknowledge they realize where the fountain of money is located.

The Sunday paper carries the announcement that they are so attached to Washington, D.C., they want to make it their international headquarters.

I insert two local news clippings following my remarks:

[From the Washington Post, Oct. 19, 1969]

WASHINGTON, D.C., AS WORLD BANKING CENTER—THE INTERNATIONAL BANK WORKS TO MAKE WASHINGTON ITS BASE

(By William H. Jones)

Washington is clearly the world capital for international financial aid and development, as the seat of the International Monetary Fund, the World Bank and its development affiliates, the Export-Import Bank, and the Inter-American Development Bank. In addition, the United States itself has been the single largest contributor of its own funds in foreign aid—although the aid has been declining in recent years.

In private sector international banking matters, however, Washington has never been known as a particularly important center. One thinks of New York, Paris, Geneva, London and Amsterdam—but not Washington.

A bank that calls itself "America's leading merchant bank" is trying to change that impression.

The International Bank, with worldwide headquarters at 1701 Pennsylvania Ave., NW, has staked out that claim on the basis of these facts:

It is engaged in banking, insurance, industry and mortgage banking in the United States and 12 other countries.

Total assets of affiliated banks and companies now exceeds $3 billion.

This total of assets is exceeded by only 20 of the 500 largest industrial companies, 12 of the 50 largest insurance companies, and 17 of the largest commercial banks in the United States.

It has pioneered in establishing American-style retail banking in Britain, Western Europe, Africa, and Middle East and the Caribbean, bringing banking services to middle income persons and small businesses often for the first time.

It is a major shareholder (22.9 per cent) of Financial General Corp., the largest and oldest bank holding company incorporated in Virginia, which has headquarters in the District.

It recently acquired Financial Security Corp., bringing to International Bank a group of industry, insurance and finance companies. Financial Security comprises the nonbanking interests formerly held by Financial General Corp. FGC made the divestiture of these interests last year under provisions of the Bank Holding Company Act, as amended in 1966. Provisions specify that registered bank holding companies cannot hold nonbanking interests.

George Olmsted, International Bank president and board chairman, described his bank recently as "the bringing together of the traditional concept of British merchant banking which has played a leading role in England's financial leadership in the world for more than 200 years, and today's modern, advanced techniques of American financial know-how."

The International Bank opened here in July 1920 and was reorganized in the 1950s, when present management took over. Under this management, according to Olmsted, stockholders' equity in the bank, on a valuation basis, has grown from half a million dollars to $84.8 million. Combined assets of banks and companies in which it has major investments leaped from $1 million to $3 billion.

Overseas, Olmsted emphasizes partnership of International Bank with business and financial leaders of the countries where the bank has interests, offering "interdependence" instead of "economic imperialism."

In a letter to stockholders last March, for example, the bank president stated:

"The growing resistance to some American companies in other countries is based on a form of economic imperialism we avoid. We practice a concept of having local partners share in the ownership, control and earnings of all our overseas enterprises. We believe this is the road all American concerns should follow in other countries."

Olmsted adds that International Bank offices abroad have become known and supported as local institutions "rather than branches of a distant American management too often unresponsive to local considerations."

Foreign operations and percentage of International Bank ownership are: the International Trust Company of Liberia in Monrovia (80.3); Security Trust Co. of Birmingham, England (50); Credit Europeen, Luxembourg (77); Europabank, Ghent, Belgium (92.8); Europe Bank Kredit and Sparbank, Saarbrucken, West Germany (7.5); Transorient Bank, Beiurt (72); Intertional Bank of Washington (Bahamas), Nassau (100); Equity Finance Corp., Nassau (100); Olds Discount Co. of Jamaica, Kingstom (95); and International Trust of Washington (Caribbean), Port-of-Spain, Trinidad (81.8).

This weekend, International Bank announced it has been granted permission by the Central Bank of Iran to open a representative office in Teheran.

In the United States, Olmsted sees International Bank's role as assisting, advising and supervising various units, "refraining, however, from interference in the day-to-day operational decisions."

Domestic operations include Tico, Inc. (66.6 per cent owned), headquartered in Atlanta, including the McCrary subsidiaries which provide scientific and technical help in telephone installations as well as municipal engineering and construction; Central National Bank and Trust Co. (66.8 per cent), of Des Moines, Iowa; the First National Bank building in the District, headquarters for International Bank a block west of the White House.

Domestic operations also include Globe Industries, Inc. (81 per cent), with plants in Chicago, Lowell, Ind., and Whiting, Ind., engaged in the manufacture and sale of a line of sound-control padding and acoustical materials for autos, as well as the sale of building supplies.

In addition, the Intermediate Credit Corp. (100 per cent owned), engaged in venture capital financing, equipment leasing and related activities, which in turn has a 40.1 per cent interest in Small Business Investment Co. of New York, a licensed small business investment concern; an 80 per cent interest in Financial Realty Corp., engaged in the purchase and sale of real estate property in the Washington area and elsewhere; and a 33.3 per cent interest in Marion Malleable Iron Works, of Marion, Ind., with sales in 1968 of $7.2 million.

International Bank's principal industrial holding is Bradford Speed Packaging and Development Corp. (53.3 per cent), which in turn has major interests in Kliklok Corp., Woodman Co., Inc., Pierce Governor Co., Inc., and Foster Wheeler Corp. The firms manufacture and sell automated machinery and packaging, manufacture governors of tractors and trucks, and are engaged in engineering, design and manufacture of processing plants.

The insurance and finance group of International Bank includes 11 U.S.-based companies with total assets in excess of $300 million, and Associated Management, Inc., a newly-acquired management company of a mutual fund, based here. Three life insurance companies in this group are Bankers Security Life (40 per cent owned), of Washington; United Services Life (26 per cent), of Washington, and Bankers Financial Life (70 per cent), of Arlington.

The International Bank investment with the greatest impact locally is Financial General Corp., which traces its history back to 1910 in Norfolk, when a unique bank was opened, offering consumer credit in the United States for the first time.

Arthur J. Morris founded the bank, and by 1925 the so-called "Morris Plan" was in operation in 16 cities. Now, it's part of American banking history.

Today, such banks are known as industrial banks—a bit of a misnomer since few of its loans are made to industrial customers. The expression is derived from the fact that its customers fall largely into the industrial or working class. Most loans made by such banks are of the consumption type and

seldom exceed a few thousand dollars at most.

The original loan contract in a Morris-plan bank combined both lending and savings features. Many of these institutions now make conventional loans in addition, and have moved into the installment-credit field, home repairs loans and loans to small businessmen. Banking legislation in recent decades has tended to enlarge scope and powers of such banks and today industrial banks get a sizable portion of their loanable funds from depositors.

FGC has 128 offices, 14,000 stockholders and is listed on the American Stock Exchange. The group also has 2,600 employees—1,500 in the Washington area alone (an annual payroll of nearly $4.5 million).

Its impact in the area is wide, with 56 bank offices and two mortgage companies. In the District, the banks are First National Bank of Washington and Union Trust Co.; in Maryland, American National Bank, headquartered in Silver Spring; and in Virginia Alexandria National, Arlington Trust, Clarendon Trust, and the Peoples National Bank of Leesburg. Total resources of the Washington area banks, as of last June 30, were $76,595,000, with deposits of $687,102,000.

Impressive as this record is, the future is seen as even better. Officials report that banking deposits were up 8.9 per cent in the first six months of this year, capital funds jumped 7.2 per cent and resources increased 10.1 per cent.

Looking to the future, Olmsted recently told newsmen he sees continued expansion of both domestic and foreign activities "both by internal growth and by acquisition." FGC president William L. Cobb sees a number of future growth areas in Virginia, particularly the Tidewater area and Fairfax County.

"And," added Olmsted, "we are fully convinced that Washington is an ideal spot for the headquarters of America's leading merchant bank."

[From the Washington Star, Oct. 19, 1969]

MONEY: A NEW EPOCH—IMF CREATION OF PAPER GOLD CALLED INEVITABLE EVOLUTION

(By J. A. Livingston)

The 1969 annual meeting of the International Monetary Fund in late September could not have been timed more auspiciously.

It began as the German elections ended.

Pierre-Paul Schweitzer, the managing director of the IMF—a Frenchman—opened the sessions by answering what delegates from 113 nations were wondering and worrying about: West Germany finally had decided to raise the price of the mark.

Hardly more could be asked for—even though the new price was not yet set.

Only six weeks before, the price of the franc was lowered. Surely, this realignment of continental Europe's two most important currencies would terminate the disabling speculation in foreign exchange, which whooshed Eurodollars and other funds from London, Milan, Paris, Brussels, Copenhagen, and other financial capitals to Frankfurt, Germany, and then out again!

That was the setting as the IMF members voted to create $9.5 billion of "paper gold"—Special Drawing Rights on which members could draw if temporarily embarrassed for gold bullion, dollars, or other reserves.

STEP IN EVOLUTION

Thus began a new epoch in the inevitable evolution of money from cattle, wampum, feathers, whales' teeth, salt, tobacco and nails to silver, gold, goldsmiths' receipts, and finally paper money and paper gold.

"A momentous innovation," pronounced Schweitzer.

"A significant turning point in the monetary system," declared Secretary of the Treasury David M. Kennedy.

Former Secretary Henry H. Fowler, who put President Johnson's power and prestige behind this evolution in 1965, gave a cocktail party.

"A triumph of collective diplomacy," said Fowler. "Special Drawing Rights have been ratified by the highest authorities of nations. They are not a confection of a small group of finance ministers and central bankers in a smoke-filled room."

IMF delegates could return to their homelands with a sense of momentary calm and accomplishment.

SOME DOUBTS

Still, there were doubts. Fundamental imbalances might still remain. Was—is—further change required?

"The international monetary system which nurtured postwar prosperity is in trouble. That means that world prosperity—the rise in employment, trade and living standards in the United States, Europe, Japan and the rest of the world—faces trouble.

"The system is in trouble because the dollar is no longer almighty. It limps from crisis to crisis—first the devaluation of sterling in November 1967 then the forced shutdown of the gold pool in March 1968. A prudent man will expect more crises," I wrote 15 months ago.

Since then the dollar has become superficially stronger. But only because of the weakness of the franc and worries about social conditions in Europe.

INFLATION EXPLAINED

The men responsible for the management of the world's money—the heads of the Federal Reserve System, German Bundesbank, Bank of England, the Netherlands Bank and so on—have been unable to manage money because they've been unable to manage politicians. Votes dictate economic and social decisions of government—not gold reserves and foreign exchange rates.

That explains today's worldwide epidemic: Inflation.

In the postwar era, politicians have been haunted by the Great Depression. Never again high unemployment! Always onward and upward with economic growth! Even at the expense of price stability!

But now the economic consequences of inflation are so luminous that monetary and fiscal restraint are being applied—in the U.S., Great Britain, France, Germany and other parts of continental Europe. A recession in the U.S.—yes, even in the world—is possible.

Why?

Because people distrust paper currencies. They reach for anything that might go up in price—gold, works of art, antiques, real estate, stocks. They flee—in desperation—from one paper currency to another—from the franc, pound, and lira to the German mark, or Swiss franc or Netherlands guilder.

According to the International Monetary Fund, the designers at Bretton Woods 25 years ago never expected that governments would "have to be so much concerned about the public's changing views" on currencies: Which is going up in price? Which down?

MONETARY CONVULSION

But dollars floating around the world, especially in the Euro-dollar market, have ballooned the "volume" of short-term funds that can potentially move from financial center to financial center.

Two monetary crises in the last year—the result of currency speculation—illustrate the political impotence of central bankers.

In November 1968, funds from all over the world, but particularly from France and Great Britain, stampeded into Germany. "It was a monetary convulsion," said the sober German Bundesbank in its annual report.

Karl Schiller, German Minister of Economics, hastily summoned finance ministers and central bankers to Bonn: What could be done?

Newsmen covering the meeting conjectured: The German mark would be revalued—raised in price. Simultaneously, the French franc would be devalued—lowered in price. This, so the reporters theorized, would correct the economic disharmony between France and Germany.

VALUES IMBALANCED

Logic dictated this. Germany had a substantial trade surplus. Its exports far exceeded imports. An increase in the price of the mark would raise German export prices. Therefore, German sales of goods abroad would tend to fall. Collaterally, Germans—with their higher-priced marks—would buy foreign goods at lower prices. Therefore, imports ought to rise.

As for the French, the opposite—a lower-priced franc would boost exports, lower imports. The French trade deficit would be reduced or eliminated.

But no!

Despite the urging of Karl Blessing, head of the Bundesbank, Schiller insisted that the mark stay at four to the dollar—25 cents.

And President Charles de Gaulle, despite the urging of close advisers, stood pat on the franc. It would remain at five to the dollar—20 cents.

As a palliative, as a concession to the world, the Germans imposed a tax on exports and rebate on imports of 4 percent.

Objective: To raise prices of goods Germany sold abroad and lower the prices of goods coming into Germany. But Germany continued to pile up big trade surpluses. And the French balance-of-trade deteriorated further.

In May 1969, again funds stampeded into Germany. Speculators sucked foreign exchange out of central banks throughout Europe. At one point, for lack of foreign exchange, it was touch and go whether Denmark would be able to pay its bills. A weekend loan saved the day!

This time Schiller said yes. He would go along with the Bundesbank and revalue the mark. He explained that he had changed his mind because the 10 percent U.S. tax surcharge in 1968 had not slowed down the U.S. economy. In November, he feared that the rate of growth in world trade would fall and German exports would suffer.

STRAUSS SAYS NO

Now Minister of Finance Franz-Josef Strauss said no. Why should German exporters be penalized for their efficiency? The remedy was less inflation in the United States, France and elsewhere, not less German competition.

Besides, revaluation of the mark would lower commodity prices, particularly agricultural prices. Unless the government granted farmers a massive cash subsidy, farm votes would be lost.

Before making his decision, Chancellor Kurt Kiesinger arranged a "debate" of experts. Hermann Abs, former head of the Deutsche Bank, largest and most powerful bank in Germany, presented the case against revaluation. Otmar Emminger, the Bundesbank's respected internationalist, argued for.

Observers subsequently said: "The arguments didn't matter. The decision was political."

A beleaguered French official remarked: "Isn't it extraordinary—the government of 50 million Frenchmen is terrified by devaluation because it will raise prices! And the government of 60 million Germans is worried about revaluation because it will lower prices.

"Economics just isn't for the average man!"

SERIES ON "LAW AND ENVIRONMENT"—III

(Mr. SAYLOR asked and was given permission to extend his remarks at this

point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, the third article in the Christian Science Monitor series on "law and environment" touches on the "burden of proof" in court cases involving environmental issues. For the most part, the burden of proof is on the plaintiff which means the public-at-large as distinct from the public as represented by the Government. In the situation today where Government itself is a major source of pollution, the citizen often finds himself squeezed between two giants—Government and industry.

The article points out that the common law generally gives preference to the initiator of development forcing the aggrieved citizen to show why the law should be invoked to halt such development. This time-honored practice has not been seriously challenged until recently. However, if a body of law is to be developed to protect the environment, the challenge must succeed.

Conservationists have known for a long time of the "multiplier" effect of any private or government decision that effects nature; the drive for a "law of the environment" is a way of saying that a larger public is looking for legal remedies to protect against potentially harmful environmental decisions.

The article follows:

NATURAL-RESOURCE SUITS: LAWYERS STRESS IMAGINATION

(By Robert Cahn)

WASHINGTON.—Citizens along the Hudson River near Tarrytown, N.Y., who were concerned that a six-lane expressway irreversibly alter a pleasing environment sought to take their problem to the courts.

As plaintiffs (in this case against federal and states agencies) with the burden of proving that irreversible damages would develop from the expressway, their case looked almost hopeless once the federal government's Department of Transportation decided that the highway was necessary.

Instead of trying to base a fight only on constitutional grounds, however, counsel raised a statutory technicality charging that the government was acting illegally. And by such a seemingly inconsequential point as the definition of a dike in a 19th-century act of Congress, the government has been put on the defensive and the expressway has been blocked—at least temporarily.

LANDFILL NEEDED

The proposed expressway would extend along the east shore of the Hudson River near the Tappan Zee Bridge. About five miles of the road will rest on landfill which extends at one point 1,300 feet into the river. Lawyer David Sive, who represented the Citizen's Committee for the Hudson Valley and the Sierra Club, contended that the federal government had acted illegally in issuing a permit for the construction without authorization of Congress.

Mr. Sive dug out the 1889 Rivers and Harbors Act, which required congressional approval for dikes in United States navigable waters. The landfill, he argued, was such a dike. Attorneys for the federal and state government countered that a dike meant a wall which substantially affected navigation by confining river flow.

The United States District Court would not accept Mr. Sive's other arguments that constitutional rights of citizens were involved. But, said the court, a dike is a dike, and the Army Corps of Engineers exceeded its statutory authority in issuing the permit without permission of Congress. So construction has been halted, at least until a higher court can hear the appeal of the government.

At the first conference on law and the environment held recently in Warrenton, Va., the participating lawyers discussed this case and others relating to the difficulties of citizens' overcoming the "burden of proof" in environmental cases.

In most cases, lawyers for citizens' groups may not have the statutory grounds that were available to Mr. Sive. And until constitutional grounds can be developed and accepted by the courts, lawyers may be required to depend on imaginative uses of existing law.

In conference discussion, James Krier noted that the common law generally gives preference to the initiator of development and forces the aggrieved person to show why the law should intervene to stop or modify the development. He pointed out that in environmental litigation this produces a major handicap because environmental damage is hard to specify and needed expert information may be known only to the developer.

Mr. Krier pointed to the Texas Eastern case as an example of how existing burden-of-proof rules can be used to promote environmental values and to encourage developers in giving more consideration to the impact on the environment.

The Texas Eastern Natural Gas Company, which as a public utility can use the power of eminent domain, wanted to condemn a right of way through the Troy Meadows preserve in New Jersey to build a pipeline. Lawyers for the private preserve alleged that wilderness use by the public would be damaged by the pipeline. This loss would outweigh any loss to the company if it had to select another route, they said.

A trial court rejected the conservation position. Then the Supreme Court of New Jersey reversed the lower court. The Supreme Court held that the plaintiff had established the initial burden of showing that there might be serious damage to the nature preserve from the pipeline, and that there were other alternative routes available. It required the company to present evidence at a new trial that there would not be serious damage and that the route chosen was the best one.

Even though ultimately the gas company won the case, the developer has been forced to assume a major share of the burden of proof and to present previously unavailable information to explain why the action was necessary.

Prof. Joseph Sax of the University of Michigan, who has written several textbooks and articles on natural-resource law, believes that new legislation may be necessary to help the environmental plaintiff.

LEGISLATION URGED

Professor Sax recently urged the Michigan Legislature to pass a law allowing court actions by state officials or citizens against any person, including the government, "for the protection of the public trust in the natural resources of the suits."

The law should further provide, he says, that if a case can be made that a developer is reasonably likely to damage the environment, then the developer must have the burden of showing that there is no feasible and prudent alternative to his actions and that the development is in the public interest.

Environmenal plaintiffs have other burden-of-proof problems when a disaster has already taken place, such as the Santa Barbara oil spill. Participants at the conference agreed that some way should be found to require developers to include as a cost of doing business financial responsibility for environmental damage.

In suits to collect damages for the oil spill, plaintiffs had had difficulty obtaining information from the government and the oil companies. Without the information, the plaintiffs face an almost insurmountable burden of proof, especially when it is necessary to prove negligence.

INTRODUCING LEGISLATION TO ELIMINATE SUGAR QUOTA FOR SOUTH AFRICA

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

Mr. BINGHAM. Mr. Speaker, last April, along with a number of colleagues, I introduced a bill—H.R. 10239—to end the current subsidy to South Africa's sugar producers by eliminating its sugar quota. That legislation stated clearly that—

It is not in the interest of the United States to provide official support in any form to a country whose racial policies are anathema to the conscience of the world.

An identical bill was introduced in the Senate by Senator EDWARD KENNEDY.

Not only is our sugar quota a subsidy to South African apartheid—it is also a form of scarce foreign economic assistance. South Africa, however, is a highly developed nation which does not require the aid through trade offered by the sugar quota it currently enjoys. By contrast, the developing nations of Africa and the rest of the world do have great need for such assistance.

With these considerations in mind, I am today, with the support of 16 of my colleagues in the House, introducing legislation which amplifies my earlier bill to cut off the South African sugar quota. The legislation we are today introducing would redistribute the South African quota among the other four sugar exporting nations of Africa: Uganda, Mauritius, Malagasy, Swaziland.

Passage of this legislation would represent a concrete gesture of American support for and confidence in the developing nations of Africa. More specifically it would be an appropriate means of commemorating the seventh anniversary of the independence of Uganda, which was celebrated on October 9.

Uganda is a new nation richly deserving of our assistance. So far, despite a thriving sugar export capacity, Uganda has not been included in the group of nations permitted to export sugar to the United States under our sugar quota system. This legislation would permit such exports on a par with Mauritius, Malagasy, and Swaziland. The sugar quotas currently delegated to the latter three nations are well below their export capacity, and this legislation would provide significant increases in their quotas.

I hope this legislation will be given prompt consideration and approved.

OCEANOGRAPHY—NATIONAL OCEANIC AND ATMOSPHERIC AGENCY

(Mr. TUNNEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TUNNEY. Mr. Speaker, discussion during recent months and the efforts of many concerned Americans in recent years have given rise to a wave of legislative concern over the relation between the Nation and the oceans.

The commendable report of the Presidential Commission on Marine Science, Engineering, and Resources, entitled "Our Nation and the Sea," was a fascinating study of an untapped resource whose proper usage will be of the great-

est consequence. Even more importantly, the report was a challenge to this great Nation. And still more significantly, this has been one Commission whose findings are not going unheeded. Happily, its labors are resulting in action.

The importance of devoting a full-scale, national effort to the development of ocean resources cannot be overemphasized. Ours is a world where we are beset by an alarmingly urgent crisis of a rapidly increasing population. It is a world where the needs of a rampantly progressive technology grow vaster and vaster while we rapidly consume the subsoil resources which satisfy these needs. It is time that we must methodically seek the untouched subsea treasures. Four-fifths of our earth is under the seas—it is there that we must now turn.

For success in such a mammoth venture the ultimate in organization and coordination is necessary. Our successful effort will come from a comprehensive and long-range program of research, development, exploration, and utilization of our marine environment. The establishment of such a program should be of concern to everyone.

By cosponsoring the bill I introduce today I join in lending my support to the creation of a program to accomplish, as soon as possible, these vital goals.

The bill when enacted, will become the National Oceanic and Atmospheric Program Act of 1969. It declares that it is the policy of the United States to encourage, develop, and maintain a comprehensive, coordinated, and continuing national program in marine and atmospheric science, technology, and technical services for the benefit of mankind through the enhancement of commerce, transportation, and national security; the protection of health and property; the rehabilitation of our commercial fisheries; and the increased utilization of these and other resources.

The stated objectives of the program include: the accelerated development and utilization of the resources of the marine environment; the expansion of human knowledge of the marine and atmospheric environment; the encouragement of private investment participation; the advancement of education and training in marine and atmospheric science, technology, and technical services; and the cooperation by the United States with other nations and international organizations in marine and atmospheric activities.

The means by which we aim to attain our objectives is the creation of a National Oceanic and Atmospheric Agency. The establishment of such an independent agency within the Executive Branch was the single most important recommendation of the Presidential Commission on Marine Science, Engineering, and Resources. The Agency's creation is the key to effectively opening wide the treasure chest waiting beneath our seas.

In addition, Mr. Speaker, the bill calls for the establishment of a permanent 15-member committee as a National Advisory Committee for Oceans and Atmosphere. This Advisory Committee will provide continuing review of the progress of the Nation in achieving the objectives of its Oceanic and Atmospheric Program. It will advise the Administrator of the NOAA and will, in addition, submit comprehensive biennial reports to the President and the Congress.

These are the first small steps which must soon be taken if we are to make that giant leap into the depths of inner space—the unexplored spaces wherein can be found many of the solutions to problems we face here on the surface.

REAR ADM. JOHN HARLLEE

(Mr. TUNNEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TUNNEY. Mr. Speaker, my good friend, Rear Adm. John Harllee, a man with a distinguished record of nearly 40 years of public service, left Government service on September 1, 1969. His outstanding career spanned service in the U.S. Navy, private industry, and the Federal Maritime Commission, where he was chairman. In all these areas Adm. John Harllee exhibited exceptional perspicacity, innovative leadership, mettle, hard work, and honesty. They are his attributes and are a palpable part of his record. He, his family, and friends can all be justifiably proud of it. His career is worthy of note and our commendation.

The son of Mrs. Ella F. Harllee and the late Brig. Gen. William C. Harllee, U.S. Marine Corps, retired, John Harllee graduated from the U.S. Naval Academy in 1934.

After participating in the defense of Pearl Harbor, where he was stationed, Admiral Harllee distinguished himself in a variety of commands. He commanded Torpedo Motor Boat Squadron 12 which was awarded the Presidential Unit Citation for outstanding combat performance in the Southwest Pacific during 1943 and 1944. He also served for a year as chief staff officer of the PT organization in that area, which included 10,000 officers and men, 200 PT boats, 11 supporting ships, and seven bases. During World War II, Admiral Harllee's service was recognized with the award of the Silver Star and Legion of Merit with Combat V.

From 1947 to 1948, Admiral Harllee served in the Navy's congressional liaison unit. From 1948 to 1949, he commanded the destroyer U.S.S. *Dyess*, which won the annual divisional competition. Subsequently, he attended the senior course of the Naval War College.

During the Korean conflict, Admiral Harllee was executive director of the cruiser *Manchester*. He received the Commendation Ribbon for conduct in action, and various other campaign and service medals, including 10 battle stars.

From 1955 to 1958 he distinguished himself in his assignments which included commanding Division 152, commander of all surface ships on Formosa patrol, chief of staff of Destroyer Flotilla 3 and commander of the U.S.S. *Rankin*, which won more awards than any other ship during peacetime. All Hands magazine in January 1959 in a special report on the U.S.S. *Rankin* and its captain John Harllee drew one conclusion—that any ship that John Harllee commanded would deserve and win many awards.

Admiral Harllee voluntarily retired from the U.S. Navy in 1959 and for 2 years worked in private industry prior to becoming a consultant to the Under Secretary of Commerce for Transportation.

In August 1961, President Kennedy appointed John Harllee to the Federal Maritime Commission. Two years later he was named Chairman of the Commission. He ably served in that capacity, having been appointed to a second term by President Johnson on July 20, 1965.

Admiral Harllee's service as Chairman of the Federal Maritime Commission has been acclaimed by many individuals and groups. He received the Man of the Year Award by the New York Foreign Freight Forwarders and Brokers Association. In presenting the award the President of the Association noted Admiral Harllee's patience, dedication and concern. He stated:

> In our memory he is the first Chairman to sit down with forwarders . . . and review in detail the operations of our industry. We are most impressed with this willingness to exchange views. We find it indeed heartening that the Chief of an important Federal regulatory agency is willing to seek out the facts and consider our views as to solutions for existing problems.

The Admiral also received the Golden Quill Award from the Rudder Club of New York, the Order of Maritime Merit by the San Francisco Port Authority, the Honorary Port Pilot Award from the Port of Long Beach, Calif., and for his outstanding work in the field of maritime law, he was recently honored by the Federal Bar Association.

The many encomiums that have been heaped on Adm. John Harllee, have been well deserved. His family, friends and country have been well served.

SUGGESTIONS FOR CONGRESSIONAL REFORM

(Mr. TUNNEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TUNNEY. Mr. Speaker, ours is a reform-oriented society. People are confident that if institutional deficiencies are exposed, something will be done about them. Congress is one institution which is almost constantly under popular attack as archaic in structure, cumbersome in procedure, and unresponsive to popular demands. The criticism abounds but little is done by Congress itself to produce change.

The House of Representatives has been the recipient in recent years of more reformist pressure than the Senate. The House has reacted by showing even greater reluctance than its sister body to modernizing its rules and practices.

Congress has not reorganized itself since 1946. In 1967 a reorganization bill passed the Senate but foundered in the House Rules Committee, where the matter was never even brought to a vote. As a result, the 435 Members of the House never got an opportunity to vote for or against the measure.

The fact that eight members of the Rules Committee can prevent the entire House from voting on legislation highlights one of the major obstacles to reform. To produce reform, interested Con-

gressmen have to follow the very same rules and procedures that have stimulated the outcry for reform in the first place. The mechanisms which invite reformation are the ones which inhibit it.

I am now embarking on my third 2-year term in the House. There are many traditions in the House that I have come to love, but there are many others which I believe necessitate fresh thinking and creative refurbishing.

No Member can fail to appreciate the genius of our forefathers who established an institution which reflects the microcosmic interests of the diverse American citizenry. One cannot fault the organization of these various Representatives into a complex legislative body which is capable of functioning in peaceful as well as crisis days. It is, however, the quality of the legislative process as well as its responsiveness to the needs of the Nation as a whole that is today quite properly the concern of all Americans.

One important area of congressional affairs which needs remodeling is the seniority system. In the House, a Member ascends to the chairmanship of a committee when he has served longer on that committee than any other Congressman of the majority party. With most committees, the chairman hires and fires the staff for all subcommittees as well as the full committee.

POWERS OF A CHAIRMAN

The chairman establishes the calendar for the consideration of bills. If a chairman does not want a bill to be heard, he simply does not put it on the calendar for hearings. The chairman is responsible for getting a bill from his committee to the House floor. Once the debate starts, the chairman is in control of the time, although hallowed tradition compels him automatically to turn over 50 percent of debate time to the committee's ranking minority party member. If a Member wants to speak during the debate, he must secure permission from either the chairman or the ranking minority member.

The net effect of the seniority system is to give tremendous power to committee chairmen. Presently chairmen have served in the House an average of 6 years as committee chairmen, are on the average 66 years old, and 61.9 percent represent primarily rural districts. When you consider that 69.9 percent of the population lives in urban areas and that 50 percent of Americans are less than 25, it is clear that the House power structure is unrepresentative of the population.

The seniority system has not always been a part of House tradition. It represented a reform in 1910 when dissident Members revolted against the autocratic one-man rule of Speaker Joe Cannon. In those stormy days Speaker Cannon appointed committee chairmen. Those who displeased him were replaced. Insecurity stimulated a passion for change. The result is the seniority system where the rise of members to the top is dependent on longevity.

The mystery of the seniority system is that it works as well as it does. There are many committees where the most talented, most knowledgeable man on the committee is the chairman. There are others where he clearly is not.

The House needs democratization and the seniority system must be modified. Numerous suggestions have been offered by critics. I would like to put forward several of my own which I believe are feasible and timely.

First, the most senior man of the majority party would become chairman unless, at the committee's organization meeting in each Congress, he failed on a secret ballot to get at least one-third of the votes of his own party. Only committee members could vote. Failure to get one-third of the votes would mean the chairmanship would devolve to the second most senior man of the majority party, unless he failed to get one-third of his party's votes. The chairmanship would then pass down the line on the basis of seniority until one man gets the necessary one-third support.

Second, every committee member would have at least one professional staff man on each of his committees. This would allow individual members to make a much greater contribution to the committee, particularly in light of the plethora of complex legislation that is currently before every committee.

Third, no chairman could serve in that capacity for longer than 8 years. This is the same limitation that we place on our Presidents because of fear that a protracted concentration of power in one man for too long a time is unwise. It seems appropriate that a similar rule should apply to powerful congressional committee chairmanships.

JOB FOR AN OMBUDSMAN

Another category of congressional activity which needs imaginative overhauling is constituent services. Every Congressman receives numerous requests from his constituents asking help in problems they are having with the Federal agencies. I average over 30 such requests a day. The assistance needed varies from getting the Social Security Administration to act on a retirement claim, to finding available space for a veteran in a veterans' hospital.

In cases like this the Congressman is the only one to whom a person can turn to get relief from the real or imagined sins of the Federal bureaucracy. Acting as a champion against impersonal Government is a key feature of a Congressman's job. It can be done much more efficiently, however.

As it now stands, at least 50 percent of the staff effort in most congressional offices is devoted to servicing constituent needs. Because of the wide variety of problems and agencies involved, it is impossible for a Congressman or his staff to be expert in interpreting all the various laws and regulations involved. Most often the official who is being asked to do some act is the only one with sufficient expertise to know whether he can and should do that which is requested of him.

What is needed is a separate office of ombudsman established by the Congress and reporting only to Members of Congress or, where appropriate, to the Congress as a whole.

This office would be staffed by experts in each of the various executive departments. All congressional inquiries in a particular field could, at the discretion of the Congressman or Senator, be funneled to the ombudsman-expert who would communicate with agency officials at the same level of expertise. It would be impossible for an official to obfuscate the clear meaning of the law. The ombudsman would, whenever justified, insist on corrective action being taken and then report back directly to the Congressman.

Two important benefits would be derived from an office of ombudsman. First, citizens complaints would be more effectively resolved and second, the Congressman would be able to have his staff devote more time to his primary function—that of a legislator, drafting and voting on the laws of the land.

Congressional reform is a fertile topic deserving close attention by the public. Everyone has his own pet peeves and suggestions for improvement. The important thing is that results flow from the debate. It is time for Congress to be shaped in the image of the last half of the 20th century.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MORSE (at the request of Mr. GERALD R. FORD), for the week of October 13, on account of official business conferring with chairman and members of the U.S. delegation to Paris Peace Conference and U.S. delegate to conferences of the Development Assistance Committee of the OECD.

Mr. JONES of Tennessee (at the request of Mr. ANDERSON of Tennessee), for today, on account of official business.

Mr. CORMAN, for Monday, October 20, on account of official business.

Mr. ASPINALL, from October 22 to October 27, 1969, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HAMMERSCHMIDT); to revise and extend their remarks and include extraneous matter:)

Mr. HALL, for 60 minutes, on October 27, 1969.

Mr. DEVINE, for 60 minutes, on October 27, 1969.

Mr. KUYKENDALL, for 30 minutes, on October 21, 1969.

(The following Members (at the request of Mr. CAFFERY); to revise and extend their remarks and to include extraneous matter:)

Mr. FARBSTEIN, for 20 minutes, today.

Mr. REUSS, for 30 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. RYAN, for 60 minutes, on November 13.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. KYL to revise and extend remarks made in connection with H.R. 14195.

Mr. ABBITT to revise and extend remarks and include extraneous matter in connection with H.R. 14195.

(The following Members (at the request of Mr. HAMMERSCHMIDT) and to include extraneous matter:)

Mr. ROBISON.
Mr. WYMAN in two instances.
Mr. HALPERN.
Mr. STEIGER of Wisconsin.
Mr. SNYDER.
Mr. BROOMFIELD.
Mr. LANGEN.
Mr. JOHNSON of Pennsylvania.
Mr. DICKINSON.
Mr. SKUBITZ in two instances.
Mr. SPRINGER.
Mr. MICHEL.
Mr. DERWINSKI in two instances.
Mr. TAFT in two instances.
Mr. CHAMBERLAIN in two instances.
Mr. RHODES.
Mr. STAFFORD.
Mr. BRAY in two instances.
Mr. REID of New York.

(The following Members (at the request of Mr. CAFFERY) and to include extraneous matter:)

Mr. MARSH in two instances.
Mr. PURCELL.
Mr. LONG of Maryland in two instances.
Mr. FISHER in two instances.
Mr. BOLLING.
Mr. TEAGUE of Texas in six instances.
Mr. BARING.
Mr. O'HARA in three instances.
Mr. RARICK in three instances.
Mr. JOHNSON of California.
Mr. COHELAN in two instances.
Mr. WILLIAM D. FORD.
Mrs. SULLIVAN in two instances.
Mr. FRIEDEL in two instances.
Mr. WALDIE in two instances.
Mr. CELLER in two instances.
Mr. HAMILTON in 10 instances.
Mr. HELSTOSKI.
Mr. UDALL in seven instances.
Mr. OTTINGER.
Mr. FOUNTAIN in two instances.
Mr. OLSEN in three instances.
Mr. GONZALEZ in two instances.
Mr. EILBERG.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2214. An act to exempt potatoes for processing from marketing orders; to the Committee on Agriculture.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 11039. An act to amend further the Peace Corps Act (75 Stat. 612), as amended.

ADJOURNMENT

Mr. CAFFERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 12 minutes p.m.), the House adjourned until tomorrow, Tuesday, October 21, 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:

1265. A letter from the Director, Federal Judicial Center, transmitting the second annual report of the Center (H. Doc. No. 91–181); to the Committee on the Judiciary and ordered to be printed.

1266. A letter from the adjutant general, Veterans of Foreign Wars of the United States of America, transmitting the audit of the quartermaster general of the VFW for the fiscal year ended August 31, 1969, pursuant to the provisions of Public Law 630 (74th Congress); to the Committee on Armed Services.

1267. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act so as to extend for an additional period the authority to make formula grants to schools of public health; to the Committee on Interstate and Foreign Commerce.

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. PHILBIN: Committee on Armed Services. H.R. 4296. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the armed forces; with amendments (Rept. No. 91–579). Referred to the Committee of the Whole House on the state of the Union.

Mr. FISHER: Committee on Armed Services. H.R. 82. A bill to amend title 37, United States Code, to modify requirements necessary to establish entitlement to incentive pay for members of submarine operational command staffs serving on submarines during underway operations; with amendments (Rept. No. 91–580). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ANNUNZIO (for himself, Mr. BURKE of Massachusetts, Mr. BURTON of California, Mr. CAHILL, Mrs. CHISHOLM, Mr. CLAY, Mr. DENT, Mr. FULTON of Pennsylvania, Mr. HALPERN, Mr. MILLER of California, Mrs. MINK, Mr. MOSS, Mr. O'NEILL of Massachusetts, Mr. ROSENTHAL, Mr. SISK, Mr. TUNNEY, and Mr. VIGORITO):

H.R. 14400. 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 program, 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. BIESTER (for himself, Mr. HALPERN, Mr. HUNGATE, Mr. MATSUNAGA, and Mr. WHITEHURST):

H.R. 14401. A bill to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations, and for other purposes; to the Committee on Agriculture.

By Mr. BINGHAM (for himself, Mr. BRASCO, Mr. BROWN of California, Mr. CLAY, Mr. CULVER, Mr. DIGGS, Mr. EDWARDS of California, Mr. FARBSTEIN, Mr. FRASER, Mr. GREEN of Pennsylvania, Mr. KOCH, Mr. LOWENSTEIN, Mr. MIKVA, Mr. OTTINGER, Mr. REID of New York, Mr. RYAN, and Mr. SCHEUER):

H.R. 14402. A bill to amend the Sugar Act of 1948 to terminate the quota for South Africa, and to redistribute said quota among certain developing African nations; to the Committee on Agriculture.

By Mr. BLACKBURN (for himself, Mr. MOORHEAD, and Mr. CHAPPELL):

H.R. 14403. A bill to amend the Bank Holding Company Act of 1956; to the Committee on Banking and Currency.

By Mr. BOGGS:

H.R. 14404: A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.R. 14405. A bill to amend title II of the Social Security Act to increase from $160 to $250 a month the amount of the gratuitous wage credit allowed in computing benefits thereunder for active military or naval service performed during World War II or the Korean conflict; to the Committee on Ways and Means.

By Mr. COHELAN (for himself, Mr. ANDERSON of California, Mr. BROWN of California, Mr. BURTON of California, Mr. CORMAN, Mr. EDWARDS of California, Mr. HANNA, Mr. HOLIFIELD, Mr. LEGGETT, Mr. MILLER of California, Mr. MOSS, Mr. REES, Mr. ROYBAL, Mr. TUNNEY, Mr. VAN DEERLIN, Mr. WALDIE, and Mr. CHARLES H. WILSON):

H.R. 14406. A bill to amend the Land and Water Conservation Act of 1965 to provide that authority to enter into certain mineral leases with respect to the Outer Continental Shelf shall be suspended during any period when amounts in the land and water conservation fund are impounded or otherwise withheld from expenditure, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. COLLIER:

H.R. 14407. A bill to amend the Federal Water Pollution Control Act, as amended, to provide adequate financial assistance and to increase the allotment to certain States of construction grant funds; to the Committee on Public Works.

By Mr. CONABLE:

H.R. 14408. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 14409. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 14410. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 14411. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 (or $4,200 in the case of a widow with minor children) the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. KLEPPE:

H.R. 14412. A bill to protect interstate and

foreign commerce by prohibiting the movement in such commerce of horses which are "sored," and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MIKVA:

H.R. 14413. A bill to extend the fourth-class mail rate for books and educational materials to photographic prints mailed to and from amateur photographers and nonprofit photographic exhibitions, photographic societies, and photographic print study groups; to the Committee on Post Office and Civil Service.

By Mr. MIKVA (for himself and Mr. EDWARDS of California):

H.R. 14414. A bill to prohibit hiring professional strikebreakers in interstate labor disputes; to the Committee on Education and Labor.

By Mr. MOSHER:

H.R. 14415. A bill to provide that the fiscal year of the United States shall coincide with the calendar year; to the Committee on Government Operations.

By Mr. ST. ONGE:

H.R. 14416. A bill to amend the Social Security Act to provide increases in benefits under the old-age, survivors, and disability insurance program, to provide health insurance benefits for the disabled, and for other purposes; to the Committee on Ways and Means.

By Mr. STAGGERS (for himself, Mr. SPRINGER, Mr. GERALD R. FORD, Mr. BOLAND, and Mr. CONTE):

H.R. 14417. A bill to authorize the Secretary of Transportation to prescribe rules, regulations, and performance and other standards as he finds necessary for all areas of railroad safety and to conduct railroad safety research; to the Committee on Interstate and Foreign Commerce.

By Mr. TUNNEY:

H.R. 14418. A bill to amend the Marine Resources and Engineering Development Act of 1966 to establish a comprehensive and long-range national program of research, development, technical services, exploration, and utilization with respect to our marine and atmospheric environment; to the Committee on Merchant Marine and Fisheries.

By Mr. WEICKER:

H.R. 14419. A bill to authorize the Secretary of Transportation to prescribe rules, regulations, and performance and other standards as he finds necessary for all areas of railroad safety and to conduct railroad safety research; to the Committee on Interstate and Foreign Commerce.

By Mr. ZWACH:

H.R. 14420. A bill to extend for 3 years the authority of the Armed Forces and the Veterans' Administration to use dairy products purchased by the Commodity Credit Corporation; to the Committee on Agriculture.

By Mr. KEITH:

H.J. Res. 962. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BLACKBURN:

H. Con. Res. 415. Concurrent resolution urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H. Con. Res. 416. Concurrent resolution expressing the sense of Congress with respect to the assignment to Vietnam of persons inducted into the Armed Forces; to the Committee on Armed Services.

By Mr. FRIEDEL:

H. Con. Res. 417. Concurrent resolution to provide that failure of executive departments, agencies or instrumentalities of the Federal Government to respond within 60 days to requests from committees of Congress for reports on pending legislation shall create the conclusive presumption that such agencies favor enactment of the legislation and that enactment is consistent with the legislative program of the President; to the Committee on Rules.

By Mr. HANNA:

H. Con. Res. 418. Concurrent resolution urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry; to the Committee on Ways and Means.

By Mr. PURCELL (for himself and Mr. COLLINS):

H. Con. Res. 419. Concurrent resolution urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 14421. A bill to provide for the conveyance of certain property of the United States located in Lawrence County, S. Dak., to John and Ruth Rachetto; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY of New York:

H.R. 14422. A bill for the relief of Giuseppe Musumeci and Concetta Franca Mellia Musumeci; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 14423. A bill for the relief of Alfio Occhio; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 14424. A bill for the relief of Loretta, Blondel, Brenalyn, Benaud, Beverly, and Brenda Lee Jones; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

268. The SPEAKER presented a memorial of the Legislature of the State of Wisconsin, relative to questions proposed to be asked on the 1970 decennial census, which was referred to the Committee on Post Office and Civil Service.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

297. By the SPEAKER: Petition of the American Ornithologists' Union, Washington, D.C., relative to establishing the Buffalo River as a national wild river; to the Committee on Interior and Insular Affairs.

298. Also, petition of Henry Stoner, York, Pa., relative to debate on Vietnam; to the Committee on Rules.

299. Also, petition of Francis A. Briney, Rocky Mount, N.C., relative to pensions for veterans of World War I; to the Committee on Veterans' Affairs.

SENATE—*Monday, October 20, 1969*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

"Holy Spirit, Truth divine,
Dawn upon this soul of mine;
Word of God, and inward Light,
Wake my spirit, clear my sight."
—SAMUEL LONGFELLOW, 1864.

Eternal Father, may this song of the soul awaken us to all true values, clear our sight, and so guard and guide us that daily duties may be lifted into acts of worship. Refresh us at this noonday altar lest we weary before our work is done or despair because the tasks are too difficult. In a world uncertain about many things make us certain of Thee with an inner certitude of experience which endures "the strain of toil, the fret of care." Keep us clear in mind, steadfast in spirit, resolute in righteousness, that we may be used by Thee for the welfare of all mankind and the fashioning of this Nation in the pattern of the kingdom whose maker and ruler is God.

In His name we pray. Amen.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of October 16, 1969, the following reports of a committee were submitted on October 17, 1969:

By Mr. CRANSTON, from the Committee on Labor and Public Welfare, without amendment:

H.R. 2768. An act to amend title 38 of the United States Code in order to eliminate the 6-month limitation on the furnishing of nursing home care in the case of veterans with service-connected disabilities (Rept. No. 91–482); and

H.R. 3130. An act to amend title 38, United States Code, to provide that the Administrator of Veterans' Affairs may furnish medical services for non-service-connected disability to any war veteran who has total disability from a service-connected disability (Rept. No. 91–483).

By Mr. CRANSTON, from the Committee on Labor and Public Welfare, with an amendment:

H.R. 9334. An act to amend title 38, United States Code, to promote the care and treatment of veterans in State veterans' homes (Rept. No. 91–484).

By Mr. CRANSTON, from the Committee on Labor and Public Welfare, with amendments:

S. 1279. A bill to provide that any disability of a veteran who is a former prisoner of war is presumed to be service-connected for purposes of hospitalization and outpatient care (Rept. No. 91–486);

H.R. 693. An act to amend title 38 of the United States Code to provide that veterans who are 72 years of age or older shall be deemed to be unable to defray the expenses of necessary hospital or domiciliary care, and for other purposes (Rept. No. 91–481); and

H.R. 9634. An act to amend title 38 of the United States Code in order to improve and make more effective the Veterans' Administration program of sharing specialized medical resources (Rept. No. 91–485).

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, October 16, 1969, be dispensed with.